REGULATION (EEC) No 3156/74 OF THE COMMISSION

of 13 December 1974

on an invitation to tender for the sale of boned beef held by the Belgian intervention agency

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 1855/74 [2], and in particular Article 7 (3) thereof;

Whereas the arrangements for permanent intervention on the beef and veal market have led to the build-up of stocks in Belgium; and whereas, in order to improve the operation of the intervention system, part of these intervention purchases has been stored as boned meat in accordance with Commission Regulation (EEC) No 1315/74 [3] of 28 May 1974 on the deboning of beef bought-in by intervention agencies;

Whereas the conditions for release from storage under Article 1 (2) (a) of Council Regulation (EEC) No 98/69 [4] of 16 January 1969 laying down general rules for the disposal of frozen beef and veal bought-in by the intervention agencies are fulfilled;

Whereas it appears appropriate, in order to ensure that release from storage takes place on the most economic terms available under Commission Regulation (EEC) No 216/69 [5] of 4 February 1969 on detailed rules for the disposal of frozen beef and veal bought-in by the intervention agencies, to provide for the sale to be by tender;

Whereas in the particular situation in which this tender is to be held it appears necessary to adjust the figure governing the minimum quantity which may be tendered for;

Whereas, however, release from storage may be interrupted by *force majeure*; whereas the intervention agency should therefore be permitted to take the necessary action in such cases;

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

There shall be put up for sale a quantity of approximately 2 400 metric tons of boned beef bought-in under Article 6 (1) of Regulation (EEC) No 805/68, boned under Regulation (EEC) No 1315/74 and held by the Belgian intervention agency.

Article 2

The sale shall be by tender and shall be conducted in accordance with Regulation (EEC) No 216/69, and in particular Articles 6 to 14 thereof, and with this Regulation.

Article 3

By way of derogation from Article 9 (3) of Regulation (EEC) No 216/69, tenders shall be for not less than 10 metric tons.

Article 4

By way of derogation from Article 13 (2) of Regulation (EEC) No 216/69, the price shall be paid as and when the goods are removed from store, in proportion to the quantities removed and not later than the day preceding each removal.

Article 5

Where by reason of *force majeure* the tenderer is unable to comply with the time limit set for taking delivery, the intervention agency shall take such action as it considers necessary having regard to the circumstances invoked.

The intervention agency shall inform the Commission of each case of *force majeure* and of the action taken in respect thereof.

Article 6

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

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[1] OJ No L 148, 28. 6. 1968, p. 24.
[2] OJ No L 195, 18. 7. 1974, p. 14.
[3] OJ No L 144, 29. 5. 1974, p. 11.
[4] OJ No L 14, 21. 1. 1969, p. 2.
[5] OJ No L 28, 5. 2. 1969, p. 10.

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

Done at Brussels, 13 December 1974.

For the Commission

The President

François-Xavier ORTOLI