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REGULATION (EEC) No 2822/72 OF THE COUNCIL

of 28 December 1972

amending Regulation (EEC) No 805/68 as regards intervention measures in the beef and veal sector

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;[1]

Whereas Articles 5 and 6 of Council Regulation (EEC) No 805/68[1] of 27 June 1968 on the common organisation of the market in beef and veal, as last amended by Regulation (EEC) No 2838/71[2] lay down the conditions under which intervention measures may be taken;

Whereas experience has shown that these provisions do not provide producers with sufficient price guarantees; whereas in order to encourage producers to increase production of beef and veal the conditions governing intervention should be reinforced,

HAS ADOPTED THIS REGULATION:

Article 1

Articles 5 and 6 of Regulation (EEC) No 805/68 shall be replaced by the following Articles:

'*Article 5*

1. Intervention measures taken to prevent or mitigate a substantial fall in prices shall include:

(a) aids for private storage,

(b) buying-in by intervention agencies.

2. The intervention measures specified in paragraph 1 may be taken for adult bovine animals as well as for fresh or chilled meat of such animals, presented in the form of carcases, half carcases, compensated quarters, fore quarters or hind quarters.

3. The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, may amend the list of products in paragraph 2 which may be the subject of intervention measures.

Article 6

1. The intervention agencies appointed by the Member States shall buy in the fresh or chilled meat referred to in the Annex, Section (a), under Heading 02.01 A II (a) 1 (bb). Only meat originating in the Community and obtained from categories of adult bovine animals with a meat yield of more than 50% may be bought in.

The buying-in price per category calculated by adjusting the intervention price corresponding to 93% of the guide price by a coefficient expressing the ratio to be laid down between the price of the quality in question and the price of adult bovine animals under normal production conditions shall be established each year at the beginning of the marketing year.

2. Intervention measures may also be taken when at the same time:

(a) the price for adult bovine animals recorded on the representative markets of the Community in accordance with Article 10 is lower than 98% of the guide price; and

(b) the price recorded pursuant to Article 10 on the representative market or markets of a Member State or of a region within a Member State for a defined

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

quality of certain products is lower than the price below which the intervention measures referred to in paragraph 3 are taken, adjusted by a coefficient expressing the normal retio between the price of the quality in question and the price of adult bovine animals recorded in accordance with Article 10 on the representative markets of the Community.

Intervention measures may be applied only to the quality for which the condition laid down in subparagraph (b) is fulfilled. The price, calculated in accordance with subparagraph (b) shall be the maximum buying-in price.

3. Intervention measures shall be taken for the whole of the Community, when the price for adult bovine animals, recorded on representative Community markets in accordance with Article 10, is lower than 93% of the guide price. The maximum buying-in price shall be the same as that specified in paragraph 2.

4. The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, shall adopt general rules for the application of this Article.

The percentages specified in the second subparagraph of paragraph 1 and in paragraphs 2 and 3 may be revised annually in accordance with the procedure laid down in Article 43 (2) of the Treaty.

5. The procedure laid down in Article 27 shall apply for the purpose of:

(a) the obtaining by any Member State of the application of the intervention measures referred to in paragraph 1 according to detailed rules adapted to the characteristics of its production;

(b) decisions upon the intervention measures specified in paragraphs 2 and 3 and the date on which they shall cease to apply;

(c) decisions determining the products which shall be bought in and the maximum and minimum prices which shall obtain;

(d) the adoption of other detailed rules for the application of this Article, in particular the conditions under which intervention measures may be applied.'

Article 2

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

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

Done at Brussels, 28 December 1972.

For the Council

The President

P. LARDINOIS