REGULATION (EEC) No 2711/75 OF THE COMMISSION

of 24 October 1975

on the granting at a standard rate fixed in advance 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 same Regulation is lower than the guide price; whereas this condition is fulfilled at present;

Whereas the present and foreseeable market situation indicates a need for private storage aid to be granted for carcases, half-carcases and compensated quarters, bone-in;

Whereas, in order to facilitate storage operations, it appears appropriate to amend certain conditions laid down in Commission Regulation (EEC) No 1071/68 (3) of 25 July 1968 laying down detailed rules for granting private storage for beef and veal, and in particular those concerning the security required and the time elapsing between slaughter and placing in private storage; whereas the consequences of putting too small a quantity into storage and of withdrawing meat prematurely should also be specified;

Whereas Article 3 of Council Regulation (EEC) No 989/68 (4) of 15 July 1968 laying down general rules for granting private storage aid for beef and veal provides that a decrease or an increase of the storage period can be decided on if the market situation calls for it; whereas it is therefore appropriate to fix, in addition to the amounts of aid for a specified storage period, amounts to be deducted when this period is shortened;

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 195, 18. 7. 1974, p. 14.
(3) OJ No L 180, 26. 7. 1968, p. 19.
(4) OJ No L 169, 18. 7. 1968, p. 10.

Whereas, in order to avoid financing normal storage, it appears desirable to specify a high minimum quantity;

Whereas it is desirable, having regard to the present abundance of beef on the Community market, to allow the products stored to be exported before the expiry of the storage period, subject to a provision for a minimum period of storage;

Whereas the amount of the security required should be such as to oblige the storer to fulfil the obligations undertaken by him;

Whereas, pursuant to Article 4 (2) of Council Regulation (EEC) No 1134/68 of 30 July 1968 laying down general 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, the sums owed by a Member State or a duly authorized body, expressed in national currency and representing amounts fixed in units of account, are paid on the basis of the relationship between the unit of account and the national currency obtaining 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 occurs the event, 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 measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Beef and Veal,

(5) OJ No L 188, 1. 8. 1968, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

1. Aid shall be granted for the private storage of products as specified in the Annex hereto stored for periods of four, five or six months.

The amounts of such aid per metric ton, exclusive of packaging, shall be as shown in the said Annex.

2. The amount of aid shall be adjusted if the duration of storage is extended or curtailed. The additional amounts per month or amounts to be deducted per day are given in columns 5 and 6 of the said Annex.

Article 2

The minimum quantity per contract shall be 50 metric tons.

Article 3

The contractor may, before placing it in store, cut and bone all or part of the meat, provided that all the meat resulting from such boning or cutting operations is placed in store.

Article 4

1. No aid shall be payable unless the meat remains in store for the whole of the storage period.

2. However, the contractor may, prior to the termination of the storage period, withdraw from the cold-store all or part of the meat for which he has contracted, provided that the quantity so withdrawn is equal to not less than five metric tons and that it has remained in store for at least three months and is, within 10 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 as provided in Article 1 (2), the day of withdrawal from the cold-store being regarded as the last day of storage.

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

Article 5

By way of derogation from Article 2 (2) of Regulation (EEC) No 1071/68, private storage aid may be granted only for products obtained from animals slaughtered within the Community not more than 10 days previously.

Article 6

Storing must be completed within 60 days following the conclusion of the contract.

The storage period shall begin on the day on which storing is completed.

Article 7

1. The amount of the security required is fixed at 100 u.a./metric ton.

2. In cases of *force majeure*, the intervention agency shall take such measures 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 8

Aid shall be paid at the request of the person entitled and at the latest on the fifteenth day following that on which it is ascertained that the obligations under the contract have been fulfilled.

Article 9

1. The Member States may 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].

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.

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

Article 10

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 11

This Regulation shall enter into force on 1 November 1975.

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

Done at Brussels, 24 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

CCT heading No	Products for which aid is granted	Amount of aid, in u.a./metric ton for a storage period of			Amount in u.a./metric ton	
		4 months	5 months	6 months	to be added per month	to be deducted per day
02.01 A II a) 1 bb) 11	Carcases, half-carcases, compensated quarters (bone-in)	470	500	530	30	1