Commission Implementing Regulation (EU) 2016/2080 of 25 November 2016 opening the sale of skimmed milk powder by a tendering procedure

COMMISSION IMPLEMENTING REGULATION (EU) 2016/2080

of 25 November 2016

opening the sale of skimmed milk powder by a tendering procedure

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007[(1)],

Having regard to Commission Implementing Regulation (EU) 2016/1240 of 18 May 2016 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to public intervention and aid for private storage[(2)], and in particular Article 28 and Article 31(1) thereof,

Whereas:

(1) Given the current situation on the skimmed milk powder market in terms of price recovery and the high level of intervention stocks it is appropriate to open the sale of skimmed milk powder from public intervention by a tendering procedure in accordance with Implementing Regulation (EU) 2016/1240.

(2) In order to manage sales from intervention in an adequate way, it is necessary to specify the date before which the skimmed milk powder that is available for sale must have entered into public intervention.

(3) Pursuant to Article 28(4)(b), (c) and (d) of Implementing Regulation (EU) 2016/1240, it is necessary to fix the periods for the submission of tenders, the minimum quantity for which a tender may be submitted and the amount of the security that has to be lodged when submitting a tender.

(4) For the purposes of Article 31(1) of Implementing Regulation (EU) 2016/1240, it is necessary to lay down the time limits by which Member States are to notify the Commission of all admissible tenders.

(5) In the interests of an efficient administration, Member States should make their notifications to the Commission in accordance with Commission Regulation (EC) No 792/2009[(3)].

(6) The Committee for the Common Organisation of the Agricultural Markets has not delivered an opinion within the time limit laid down by its chair,

HAS ADOPTED THIS REGULATION:

Article 1

Scope

Sales by a tendering procedure of skimmed milk powder entered into storage before **[**F1 1 January 2018**]** are open under the conditions provided for in Chapter III of Title II of Implementing Regulation (EU) 2016/1240.

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) 2018/1879 of 29 November 2018 amending Implementing Regulation (EU) 2016/2080 as regards the date of entry into storage of the skimmed milk powder sold by a tendering procedure.

Article 2

Submission of tenders

1 The period during which tenders may be submitted in response to the first partial invitation to tender shall end on 13 December 2016 at 11.00 (Brussels time).

[F2 2 The periods during which tenders may be submitted in response to subsequent partial invitations shall begin on the first working day following the end of the preceding period. They shall end at 11.00 (Brussels time) on the third Tuesday of the month. However, in August the period shall end at 11.00 (Brussels time) on the fourth Tuesday and in December the period shall end at 11.00 (Brussels time) on the second Tuesday. If Tuesday is a public holiday the time limit shall be 11.00 (Brussels time) on the previous working day.**]**

3 Tenders shall be submitted to the paying agencies approved by the Member States[(4)].

Textual Amendments

F2 Substituted by Commission Implementing Regulation (EU) 2019/282 of 15 February 2019 amending Implementing Regulation (EU) 2016/2080 as regards the periods for the submission of tenders.

Article 3

Quantity per tender and unit of measurement

The minimum quantity of skimmed milk powder for which a tender may be submitted shall be 20 tonnes.

The proposed price shall be the price per 100 kg of product.