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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3020/80**of 24 November 1980****on the delivery of various consignments of skimmed-milk powder as food aid**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products ⁽¹⁾, as last
amended by Regulation (EEC) No 1761/78 ⁽²⁾, and
in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No
937/79 of 8 May 1979 laying down general rules for
the supply of skimmed-milk powder to certain
developing countries and specialized bodies under the
1979 food-aid programme ⁽³⁾, and in particular
Article 6 thereof,

Whereas, under the food-aid programmes adopted by
the Council Regulations specified in the Annex,
certain third countries and beneficiary organizations
have requested the delivery of the quantity of
skimmed-milk powder set out therein;

Whereas, therefore, delivery should be effected in
accordance with the rules laid down in Commission
Regulation (EEC) No 303/77 of 14 February 1977

laying down general rules for the supply of skimmed-
milk powder and butteroil as food aid ⁽⁴⁾, as last
amended by Regulation (EEC) No 1488/79 ⁽⁵⁾;
whereas, in particular, the periods and terms for
delivery and the procedure to be followed by the
intervention agencies to establish the costs arising
therefrom should be laid down;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the
Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with the provisions of Regulation
(EEC) No 303/77 the intervention agencies as
specified in the Annex shall deliver skimmed-milk
powder as food aid on the special terms set out
therein.

Article 2

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 119, 15. 5. 1979, p. 1.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 181, 18. 7. 1979, p. 20.

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

Done at Brussels, 24 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX ⁽¹⁾

Consignment	A	B	C
1. Application of Council Regulations: (a) legal basis (b) affectation	(EEC) No 937/79 (1979 programme) (EEC) No 938/79		
2. Beneficiary	}	India	
3. Country of destination			
4. Total quantity of the consignment	3 000 tonnes ⁽²⁾	3 000 tonnes ⁽²⁾	500 tonnes
5. Intervention agency responsible for delivery	German		
6. Origin of the skimmed-milk powder ⁽²⁾	Intervention stocks (entry into stock after 1 August 1980)		
7. Special characteristics and/or packaging ⁽³⁾	—		
8. Markings on the packaging	'Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community/' followed by 'Bombay' 'Calcutta' 'Madras'		
9. Delivery period	Delivery in December 1980		
10. Stage and place of delivery	Community port of loading operating a regular service with the recipient country ⁽⁴⁾		
11. Representative of the beneficiary responsible for reception ⁽⁴⁾	—		
12. Procedure to be applied to determine the costs of supply	Tender		
13. Expiry of the time limit for submission of tenders	12 noon on 8 December 1980		

Notes:

- ⁽¹⁾ This Annex, together with the notice published in Official Journal No C 95, of 19 April 1977, page 7, takes the place of an invitation to tender from the intervention agencies concerned in cases where, under point 12 there must be a tendering procedure.
- ⁽²⁾ In cases where the goods from intervention stocks, an additional notice stating the warehouses where the product is stored will be published in the 'C' series of the Official Journal.
- ⁽³⁾ Other than those set out in the Annex to Regulation (EEC) No 625/78; see Article 6 (2) of Regulation (EEC) No 303/77.
- ⁽⁴⁾ Only in the case of delivery 'to the port of unloading' and 'free at destination'; see Article 5 and the last indent of Article 13 (1) of Regulation (EEC) No 303/77.
- ⁽⁵⁾ Each offer may cover only a part quantity of 500 tonnes as specified in the complementary tender indicating the storage locations of the product published along with this Regulation in the 'C' series of the Official Journal.
- ⁽⁶⁾ Delivery shall be deemed to have taken place and the risks shall pass from the successful tenderer to the recipient at the moment when the products have actually been lifted across the rails of the vessel at the port of shipment designated for delivery.

COMMISSION REGULATION (EEC) No 3021/80

of 24 November 1980

on the supply of fully-milled long grain rice to Sierra Leone as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1871/80 ⁽²⁾, and in particular Article 25 thereof,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid ⁽³⁾, and in particular Article 6 thereof,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁵⁾ and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, on 28 May 1980, the Council of the European Communities has expressed its intention to grant, under a Community measure, 2 900 tonnes of cereals to Sierra Leone under its food-aid programme for 1980;

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

Done at Brussels, 24 November 1980.

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general rules for the implementation of certain food-aid operations involving cereal and rice products ⁽⁶⁾; whereas it is necessary to specify, for the purposes of the Community measure envisaged, the characteristics of the products to be supplied and the supply conditions which are set out in the Annex to this Regulation;

Whereas 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

The Italian intervention agency shall be charged with implementing the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annex hereto.

Article 2

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

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, p. 4.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁶⁾ OJ No L 192, 26. 7. 1980, p. 11.

ANNEX

1. **Programme:** 1980
 2. **Recipient:** Sierra Leone
 3. **Place or country of destination:** Freetown
 4. **Product to be mobilized:** fully-milled long grain rice
 5. **Total quantity:** 1 000 tonnes
 6. **Number of lots:** one
 7. **Intervention agency responsible for conducting the procedure:**
Ente Nazionale Risi, Piazza Pio XI, I-Milano; telex 334 032
 8. **Method of mobilizing the product:** Community market
 9. **Characteristics of the goods:**
 - moisture: 15 %,
 - broken rice: 5 % maximum,
 - chalky grains: 5 % maximum,
 - grains striated with red: 3 % maximum,
 - spotted grains: 1·5 % maximum,
 - stained grains: 1 % maximum,
 - yellow grains: 0·050 % maximum,
 - amber grains: 0·20 % maximum
 10. **Packaging:**
 - in bags ⁽¹⁾,
 - quality of the bags: new jute sacks 600 g,
 - net weight of the bags: 50 kg,
 - marking of the bags:
letters at least 5 cm high:
‘White rice / Gift of the European Economic Community to the Republic of Sierra Leone’
 11. **Port of shipment:** a Community port
 12. **Delivery stage:** cif
 13. **Port of landing:** Freetown
 14. **Procedure to be applied in order to determine supply costs:** tendering
 15. **Deadline for the submission of tenders:** 9 December 1980 at 12 noon
 16. **Shipment period:** from 1 to 31 January 1981
 17. **Security:** 12 ECU/tonne
-

⁽¹⁾ Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital ‘R’.

COMMISSION REGULATION (EEC) No 3022/80

of 24 November 1980

opening an invitation to tender for the levy and/or refund for the export of common wheat to countries of Zone IV, and amending Regulation (EEC) No 1427/80

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1870/80 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2747/75 of 29 October 1975 laying down general rules to be applied in the event of the cereals market being disturbed ⁽³⁾, as last amended by Regulation (EEC) No 2560/77 ⁽⁴⁾, and in particular Article 2 (1) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽⁵⁾, and in particular Article 5 thereof,

Whereas by Commission Regulation (EEC) No 1427/80 of 6 June 1980 ⁽⁶⁾, an invitation to tender for the export of common wheat to countries of Zone IV was opened; whereas in view of the present situation the invitation to tender should be closed;

Whereas, in view of the current situation on the cereals market, an invitation should be opened in respect of common wheat to tender for the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75 and/or for the export refund provided for in Article 5 of Regulation (EEC) No 2746/75; whereas there is demand for common wheat on certain specific markets; whereas in order to ensure supply, the invitation to tender for export should be limited to Zone IV;

Whereas the detailed procedural rules governing invitations to tender are as regards the fixing of the

export levy laid down in Commission Regulation (EEC) No 3130/73 ⁽⁷⁾, as amended by Regulations (EEC) No 278/75 ⁽⁸⁾ and (EEC) No 771/75 ⁽⁹⁾, and, as regards the fixing of the export refund, in Commission Regulation (EEC) No 279/75 ⁽¹⁰⁾, as amended by Regulation (EEC) No 2944/78 ⁽¹¹⁾; whereas the commitments on the part of the tenderer include an obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of 12 ECU per tonne when they submit their tenders;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to make provision such that the periods of validity of licences issued are identical;

Whereas, in order to ensure the smooth operation of the tendering procedure, it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

Whereas 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

1. The date specified in Article 1 (3) of Regulation (EEC) No 1427/80 shall be replaced by '4 December 1980'.
2. Tenders shall be invited for the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75 and/or the export refund provided for in Article 2 of Regulation (EEC)

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 82.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 143, 7. 6. 1980, p. 5.

⁽⁷⁾ OJ No L 319, 20. 11. 1973, p. 10.

⁽⁸⁾ OJ No L 31, 5. 2. 1975, p. 7.

⁽⁹⁾ OJ No L 77, 26. 3. 1975, p. 13.

⁽¹⁰⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽¹¹⁾ OJ No L 351, 15. 12. 1978, p. 16.

3. The invitation to tender shall relate to common wheat for export to the countries of Zone IV as defined in Annex I to Regulation (EEC) No 1124/77.

4. The invitation shall remain open until 30 June 1981. During this period weekly awards shall be made, for which the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 3130/73 and in Article 3 of Regulation (EEC) No 279/75 shall be 12 ECU per tonne.

Article 4

1. Notwithstanding Article 9 (1) of Regulation (EEC) No 193/75 ⁽¹⁾, export licences issued under Article 8 (1) of Regulation (EEC) No 3130/73 or under Article 8 (1) of Regulation (EEC) No 279/75 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the fourth month following that of issue.

Article 5

1. Notwithstanding Article 5 of Regulation (EEC) No 3130/73 and Article 5 of Regulation (EEC) No 279/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75:

— to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75, or

— to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75, or

— to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of levy equal to or greater than such minimum export levy.

Article 6

Tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 7

The time limits fixed for the submission of tenders shall correspond to Belgian time.

Article 8

This Regulation shall enter into force on the day following 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, 24 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 25, 31. 1. 1975, p. 10.

ANNEX

Weekly tender for the levy/refund for the export of common wheat to countries of Zone IV

(Closing date for the submission of tenders (date/time))

I

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export levy in national currency per tonne
1		
2		
3		
4		
5		
etc.		

II

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export refund in national currency per tonne
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EEC) No 3023/80**of 24 November 1980****opening an invitation to tender for the levy and/or refund for the export of barley to countries of Zones I, IIb, IV, V and VI, and amending Regulation (EEC) No 1428/80**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1870/80 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2747/75 of 29 October 1975 laying down general rules to be applied in the event of the cereals market being disturbed ⁽³⁾, as last amended by Regulation (EEC) No 2560/77 ⁽⁴⁾, and in particular Article 2 (1) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽⁵⁾, and in particular Article 5 thereof,

Whereas by Commission Regulation (EEC) No 1428/80 of 6 June 1980 ⁽⁶⁾, an invitation to tender for the export of barley to countries of Zones I, IIb, IV, V and VI was opened; whereas in view of the present situation the invitation to tender should be closed;

Whereas, in view of the current situation on the cereals market, an invitation should be opened in respect of barley to tender for the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75 and/or for the export refund provided for in Article 5 of Regulation (EEC) No 2746/75; whereas there is demand for barley on certain specific markets; whereas in order to ensure supply, the invitation to tender for export should be limited to exports to Zones I, IIb, IV, V and VI as defined in Annex I to Commission Regulation (EEC) No 1124/77 ⁽⁷⁾;

Whereas the detailed procedural rules governing invitations to tender are as regards the fixing of the export levy laid down in Commission Regulation (EEC) No 3130/73 ⁽⁸⁾, as amended by Regulations (EEC) No 278/75 ⁽⁹⁾ and (EEC) No 771/75 ⁽¹⁰⁾ and, as regards the fixing of the export refund, in Commission Regulation (EEC) No 279/75 ⁽¹¹⁾ as amended by Regulation (EEC) No 2944/78 ⁽¹²⁾; whereas the commitments on the part of the tenderer include an obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of 12 ECU per tonne when they submit their tenders;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to make provision such that the periods of validity of licences issued are identical;

Whereas, in order to ensure the smooth operation of the tendering procedure, it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

Whereas 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

1. The date specified in Article 1 (3) of Regulation (EEC) No 1428/80 shall be replaced by '4 December 1980'.
2. Tenders shall be invited for the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75 and/or the export refund provided for in Article 5 of Regulation (EEC) No 2746/75.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 82.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 143, 7. 6. 1980, p. 7.

⁽⁷⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁸⁾ OJ No L 319, 20. 11. 1973, p. 10.

⁽⁹⁾ OJ No L 31, 5. 2. 1975, p. 7.

⁽¹⁰⁾ OJ No L 77, 26. 3. 1975, p. 13.

⁽¹¹⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽¹²⁾ OJ No L 351, 15. 12. 1978, p. 16.

3. The invitation to tender shall relate to barley for export to countries of Zones I, IIb, IV, V and VI as defined in Annex I to Regulation (EEC) No 1124/77.

4. The invitation shall remain open until 30 June 1981. During this period weekly awards shall be made, for which the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 3130/73 and in Article 3 of Regulation (EEC) No 279/75 shall be 12 ECU per tonne.

Article 4

1. Notwithstanding Article 9 (1) of Regulation (EEC) No 193/75 ⁽¹⁾, export licences issued under Article 8 (1) of Regulation (EEC) No 3130/73 or under Article 8 (1) of Regulation (EEC) No 279/75 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the fourth month following that of issue.

Article 5

1. Notwithstanding Article 5 of Regulation (EEC) No 3130/73 and Article 5 of Regulation (EEC) No 279/75, the Commission shall decide, under the

procedure laid down in Article 26 of Regulation (EEC) No 2727/75:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75, or
- to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75, or
- to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of levy equal to or greater than such minimum export levy.

Article 6

Tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 7

The time limits fixed for the submission of tenders shall correspond to Belgian time.

Article 8

This Regulation shall enter into force on the day following 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, 24 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 25, 31. 1. 1975, p. 10.

ANNEX

Weekly tender for the levy/refund for the export of barley to countries of Zones I, IIb, IV, V and VI

(Closing date for the submission of tenders (date/time))

I

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export levy in national currency per tonne
1		
2		
3		
4		
5		
etc.		

II

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export refund in national currency per tonne
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EEC) No 3024/80

of 24 November 1980

opening an invitation to tender for the levy and/or refund for the export of common wheat to Poland, Czechoslovakia, Hungary, Romania, Bulgaria and the German Democratic Republic, and amending Regulation (EEC) No 1429/80

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1870/80 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2747/75 of 29 October 1975 laying down general rules to be applied in the event of the cereals market being disturbed ⁽³⁾, as last amended by Regulation (EEC) No 2560/77 ⁽⁴⁾, and in particular Article 2 (1) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽⁵⁾, and in particular Article 5 thereof,

Whereas by Commission Regulation (EEC) No 1429/80 of 6 June 1980 ⁽⁶⁾ an invitation to tender for the export of common wheat to Poland, Czechoslovakia, Hungary, Romania, Bulgaria and the German Democratic Republic was opened; whereas in view of the present situation the invitation to tender should be closed;

Whereas, in view of the current situation on the cereals market, an invitation should be opened in respect of common wheat to tender for the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75 and/or for the export refund provided for in Article 5 of Regulation (EEC) No 2746/75; whereas there is demand for common wheat on certain specific markets; whereas in order to ensure supply, the invitation to tender for export should be limited to Poland, Czechoslovakia,

Hungary, Romania, Bulgaria and the German Democratic Republic;

Whereas the detailed procedural rules governing invitations to tender are as regards the fixing of the export levy laid down in Commission Regulation (EEC) No 3130/73 ⁽⁷⁾, as amended by Regulations (EEC) No 278/75 ⁽⁸⁾ and (EEC) No 771/75 ⁽⁹⁾, and, as regards the fixing of the export refund, in Commission Regulation (EEC) No 279/75 ⁽¹⁰⁾, as amended by Regulation (EEC) No 2944/78 ⁽¹¹⁾; whereas the commitments on the part of the tenderer include an obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of 12 ECU per tonne when they submit their tenders;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to make provision such that the periods of validity of licences issued are identical;

Whereas, in order to ensure the smooth operation of the tendering procedure, it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

Whereas 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

1. The date specified in Article 1 (3) of Regulation (EEC) No 1429/80 shall be replaced by '4 December 1980'.

2. Tenders shall be invited for the export levy provided for in the first indent of Article 2 (1) of

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 82.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 143, 7. 6. 1980, p. 9.

⁽⁷⁾ OJ No L 319, 20. 11. 1973, p. 10.

⁽⁸⁾ OJ No L 31, 5. 2. 1975, p. 7.

⁽⁹⁾ OJ No L 77, 26. 3. 1975, p. 13.

⁽¹⁰⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽¹¹⁾ OJ No L 351, 15. 12. 1978, p. 16.

Regulation (EEC) No 2747/75 and/or the export refund provided for in Article 5 of Regulation (EEC) No 2746/75.

3. The invitation to tender shall relate to common wheat for export to Poland, Czechoslovakia, Hungary, Romania, Bulgaria and the German Democratic Republic.

4. The invitation shall remain open until 30 June 1981. During this period weekly awards shall be made, for which the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 3130/73 and in Article 3 of Regulation (EEC) No 279/75 shall be 12 ECU per tonne.

Article 4

1. Notwithstanding Article 9 (1) of Regulation (EEC) No 193/75 ⁽¹⁾, export licences issued under Article 8 (1) of Regulation (EEC) No 3130/73 or under Article 8 (1) of Regulation (EEC) No 279/75 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the fourth month following that of issue.

Article 5

1. Notwithstanding Article 5 of Regulation (EEC) No 3130/73 and Article 5 of Regulation (EEC) No

279/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75, or
- to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75, or
- to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of levy equal to or greater than such minimum export levy.

Article 6

Tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 7

The time limits fixed for the submission of tenders shall correspond to Belgian time.

Article 8

This Regulation shall enter into force on the day following 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, 24 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 25, 31. 1. 1975, p. 10.

ANNEX

Weekly tender for the levy/refund for the export of common wheat to Poland, Czechoslovakia, Hungary, Romania, Bulgaria and the German Democratic Republic

(Closing date for the submission of tenders (date/time))

I

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export levy in national currency per tonne
1		
2		
3		
4		
5		
etc.		

II

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export refund in national currency per tonne
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EEC) No 3025/80

of 24 November 1980

opening an invitation to tender for the levy and/or refund for the export of barley to Poland, Czechoslovakia, Hungary, Romania, Bulgaria and the German Democratic Republic, and amending Regulation (EEC) No 1430/80

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1870/80⁽²⁾,

Having regard to Council Regulation (EEC) No 2747/75 of 29 October 1975 laying down general rules to be applied in the event of the cereals market being disturbed⁽³⁾, as last amended by Regulation (EEC) No 2560/77⁽⁴⁾, and in particular Article 2 (1) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽⁵⁾, and in particular Article 5 thereof,

Whereas by Commission Regulation (EEC) No 1430/80 of 6 June 1980⁽⁶⁾ an invitation to tender for the export of barley to Poland, Czechoslovakia, Hungary, Romania, Bulgaria and the German Democratic Republic was opened; whereas in view of the present situation the invitation to tender should be closed;

Whereas, in view of the current situation on the cereals market, an invitation should be opened in respect of barley to tender for the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75 and/or for the export refund provided for in Article 5 of Regulation (EEC) No 2746/75; whereas there is demand for barley on certain specific markets; whereas in order to ensure supply, the invitation to tender for export should be limited to Poland, Czechoslovakia, Hungary, Romania, Bulgaria and the German Democratic Republic;

Whereas the detailed procedural rules governing invitations to tender are as regards the fixing of the export levy laid down in Commission Regulation (EEC) No 3130/73⁽⁷⁾, as amended by Regulations (EEC) No 278/75⁽⁸⁾ and (EEC) No 771/75⁽⁹⁾, and, as regards the fixing of the export refund, in Commission Regulation (EEC) No 279/75⁽¹⁰⁾, as amended by Regulation (EEC) No 2944/78⁽¹¹⁾; whereas the commitments on the part of the tenderer include an obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of 12 ECU per tonne when they submit their tenders;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to make provision such that the periods of validity of licences issued are identical;

Whereas, in order to ensure the smooth operation of the tendering procedure, it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

Whereas 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

1. The date specified in Article 1 (3) of Regulation (EEC) No 1430/80 shall be replaced by '4 December 1980'.
2. Tenders shall be invited for the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75 and/or the export refund provided for in Article 5 of Regulation (EEC) No 2746/75.
3. The invitation to tender shall relate to barley for export to Poland, Czechoslovakia, Hungary,

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 82.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 143, 7. 6. 1980, p. 11.

⁽⁷⁾ OJ No L 319, 20. 11. 1973, p. 10.

⁽⁸⁾ OJ No L 31, 5. 2. 1975, p. 7.

⁽⁹⁾ OJ No L 77, 26. 3. 1975, p. 13.

⁽¹⁰⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽¹¹⁾ OJ No L 351, 15. 12. 1978, p. 16.

Romania, Bulgaria and the German Democratic Republic.

4. The invitation shall remain open until 30 June 1981. During this period weekly awards shall be made, for which the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 3130/73 and in Article 3 of Regulation (EEC) No 279/75 shall be 12 ECU per tonne.

Article 4

1. Notwithstanding Article 9 (1) of Regulation (EEC) No 193/75 ⁽¹⁾, export licences issued under Article 8 (1) of Regulation (EEC) No 3130/73 or under Article 8 (1) of Regulation (EEC) No 279/75 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the fourth month following that of issue.

Article 5

1. Notwithstanding Article 5 of Regulation (EEC) No 3130/73 and Article 5 of Regulation (EEC) No 279/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75, or
- to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75, or
- to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of levy equal to or greater than such minimum export levy.

Article 6

Tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 7

The time limits fixed for the submission of tenders shall correspond to Belgian time.

Article 8

This Regulation shall enter into force on the day following 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, 24 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 25, 31. 1. 1975, p. 10.

*ANNEX***Weekly tender for the levy/refund for the export of barley to Poland, Czechoslovakia, Hungary, Romania, Bulgaria and the German Democratic Republic**

(Closing date for the submission of tenders (date/time))

I

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export levy in national currency per tonne
1		
2		
3		
4		
5		
etc.		

II

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export refund in national currency per tonne
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EEC) No 3026/80

of 24 November 1980

opening an invitation to tender for the levy and/or refund for the export of common wheat to countries in Zones I, IIb, V, VI, VIIa and VIIc with the exception of the Soviet Union, and amending Regulation (EEC) No 1431/80

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1870/80 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2747/75 of 29 October 1975 laying down general rules to be applied in the event of the cereals market being disturbed ⁽³⁾, as last amended by Regulation (EEC) No 2560/77 ⁽⁴⁾, and in particular Article 2 (1) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽⁵⁾, and in particular Article 5 thereof,

Whereas by Commission Regulation (EEC) No 1431/80 of 6 June 1980 ⁽⁶⁾, amended by Regulation (EEC) No 2749/80 ⁽⁷⁾, an invitation to tender for the export of common wheat to countries of Zones I, IIb, V, VI and VIIa and to the People's Republic of China was opened; whereas in view of the present situation the invitation to tender should be closed;

Whereas, in view of the current situation on the cereals market, an invitation should be opened in respect of common wheat to tender for the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75 and/or for the export refund provided for in Article 5 of Regulation (EEC) No 2746/75; whereas there is a demand on certain specific markets; whereas in order to ensure supply, the invitation to tender for export should be limited to Zones, I, IIb, V, VI, VIIa and VIIc with the exception of the Soviet Union;

Whereas the detailed procedural rules governing invitations to tender are as regards the fixing of the export levy laid down in Commission Regulation (EEC) No 3130/73 ⁽⁸⁾, as amended by Regulations (EEC) No 278/75 ⁽⁹⁾ and (EEC) No 771/75 ⁽¹⁰⁾, and, as regards the fixing of the export refund, in Commission Regulation (EEC) No 279/75 ⁽¹¹⁾, as amended by Regulation (EEC) No 2944/78 ⁽¹²⁾; whereas the commitments on the part of the tenderer include an obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of 12 ECU per tonne when they submit their tenders;

Whereas, in order to ensure that all those concerned are treated equally, it is necessary to lay down that the period of validity of the licences issued should be identical; whereas, however, a special period of validity should be laid down for exports to the People's Republic of China;

Whereas, in order to ensure the smooth operation of the tendering procedure, it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

Whereas 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

1. The date specified in Article 1 (3) of Regulation (EEC) No 1431/80 shall be replaced by '4 December 1980'.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 82.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 143, 7. 6. 1980, p. 13.

⁽⁷⁾ OJ No L 284, 29. 10. 1980, p. 20.

⁽⁸⁾ OJ No L 319, 20. 11. 1973, p. 10.

⁽⁹⁾ OJ No L 31, 5. 2. 1975, p. 7.

⁽¹⁰⁾ OJ No L 77, 26. 3. 1975, p. 13.

⁽¹¹⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽¹²⁾ OJ No L 351, 15. 12. 1978, p. 16.

2. Tenders shall be invited for the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75 and/or the export refund provided for in Article 5 of Regulation (EEC) No 2746/75.

3. The invitation to tender shall relate to common wheat for export to the countries of Zones I, IIb, V, VI, VIIa and VIIc with the exception of the Soviet Union.

4. The invitation shall remain open until 30 June 1981. During this period weekly awards shall be made, for which the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 3130/73 and in Article 3 of Regulation (EEC) No 279/75 shall be 12 ECU per tonne.

Article 4

1. Notwithstanding Article 9 (1) of Regulation (EEC) No 193/75 ⁽¹⁾, export licences issued under Article 8 (1) of Regulation (EEC) No 3130/73 or under Article 8 (1) of Regulation (EEC) No 279/75 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the fourth month following that of issue.

However, for exports to the People's Republic of China, licences shall be valid from their date of issue as defined in paragraph 1 until the end of the sixth month following.

3. For the purposes of applying paragraph 2, licences issued in connection with this invitation to tender shall bear, in space 19, a statement of the last day of validity calculated in accordance with the provisions of the first subparagraph of paragraph 2. They shall also bear, in space 18, a statement of the last day of validity calculated in accordance with the

provisions of the second subparagraph of paragraph 2; for this purpose, one of the following statements shall be entered in space 18:

'In case of export to the People's Republic of China, last day of validity: — Regulation (EEC) No 3026/80.'

'Sidste gyldighedsdag ved udførsel til Den kinesiske Folkerepublik: — Forordning (EØF) nr. 3026/80.'

'En cas d'exportation vers la République populaire de Chine, dernier jour de validité: — Règlement (CEE) n° 3026/80.'

'Letzter Gültigkeitstag bei Ausfuhr in die Volksrepublik China: — Verordnung (EWG) Nr. 3026/80.'

'In caso di esportazione verso la Repubblica popolare di Cina, ultimo giorno di validità: — Regolamento (CEE) n. 3026/80.'

'In geval van uitvoer naar de Volksrepubliek China laatste geldigheidsdag: — Verordening (EEG) nr. 3026/80.'

Σέ περίπτωση εξαγωγής προς τη Λαϊκή Δημοκρατία της Κίνας τελευταία ημέρα της ισχύος: — Κανονισμός (ΕΟΚ) αριθ. 3026/80.'

Where the licence is used after the date given in space 19, it shall carry the obligation to export to the People's Republic of China.

Article 5

1. Notwithstanding Article 5 of Regulation (EEC) No 3130/73 and Article 5 of Regulation (EEC) No 279/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75, or
- to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75, or
- to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of levy equal to or greater than such minimum export levy.

⁽¹⁾ OJ No L 25, 31. 1. 1975, p. 10.

Article 6

Tenders submitted must reach the Commission through the intermediary Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 7

The time limits fixed for the submission of tenders shall correspond to Belgian time.

Article 8

This Regulation shall enter into force on the day following 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, 24 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Weekly tender for the levy/refund for the export of common wheat to the countries of Zones I, IIb, V, VI, VIIa and VIIc with the exception of the Soviet Union, and amending Regulation (EEC) No 1431/80

(Closing date for the submission of tenders (date/time))

I

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export levy in national currency per tonne
1		
2		
3		
4		
5		
etc.		

II

1	2	3
Number of tenderer	Quantity in tonnes	Amount of refund in national currency per tonne
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EEC) No 3027/80

of 24 November 1980

opening an invitation to tender for the levy and/or refund for the export of rye to Poland, Czechoslovakia, Hungary and Zone IIb, and amending Regulation (EEC) No 2225/80

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1870/80 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2747/75 of 29 October 1975 laying down general rules to be applied in the event of the cereals market being disturbed ⁽³⁾, as last amended by Regulation (EEC) No 2560/77 ⁽⁴⁾, and in particular Article 2 (1) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽⁵⁾, and in particular Article 5 thereof,

Whereas by Commission Regulation (EEC) No 2225/80 of 22 August 1980 ⁽⁶⁾ an invitation to tender for the export of rye to Poland, Czechoslovakia, Hungary and Zone IIb was opened; whereas in view of the present situation the invitation to tender should be closed;

Whereas, in view of the current situation on the cereals market, an invitation should be opened in respect of rye to tender for the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75 and/or for the export refund provided for in Article 5 of Regulation (EEC) No 2746/75; whereas there is demand for rye on certain specific markets; whereas in order to ensure supply, the invitation to tender for export should be limited to Poland, Czechoslovakia, Hungary and Zone IIb as defined in Annex I to Commission Regulation (EEC) No 1124/77 ⁽⁷⁾;

Whereas the detailed procedural rules governing invitations to tender are as regards the fixing of the export levy laid down in Commission Regulation (EEC) No 3130/73 ⁽⁸⁾, as amended by Regulations (EEC) No 278/75 ⁽⁹⁾ and (EEC) No 771/75 ⁽¹⁰⁾, and, as regards the fixing of the export refund, in Commission Regulation (EEC) No 279/75 ⁽¹¹⁾, as amended by Regulation (EEC) No 2944/78 ⁽¹²⁾; whereas the commitments on the part of the tenderer include an obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of 12 ECU per tonne when they submit their tenders;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to make provision such that the periods of validity of licences issued are identical;

Whereas, in order to ensure the smooth operation of the tendering procedure, it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

Whereas 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

1. The date specified in Article 1 (3) of Regulation (EEC) No 2225/80 shall be replaced by '4 December 1980'.
2. Tenders shall be invited for the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75 and/or the export refund provided for in Article 5 of Regulation (EEC) No 2746/75.
3. The invitation to tender shall relate to rye for export to Poland, Czechoslovakia, Hungary and Zone IIb.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 82.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 222, 23. 8. 1980, p. 6.

⁽⁷⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁸⁾ OJ No L 31, 20. 11. 1973, p. 10.

⁽⁹⁾ OJ No L 31, 5. 2. 1975, p. 7.

⁽¹⁰⁾ OJ No L 77, 26. 3. 1975, p. 13.

⁽¹¹⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽¹²⁾ OJ No L 351, 15. 12. 1978, p. 16.

4. The invitation shall remain open until 30 June 1981. During this period weekly awards shall be made, for which the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 3130/73 and in Article 3 of Regulation (EEC) No 279/75 shall be 12 ECU per tonne.

Article 4

1. Notwithstanding Article 9 (1) of Regulation (EEC) No 193/75 ⁽¹⁾, export licences issued under Article 8 (1) of Regulation (EEC) No 3130/73 or under Article 8 (1) of Regulation (EEC) No 279/75 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the fourth month following that of issue.

Article 5

1. Notwithstanding Article 5 of Regulation (EEC) No 3130/73 and Article 5 of Regulation (EEC) No 279/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75, or
- to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75, or
- to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of levy equal to or greater than such minimum export levy.

Article 6

Tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 7

The time limits fixed for the submission of tenders shall correspond to Belgian time.

Article 8

This Regulation shall enter into force on the day following 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, 24 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 25, 31. 1. 1975, p. 10.

*ANNEX***Weekly tender for the levy/refund for the export of rye to Poland, Czechoslovakia, Hungary and Zone IIb**

(Closing date for the submission of tenders (date/time))

I

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export levy in national currency per tonne
1		
2		
3		
4		
5		
etc.		

II

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export refund in national currency per tonne
1		
2		
3		
4		
5		
etc.		

