REGULATION (EEC) No 79/75 OF THE COMMISSION

of 14 January 1975

on the sale by periodic tendering procedure of boned beef held by the intervention agencies

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 possibility of permanent intervention has led to the build-up of considerable stocks in Member States and part of these intervention purchases have been stored as boned beef in order to improve the operation of the intervention system in conformity 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 of release from storage set out in 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 possible to apply the tendering arrangements provided for in 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 ;

Whereas it is necessary in the light of purchases and of the stocks of boned beef held by the intervention agencies to introduce a periodic system for the sale of boned beef ; whereas such a system will enable stocks to be sold on a regular basis by means of monthly individual invitations to tender ;

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

Beef held by the intervention agencies and boned pursuant to Regulation (EEC) No 1315/74 shall be put up for sale.

The sale shall be by periodic invitations to tender.

The provisions of Regulation (EEC) No 216/69, and in particular Articles 6 to 14 thereof, shall, subject to the provisions of this Regulation, be applicable.

Article 2

1. The intervention agencies holding the boned beef shall publish a general notice of periodic invitations to tender, at the latest by the date of publication of the first of the individual invitations to tender referred to in paragraph 2.

2. Within the framework of the periodic tendering arrangements the intervention agencies shall hold individual invitations to tender, such invitations to be issued in accordance with Articles 6 and 7 of Regulation (EEC) No 216/69.

The time limit for the submission of tenders shall be the first Monday of each month at 12 noon.

Article 3

For the purposes of fixing the minimum selling prices for each individual invitation to tender, account shall be taken of the situation on the beef and veal market and of the purchases and sales made by the intervention agencies.

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.

(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.

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 15 January 1975.

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

Done at Brussels, 14 January 1975.

For the Commission

The President

François-Xavier ORTOLI