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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 2021/2000
of 26 September 2000
establishing the standard import values for determining the entry price of certain fruit and
vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 September 2000.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 26 September 2000 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	97,4
	999	97,4
0707 00 05	052	91,1
	628	145,8
	999	118,5
0709 90 70	052	71,5
	999	71,5
0805 30 10	052	75,3
	388	62,0
	524	55,6
	528	60,3
	999	63,3
0806 10 10	052	89,3
	064	83,1
	400	209,6
	999	127,3
0808 10 20, 0808 10 50, 0808 10 90	388	86,1
	400	55,5
	512	87,9
	800	190,8
	804	63,8
	999	96,8
	052	96,6
0808 20 50	064	61,8
	999	79,2
0809 30 10, 0809 30 90	052	137,7
	624	192,1
	999	164,9
0809 40 05	052	92,1
	060	69,5
	064	54,0
	066	87,1
	400	140,1
	624	170,3
	999	102,2

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 2022/2000**of 26 September 2000****amending Regulations (EC) No 1667/98, (EC) No 1451/2000, (EC) No 1490/2000, (EC) No 1759/98, (EC) No 1760/98, (EC) No 2198/98, (EC) No 1392/1999 and (EC) No 441/2000 opening standing invitations to tender in the market of cereals held by certain intervention agencies**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 1630/2000 ⁽⁴⁾, lays down the procedures and conditions for the sale of cereals held by the intervention agencies.
- (2) A later date must be set for the last partial invitation to tender for the tenders opened by Commission Regulations (EC) No 1667/98 ⁽⁵⁾, as last amended by Regulation (EC) No 1976/2000 ⁽⁶⁾, (EC) No 1451/2000 ⁽⁷⁾, (EC) No 1490/2000 ⁽⁸⁾, as last amended by Regulation (EC) No 1923/2000 ⁽⁹⁾, (EC) No 1759/98 ⁽¹⁰⁾, as last amended by Regulation (EC) No 1977/2000 ⁽¹¹⁾, (EC) No 1760/98 ⁽¹²⁾, as last amended by Regulation (EC) No 1191/2000 ⁽¹³⁾, (EC) No 2198/98 ⁽¹⁴⁾, as last amended

by Regulation (EC) No 1978/2000 ⁽¹⁵⁾, (EC) No 1392/1999 ⁽¹⁶⁾, as last amended by Regulation (EC) No 1367/2000 ⁽¹⁷⁾, and (EC) No 441/2000 ⁽¹⁸⁾, as last amended by regulation (EC) No 1307/2000 ⁽¹⁹⁾.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Article 5(3) of Regulations (EC) No 1667/98, (EC) No 1451/2000 (EC), No 1490/2000, No 1759/98, (EC) No 1760/98, (EC) No 2198/98, (EC) No 1392/1999 and (EC) No 441/2000 is replaced by the following:

‘3. The last partial invitation to tender shall expire on 17 May 2001, at 9 a.m. (Brussels time).’

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

⁽⁵⁾ OJ L 211, 29.7.1998, p. 17.

⁽⁶⁾ OJ L 236, 20.9.2000, p. 6.

⁽⁷⁾ OJ L 163, 4.7.2000, p. 20.

⁽⁸⁾ OJ L 168, 8.7.2000, p. 5.

⁽⁹⁾ OJ L 230, 12.9.2000, p. 3.

⁽¹⁰⁾ OJ L 221, 8.8.1998, p. 8.

⁽¹¹⁾ OJ L 236, 20.9.2000, p. 8.

⁽¹²⁾ OJ L 221, 8.8.1998, p. 13.

⁽¹³⁾ OJ L 134, 7.6.2000, p. 23.

⁽¹⁴⁾ OJ L 277, 14.10.1998, p. 9.

⁽¹⁵⁾ OJ L 236, 20.9.2000, p. 10.

⁽¹⁶⁾ OJ L 163, 29.6.1999, p. 21.

⁽¹⁷⁾ OJ L 156, 29.6.2000, p. 9.

⁽¹⁸⁾ OJ L 54, 26.2.2000, p. 29.

⁽¹⁹⁾ OJ L 148, 22.6.2000, p. 18.

COMMISSION REGULATION (EC) No 2023/2000
of 26 September 2000
opening a standing invitation to tender for the export of barley held by the Belgian intervention
agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 1630/2000 ⁽⁴⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies.
- (2) Given the current market situation, a standing invitation to tender should be opened for the export of 38 224 tonnes of barley held by the Belgian intervention agency.
- (3) Special procedures must be laid down to ensure that the operations and their monitoring are properly effected. To that end, provision should be made for a security lodgement scheme which ensures that aims are met while avoiding excessive costs for the operators. Derogations should accordingly be made to certain rules, in particular those laid down in Regulation (EEC) No 2131/93.
- (4) Where removal of the barley is delayed by more than five days or the release of one of the securities required is delayed for reasons imputable to the intervention agency the Member State concerned must pay compensation.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Subject to the provisions of this Regulation the Belgian intervention agency issues a standing invitation to tender for the export of barley held by it in accordance with Regulation (EEC) No 2131/93.

Article 2

1. The invitation to tender shall cover a maximum of 38 224 tonnes of barley for export to third countries, with the exception of the United States, Canada and Mexico.

2. The regions in which the 38 224 tonnes of barley are stored are set out in Annex I.

Article 3

1. Notwithstanding the third paragraph of Article 16 of Regulation (EEC) No 2131/93, the price to be paid for the export shall be that quoted in the tender.

2. No export refund or tax or monthly increase shall be granted on exports carried out pursuant to this Regulation.

3. Article 8(2) of Regulation (EEC) No 2131/93 shall not apply.

Article 4

1. The export licences shall be valid from their date of issue within the meaning of Article 9 of Regulation (EEC) No 2131/93 until the end of the fourth month thereafter.

2. Tenders submitted in response to this invitation to tender may not be accompanied by export licence applications submitted pursuant to Article 44 of Commission Regulation (EEC) No 3719/88 ⁽⁵⁾.

Article 5

1. Notwithstanding Article 7(1) of Regulation (EEC) No 2131/93, the time limit for submission of tenders in respect of the first partial invitation to tender shall be 9 a.m. (Brussels time) on 28 September 2000.

2. The time limit for submission of tenders in respect of subsequent partial invitations to tender shall be 9 a.m. (Brussels time) each Thursday thereafter.

3. The last partial invitation to tender shall be 9 a.m. (Brussels time) on 17 May 2001.

4. Tenders shall be lodged with the Belgian intervention agency.

Article 6

1. The intervention agency, the storer and the successful tenderer shall, at the request of the latter and by common agreement, either before or at the time of removal from storage as the successful tenderer chooses, take reference samples for counter-analysis at the rate of at least one sample for every 500 tonnes and shall analyse the samples. The intervention agency may be represented by a proxy, provided this is not the storer.

The analysis results shall be forwarded to the Commission in the event of a dispute.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

⁽⁵⁾ OJ L 331, 2.12.1988, p. 1.

Reference samples for counter-analysis shall be taken and analysed within seven working days of the date of the successful tenderer's request or within three working days if the samples are taken on removal from storage. Where the final result of sample analyses indicates a quality:

- (a) higher than that specified in the notice of invitation to tender, the successful tenderer must accept the lot as established;
- (b) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, providing that the differences having regard to those criteria do not exceed the following limits:
 - two kilograms per hectolitre as regards specific weight, which must not, however, be less than 60 kg/hl,
 - one percentage point as regards moisture content,
 - half a percentage point as regards impurities as specified in points B.2 and B.4 of the Annex to Commission Regulation (EEC) No 689/92 ⁽¹⁾, and
 - half a percentage point as regards impurities as specified in point B.5 of the Annex to Regulation (EEC) No 689/92, the percentages admissible for noxious grains and ergot, however, remaining unchanged,

the successful tenderer must accept the lot as established;

- (c) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, and a difference exceeding the limits set out in point (b), the successful tenderer may:
 - accept the lot as established, or
 - refuse to take over the lot in question. The successful tenderer shall be discharged of all his obligations relating to the lot in question and the securities shall be released only once he has informed the Commission and the intervention agency forthwith in accordance with Annex II; however, if he requests the intervention agency to supply him with another lot of intervention barley of the quality laid down at no additional charge, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's request. The successful tenderer shall notify the Commission immediately thereof in accordance with Annex II;
- (d) below the minimum characteristics laid down for intervention, the successful tenderer may not remove the lot in question. He shall be discharged of all his obligations relating to the lot in question and the securities shall be released only once he has informed the Commission and the intervention agency forthwith in accordance with Annex II; however, he may request the intervention agency to supply him with another lot of intervention barley of the quality laid down at no additional charge. In that case, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's

request. The successful tenderer shall immediately inform the Commission thereof in accordance with Annex II.

2. However, if the barley is removed before the results of the analyses are known, all risks shall be borne by the successful tenderer from the time the lot is removed, without prejudice to any means of redress of which he may avail himself against the storer.

3. If, as a result of successive replacements, the successful tenderer has not received a replacement lot of the quality laid down within one month of the date of his request for a replacement, he shall be discharged of all his obligations and the securities shall be released once he has informed the Commission and the intervention agency forthwith in accordance with Annex II.

4. Except where the final results of analyses indicate a quality below the minimum characteristics laid down for intervention, the costs of taking the samples and conducting the analyses provided for in paragraph 1 but not of inter-bin transfers shall be borne by the European Agricultural Guidance and Guarantee Fund (EAGGF) in respect of up to one analysis per 500 tonnes. The costs of inter-bin transfers and any additional analyses requested by the successful tenderer shall be borne by him.

Article 7

By derogation from Article 12 of Commission Regulation (EEC) No 3002/92 ⁽²⁾, the documents relating to the sale of barley in accordance with this Regulation, and in particular the export licence, the removal order referred to in Article 3(1)(b) of Regulation (EEC) No 3002/92, the export declaration and, where necessary, the T5 copy shall carry the entry:

- Cebada de intervención sin aplicación de restitución ni gravamen, Reglamento (CE) n° 2023/2000
- Byg fra intervention uden restitutionsydelse eller -afgift, forordning (EF) nr. 2023/2000
- Interventionsgerste ohne Anwendung von Ausfuhrerstattungen oder Ausfuhrabgaben, Verordnung (EG) Nr. 2023/2000
- Κριθή παρέμβασης χωρίς εφαρμογή επιστροφής ή φόρου, κανονισμός (ΕΚ) αριθ. 2023/2000
- Intervention barley without application of refund or tax, Regulation (EC) No 2023/2000
- Orge d'intervention ne donnant pas lieu à restitution ni taxe, règlement (CE) n° 2023/2000
- Orzo d'intervento senza applicazione di restituzione né di tassa, regolamento (CE) n. 2023/2000
- Gerst uit interventie, zonder toepassing van restitutie of belasting, Verordening (EG) nr. 2023/2000
- Cevada de intervenção sem aplicação de uma restituição ou imposição, Regulamento (CE) n.º 2023/2000
- Interventio-ohraa, johon ei sovelleta vientitukea eikä vientimaksua, asetus (EY) N:o 2023/2000
- Interventionskorn, utan tillämpning av bidrag eller avgift, förordning (EG) nr 2023/2000.

⁽¹⁾ OJ L 74, 20.3.1992, p. 18.

⁽²⁾ OJ L 301, 17.10.1992, p. 17.

Article 8

1. The security lodgement pursuant to Article 13(4) of Regulation (EEC) No 2131/93 must be released once the export licences have been issued to the successful tenderers.

2. Notwithstanding Article 17 of Regulation (EEC) No 2131/93, the obligation to export shall be covered by a security equal to the difference between the intervention price applying on the day of the award and the price awarded but not less than EUR 10 per tonne. Half of the security shall be lodged when the licence is issued and the balance shall be lodged before the cereals are removed.

Notwithstanding Article 15(2) of Regulation (EEC) No 3002/92:

— the part of the security lodged when the licence is issued must be released within 20 working days of the date on which the successful tenderer provides proof that the cereals removed have left the customs territory of the Community.

Notwithstanding Article 17(3) of Regulation (EEC) No 2131/93:

— the remainder must be released within 15 working days of the date on which the successful tenderer provides the proof referred to in Article 18 of Regulation (EEC) No 3665/87.

3. Except in duly substantiated exceptional cases, in particular the opening of an administrative enquiry, any release of the securities provided for in this Article after the time limits specified in this same Article shall confer an entitlement to compensation from the Member State amounting to EUR 0,015 per 10 tonnes for each day's delay.

This compensation shall not be charged to the EAGGF.

Article 9

Within two hours of the expiry of the time limit for the submission of tenders, the Belgian intervention agency shall notify the Commission of tenders received. Such notification shall be made using the model set out in Annex III and the telex or fax numbers set out in Annex IV.

Article 10

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

(tonnes)	
Place of storage	Quantity
Hainaut	26 848
Liège	11 376

ANNEX II

Communication of refusal of lots under the standing invitation to tender for the export of barley held by the Belgian intervention agency

(Article 6(1) of Regulation (EC) No 2023/2000)

- Name of successful tenderer:
- Date of award of contract:
- Date of refusal of lot by successful tenderer:

Lot No	Quantity in tonnes	Address of silo	Reason for refusal to take over
			— Specific weight (kg/hl) — % sprouted grains — % miscellaneous impurities (Schwarzbesatz) — % of matter which is not basic cereal of unimpaired quality — Other

ANNEX III

Standing invitation to tender for the export of barley held by the Belgian intervention agency

(Regulation (EC) No 2023/2000)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (EUR/tonne) (1)	Price increases (+) or reductions (-) (EUR/tonne) p.m.	Commercial costs (EUR/tonne)	Destination
1						
2						
3						
etc.						

(¹) This price includes the increases or reductions relating to the lot to which the tender refers.

ANNEX IV

The only numbers to use to call Brussels are DG AGRI (C/1):

— fax 02 296 49 56,
02 295 25 15;

— telex 22037 AGREC B,
22070 AGREC B (Greek characters).

COMMISSION REGULATION (EC) No 2024/2000**of 26 September 2000****amending Regulation (EC) No 1945/2000 increasing to 1 150 000 tonnes the quantity of wheat of breadmaking quality from harvests prior to 1999 held by the French intervention agency for which a standing invitation to tender for export has been opened**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 1630/2000 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies.
- (2) Commission Regulation (EC) No 1945/2000 ⁽⁵⁾, opened a standing invitation to tender for the export of 1 000 000 tonnes of wheat of breadmaking quality from harvests prior to 1999 held by the French intervention agency. France informed the Commission of the intention of its intervention agency to increase by 150 000 tonnes the quantity for which a standing invitation to tender for export has been opened. The total quantity of wheat of breadmaking quality from harvests prior to 1999 held by the French intervention agency for which a standing invitation to tender for export has been opened should be increased to 1 150 000 tonnes.
- (3) This increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in

store. Annex I to Regulation (EC) No 1945/2000 must therefore be amended.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1945/2000 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 1 150 000 tonnes of wheat of breadmaking quality from harvests prior to 1999 to be exported to all third countries.
2. The regions in which the 1 150 000 tonnes of wheat of breadmaking quality from harvests prior to 1999 are stored are stated in Annex I to this Regulation.'

2. Annex I is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

⁽⁵⁾ OJ L 233, 15.9.2000, p. 3.

ANNEX

ANNEX I

(tonnes)	
Place of storage	Quantity
Amiens	166 500
Châlons	144 800
Clermont-Ferrand	36 000
Dijon	31 800
Lille	56 700
Lyon	24 800
Nancy	73 300
Nantes	24 200
Orléans	122 300
Paris	5 500
Poitiers	41 300
Rennes	253 300
Rouen	120 100
Toulouse	49 400'

COMMISSION REGULATION (EC) No 2025/2000**of 26 September 2000****amending Regulation (EC) No 441/2000 increasing to 89 277 tonnes the quantity of barley held by the Irish intervention agency for which a standing invitation to tender for export has been opened**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 1630/2000 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies.
- (2) Commission Regulation (EC) No 441/2000 ⁽⁵⁾, as last amended by Regulation (EC) No 1307/2000 ⁽⁶⁾, opened a standing invitation to tender for the export of 74 973 tonnes of barley held by the Irish intervention agency. Ireland informed the Commission of the intention of its intervention agency to increase by 14 304 tonnes the quantity for which a standing invitation to tender for export has been opened. The total quantity of barley held by the Irish intervention agency for which a standing invitation to tender for export has been opened should be increased to 89 277 tonnes.
- (3) This increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in

store. Annex I to Regulation (EC) No 441/2000 must therefore be amended.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 441/2000 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 89 277 tonnes of barley to be exported to all third countries with the exception of the United States, Canada and Mexico.
2. The regions in which the 89 277 tonnes of barley are stored are stated in Annex I to this Regulation.'
2. Annex I is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

⁽⁵⁾ OJ L 54, 26.2.2000, p. 29.

⁽⁶⁾ OJ L 148, 22.6.2000, p. 18.

ANNEX

ANNEX I

(tonnes)

Place of storage	Quantity
Bagnelstown, County Carlow	1 796
Ballyhale, County Kilkenny	821
Baltinglass, County Wicklow	33 345
Bridgetown, County Wexford	3 305
Bunclody, County Wexford	750
Castlelyons, County Cork	1 340
Enniscorthy, County Wexford	2 760
Ferns, County Wexford	7 684
Freshford Road, County Kilkenny	8 313
Glenmore, County Kilkenny	665
Gorey, County Wexford	10 759
Naas, County Kildare	2 167
Palmerstown, County Kilkenny	9 407
Tullow, County Carlow	6 165

COMMISSION REGULATION (EC) No 2026/2000**of 26 September 2000****opening a standing invitation to tender for the export of rye held by the United Kingdom intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 1630/2000 ⁽⁴⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies.
- (2) Given the current market situation, a standing invitation to tender should be opened for the export of 15 444 tonnes of rye held by the United Kingdom intervention agency.
- (3) Special procedures must be laid down to ensure that the operations and their monitoring are properly effected; whereas, to that end, provision should be made for a security lodgement scheme which ensures that aims are met while avoiding excessive costs for the operators; whereas derogations should accordingly be made to certain rules, in particular those laid down in Regulation (EEC) No 2131/93.
- (4) Where removal of the rye is delayed by more than five days or the release of one of the securities required is delayed for reasons imputable to the intervention agency the Member State concerned must pay compensation.
- (5) Measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Subject to the provisions of this Regulation the United Kingdom intervention agency issues a standing invitation to tender for the export of rye held by it in accordance with Regulation (EEC) No 2131/93.

Article 2

1. The invitation to tender shall cover a maximum of 15 444 tonnes of rye for export to third countries.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

2. The regions in which the 15 444 tonnes of rye are stored are set out in Annex I.

Article 3

1. Notwithstanding the third paragraph of Article 16 of Regulation (EEC) No 2131/93, the price to be paid for the export shall be that quoted in the tender.
2. No export refund or tax or monthly increase shall be granted on exports carried out pursuant to this Regulation.
3. Article 8(2) of Regulation (EEC) No 2131/93 shall not apply.

Article 4

1. The export licences shall be valid from their date of issue within the meaning of Article 9 of Regulation (EEC) No 2131/93 until the end of the fourth month thereafter.
2. Tenders submitted in response to this invitation to tender may not be accompanied by export licence applications submitted pursuant to Article 44 of Commission Regulation (EEC) No 3719/88 ⁽⁵⁾.

Article 5

1. Notwithstanding Article 7(1) of Regulation (EEC) No 2131/93, the time limit for submission of tenders in respect of the first partial invitation to tender shall be 9 a.m. (Brussels time) on 5 October 2000.
2. The time limit for submission of tenders in respect of subsequent partial invitations to tender shall be 9 a.m. (Brussels time) each Thursday thereafter.
3. The last partial invitation to tender shall be 9 a.m. (Brussels time) on 17.5.2001.
4. Tenders shall be lodged with the United Kingdom intervention agency.

Article 6

1. The intervention agency, the storer and the successful tenderer shall, at the request of the latter and by common agreement, either before or at the time of removal from storage as the successful tenderer chooses, take reference samples for counter-analysis at the rate of at least one sample for every 500 tonnes and shall analyse the samples. The intervention agency may be represented by a proxy, provided this is not the storer.

The analysis results shall be forwarded to the Commission in the event of a dispute.

⁽⁵⁾ OJ L 331, 2.12.1988, p. 1.

Reference samples for counter-analysis shall be taken and analysed within seven working days of the date of the successful tenderer's request or within three working days if the samples are taken on removal from storage. Where the final result of sample analyses indicates a quality:

- (a) higher than that specified in the notice of invitation to tender, the successful tenderer must accept the lot as established;
- (b) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, providing that the differences having regard to those criteria do not exceed the following limits:
 - one kilogram per hectolitre as regards specific weight, which must not, however, be less than 68 kg/hl,
 - one percentage point as regards moisture content,
 - half a percentage point as regards impurities as specified in points B.2 and B.4 of the Annex to Commission Regulation (EEC) No 689/92 ⁽¹⁾,
 - and
 - half a percentage point as regards impurities as specified in point B.5 of the Annex to Regulation (EEC) No 689/92, the percentages admissible for noxious grains and ergot, however, remaining unchanged,

the successful tenderer must accept the lot as established;

- (c) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, and a difference exceeding the limits set out in point (b), the successful tenderer may:
 - accept the lot as established, or
 - refuse to take over the lot in question. The successful tenderer shall be discharged of all his obligations relating to the lot in question and the securities shall be released only once he has informed the Commission and the intervention agency forthwith in accordance with Annex II; however, if he requests the intervention agency to supply him with another lot of intervention rye of the quality laid down at no additional charge, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's request. The successful tenderer shall notify the Commission immediately thereof in accordance with Annex II;
- (d) below the minimum characteristics laid down for intervention, the successful tenderer may not remove the lot in question. He shall be discharged of all his obligations relating to the lot in question and the securities shall be released only once he has informed the Commission and the intervention agency forthwith in accordance with Annex II; however, he may request the intervention agency to supply him with another lot of intervention rye of the quality laid down at no additional charge. In that case, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's

request. The successful tenderer shall immediately inform the Commission thereof in accordance with Annex II.

2. However, if the rye is removed before the results of the analyses are known, all risks shall be borne by the successful tenderer from the time the lot is removed, without prejudice to any means of redress of which he may avail himself against the storer.

3. If, as a result of successive replacements, the successful tenderer has not received a replacement lot of the quality laid down within one month of the date of his request for a replacement, he shall be discharged of all his obligations and the securities shall be released once he has informed the Commission and the intervention agency forthwith in accordance with Annex II.

4. Except where the final results of analyses indicate a quality below the minimum characteristics laid down for intervention, the costs of taking the samples and conducting the analyses provided for in paragraph 1 but not of inter-bin transfers shall be borne by the European Agricultural Guidance and Guarantee Fund (EAGGF) in respect of up to one analysis per 500 tonnes. The costs of inter-bin transfers and any additional analyses requested by the successful tenderer shall be borne by him.

Article 7

By derogation from Article 12 of Commission Regulation (EEC) No 3002/92 ⁽²⁾, the documents relating to the sale of rye in accordance with this Regulation, and in particular the export licence, the removal order referred to in Article 3(1)(b) of Regulation (EEC) No 3002/92, the export declaration and, where necessary, the T5 copy shall carry the entry:

- Centeno de intervención sin aplicación de restitución ni gravamen, Reglamento (CE) n° 2026/2000,
- Rug fra intervention uden restitutionsydelse eller -afgift, forordning (EF) nr. 2026/2000,
- Interventionsroggen ohne Anwendung von Ausfuhrerstattungen oder Ausfuhrabgaben, Verordnung (EG) Nr. 2026/2000,
- Σικαλη παρέμβασης χωρίς εφαρμογή επιστροφής ή φόρου, κανονισμός (ΕΚ) αριθ. 2026/2000,
- Intervention rye without application of refund or tax, Regulation (EC) No 2026/2000,
- Seigle d'intervention ne donnant pas lieu à restitution ni taxe, règlement (CE) n° 2026/2000,
- Segala d'intervento senza applicazione di restituzione né di tassa, regolamento (CE) n. 2026/2000,
- Rogge uit interventie, zonder toepassing van restitutie of belasting, Verordening (EG) nr. 2026/2000,
- Centeio de intervenção sem aplicação de uma restituição ou imposição, Regulamento (CE) n.º 2026/2000,
- Interventioruista, johon ei sovelleta vientitukea eikä vientimaksua, asetus (EY) N:o 2026/2000,
- Interventionsråg, utan tillämpning av bidrag eller avgift, förordning (EG) nr 2026/2000.

⁽¹⁾ OJ L 74, 20.3.1992, p. 18.

⁽²⁾ OJ L 301, 17.10.1992, p. 17.

Article 8

1. The security lodgement pursuant to Article 13(4) of Regulation (EEC) No 2131/93 must be released once the export licences have been issued to the successful tenderers.

2. The obligation to export to the third countries shall be covered by a security amounting to EUR 75 per tonne of which EUR 50 per tonne shall be lodged when the export licence is issued, with the balance of EUR 25 per tonne being lodged before removal of the cereals.

Article 15(2) of Regulation (EEC) No 3002/92 notwithstanding:

- the amount of EUR 25 per tonne must be released within 15 working days of the date on which the successful tenderer supplies proof that the rye removed has left the customs territory of the Community,
- the amount of EUR 50 per tonne must be released within 15 working days of the date on which the successful tenderer supplies the proof referred to in Article 17(3) of Regulation (EEC) No 2131/93.

3. Except in duly substantiated exceptional cases, in particular the opening of an administrative enquiry, any release of the securities provided for in this Article after the time limits specified in this same Article shall confer an entitlement to compensation from the Member State amounting to EUR 0,015 per 10 tonnes for each day's delay.

This compensation shall not be charged to the EAGGF.

Article 9

Within two hours of the expiry of the time limit for the submission of tenders, the United Kingdom intervention agency shall notify the Commission of tenders received. Such notification shall be made using the model set out in Annex III and the telex or fax numbers set out in Annex IV.

Article 10

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

(tonnes)	
Place of storage	Quantity
York	2 446
Hemswell	494
Manby	12 504

ANNEX II

Communication of refusal of lots under the standing invitation to tender for the export of rye held by the intervention agency

(Article 6(1) of Regulation (EC) No 2026/2000)

— Name of successful tenderer:

— Date of award contract:

— Date of refusal of lot by successful tenderer:

Lot No	Quantity in tonnes	Address of silo	Reason for refusal to take over
			— Specific weight (kg/hl) — % sprouted grains — % miscellaneous impurities (Schwarzbesatz) — % of matter which is not basic cereal of unimpaired quality — Other

ANNEX III

Standing invitation to tender for the export of rye held by the intervention agency

(Regulation (EC) No 2026/2000)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (EUR/tonne) (¹)	Price increases (+) or reductions (-) (EUR/tonne) p.m.	Commercial costs (EUR/tonne)	Destination
1						
2						
3						
etc.						

(¹) This price includes the increases or reductions relating to the lot to which the tender refers.

ANNEX IV

The only numbers to use to call Brussels are DG AGRI (C-1):

— telex: 22037 AGREC B,
22070 AGREC B (Greek characters),

— fax: 02 296 49 56,
02 295 25 15.

CORRIGENDA

Corrigendum to Regulation (EC) No 1921/2000 of the European Central Bank of 31 August 2000 amending Regulation (EC) No 2818/98 of the European Central Bank on the application of minimum reserves (ECB/1998/15) and amending Regulation (EC) No 2819/98 of the European Central Bank concerning the consolidated balance sheet of the monetary financial institutions sector (ECB/1998/16)

(Official Journal of the European Communities L 229 of 9 September 2000)

On page 38, in the Annex:

for: "ANNEX",

read: "ANNEX II";

on page 40, in Table 1A:

for: '(a) - (b) + (c) + (d) + (e) + (f) + (g) + (h) + (i) + (j) + (k)',

read: '(a) - (b) + (c) + (d) + (e) + (f) - (g) + (h) + (i) + (j) + (k)';

on page 40, in Table 1A, under '9 TOTAL DEPOSITS'

for: '9.1e + 9.1x

9.2e + 9.1x

9.3e + 9.1x

9.4e + 9.1x',

read: '9.1e + 9.1x

9.2e + 9.2x

9.3e + 9.3x

9.4e + 9.4x'.
