

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 (Text with EEA relevance)

TITLE II

PUBLIC INTERVENTION

CHAPTER II

Buying-in of products into intervention

Section 1

General provisions

Article 7

Submission and admissibility of offers and tenders

1 An offer or tender shall be admissible if it complies with the requirements laid down in Article 2 and, in the case of a tendering procedure, in the [^{F1}published] tendering procedure referred to in Article 12. It shall also meet the following conditions:

- a it includes at least the following information:
 - (i) for rice, an indication of the type and variety;
 - (ii) except for beef, the place where the product is held at the time of the offer or tender;
 - (iii) for cereals and rice, the storage place for which the offer or tender is made;
 - (iv) for cereals and rice, the year of harvest and the area or areas of production in the [^{F2}United Kingdom];
 - (v) for butter and skimmed milk powder, the date of production;
 - (vi) for butter and skimmed milk powder, the name and approval number of the approved undertaking in which it was produced;
- b the operator has lodged a security in accordance with Article 4(a) of Delegated Regulation (EU) 2016/1238;
- c for cereals and rice, the operator has declared:
 - (i) that the products are of [^{F3}United Kingdom] origin;
 - (ii) that the offer or tender refers to a homogeneous lot which, for rice, must comprise paddy rice of the same variety;

*Changes to legislation: There are currently no known outstanding effects for the Commission
 Implementing Regulation (EU) 2016/1240, Article 7. (See end of Document for details)*

- (iii) whether any post-harvest treatment has been carried out or not, and, where appropriate, the name of the product used, that it has been applied in conformity with the conditions of use, and that the product is authorised under Regulation (EC) No 1107/2009 of the European Parliament and of the Council⁽¹⁾.

2 For products other than beef, the operator may request on the form referred to in Article 2(2) that the product be taken over at the storage place where it is held at the time the offer or tender is submitted provided that the storage place fulfils the requirements laid down in Article 7(1) of Delegated Regulation (EU) 2016/1238 and in Article 3 of this Regulation.

[^{F43} This Article does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.]

[^{F54} This Article ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.]

Textual Amendments

- F1** Word in Art. 7(1) substituted (31.12.2020) by [The Market Measures Payment Schemes \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/823\)](#), regs. 1, **6(8)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 7(1)(a)(iv) substituted (31.12.2020) by [The Market Measures Payment Schemes \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/823\)](#), regs. 1, **6(8)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 7(1)(c)(i) substituted (31.12.2020) by [The Market Measures Payment Schemes \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/823\)](#), regs. 1, **6(8)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Art. 7(3) inserted (E.) (28.2.2023 at 9.10 a.m.) by [The Market Measures Payment Schemes \(Amendments, Revocation and Transitional Provision\) \(England\) Regulations 2023 \(S.I. 2023/124\)](#), regs. 1(2)(b), **9(4)** (with reg. 10)
- F5** Art. 7(4) inserted (S.) (1.7.2023) by [The Public Intervention and Private Storage Aid \(Amendment and Suspension\) \(Scotland\) Regulations 2023 \(S.S.I. 2023/150\)](#), regs. 1, **9(4)** (with reg. 10)

Changes to legislation: There are currently no known outstanding effects for the Commission
Implementing Regulation (EU) 2016/1240, Article 7. (See end of Document for details)

- (1) Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ([OJ L 309, 24.11.2009, p. 1](#)).

Changes to legislation:

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/1240, Article 7.