# REGULATION (EEC) No 321/73 OF THE COMMISSION

## of 31 January 1973

## fixing the import levies on calves and adult bovine animals and on beef and veal other than frozen

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 the second subparagraph of Article 10 (7) thereof ;

Whereas Article 10 (3) of Regulation (EEC) No 805/68 provides that, where the import price for calves or adult bovine animals, after addition of the customs duty, is lower than the guide price, the difference between the latter price and the import price plus that addition is offset by a levy on imports of that product ; whereas, however, such levy is to be fixed at :

— 75 % of the abovementioned difference, if it is found that the price of the product in question on the representative markets of the Community is more than the guide price but does not exceed 102 % of that price ;

— 50 % of the abovementioned difference, if it is found that the price of the product in question on the representative markets of the Community is more than 102 % of the guide price but does not exceed 104 % of that price ;

— 25 % of the abovementioned difference, if it is found that the price of the product in question on the representative markets of the Community is more than 104 % of the guide price but does not exceed 106 % of that price ;

— nil, if it is found that the price of the product in question on the representative markets of the Community is more than 106 % of the guide price ;

Whereas Council Regulation (EEC) No 1653/72 (3) of 31 July 1972, as last amended by Regulation (EEC) No 2823/72 (4), fixed the guide prices for calves and adult bovine animals valid for the 1972/73 marketing year ;

Whereas Commission Regulation (EEC) No 218/73 (5) of 29 January 1973 on the determination of the import price and the special import price for calves and adult bovine animals provides that the import price is to be calculated in accordance with the method set out in Article 4 on the basis of all the representative free-at-frontier offer prices in the Community established for each of the categories and cuts specified in Article 2, and ascertained in particular from :

(a) prices given in the customs documents accompanying the products imported from such other third countries ;

(b) other information concerning the export prices ruling in such other countries ;

Whereas, however, offer prices which do not correspond to actual purchasing possibilities are to be disregarded, as are also offer prices relating to unrepresentative quantities ; whereas offer prices which, because of the development of prices in general or from the information available, do not seem to be representative of the actual trend of prices in the exporting country should also be disregarded ;

Whereas, where no free-at-frontier offer price can be recorded for one or more categories of live animals or of meat, the last available price must be used for the calculation ;

Whereas, if the import price differs by less than 0·50 unit of account per 100 kg live weight from the import price previously used to calculate the levy, the latter price must be maintained ;

Whereas the import price must be calculated on the first and third Thursday of each month for the purpose of calculating the levies valid from the following Monday ; whereas, however, if circumstances so require, the import price may be fixed on another day of the same week ;

Whereas Article 10 (5) of Regulation (EEC) No 805/68 provides that the price recorded on the representative markets of the Community is derived from

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 25, 30. 1. 1973, p. 23.
(3) OJ No L 174, 1. 8. 1972, p. 55.
(4) OJ No L 298, 31 .12. 1972, p. 3.
(5) OJ No L 26, 31. 1. 1973, p. 16.

the prices recorded on the representative market or markets of each Member State for the various qualities — of calves, adult bovines animals or the meat of these animals, as the case may be — after taking into account the relative quantity of each of such qualities and the relative magnitude of the bovine stock of each Member State ;

Whereas the prices for calves and adult bovine animals, recorded on the representative market or markets of each Member State, is equal to the average, weighted by coefficients, of the prices for the qualities of calves, adult bovine animals and meat of these animals formed during a period of seven days in that Member State at a standard wholesale stage ; whereas the representative markets, the qualities of the products and the weightings were fixed in Annex II to Commission Regulation (EEC) No 320/73 [1] of 31 January 1973 on the determination of the prices for calves and adult bovine animals on the representative markets of the Community ;

Whereas the prices of calves and adult bovine animals so established on the market or markets of each of the new Member States must be increased by the basic compensatory amount provided for in Article 1 (1) of Council Regulation (EEC) No 181/73 [2] of 23 January 1973 laying down general rules for the system of compensatory amounts for beef and veal ;

Whereas, where there are several representative markets in a Member State, the price of each quality is the average of the quotations recorded on each of these markets ; whereas, where in a Member State there is a single representative market, held several times during the seven-day period, the price of each quality is to be equal to the arithmetic mean of quotations recorded at each market ; whereas, with regard to Italy, the price of each quality is the average, weighted by the special weighting coefficients laid down in Annex II to Regulation (EEC) No 320/73, of the prices recorded in the surplus and deficit production areas; whereas the price recorded in the surplus production area is equal to the average of the quotations recorded on each of the markets within that area ; whereas for the United Kingdom the weighted average of the prices recorded on the representative markets in Great Britain and in Northern Ireland are to be multiplied by the coefficient fixed in the said Annex II ;

Whereas, where these quotations do not relate to 'live weight excluding tax' prices, the quotations for the different qualities are to be corrected by the live-weight conversion coefficients laid down in Annex II to that Regulation and, in respect of Italy and the United Kingdom, are first increased or reduced by the corrective amounts laid down in that Annex ; whereas for Ireland the price per calf recorded on the representative market is to be increased by the corrective amount fixed in that Annex and subsequently converted back into live weight per unit of weight by applying the corrective coefficient fixed in that Annex ;

Whereas, if one or more Member States take measures, such as health protection measures, which affect the normal development of quotations recorded on their markets, the Commission may either disregard the quotations recorded on the market or markets in question or use the last quotations recorded on the market or markets in question before those measures were put into effect ;

Whereas, where information is not available, the quotations recorded on representative Community markets are to be determined with particular reference to the latest known quotations ;

Whereas, for as long as the price recorded for calves and adult bovine animals on the representative Community markets differs by less than 0·20 unit of account per 100 kg live weight from the price previously used, the latter price is to be maintained;

Whereas Article 12 (1) of Regulation (EEC) No 805/68 provides that if a levy is charged on calves or adult bovine animals, a levy is also to be charged on imports of the meat of calves or adult bovine animals as listed in Section (a) of the Annex to that Regulation under tariff subheadings Nos 02.01 A II a) 1 aa) and 02.01 A II a) 1 bb) ; whereas this levy is equal to the levy charged on calves or adult bovine animals, as the case may be, adjusted by a coefficient expressing the value ratio between the meat in question on the one hand and calves or adult bovine animals on the other ;

Whereas Article 12 (3) of Regulation (EEC) No 805/68 provides that if the levy is charged on adult bovine animals, a levy is also to be charged on imports of the meat listed in Section (b) of the

[1] See p. 13 of this Official Journal.
[2] OJ No L 25, 30. 1. 1973, p. 9.

Annex to that Regulation; whereas this levy is equal to the levy charged on adult bovine animals, multiplied by a standard coefficient;

Whereas Article 12 (4) of Regulation (EEC) No 805/68 provides that the levy may be charged on imports of the products listed in Section (a) of the Annex to that Regulation under tariff subheading No 02.01 A II a) 1 cc); whereas this levy is equal to the highest levy applicable to calves or adult bovine animals, multiplied by a standard coefficient;

Whereas the standard coefficients referred to above were fixed for each of the products in question in the Annex to Regulation (EEC) No 1025/68 (1), as last amended by Regulation (EEC) No 1987/71 (2); whereas that Regulation also defines the requirements to be met by certain products for which the levy has been fixed by means of these coefficients;

Whereas levies must be fixed with due regard for obligations arising out of international agreements concluded by the Community; whereas Council Regulation (EEC) No 1474/72 (3) of 10 July 1972 on the levies on imports from Yugoslavia of adult bovine animals and meat thereof should also be taken into account;

Whereas, in accordance with Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

Whereas the levies must be fixed once each week and be valid from the following Monday;

Whereas it follows from the provisions of the abovementioned Regulations and in particular from the quotations and other information known to the Commission that the levies on calves, adult bovine animals and on beef and veal other than frozen should be fixed as shown in the Annex to this Regulation;

HAS ADOPTED THIS REGULATION:

*Article 1*

The levies referred to in Articles 10 and 12 of Regulation (EEC) No 805/68 shall be as shown in the Annex to this Regulation.

*Article 2*

To be classified as products falling within subheadings Nos 02.01 A II a) 1 aa) and 02.01 A II a) 1 bb), products must correspond to the definitions contained in Articles 1 a and 2 of Regulation (EEC) No 1025/68.

*Article 3*

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

It shall apply from 1 February 1973.

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

Done at Brussels, 31 January 1973.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

(1) OJ No L 174, 23. 7. 1968, p. 9.
(2) OJ No L 209, 15. 9. 1971, p. 28.
(3) OJ No L 157, 13. 7. 1972, p. 1.

*ANNEX*

**Levies applicable from 1 February 1973 to imports from third countries (1)**

| CCT heading No | Description of goods | Levy in u.a./100 kg |
|---|---|---|
| | | Live weight |
| 01.02 | Live animals of the bovine species : | |
| | A. Domestic species : | |
| | II. Other : | |
| | a) Calves | 0 (b) |
| | b) Other : | |
| | 1. Cows for immediate slaughter, the meat of which is intended for processing (a) | 0 |
| | 2. Other : | |
| | aa) Not yet having any permanent teeth, of a weight of not less than 350 kg but not more than 450 kg in the case of male animals, or of not less than 320 kg but not more than 420 kg in the case of female animals (c) | 0 |
| | bb) Other | 0 (b) |
| | | Net weight |
| 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 : | |
| | 1. Fresh or chilled : | |
| | aa) Of calves : | |
| | 11. Carcases and half-carcases | 0 |
| | 22. Separated or unseparated forequarters | 0 |
| | 33. Separated or unseparated hindquarters | 0 |
| | bb) Of adult animals : | |
| | 11. Carcases, half-carcases or 'compensated' quarters : | |
| | aaa) Carcases of a weight of not less than 180 kg but not more than 270 kg and half-carcases or 'compensated' quarters, of a weight of not less than 90 kg but not more than 135 kg, with a low degree of ossification of the cartilages (more especially those of the symphysis pubis and the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (c) | 0 |
| | bbb) Other | 0 |
| | 22. Forequarters : | |
| | aaa) Of a weight of not less than 45 kg but not more than 68 kg, with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (c) | 0 |
| | bbb) Other | 0 |

| CCT heading No | Description of goods | Levy in u.a./100 kg |
|---|---|---|
| | | Net weight |
| 02.01 (cont'd) | 33. Hindquarters : | |
| | aaa) Of a weight of not less than 45 kg but not more than 68 kg (not less than 38 kg but not more than 61 kg in the case of 'Pistola' cuts), with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (c) | 0 |
| | bbb) Other | 0 |
| | cc) Other cuts of veal and beef : | |
| | 11. Unboned (bone-in) | 0 |
| | 22. Boned or boneless | 0 |
| 02.06 | Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked : | |
| | C. Other : | |
| | 1. Of domestic bovine animals : | |
| | a) Meat : | |
| | 1. Unboned (bone-in) | 0 |
| | 2. Boned or boneless | 0 |

(1) Regulation (EEC) No 521/70 provides that the levies are not applied to imports into the French overseas departments of products originating in the AASM and OCT.

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities and to the special conditions at present applicable to cows imported under the bilateral agreement on cattle for the food processing industry between the European Communities and Austria.

(b) Where these products are imported under the conditions set out in Article 11 of Council Regulation (EEC) No 805/68 of 27 June 1968 and in the provisions adopted for its application, the levy is either refunded or not collected in accordance with those provisions.

(c) Entry under this subheading is subject to the production of the certificate referred to in paragraph 2 (c) of Protocol No 1 annexed to the trade agreement between the EEC and the Socialist Federal Republic of Yugoslavia.