REGULATION (EEC) No 1896/73 OF THE COMMISSION

of 13 July 1973

on detailed rules for the application of intervention measures on the market in beef and veal

THE COMMISSION 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 187/73 (2), and in particular Articles 6 (4), 14 (4) and 25 thereof;

Whereas Council Regulation (EEC) No 1302/73 (3) of 15 May 1973 laid down general rules for intervention on the market in beef and veal; whereas that Regulation provides that the regions referred to in Article 6 (2) (b) of Regulation (EEC) No 805/68 shall be determined having regard, in particular, to natural conditions of price formation; whereas for the application of that rule, the Federal Republic of Germany needs to be divided into three regions and the United Kingdom into two regions;

Whereas it is necessary to fix the coefficients referred to in Article 6 of Regulation (EEC) No 805/68 in accordance with the rules laid down to that end in Regulation (EEC) No 1302/73; whereas, however, only the coefficients likely to be used need be fixed; whereas such coefficients should be fixed with reference to prices in force during the periods most representative of normal market conditions; whereas, consequently, those prices should be fixed on the first occassion to correspond to the average of the prices recorded during the second six months of 1972 in the Member States of the Community as originally constituted; whereas, in the case of the new Member States, that period cannot be used for reference because prices in those States were not being recorded at the time in accordance with Community rules and it is therefore necessary to use the prices recorded in the first months since accession, adjusting them as may be necessary to make them comparable to the prices recorded during the second six months of a year;

Whereas Regulation (EEC) No 805/68 lays down that the intervention measures provided for in Article 6 (2) and (3) thereof shall be applied in circumstances to be determined; whereas such application should be conditional on it being established that the price situation specified in Article 6 (2) and (3) has existed for two consecutive weeks; whereas, in practice, because of the fluctuations in market prices from week to week, it is necessary to wait for the confirmation of quotations before applying intervention measures either nationally or regionally; whereas for the same reason the suspension of such measures can be conditional on it being established that the conditions relating to prices have for two weeks not been fulfilled; whereas exceptions may, however, be made to this rule where the prices recorded during a single week give a clear indication of the trend of the market;

Whereas, with the object of organizing buying-in by intervention agencies in an efficient manner, criteria for the selection of intervention centres should be laid down; whereas the choice of such centres should be determined by certain technical requirements ensuring satisfactory cold-storage of the meat;

Whereas, in order to ensure efficient buying-in, a minimum quantity for buying-in should be laid down, varied according to product and to the form that intervention takes;

Whereas, in order to ensure equal treatment of sellers, the buying-in price and the place where the product is taken over by the intervention agency should be defined; whereas that place may, as a rule, be the intervention centre to which the seller intends to deliver his products; whereas it must, however, be left to the intervention agency to appoint another place if taking over at the centre designated by the seller is not possible;

Whereas the intervention policy of the Community must be efficiently pursued; whereas, therefore, it is advisable to ensure that the products bought in satisfy the requirements laid down in the directive on trade in fresh meat; whereas, furthermore, it is advisable that such products should satisfy certain technical requirements;

Whereas, in order that intervention measures may be carried out as efficiently as possible, it is necessary to ensure that losses sustained during cold storage are as low as possible and that the quality of the products bought in by intervention agencies is maintained, as far as possible, even during a relatively long storage period;

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 25, 30. 1. 1973, p. 23.
(3) OJ No L 132, 19. 5. 1973, p. 3.

Whereas it is therefore necessary to adopt Community measures on refrigeration and storage temperatures on packing ;

Whereas, in order to apply the provisions of Article 14 (3) (b) (aa) of Regulation (EEC) No 805/68, the products considered suitable for industrial use need to be defined ; whereas, having regard to the products normally used by the processing industry, such definition must include products in which the percentage by weight of fat, though varying from product to product, is fairly low ;

Whereas entitlement to the concession provided for in Article 14 (3) (b) (aa) of Regulation (EEC) No 805/68 may be more easily verified if the document conferring such entitlement includes an entry to that effect ;

Whereas, to enable the Commission to have an overall view of the application of intervention measures, provision should be made for Member States to keep it informed of such measures ;

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

For the purpose of Article 6 (2) of Regulation (EEC) No 805/68 :

(a) The territory of the Federal Republic of Germany shall consist of three intervention regions as follows :

Region I : the Länder of Schleswig-Holstein, Hamburg, Bremen, Niedersachsen, Berlin ;

Region II : the Länder of Nordrhein-Westfalen, Hessen, Rheinland-Pfalz, Saarland ;

Region III : the Länder of Baden-Württemberg, Bayern.

(b) The territory of the United Kingdom shall consist of two intervention regions as follows :

Region I : Great Britain ;

Region II : Northern Ireland.

Article 2

1. The coefficients provided for in Article 6 (1) of Regulation (EEC) No 805/68 shall be as shown in Annex I.

2. The coefficients provided for in Article 6 (2) (b) of Regulation (EEC) No 805/68 shall be as shown in Annex II.

3. The quality standards of the adult bovine animals producing the types of meat listed in Annexes I and II shall be as defined by national rules.

Article 3

1. As soon as it is established that the two conditions laid down in Article 6 (2) of Regulation (EEC) No 805/68 have for two consecutive weeks :

(a) been satisfied simultaneously, the intervention measures provided for in that paragraph may be applied ;

(b) not been satisfied simultaneously, the intervention measures taken pursuant to that paragraph shall be suspended.

2. As soon as it is established that the condition laid down in Article 6 (3) of Regulation (EEC) No 805/68 has for two consecutive weeks :

(a) been satisfied, the intervention measures provided for in that paragraph may be applied ;

(b) not been satisfied, the intervention measures taken pursuant to that paragraph shall be suspended.

3. Where the trend of the market can be clearly discerned, a single week only may be taken into account.

Article 4

1. Intervention centres shall be selected by Member States with a view to ensuring the efficiency of intervention measures and so that taking-over, slaughtering, if necessary, and freezing are effected under satisfactory technical conditions.

2. Member States shall take all measures necessary to ensure the satisfactory preservation of the stored products. The freezing temperature shall be at least minus 30 °C so that an internal temperature of at least minus 7 °C may be obtained. The storage temperature shall be at least minus 17° C.

Meat in quarters shall be wrapped in polythene or a like material, at least 0·05 mm thick, suitable for wrapping food products, and in cotton (stockinette) coverings.

Boned or boneless meat resulting from the cutting-up of quarters shall be wrapped in polythene or a like material, at least 0·05 mm thick, suitable for wrapping food products.

Article 5

1. With respect to the intervention measures provided for in Article 6 (1) of Regulation (EEC) No 805/68, the minimum quantity for delivery shall be :

(a) 2 metric tons in respect of carcases, half-carcases or compensated quarters ;

(b) 1 metric ton in respect of forequarters ;

(c) 1 metric ton in respect of hindquarters.

Still the intervention agencies may fix bigger minimum quantities, but not exceeding five times the quantities mentioned in paragraph 1.

2. With respect to the intervention measures provided for in Article 6 (2) and (3) of Regulation (EEC) No 805/68, the minimum quantity for delivery shall be :

(a) 12 head in respect of adult bovine animals ;
(b) 2 metric tons in respect of carcases, half-carcases or compensated quarters ;
(c) 1 metric ton in respect of forequarters ;
(d) 1 metric ton in respect of hindquarters.

Article 6

The buying-in price of adult bovine animals shall be the price free at the slaughterhouse or free at the slaughter cattle market selected as an intervention centre.

The buying-in price of meat shall be the price free at the intervention centre's refrigeration plant. The buying-in price of meat for boning and cartering shall be the price free entry boving-plant. Unloading charges shall be borne by the seller.

Article 7

1. Products can be bought in only if :

(a) in the case of live animals, they comply with the provisions of the Council Directive of 26 June 1964 ([1]) on animal health problems affecting intra-Community trade in bovine animals and swine, as last amended by Directive No 73/150/EEC ([2]), and in particular Article 3 thereof ;
(b) in the case of meat, they comply with the provisions of the Council Directive of 26 June 1964 ([3]) on health problems concerning intra-Community trade in fresh meat, as last amended by the Act of Accession ([4]), and in particular Articles 3 and 4 thereof ;
(c) in the case of meat, they satisfy the requirements defined in Annex III ;
(d) they have no characteristics rendering them unsuitable for storage or subsequent use,
(e) they originate in the Community, within the meaning of Article 4 of Council Regulation (EEC) No 802/68 ([5]) of 27 June 1968 on the common definition of the concept of the origin of goods, as last amended by the Act of Accession ([6]),
(f) in the case of meat, they do not come from animals slaughtered as a result of emergency measures.

2. Member States shall inform the Commission of the provisions adopted for the application of this Article.

([1]) OJ No 121, 29. 7. 1964, p. 1977/64.
([2]) OJ No L 172, 28. 6. 1973, p. 18.
([3]) OJ No 121, 29. 7. 1964, p. 2012/64.
([4]) OJ No L 73, 27. 3. 1972, p. 36.
([5]) OJ No L 148, 28. 6. 1968, p. 1.
([6]) OJ No L 73, 27. 3. 1972, p. 47.

Article 8

1. The seller must inform the intervention agency of the intervention centre to which he intends to deliver the product and where the product is located.

2. The intervention agency shall determine the taking-over date and communicate it to the seller.

3. If the product cannot be taken over at the intervention centre referred to in paragraph 1, the intervention agency shall select the place where the product is to be taken over from the three intervention centres nearest to where the product is located.

Article 9

1. For the purposes of Article 14 (3) (b) (aa) of Regulation (EEC) No 805/68, the products listed in section C of the Annex to that Regulation under the following tariff headings :

(a) 02.01 A II a) 2 bb) ;
(b) 02.01 A II a) 2 dd) ex 22, if obtained from products listed in the same section under tariff-headings 02.01 A II a) 2 aa) and 02.01 A II a) 2 bb)

shall be considered as frozen meats of qualities and cuts suitable for industrial use.

2. For the product referred to in subparagraph 1 (a), the weight of the visible internal and external fat for a given consignment shall not exceed 15 % of the weight of the product expressed in boned meat.

This percentage may vary by 1·5 % within each consignment.

For the product referred to in subparagraph 1 (b), the weight of the fat, whether visible or interstitial, shall not exceed 6 % of the weight of the product.

3. Products bought in which fall within the definitions stated in paragraph 1 shall be stored by identifiable consignments and be separately recorded.

Article 10

1. When a buying-in contract is entered into which confers entitlement to the concession provided for in Article 14 (3) (b) (aa) of Regulation (EEC) No 805/68, the following entry shall appear on one copy of the contract :

'This copy of the contract shall confer title to the special import system referred to in Article 14 (3) (b) (aa) of Regulation (EEC) No 805/68.

Dette kontrakteksemplar berettiger til ad nyde gods af den særlige importordening, der es omhandlet i artickel 14, stk 3, litre b, underlitra aa, i forordning (EØF) nr. 805/68.

Dieser Vertrag exemplar gewährt Anspruch auf die besondere Einfuhrregelung im Sinne des Artikels 14 Absatz 3 Buchstabe (b) (aa) der Verordnung (EWG) Nr. 805/68.

Cet exemplaire du contrat donne droit au bénéfice du régime spécial à l'importation, visé à l'article 14 paragraphe 3 sous (b) (aa) du règlement (CEE) No° 805/68.

Questo esemplare del contratto dà diritto al beneficio del regime speciale di importazione, di cui all'articolo 14, paragrafo 3, punto (b) (aa) del regolamento (CEE) n. 805/68.

Dit exemplaar van het contract geeft recht op de bijzondere regeling bij invoer, bedoeld in artikel 14, lid 3, sub (b) (aa) van Verordening (EEC) nr. 805/68.'

2. Entitlement to the special import arrangements provided for in Article 14 (3) (b) (aa) of Regulation (EEC) No 805/68 shall be granted only on production of the copy of the contract bearing the entry set out in the previous paragraph.

3. Member States shall communicate to the Commission every fortnight the following information on the abovementioned contracts :

(a) name of the contracting parties ;

(b) description and quantity of the goods to which the contract relates ;

(c) date of the contract.

Article 11

1. For the purpose of applying the intervention measures provided for in Article 6 (1) of Regulation (EEC) No 805/68, Member States shall communicate to the Commission forthwith a list of the intervention centres and their freezing and storage capacity.

2. For the purpose of applying the intervention measures provided for in Article 6 (2) and (3) of Regulation (EEC) No 805/68, Member States shall communicate to the Commission not later than the time when products are first bought in a list of the intervention centres and their refrigeration and storage capacity.

2. Any subsequent amendments shall be communicated forthwith.

Article 12

1. Member States shall communicate to the Commission by telex at the beginning of the week the following information relating to the buying-in operations of the preceding week :

(a) the products, qualities and quantities bought in,

(b) the price paid for each product and quality.

2. Member States shall communicate to the Commission with the minimum delay the products and quantities in store as a consequence of buying-in at the end of each month, showing the products and quantities stored and the address of their place of storage.

3. The working of the intervention system shall be reviewed periodically under the provisions of Article 28 of Regulation (EEC) No 805/68.

Article 13

Commission Regulation (EEC) No 1097/68 (1) of 27 July 1968 on detailed rules for the application of intervention measures on the market in beef and veal, as last amended by Regulation (EEC) No 1795/71 (2) is hereby repealed.

Article 14

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, 13 July 1973.

For the Commission

The President

François-Xavier ORTOLI

(1) OJ No L 184, 29. 7. 1968, p. 5.
(2) OJ No L 187, 19. 8. 1971, p. 5.

ANNEX I

GERMANY :	—	
BELGIUM :	Bœufs 55 %	1·00
	Génisses 55 %	0·96
	Taureaux 55 %	1·07
DENMARK :	Kvier 1	0·85
	Stude 1	0·91
	Tyre P	0·92
	Ungtyre 1	1·00
FRANCE :	Bœufs R	1·21
	Bœufs A	1·08
	Bœufs N	0·95
	Génisses A	1·09
	Jeunes bovins R	1·22
	Jeunes bovins A	1·13
	Vaches A	0·96
IRELAND :	Heifers 2	1·02
	Steers 1	1·05
	Steers 2	1·04
ITALY :	Vitelloni 1	1·41
	Vitelloni 2	1·25
	Vacche 1	1·06
LUXEMBOURG :	Génisses, bœufs, taureaux, extra	1·07
	Vaches, extra	1·03
NETHERLANDS :	—	
UNITED KINGDOM :		
(a) Great Britain	Steers M	1·04
	Steers H	1·03
	Heifers M/H	1·02
(b) Northern Ireland	Steers L/M	1·04
	Steers L/H	1·05
	Steers T	1·03
	Heifers T	1·00

ANNEX II

GERMANY :	Bullen A	1·16
	Färsen A	1·02
	Kühe A	0·92
	Kühe B	0·85
	Ochsen A	1·11
BELGIUM :	Bœufs 55 %	1·00
	Génisses 55 %	0·96
	Taureaux 55 %	1·07
	Vaches 55 %	0·86
DENMARK :	Køer m. Kal 1	0·78
	Køer 1	0·77
	Køer 2	0·73
	Kvier 1	0·85
	Stude 1	0·91
	Tyre P	0·92
	Ungtyre 1	1·00
FRANCE :	Bœufs R	1·21
	Bœufs A	1·08
	Bœufs N	0·95
	Génisses A	1·09
	Jeunes bovins R	1·22
	Jeunes bovins A	1·13
	Vaches A	0·96
	Vaches N	0·85
IRELAND :	Heifers 2	1·02
	Heifers 3	0·95
	Steers 1	1·05
	Steers 2	1·04
	Steers 4	1·00
	Cows 1	0·90
	Cows 2	0·81
ITALY :	Vitelloni 1	1·41
	Vitelloni 2	1·25
	Vacche 1	1·06
	Vacche 2	0·81
LUXEMBOURG :	Génisses, bœufs, taureaux, extra	1·07
	Vaches, extra	1·03
	Vaches A	0·82
NETHERLANDS :	Koeien, 1ste kwaliteit	0·92
	Koeien, 2de kwaliteit	0·78
UNITED KINGDOM :		
(a) Great Britain	Steers M	1·04
	Steers H	1·03
	Heifers L	1·04
	Heifers M/H	1·02
	Cows I	0·90
(b) Northern Ireland	Steers L/M	1·04
	Steers L/H	1·05
	Steers T	1·03
	Heifers U/L	1·02
	Heifers T	1·00

ANNEX III

1. Meat of adult bovine animals, fresh or chilled (subheading No ex 02.01 A II a) 1 of the Common Customs Tariff) in the form of carcases, half-carcases or compensated quarters, forequarters or hindquarters from animals slaughtered not more than six days previously.

   (a) Carcases, half-carcases, compensated quarters :

   cut symmetrically along the spine, and without head, feet, tail, kidneys, kidney fat, pelvis fat, spinal cord, thin skird, udder, penis and thick skirt. The throat must be clean and properly trimmed.

   (b) Forequarters :

   — cut from the carcase after cooling off,

   — 10 or 8-rib straight cut ; or,

   — 5 or 8-rib cut, with thin flank included in the forequarter.

   (c) Hindquarters :

   — cut from the carcase after cooling off,

   — 3 or 5-rib straight cut ; or,

   — 5 or 8-rib cut, known as 'pistola'.

2. The products specified in paragraph 1 must come from well-bled carcases, the animal having been properly flayed, the skin in no way peeling, bloodstained, suffused or bruised. Superficial fat must not be torn. The pleura must be undamaged.

3. The products specified in subparagraphs 1 (b) and (c) must come from carcases or half-carcases satisfying the requirements stated in subparagraph 1 (a).

4. The products specified in paragraph 1 must have been chilled immediately after slaughter and up to the time of being taken over, and must have, when taken over, an internal temperature not exceeding + 7° C.