REGULATION (EEC) No 1165/74 OF THE COMMISSION

of 8 May 1974

fixing the import levies on 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 (6) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas Article 13 (1) of Regulation (EEC) No 805/68 provides for charging a levy on imports of the frozen meat listed in Section (c) of the Annex to that Regulation; whereas the levy on products falling within subheading No 02.01 A II a) 2 aa) is equal to the difference between:

— the guide price for the corresponding product multiplied by a coefficient expressing the ratio existing in the Community between the price for fresh meat of a quality competitive with the frozen meat in question, presented in the same form, and the average price for adult bovine animals, and
— the price on the world market for frozen meat, based on the most favourable purchasing opportunities among those which are most representative, as regards quality and quantity, of the development of this market, plus customs duty and a standard amount representing the specific costs incurred in importing frozen meat;

Whereas Article 1 of 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 provides that the guide price for the corresponding product is the guide price for adult bovine animals; whereas this guide price was fixed by Council Regulation (EEC) No 667/74 (4) of 28 March 1974;

Whereas the abovementioned coefficient, calculated in accordance with the rules contained in Article 13 (2) of Regulation (EEC) No 805/68 was fixed at 1·53 by Commission Regulation (EEC) No 2260/73 (5) of 17 August 1973 determining the bases for calculating the levy on certain kinds of frozen beef and veal, as amended by Regulation (EEC) No 1160/74 (6);

Whereas Article 4 of Regulation (EEC) No 990/68 provides that the most favourable purchasing opportunities among those which are most representative as regards quality and quantity as mentioned in Article 13 (2) (b) of Regulation (EEC) No 805/68 should be determined in the first place with reference to free-at-Community-frontier offers or, where such offers are not sufficiently representative of the market situation, world market offers delivered free-at-Community-frontier for each of the products listed in Section (c) of the Annex to Regulation (EEC) No 805/68; whereas, for products other than those covered by the first subparagraph of Article 13 (2) of that Regulation, the offer price is converted into a price relating to the products covered by that subparagraph by means of the coefficients referred to in Article 13 (3) of that Regulation; whereas those coefficients were fixed in Annex I to Regulation (EEC) No 2260/73;

Whereas Article 2 of Regulation (EEC) No 2260/73 provides that the Commission, when determining the world market price referred to in Article 13 (2) (b) of Regulation (EEC) No 805/68 must disregard offer prices which do not correspond to real purchasing opportunities or which relate to small unrepresentative quantities or to qualities which differ appreciably from those of the majority of the products entering world trade; whereas offer prices which the Commission believes, in view of general price movements or information available to it, not to be representative of real price trends in the country of origin must also be disregarded;

Whereas offers on the world market are converted into free-at-Community-frontier offers by taking into account the normal transport and insurance costs of which the Commission has knowledge;

Whereas the standard amount referred to in Article 13 (2) (b) of Regulation (EEC) No 805/68 is fixed at 5·5 units of account per 100 kg;

Whereas, as long as the world market price for frozen meat differs by less that 1 unit of account per 100 kg from the world market price previously used, the latter price is maintained;

Whereas Article 13 (3) of Regulation (EEC) No 805/68 provides that, for the frozen meat listed in Section (c) of the Annex to that Regulation under subheading Nos 02.01 A II a) 2 bb), 02.01 A II a) 2 cc) and 02.01 A II a) 2 dd), the levy is equal to the levy on the product in the same Section under subheading No

(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.
(4) OJ No L 85, 29. 3. 1974, p. 59.
(5) OJ No L 233, 21. 8. 1973, p. 10.
(6) See p. 32 of this Official Journal.

02.01 A II a) 2 aa) multiplied by the fixed coefficient for each of the products in question ; whereas this coefficient was fixed in Annex I to Regulation (EEC) No 2260/73 ; whereas that Regulation also defines the requirements to be met by certain products for which the levy is fixed by means of these coefficients ;

Whereas Article 13 (4) of Regulation (EEC) No 805/68 provides that, where free quotations on the world market are not a determining factor for the offer price and where that price is lower than these quotations, a special price calculated on the basis of the offer price is substituted, solely in respect of the imports in question, for the world market price for frozen meat referred to in paragraph 2 of that Article ;

Whereas, subject to the foregoing, the levy referred to in Article 13 (1) of Regulation (EEC) No 805/68 is fixed before the 25th day of each month and is applicable from the first Monday of the following month ; whereas, however, the levy is altered in the intervening period if there is considerable fluctuation in the world market price for frozen meat ;

Whereas, in accordance with Article 20 (1) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff ;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis :

— in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2·25 %, a rate of exchange based on their effective parity ;

— for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph ;

Whereas it follows from applying the provisions of the abovementioned Regulations to the quotations and other information known to the Commission that the levies on frozen meat should be fixed as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The levies referred to in Article 13 of Regulation (EEC) No 805/68 are fixed as shown in the Annex to this Regulation.

Article 2

To be classified as products falling within :

— subheading No 02.01 A II a) 2 aa),
— subheading No 02.01 A II a) 2 bb) and cc),
— subheading No 02.01 A II a) 2 dd) and 22 bbb).

Products must correspond to the definition for the product in question contained in Regulation (EEC) No 2260/73.

Article 3

This Regulation shall enter into force on 9 May 1974.

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

Done at Brussels, 8 May 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

Levies applicable from 9 May 1974 to imports from third countries (1)

CCT heading No	Description of goods	Levy in u.a./100 kg 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 :	
	2. Frozen :	
	aa) Carcases, half-carcases or 'compensated' quarters	31·585
	bb) Forequarters	25·268 (a)
	cc) Hindquarters	39·481
	dd) Other :	
	11. Unboned (bone-in)	47·378
	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	39·481 (a)
	bbb) Crop, chuck and blade and brisket cuts (b)	39·481 (a)
	ccc) Other	54·326 (a)

(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 CCT.

(a) Subject to the provisions of Regulation (EEC) No 1063/74 (OJ No L 119, 1. 5. 1974, p. 70) where these products are imported under the conditions set out in Article 14 of Council Regulation (EEC) No 805/68 of 27 June 1968 and in the provisions adopted for its application, the levy is totally or partially suspended in accordance with these provisions.

(b) 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.