No L 174/56 Official Journal of the European Communities 1.8.72

REGULATION (EEC) No 1654/72 OF THE COUNCIL

laying down general rules applicable in the event of a substantial rise in price of beef and veal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 805/68 [1] of 27 June 1968 on the common organization of the market in beef and veal, as last amended by Regulation (EEC) No 2838/71 [2], and in particular the second paragraph of Article 17 thereof;

Having regard to the proposal from the Commission;

Whereas, under Article 17 of Regulation (EEC) No 805/68, when a substantial price rise is recorded on the Community market and this situation is likely to continue, thereby disturbing or threatening to disturb the market, the necessary measures may be taken;

Whereas Council Regulation (EEC) No 1109/72 [3] of 30 May 1972 laid down general rules applicable in the event of such a rise in beef and veal prices;

Whereas under that Regulation the recording of a substantial price rise is governed solely by prices of adult bovine animals; whereas the special characteristics of the market in calves have shown that provision should also be made for recording prices of calves, since this market may develop independently;

Whereas the consequences of a substantial rise in prices of these two products being recorded should not be totally unrelated, since the prices of young bovine animals referred to in Article 11 (1) (a) of Regulation (EEC) No 805/68 are governed by prices of calves;

Whereas the seasonal nature of production and foreseeable price movements on the beef and veal markets within and outside the Community should be taken into account when assessing the likely duration of such a price increase;

Whereas, to remove the disturbance or threat of disturbance resulting from a continuing rise in prices, supplies must by increased; whereas, given that in such a situation the levy on adult bovine animals fixed in accordance with Article 10 (1) (d) of Regulation (EEC) No 805/68 is nil but that a levy may nonetheless continue to apply for frozen meat, provision should be made for total or partial suspension not only of the autonomous duties in the Common Customs Tariff but also of levies;

Whereas in order to deal effectively with a substantial price rise and to enable a return to be made to the normal rules in the light of market price developments, recourse must be had to a procedure which allows the necessary measures to be taken quickly; whereas the procedure laid down in Article 27 of Regulation (EEC) No 805/68 fulfils these requirements,

HAS ADOPTED THIS REGULATION:

Article 1

1. A 'substantial price rise' on the Community market in adult bovine animals shall exist where, simultaneously and for two consecutive weeks:

(a) the price of adult bovine animals recorded on the representative markets of the Community in accordance with Article 10 of Regulation (EEC) No 805/68 is more than 113% of the guide price for those animals;

(b) the prices of adult bovine animals recorded on the representative market or markets of each Member State in accordance with Article 10 of that Regulation are more than 109% of the guide price for those animals.

2. A 'substantial price rise' on the Community market in calves shall exist where, simultaneously and for two consecutive weeks:

(a) the price of calves recorded on the representative markets of the Community in accordance with Article 10 of Regulation (EEC) No 805/68 is more than 110% of the guide price for calves;

(b) the prices of calves recorded on the representative market or markets of each Member State in accordance with Article 10 of that Regulation are more than 106% of the guide price for calves.

[1] OJ No L 148, 28.6.1968, p.24.
[2] OJ No L 286, 30.12.1971, p. 1.
[3] OJ No L 126, 1.6.1972, p.1.

3. A substantial price rise shall be 'likely to continue' where there is an imbalance between the supply and the demand for beef and veal and where that imbalance is likely to persist, in view of the seasonal nature of production and foreseeable price movements on the beef and veal markets within and outside the Community.

Article 2

1. When a substantial price rise is recorded on the Community market in beef and veal and this situation is likely to continue, the measures which may be taken shall be total or partial suspension of the autonomous duties in the Common Customs Tariff and of levies both on adult bovine animals and on the meats listed in subheadings Nos 02 01 A II (a) 1 (bb) and (cc) of Section (a) and in Sections (b) and (c) of the Annex to Regulation (EEC) No 805/68.

2. When a substantial price rise is recorded on the Community market in calves and this situation is likely to continue, the measure which may be taken shall be partial suspension up to a maximum of 50% of the autonomous duties in the Common Customs Tariff in respect of calves, young male bovine animals for fattening of a weight of not less than 220 kg and not more than 300 kg and the meats listed in subheading No 02 01 A II (a) 1 (aa) of Section (a) of the Annex to Regulation (EEC) No 805/68.

3. Discontinuance of the measures taken pursuant to paragraphs 1 and 2 shall be decided upon as soon as it is found that during two consecutive weeks the two conditions referred to in Article 1 (1) or in Article 1 (2), as the case may be, are not fulfilled simultaneously.

Article 3

Detailed rules for applying this Regulation, in particular the application and discontinuance of the measures provided for in Article 2 and the fixing of a transit time in the event of an increase in duties or levies, shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68.

Article 4

Regulation (EEC) No 1109/72 is hereby repealed.

Measures taken for implementation of that Regulation shall remain in force as measures for the implementation of this Regulation.

Article 5

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply until 31 December 1972.

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

Done at Brussels, 31 July 1972.

For the Council

The President

T. WESTERTERP