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REGULATION (EEC) No 1173/68 OF THE COMMISSION

of 2 August 1968

on special import terms for certain categories of young bovine animals and calves

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Regulation No 805/68[1] of 27 June 1968 on the common organisation of the market in beef and veal, and in particular Articles 11 (2) and 25 thereof;

Whereas, if the price of calves recorded on the representative markets of the Community in accordance with Article 10 of Regulation (EEC) No 805/68 exceeds the guide price:

— the levy specified in that Article applicable to young male bovine animals for fattening, of a minimum weight of 220 kilogrammes and a maximum weight of 300 kilogrammes, is refunded or is not charged, in accordance with Article 11 (1) (a) of that Regulation;

— the levy applicable to calves for fattening, weighing less than 80 kilogrammes, is not charged and the rate of the customs duty is reduced by half, in accordance with Article 11 (1) (b) of the said Regulation;

Whereas detailed rules must be adopted for the application of these provisions, in particular those setting a time limit for delivery and those specifying the controls necessary to ensure a sufficient period for fattening for the young animals mentioned above;

Whereas, in order to facilitate imports, the principle of not charging the levy should be extended also to imports of young bovine animals;

Whereas there should be some way of ascertaining that the animals are in fact imported for fattening; whereas to that end the benefit of the provisions of Article 11 of Regulation (EEC) No 805/68 should be made conditional on the lodging of a deposit guaranteeing that the animals imported on these terms are not slaughtered before a certain time; whereas a deposit, limited in the case of young bovine animals to the levy applicable on the day of importation, and in the case of calves to the levy applicable on the day of importation plus half the rate of customs duty charged, should have the desired effect;

Whereas in the light of experience in recent years, 120 days from the day of importation should be laid down as an adequate period for fattening young bovine animals, and 100 days for calves;

Whereas, to take into account delivery time, it should be laid down that the provisions of Article 11 (1) of Regulation (EEC) No 805/68 shall apply also to imports effected during the two weeks following the last week of application of those provisions;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Beef and Veal;

HAS ADOPTED THIS REGULATION:

Article 1

So long as the levy on calves is fixed at a percentage of the difference mentioned in the second subparagraph of Article 10 (1) of Regulation (EEC) No 805/68,

(a) the levy on young bovine animals specified in Article 11 (1) (a) of the said Regulation shall not be charged,

(b) the levy on calves specified in Article 11 (1) (b) of the said Regulation shall not be charged and the customs duty shall be reduced by half,

in accordance with the provisions of this Regulation.

Article 2

1. Benefit of the provisions of Article 1 (a) shall be granted only if proof is given that the young bovine animals have been fattened in the importing Member

[1] OJ No L 148, 28.6.1968, p. 24.

State for a period of 120 days from the day of importation.

2. Benefit of the provisions of Article 1 (b) shall be granted only if proof is given that the calves have been fattened in the importing Member State for a period of 100 days from the day of importation.

Article 3

The proof mentioned in Article 2 shall be considered as furnished when the competent authorities in the importing Member State certify that on the territory of that Member State the animal

(a) was slaughtered after the expiry of the period specified in that Article, or

(b) was not slaughtered before the expiry of that period, or

(c) was slaughtered before the expiry of that period for health protection reasons or died as a result of sickness or accident.

Article 4

1. Benefit of the provisions of Article 1 shall be conditional on the lodging of a deposit guaranteeing that the animals will not be slaughtered before the expiry of the period specified in Article 2.

2. The amount of the deposit shall be equal:

(a) for young bovine animals referred to in Article 1 (a), to the levy applicable at the time of importation;

(b) for calves referred to in Article 1 (b), to the levy applicable on the day of importation plus half the rate of the customs duty charged.

3. The deposit mentioned in paragraph 2 may be lodged in cash or in the form of a guarantee given by a credit institution meeting the criteria laid down by the Member State on whose territory the importation is effected.

4. The deposit shall be returned only if the proof mentioned in Article 2 is furnished. It shall be returned not later than 3 months after the date on which such proof is furnished.

5. If the proof mentioned in Article 2 is not furnished within 150 days from the day of importation, subject to the provisions of Article 3, the deposit shall be forfeited.

Article 5

Benefit of the provisions of Article 1 shall also be granted to imports effected during the two weeks following the last week of application of the import terms set out in that Article.

Article 6

1. At the time of importation, each animal imported on the terms set out in Article 1 shall be identified either by indelible tattooing on the ear of the animal or by an official or officially approved marking on both ears of the animal.

2. Such tattooing or mark made by the importer shall show:

(a) the date of importation;

(b) a mark enabling the importer to be identified.

Article 7

Member States shall take the necessary measures for the implementation of this Regulation. Each month they shall inform the Commission by telex of the number of animals imported, differentiated according to the country from which they were imported and according to the weight categories mentioned in Article 11 (1) (a) and (b) of Regulation (EEC) No 805/68.

Article 8

This Regulation shall enter into force on 5 August 1968.

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

Done at Brussels, 2 August 1968.

For the Commission

The President

Jean REY