REGULATION (EEC) No 847/75 OF THE COMMISSION

of 1 April 1975

supplementing Regulation (EEC) No 2163/74 as regards the exportation to another Member State of animals from a Member State which applies the system of premiums for the orderly marketing of adult bovine animals for slaughter

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 22a (3) thereof;

Having regard to Council Regulation (EEC) No 1967/74 (3) of 23 July 1974 introducing a system of premiums for the orderly marketing of certain adult bovine animals for slaughter, as last amended by Regulation (EEC) No 462/75 (4), and in particular Article 4 (2) thereof;

Whereas the detailed rules for the application of the system of premiums for the orderly marketing of certain adult bovine animals for slaughter laid down in Commission Regulation (EEC) No 2163/74 (5) of 14 August 1974, as amended by Regulation (EEC) No 2586/74 (6), provide that in cases where an animal is exported from a Member State which applies this system to another Member State the grant of the premium in the exporting Member State shall be subject to production of a control copy certifying that the animal has been slaughtered in the Member State of destination; whereas failing submission of the control copy a slaughtering certificate may be accepted as proof;

Whereas it has been established that through no fault of the persons concerned these documents do not in certain cases reach the competent authorities of the Member State granting the premium; whereas it would be unjust in such circumstances to refuse the premium by reason of the absence of proof of slaughter;

Whereas, in order to remedy this situation, provision should be made for proof of exportation to another Member State to be acceptable also, given that under Article 5 (1) of Regulation (EEC) No 2163/74 animals must be slaughtered as soon as possible after their arrival in the Member State of destination; whereas, however, the premiums must not be paid where it appears that the animals concerned have not been slaughtered;

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

The following paragraph 4 is added to Article 5 of Regulation (EEC) No 2163/74:

'4. If it has not proved possible to furnish proof of slaughter in accordance with the preceding paragraphs within three months following the date of completion of customs export formalities the exporting Member State may grant the premium on receipt of proof that these formalities have been completed.

Provided that, if the exporting Member State has good grounds for suspecting that the animals concerned have not been slaughtered in that Member State under the conditions laid down in the first subparagraph of paragraph 1 it may refuse to grant the premium.

The amount of the premium shall in such cases be that valid on the day on which customs export formalities were completed.'

Article 2

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

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 195, 18. 7. 1974, p. 14.
(3) OJ No L 206, 27. 7. 1974, p. 1.
(4) OJ No L 52, 28. 2. 1975, p. 2.
(5) OJ No L 226, 15. 8. 1974, p. 30.
(6) OJ No L 276, 11. 10. 1974, p. 28.

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

Done at Brussels, 1 April 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission