II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 17 September 1974

implementing the Directive on inward processing as regards certain beef, veal and pigmeat products

(74/474/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Directive No 69/73/EEC [1] of 4 March 1969 on the harmonization of provisions laid down by law, regulation or administrative action in respect of inward processing, as last amended by the Act of Accession [2], and in particular Article 29 thereof;

Having regard to the proposal from the Commission;

Whereas Article 5 (1) of Directive No 69/73/EEC provides that the competent authorities may grant authorizations in all cases where inward processing arrangements would contribute towards providing the most favourable conditions for the export of goods resulting from such processing without conflicting with essential interests of producers within the Community; whereas Article 5 (2) of that Directive makes provision for certain operations which are regarded as contributing towards providing the most favourable conditions for exportation while not conflicting with essential interests of producers within the Community;

Whereas in certain cases Regulation (EEC) No 1853/74 [3] prohibits the use of inward processing arrangements in respect of beef and veal products;

Whereas in certain cases Regulation (EEC) No 1854/74 [4] prohibits the use of inward processing arrangements in respect of pigmeat products;

Whereas there is currently a surplus of beef, veal and pigmeat products in the Community; whereas there are very few outlets on the world market, which considerably limits export possibilities; whereas all capacity for absorbing surpluses must therefore be reserved for Community produce;

Whereas the world market does, however, offer some outlets for certain processed products; whereas for the manufacture of such products the Community processing industries may obtain their beef, veal and pigmeat from third countries and process it under inward processing arrangements;

Whereas the Community surplus at present would seem sufficient to supply those industries with beef, veal and pigmeat of Community origin, thus relieving the Community market in those products; whereas the use of beef, veal and pigmeat from third countries is therefore liable to conflict with essential interests of producers within the Community;

[1] OJ No L 58, 8. 3. 1969, p. 1.
[2] OJ No L 73, 27. 3. 1972, p. 14.
[3] OJ No L 195, 18. 7. 1974, p. 12.
[4] OJ No L 195, 18. 7. 1974, p. 13.

Whereas the trends in price levels for lard and fats of bovine cattle and the availability of supplies on the Community market have evolved in a different way from those in respect of other beef, veal and pigmeat products; whereas it is therefore appropriate not to include the abovementioned products in this Directive;

Whereas it is necessary to ensure uniform application of Article 5 (1) of Directive No 69/73/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Without prejudice to the provisions of Article 5 (2) of Directive No 69/73/EEC or of Regulation (EEC) No 1853/74 and No 1854/74, inward processing arrangements shall be regarded as conflicting with essential interests of producers within the Community where they involve the introduction into the customs territory of the Community, from third countries, of any of the following goods:

CCT heading No	Description of goods
01.02 A II	Live animals of the domestic bovine species, other than pure-bred breeding animals
01.03 A II	Live swine, of domestic species, other than pure-bred breeding animals
02.01 A II a)	Meat of domestic bovine animals, fresh chilled or frozen
02.01 A III a)	Meat of domestic swine, fresh chilled or frozen
02.01 B II b)	Edible offals of domestic bovine animals, fresh chilled or frozen
02.01 B II c)	Offals of domestic swine, fresh, chilled or frozen
02.05 A and B	Pig fat free of lean meat (not rendered or solvent extracted) fresh, chilled, frozen, salted, in brine, dried or smoked
02.06 B	Meat and edible meat offals of domestic swine, salted, in brine, dried or smoked
02.06 C I a)	Meat of domestic bovine animals, salted, in brine, dried or smoked
02.06 C I b)	Edible offals of domestic bovine animals, salted, in brine, dried or smoked
16.01	Sausages and the like, of meat, meat offal or animal blood
16.02 A II	Other prepared or preserved meat or meat offal, containing liver, other than goose or duck liver
16.02 B III a)	Other prepared or preserved meat or meat offal, not specified, containing meat or offals of domestic swine
16.02 B III b) 1	Other prepared or preserved meat or meat offals, not specified, containing bovine meat or offal other than those containing meat or offal of domestic swine

Article 2

Article 1 shall not affect imports made under inward processing arrangements within 30 days from 1 October 1974 provided they are made pursuant to authorizations valid on that date.

Article 3

The Member States shall implement the measures necessary to comply with this Directive not later than 1 October 1974.

This Directive shall apply until 6 April 1975.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 17 September 1974.

For the Council

The President

Ch. BONNET