REGULATION (EEC) No 2086/75 OF THE COMMISSION

of 8 August 1975

on the determination by invitation to tender of the amounts of private storage aid for beef

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 Articles 6 (5) (b) and 8 (2) thereof;

Whereas Article 6 (3) of Regulation (EEC) No 805/68 provides that intervention measures shall be taken for the whole of the Community when the price for adult bovine animals, as recorded on representative Community markets in accordance with Article 10 of the said Regulation, is lower than the intervention price; whereas this condition is fulfilled at present;

Whereas, in the present and foreseeable state of the market, which is marked by unstable prices in the Community, aid should be granted for private storage;

Whereas Commission Regulation (EEC) No 1860/75 (3) of 18 July 1975 on the granting of private storage aid for beef and veal provides for the granting of private storage aid for forequarters; whereas, for carcases, half carcases and compensated quarters, the amounts of aid should be determined by an invitation to tender opened in accordance with the provisions of Commission Regulation (EEC) No 275/74 (4) of 31 January 1974 laying down detailed rules for the grant by tender of private storage aid for beef and veal; whereas, however, derogations should be made from certain of these provisions in order to make carcases subject to the same storage conditions as forequarters;

Whereas, pursuant to Article 4 (2) of Council Regulation (EEC) No 1134/68 of 30 July 1968 laying down rules for the implementation of Regulation (EEC) No 653/68 (5) on conditions for alterations to the value of the unit of account used for the common agricultural policy, for transactions carried out pursuant to provisions of the common agricultural policy sums owed by a Member State or a duly authorized body, expressed in national currency and representing amounts fixed in units of account, are to be paid on the basis of the relationship between the unit of account and the national currency which obtained at the time when the transaction or part transaction was carried out;

Whereas, pursuant to Article 6 of the Regulation referred to above, the time when a transaction is carried out is considered as being the date on which the event occurs, as defined by Community rules or, in the absence of and pending adoption of such rules, of the Member States concerned, in which the amount involved in the transaction becomes due and payable;

Whereas, in respect of private storage aid for beef, the rate of exchange to be used for calculating the amount of this aid in national currency should be that obtaining at the time when the contract for private storage aid is concluded;

Whereas the Management Committee for Beef and Veal has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 11 August 1975 there shall be opened in accordance with the provisions of Regulation (EEC) No 275/74 an invitation to tender to determine the amounts of private storage aid for storage periods of 5 and 6 months; this invitation to tender shall relate to approximately 25 000 metric tons of products falling within CCT subheading 02.01 A II a) 1 bb) 11.

The final date for the submission of tenders shall be 29 August 1975 at 12 noon.

Article 2

1. The contractor may, before placing them in store, cut and bone the products contracted for, provided that all the meat resulting from such boning or cutting operations is placed in store.

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 195, 18. 7. 1974, p. 14.
(3) OJ No L 188, 19. 7. 1975, p. 30.
(4) OJ No L 28, 1. 2. 1974, p. 61.
(5) OJ No L 188, 18. 1. 1968, p. 1.

2. The Member States are authorized to require contractors to comply with the conditions set out in Article 3 (1) of the Council Directive of 26 June 1964 (1) on health problems affecting intra-Community trade in fresh meat, as last amended by the Directive of 24 June 1975 (2).

For the purposes of this Regulation, 100 kg of bone-in meat shall be equivalent to 77 kg of boned meat.

3. In the case of meat stored without cutting and boning, if the quantity placed in store is less than the quantity contracted for but equal to :

(a) 90 % or more of that quantity, the amount of private storage aid shall be reduced proportionately ;

(b) less than 90 % of that quantity, private storage aid shall not be paid.

In the case of cut and boned meat the percentage as specified in (a) and (b) shall be 85 %.

4. If the quantity placed in store is greater than the quantity contracted for, the amount of the aid shall be equal to that which was indicated for the quantity contracted for.

Article 3

1. At the end of a storage period of 3 months, the contractor may withdraw from store all or part of the meat for which he has contracted, provided that the quantity so withdrawn is equal to not less than 5 metric tons and is, within ten working days of such withdrawal, exported from the Community.

In this case, the contractor must furnish proof that the meat has left the geographical territory of the Community or has been supplied in accordance with Article 3 of Regulation (EEC) No 192/75. Such proof shall be furnished in the same way as for the purpose of export refunds.

The amount of the aid shall be reduced by 1 unit of account per day per metric ton of bone-in meat, the day of withdrawal from the cold-store being regarded as the last day of storage.

2. The contractor shall inform the intervention agency at least two working days before beginning withdrawal of the meat from the cold-store, indicating the products and the quantities which he intends to export.

Article 4

By way of derogation from Article 5 (3) (b) (aa) of Regulation (EEC) No 275/74, private storage aid may be granted only for products obtained from animals slaughtered in the Community not more than ten days previously.

Article 5

By way of derogation from Article 5 (3) (b) (bb) of Regulation (EEC) No 275/74, the period within which storage must be completed shall be 60 days.

Article 6

By way of derogation from Article 5 (3) (c) of Regulation (EEC) No 275/74, the minimum quantity shall be 50 metric tons.

Article 7

By way of derogation from Article 6 (1) of Regulation (EEC) No 275/74, the amount of the security required shall be 100 u.a./metric ton.

Article 8

The date on which occurs the event within the meaning of Article 6 of Regulation (EEC) No 1134/68 in which private storage aid becomes due and payable shall be regarded as being the date on which the contract was concluded.

Article 9

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, 8 August 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

(1) OJ No 121, 29. 7. 1964, p. 2012/64.
(2) OJ No L 172, 3. 7. 1975, p. 17.