

Commission Regulation (EC) No 952/2006 of 29 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 318/2006 as regards the management of the Community market in sugar and the quota system

## CHAPTER VI

### PUBLIC STORAGE

#### SECTION 1

#### Offers for intervention

##### *Article 23*

##### **Offers**

1 Offers shall be made in writing to the intervention agency of the Member State on whose territory the sugar offered is located at the time of the offer.

2 Offers shall be eligible only if they are submitted by approved manufacturers in accordance with Articles 7 and 8 for sugar from their quota production for the current marketing year and, at the time of the offer, stored separately in a place of storage approved in accordance with Article 24.

3 Each marketing year Member States may only accept into intervention the maximum quantity indicated for each of them in the [F1Annex I]. If the offers exceed the maximum quantity, the competent authority of the Member State shall apply a single reduction coefficient to the offers, such that the total quantity accepted is equal to the quantity available.

4 Before the start of each marketing year, the Commission shall amend the quantities laid down in the [F1Annex I] to this Regulation on the basis of the adjustments referred to in Article 10 of Regulation (EC) No 318/2006 and within the limit of the total quantity laid down in Article 18(2) of that Regulation.

The quantities laid down in the [F1Annex I] to this Regulation shall be amended, where appropriate, in the last quarter of each marketing year, on the basis of unused quantities in accordance with the procedure referred to in Article 39(2) of Regulation (EC) No 318/2006 and within the limit of the total quantity laid down in Article 18(2) of that Regulation.

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#### **Textual Amendments**

- F1** Substituted by [Commission Regulation \(EC\) No 707/2008 of 24 July 2008 amending Regulation \(EC\) No 952/2006 laying down detailed rules for the application of Council Regulation \(EC\) No 318/2006 as regards the management of the Community market in sugar and the quota system.](#)

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**Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EC) No 952/2006. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## Article 24

### Approval of the place of storage

1 Approval shall be granted at the manufacturer's request to the intervention agency, to all places of storage which:

- a are suitable for keeping sugar in good condition;
- b are situated in a place which provides the transport facilities necessary for removal of the sugar;
- c allow separate storage of the quantities offered for intervention.

Additional conditions may be imposed by the intervention agencies.

2 Approval of the place of storage shall be granted for storage in bulk or for storage of packaged sugar. It shall fix a quantitative storage limit not exceeding 50 times the daily removal capacity that the applicant undertakes to place at the disposal of the intervention agency. The approval shall indicate the total quantity for which it is given and the daily removal capacity.

3 The sugar must be stored such that it is easily identifiable and accessible. It must be placed on pallets when it is packaged, unless it is packaged in 'big bags'.

4 Approval shall be withdrawn by the intervention agency where it finds that one of the conditions referred to in paragraphs 1, 2 and 3 is no longer met. Approval may be withdrawn during the marketing year. Withdrawal shall not have retroactive effect.

## Article 25

### Minimum sugar quality

1 Sugar offered to intervention shall meet the following requirements:

- a it must have been produced within a quota during the marketing year in which the offer is made;
- b it must be in crystal form.

2 White sugar offered to intervention shall be of sound and fair marketable quality, free-flowing, with a moisture content not exceeding 0,06 %.

3 Raw sugar offered to intervention shall be of sound and fair marketable quality with a yield, calculated in accordance with point III of Annex I to Regulation (EC) No 318/2006, of not less than 89 %.

In the case of raw cane sugar, the sugar shall have a safety factor not exceeding 0,30.

In the case of raw beet sugar, the sugar shall have:

- a pH value not less than 7,9 at the time the offer is accepted,
- an invert sugar content not exceeding 0,07 %,
- a temperature which does not entail any risk of deterioration,
- a safety factor not exceeding 0,45 when the degree of polarisation is 97 or above, or a moisture content not exceeding 1,4 % when the degree of polarisation is below 97.

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The safety factor shall be determined by dividing the percentage moisture content of the sugar concerned by the difference between 100 and the degree of polarisation of that sugar.

#### *Article 26*

##### **Lots**

All sugar offered for intervention shall be put up in lots.

For the purposes of this Section, 'lot' means at least 2 000 tonnes of sugar of uniform quality and packing, all of which is stored in the same place.

#### *Article 27*

##### **Content of the offer**

- 1 Offers made to an intervention agency shall indicate:
  - a the name and address of the party making the offer;
  - b the place of storage in which the sugar is stored at the time the offer is made;
  - c the removal capacity guaranteed for the removal of the sugar offered;
  - d the net quantity of sugar being offered;
  - e the nature and quality of the sugar offered, and the marketing year in which it was produced;
  - f the type of packing of the sugar.
- 2 The intervention agency may require additional information.
- 3 Offers shall be accompanied by a statement from the parties making the offer certifying that the sugar concerned has not previously been bought in to intervention, that they own the sugar and that it conforms to the requirements laid down in Article 25(1)(a).

#### *Article 28*

##### **Examination of the offers**

- 1 Offers shall remain valid for three weeks from the date of submission. However, they may be withdrawn during that period with the consent of the intervention agency.
- 2 The intervention agency shall examine offers. It shall accept them not later than the end of the period referred to in paragraph 1. However, the intervention agency shall reject offers if examination shows that any of the requirements have not been met.

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**Changes and effects yet to be applied to :**

- Regulation revoked by [2023 c. 28 Sch. 1 Pt. 2](#)