COMMISSION REGULATION (EEC) No 1500/76

of 25 June 1976

on the granting of private storage aid for beef at a standard rate fixed in advance

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 of 27 June 1968 on the common organization of the market in beef and veal (1), as last amended by Regulation (EEC) No 568/76 (2), and in particular Articles 6 (5) (b) and 8 (2) thereof,

Whereas Article 6 (3) thereof 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 thereof is lower than the guide price; whereas this condition is fulfilled at present;

Whereas, in the present market situation, where prices are unstable in the Community and where, in particular, the short-term supply difficulties in the Member State with the largest deficit are affecting the availability of supplies in producer Member States, private storage aid should be granted for fresh or chilled carcases, half-carcases and 'compensated' quarters of male adult bovine animals as defined in Annex I to Commission Regulation (EEC) No 1896/73 of 13 July 1973 on detailed rules for the application of intervention measures on the market in beef and veal (3), as last amended by Regulation (EEC) No 1333/76 (4), and also for fresh or chilled forequarters of adult bovine animals;

Whereas from the results of the tendering procedure under Commission Regulation (EEC) No 1204/76 of 21 May 1976 providing for invitations to tender to determine amounts of private storage aid in respect of beef (5), it is clear that provision should also be made for granting private storage aid at a standard rate fixed in advance taking into account the abovementioned tendering procedure; whereas, furthermore, in the light of the unfavourable weather and recent market developments, the aid should be extended to fresh or chilled carcases, half-carcases and 'compensated' quarters of adult bovine animals other than those listed in Annex I to Regulation (EEC) No 1896/73;

Whereas it should be ensured that those animals are slaughtered solely in slaughterhouses approved and supervised in accordance with Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat (6), as last amended by Directive 75/379/EEC of 24 June 1975 (7);

Whereas, in order to facilitate storage operations, certain conditions of Commission Regulation (EEC) No 1071/68 of 25 July 1968 laying down detailed rules for granting private storage aid for beef and veal (8), and in particular those concerning the security required should be amended; 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 of 15 July 1968 laying down general rules for granting private storage aid for beef and veal (9) 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 or added when this period is shortened or lengthened;

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

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 end of the storage period provided they are stored for a minimum period;

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

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 67, 15. 3. 1976, p. 28.
(3) OJ No L 193, 14. 7. 1973, p. 18.
(4) OJ No L 151, 10. 6. 1976, p. 7.
(5) OJ No L 133, 22. 5. 1976, p. 28.
(6) OJ No 121, 29. 7. 1964, p. 2012/64.
(7) OJ No L 172, 3. 7. 1975, p. 17.
(8) OJ No L 180, 26. 7. 1968, p. 19.
(9) OJ No L 169, 18. 7. 1968, p. 10.

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 on conditions for alterations to the value of the unit of account used for the common agricultural policy (1), for transactions carried out under 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, by the rules of the Member State 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,

HAS ADOPTED THIS REGULATION :

Article 1

1. Aid shall be granted for the private storage of the products specified in the Annex hereto. The amounts of such aid per metric ton, exclusive of packaging, shall be 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 Annex.

Article 2

Private storage aid may be granted only for meat produced in accordance with Article 3 (1) A (a) to (e) of the Council Directive of 26 June 1964 on health problems affecting intra-Community trade in fresh meat, as last amended by the Directive of 24 June 1975.

Article 3

The minimum quantity per contract is :

— 50 metric tons for the products listed in the Annex under (a) and (b),

— 30 metric tons for the products listed in the Annex under (c).

Article 4

1. The contractor may, before placing them in store, cut and bone the products referred to in the Annex under (a), (b) and (c) in whole or in part, provided that all the meat resulting from such boning or cutting operations is placed in store.

2. For the purposes of this Regulation :

(a) 100 kg of the unboned meat referred to in the Annex under (a) and (b) shall be equivalent to 77 kg of boned meat ;

and

(b) 100 kg of the unboned meat referred to in the Annex under (c) shall be equivalent to 70 kg of boned meat.

3. In the case of meat stored in the unaltered state, if the quantity stored is less than the quantity for which the contract was concluded and :

(a) not less than 90 % of that quantity, the amount of private storage aid shall be reduced proportionally ;

or

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

In the case of boned meat, the percentage indicated in (a) and (b) and the lower percentage indicated in Article 4 (3) of Regulation (EEC) No 1071/68 shall be equal to 85 %.

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

Article 5

1. At the request of the storer to be, submitted when lodging his tender, the period of storage shall be :

(a) five or six months for the products referred to in the Annex under (a) ;

and

(b) four, five or six months for the products referred to in the Annex under (b) and (c).

2. Entitlement to the payment of aid shall be aquired only if all the meat remains in storage during the entire storage period.

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

3. At the end of a storage period of two months, the contractor may withdraw from store all or part of the meat for which he has contracted, provided that not less than five metric tons is withdrawn and is, within 10 working days of such withdrawal, exported from the Community.

In that event, the amount of the aid shall be reduced in accordance with Article 1 (2), the day of withdrawal from store being regarded as the last day of storage.

The contractor shall inform the intervention agency not less than two working days before beginning withdrawal of the meat from store, indicating the products and quantities which he intends to export.

4. In the case of exportation in accordance with paragraph 3, the contractor shall furnish proof that the meat has left the geographical territory of the Community or has been delivered within the meaning of Article 3 of Regulation (EEC) No 192/75. The proof shall be furnished as in the case of refunds.

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 15th day following that on which it is ascertained that the obligations under the contract have been fulfilled.

Article 9

Within the meaning of Article 6 of Regulation (EEC) No 1134/68, the event giving entitlement to private storage aid shall be considered as occurring on the day of the conclusion of the contract.

Article 10

This Regulation shall enter into force on 1 July 1976.

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

Done at Brussels, 25 June 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

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
(a) Carcases, half-carcases and 'compensated quarters', fresh or chilled, from the male adult bovine animals specified in Annex I to Regulation (EEC) No 1896/73	—	550	580	30	1
(b) Carcases, half-carcases and 'compensated quarters', fresh or chilled, from adult bovine animals other than those referred to under (a)	420	450	480	30	1
(c) Forequarters, fresh or chilled, from adult bovine animals	360	385	410	25	0·80