REGULATION (EEC) No 2260/73 OF THE COMMISSION

of 17 August 1973

laying down the bases for calculating the levy on certain kinds of frozen 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 Article 13 (5) thereof;

Whereas Article 13 of Regulation (EEC) No 805/68 provides for a levy to be charged on imports of the frozen beef and veal products set out in Section (c) of the Annex to that Regulation; whereas the method of calculation for that levy must be laid down;

Whereas rules for calculation in the case of carcases, half-carcases and 'compensated' quarters were laid down in Council Regulation (EEC) No 990/68 [3] of 15 July 1968 on general rules for fixing the levy on certain kinds of frozen beef and veal;

Whereas the levy on the other meats concerned is to be derived by means of coefficients expressing the value ratio between the various products, from the levy on these products as aforesaid;

Whereas to enable the levy to be applied to the various products it is necessary to specify in each case the cut to which the relevant coefficient applies;

Whereas, to avoid over-frequent alteration of the levy, provision should be made for a certain margin, within which the world market price may vary without requiring alteration of the levy;

Whereas provisions should be made for the levy to be fixed at regular intervals, but it must be possible for it to be altered in the interim in the event of substantial price variations;

Whereas the tariff nomenclature employed in this Regulation is taken from the Common Customs Tariff;

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

In the case of frozen meat falling within tariff subheading No 02.01 A II a) 2 aa), as set out in Section (c) of the Annex to Regulation (EEC) No 805/68:

(a) the coefficient as referred to in Article 13 (2) (a) of that Regulation shall be 1·53;

(b) the fixed amount referred to in Article 13 (2) (b) of that Regulation shall be 5·5 units of account per 100 kilogrammes.

Article 2

1. The world market price for frozen meat shall in each case be determined on the basis of free-at-frontier offer prices in the Community, taking into account normal transport and insurance costs.

2. In determining the world market price for frozen meat the following shall be disregarded:

(a) offer prices which do not correspond to actual purchasing possibilities;

(b) offer prices which the Commission considers, in view of general price movements or other information available to it, not to be representative of real price trends in the country of origin;

(c) offer prices which relate to an unrepresentative quantity;

(d) offer prices relating to qualities which differ appreciably from those of the majority of such products entering international trade.

Article 3

So long as the world market price for any frozen meat differs by less than one unit of account per 100 kilogrammes from the world market price previously used for the calculation of the relevant levy, the latter price shall continue to apply.

Article 4

For frozen meat falling within tariff subheadings Nos 02.01 A II a) 2 bb), cc) and dd), as set out in Section (c) of the Annex to Regulation (EEC) No 805/68, the coefficients as referred to in Article 13 (3) of that Regulation shall be those set out in Annex I hereto.

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 25, 30. 1. 1973, p. 23.
(3) OJ No L 169, 18. 7. 1968, p. 12.

Article 5

For the purpose of applying the levy provided for in Article 13 of Regulation (EEC) No 805/68 :

1. 'Carcases of bovine animals' (being products falling within subheading 02.01 A II a) 2 of the Common Customs Tariff) means whole carcases of the slaughtered animals, bled, gutted and skinned, with or without the heads, with or without the feet and with or without the other offal attached. When carcases are presented without the heads, the latter must have been separated from the carcase at the atloido-occipital joint. When presented without the feet, the latter must have been cut off at the carpo-metacarpal or tarso-metatarsal joints ;

2. 'Half-carcases of bovine animals' (being products falling within subheading 02.01 A II a) 2 of the Common Customs Tariff) means the product obtained by symmetrical section of the whole carcase through the centre of each cervical, dorsal, lumbar and sacral vertebra and through the centre of the sternum and of the ischio-pubic symphysis ;

3. 'Forequarters of bovine animals' (being products falling within subheading 02.01 A II a) 2 bb) of the Common Customs Tariff) means the front part of the half-carcase, comprising all the bones and the scrag, neck and shoulder, with a minimum of four ribs and a maximum of ten whole or cut ribs, with or without the thin flank ;

4. 'Hindquarters of bovine animals' (being products falling within subheading 02.01 A II a) 2 cc) of the Common Customs Tariff) means the rear part of the half-carcase, comprising all the bones and the thigh and sirloin, with a minimum of three whole or cut ribs with or without the shin and with or without the thin flank ; this term also covers the front part of the half-carcase, comprising all the bones and the scrag, neck and shoulder, but with more than ten ribs ;

5. 'Compensated quarters of bovine animals' (being products falling within subheading 02.01 A II a) 2 aa) of the Common Customs Tariff) means portions composed of either :

   — forequarters comprising all the bones and the scrag, neck and shoulder, and cut at the tenth rib ; and hindquarters comprising all the bones and the thigh and sirloin, and cut at the third rib ; or

   — forequarters comprising all the bones and the scrag, neck and shoulder, and cut at the fifth rib, with the whole of the flank and breast attached ; and hindquarters comprising all the bones and the thigh and sirloin, and cut at the eighth cut rib.

   The forequarters and the hindquarters constituting 'compensated quarters' must be imported at the same time and in equal numbers, and the total weight of the forequarters must be the same as that of the hindquarters, a difference of not more than 5 % in these weights being allowed.

6. (a) 'A crop' or 'chuck and blade' cut (being a product falling within subheading 02.01 A II a) 2 dd) 22 bbb) of the Common Customs Tariff) means the dorsal part of the forequarter, including the upper part of the shoulder, obtained by a cut along a straight line through the point where the first rib joins the first sternal segment to the point of reflection of the diaphragm on the tenth rib with a minimum of four ribs and a maximum of ten ribs.

   (b) A 'brisket' cut (being a product falling within the said subheading 02.01 A II a) 2 dd) 22 bbb) means the lower part of the forequarters comprising the brisket navel end and brisket point end.

Article 6

In determining the number of whole or cut ribs, only those ribs attached to the backbone shall be taken into consideration.

Article 7

The levy provided for in Article 13 (1) of Regulation (EEC) No 805/68 shall, except where paragraph 4 of that Article is applied, be fixed before the twenty-fifth of each month and shall apply from the first Monday of the following month.

The levy shall be altered in the intervening period in the event of any substantial variation in the world market price used in calculating it.

Article 8

Member States shall, on the fifth and twentieth of each month, communicate by telex to the Commission, details of all prices of products as specified in Section (c) of the Annex to Regulation (EEC) No 805/68 made known to them during the fortnight preceding the day of such communication, specifying in each case the origin, quality, quantity and cut out of the product concerned.

Each Member State shall, as soon as it has notice thereof, communicate to the Commission any information indicating that Article 13 (4) of Regulation (EEC) No 805/68 should be applied.

Article 9

The Common Customs Tariff annexed to Regulation (EEC) No 950/68 is amended as indicated in Annexes II and III to this Regulation.

Article 10

Commission Regulation (EEC) No 1072/68 (1) of 25 July 1968 determining the basis for calculation the levy on certain kinds of frozen beef and veal, as last amended by Regulation (EEC) No 1986/71 (2), is repealed.

Article 11

This Regulation shall enter into force on 17 September 1973.

Entry under tariff subheading 02.01 A II a) 2 dd) 22 bbb) is subject, however, to the presentation upon approved certificate.

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

Done at Brussels, 17 August 1973.

For the Commission

The President

François-Xavier ORTOLI

(1) OJ No L 180, 26. 7. 1968, p. 21.

(2) OJ No L 209, 15. 9. 1971, p. 27.

ANNEX I

CCT heading No	Description	Coefficient
02.01 A II a) 2	Frozen meat, for human consumption, of domestic bovine animals :	
	bb) Forequarters	0·80
	cc) Hindquarters	1·25
	dd) Other :	
	11. Unboned (bone-in)	1·50
	22. Boned or boneless :	
	aaa) Forequarters, whole or cut into a maximum of five pieces, each quarter being in a single block ; 'compensated' quarters in two blocks, one of which contains the forequarter, whole or cut into a maximum of five pieces, and the other, the hindquarter, excluding the tenderloin, in one piece	1·25
	bbb) Crop, chuck and blade and brisket cuts (a)	1·25
	ccc) Other	1·72

(a) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

ANNEX II

CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen :		
	A. Meat :		
	II. Of bovine animals :		
	a) Of domestic bovine animals :		
	2. Frozen :		
	dd) Other :		
	22. Boned or boneless :		
	aaa) Forequarters, whole or cut into a maximum of five pieces, each quarter being in a single block ; 'compensated' quarters in two blocks, one of which contains the forequarter, whole or cut into a maximum of five pieces, and the other, the hindquarter, excluding the tenderloin, in one piece	20 + (L) (*)	(c)
	bbb) Crop, chuck and blade and brisket cuts (a)	20 + (L) (*)	(c)
	ccc) Other	20 + (L) (*)	(c)

(a) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(*) In certain conditions, a levy is applicable in addition to the customs duty.

ANNEX III

I. The following is added to the last sentence of paragraph IJ (b) of Additional Note 1 to Chapter 2 of the Common Customs Tariff :

'and the total weight of the forequarters must be the same as that of the hindquarters, a difference of not more than 5 % in those weights being allowed.'

II. — A paragraph M, worded as follows is added to Additional Note 1 to Chapter 2 of the Common Customs Tariff :

'M. (a) "Crop" and "chuck and blade" cuts, for the purposes of subheading 02.01 A II a) 2 dd) 22 bbb), the dorsal part of the forequarter, including the upper part of the shoulder, obtained by a cut along a straight line through the point where the first rib joins the first sternal segment to the point of reflection of the diaphragm on the tenth with a minimum of four ribs and a maximum of ten ribs ;

(b) "Brisket" cut for the purposes of subheading 02.01 A II a) 2 dd) 22 bbb), the lower part of the forequarter comprising the brisket navel end and brisket point end.'

— A paragraph N, worded as follows, is added to Additional Note 1 to Chapter 2 of the Common Customs Tariff :

'N. In determining the number of whole or cut ribs referred to in paragraphs E to L, only those attached to the backbone shall be taken into consideration.'