COMMISSION REGULATION (EEC) No 2697/76

of 5 November 1976

laying down rules for the application of Regulation (EEC) No 2453/76 on the transfer to the Italian intervention agency of frozen beef held by the intervention agencies of other Member States

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 7 (3) and 25 thereof,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy (3), as last amended by Regulation (EEC) No 2788/72 (4) thereof,

Having regard to Council Regulation (EEC) No 2453/76 of 5 October 1976 on the transfer to the Italian intervention agency of frozen beef held by the intervention agencies of other Member States (5), and in particular Article 1 (2) thereof,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation of the currencies of certain Member States (6), as last amended by Regulation (EEC) No 557/76 (7), and in particular Article 6 thereof,

Whereas Regulation (EEC) No 2453/76 has made available to the Italian intervention agency 40 000 metric tons of frozen beef held by the intervention agencies of other Member States; whereas the rules for implementing this measure should be laid down;

Whereas the meat in question should be apportioned among the intervention agencies concerned on the basis of the supplies available to them; whereas, bearing in mind the quantities which will have to be transferred, provision should be made for the taking of delivery by the Italian intervention agency from each of the other agencies to be effected in several States and proportionally to the quantities made available to it by those agencies;

Whereas the Italian intervention agency must be informed rapidly as to the geographical location of the products in question and the quantities available; whereas such information and that concerning the location of the places of storage in Italy must be notified to the Commission, so as to enable it, in particular, to assess the financial consequences of the transfer;

Whereas, in order to find the most economical way of carrying out this operation, the transport of the products in question to Italy should be put out to tender;

Whereas Regulations (EEC) No 2036/74 (8), (EEC) No 2073/74 (9) and (EEC) No 2320/74 (10), as last amended by Regulation (EEC) No 2576/76 (11), fixed the selling prices of unboned beef held by intervention agencies; whereas, however, in view of the special nature of the transfer of the products in question, the sale thereof should not be governed by the abovementioned Regulations; whereas the special conditions governing such sale will be laid down subsequently;

Whereas, in view of the non-commercial nature of the transfer of the products in question, no monetary compensatory amounts or import charges should be applied in respect of such transfer;

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. The quantities of frozen beef to be made available to the Italian intervention agency pursuant to Regulation (EEC) No 2453/76 shall be apportioned as follows among the other intervention agencies:

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 67, 15. 3. 1976, p. 9.
(3) OJ No L 94, 28. 4. 1970, p. 13.
(4) OJ No L 295, 30. 12. 1972, p. 1.
(5) OJ No L 279, 9. 10. 1976, p. 3.
(6) OJ No L 106, 12. 5. 1971, p. 1.
(7) OJ No L 67, 15. 3. 1976, p. 1.
(8) OJ No L 210, 1. 8. 1974, p. 56.
(9) OJ No L 216, 7. 8. 1974, p. 11.
(10) OJ No L 248, 11. 9. 1974, p. 8.
(11) OJ No L 293, 23. 10. 1976, p. 25.

— unboned beef bought-in during the 1976/77 marketing year :

  — Belgian intervention agency : 500 metric tons,
  — Dutch intervention agency : 4 000 metric tons,
  — French intervention agency : 10 000 metric tons,
  — German intervention agency : 14 000 metric tons,
  — Irish intervention agency : 1 500 metric tons,

— boned beef :

  — Danish intervention agency : 6 000 metric tons,
  — Irish intervention agency : 4 000 metric tons.

2. Having regard to the supplies available and to the composition of existing stocks, those intervention agencies are hereby authorized to make available to the Italian intervention agency preferably hindquarters and boned cuts from hindquarters.

3. The intervention agencies shall ensure that approximately 35 % of the total quantities specified in paragraph 1 is available on 15 November 1976, 35 % on 1 January 1977 and 30 % on 1 February 1977.

They shall choose the places of storage preferably from amongst those nearest to the country of destination and in as limited a number as possible, giving priority to those places in Italy where they may already have stored the products in question.

4. Within seven days following the entry into force of this Regulation, they shall communicate both to the Italian intervention agency and to the Commission a list of the places where the quantities of products comprising the first instalment, as indicated in the Annex hereto, are stored.

They shall communicate, before 1 December 1976, a list of the places where the quantities of products comprising the second instalment are stored and, before 1 January 1977, a list of the places where the quantities of products comprising the third instalment are stored.

5. The Italian intervention agency shall communicate to the other intervention agencies and to the Commission :

— within seven days following the entry into force of this Regulation, a list of the places where the products comprising the first instalment are to be stored,

— before 1 December 1976, a list of the places where the products comprising the second instalment are to be stored,

— before 1 January 1977, a list of the places where the products comprising the third instalment are to be stored.

Article 2

1. After having checked their quantity, quality and packaging, the Italian intervention agency shall take delivery of the products at the loading bay of the storage depot of the supplying intervention agency and shall thereupon assume responsibility for them.

2. The costs of transporting the products in question shall be determined by the Italian intervention agency by tender. Such costs shall cover :

(a) loading on to the means of transport ;

(b) transport from the loading bay of the supplying storage depot to the delivery bay of the recipient storage depot ;

(c) unloading ;

(d) insurance on the value of the goods as determined in respect of unboned beef by the selling price fixed in the Annex to Regulation (EEC) No 2073/74, as last amended by Regulation (EEC) No 2576/76, and in respect of boned beef by that fixed in the Annex to Regulation (EEC) No 2532/76 [1].

3. The Italian intervention agency shall fix the terms and conditions of the invitation to tender in accordance with this Regulation. Such terms and conditions must in particular provide for the lodging of a security to guarantee the fulfilment of tenderers' obligations.

They must also ensure equality of access and treatment for all interested parties wherever they may be established in the Community. To this end, the Italian intervention agency shall communicate to the other intervention agencies and to the Commission the text of the notices of invitation to tender.

Tenders submitted to the Italian intervention agency shall be made and accepted in Italian lire.

4. The contract shall be awarded to the tenderer or tenderers having made the best offer.

However, if the tenders submitted do not reflect normal prices and costs, the invitation to tender shall be cancelled.

5. The Italian authorities shall keep the Commission informed as to how the tendering operations are progressing and shall communicate the results both to it and to the intervention agencies making available the quantities concerned.

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[1] OJ No L 288, 20. 10. 1976, p. 12.

Article 3

The sale of the products transferred under this Regulation shall be effected at prices fixed in advance at a standard rate.

Regulations (EEC) No 2036/74, (EEC) No 2073/74 and (EEC) No 2320/74 shall not apply to these products.

Article 4

1. On dispatch of the goods to Italy a removal voucher issued by the supplying intervention agency shall be produced at the customs office of departure. Such voucher shall be numbered and shall give the following particulars :

(a) a description of the goods ;

(b) the number of quarters or boxes and, where appropriate, the marks and numbers borne by them ;

(c) the goods weight of the goods ;

(d) a reference to this Regulation ;

(e) the address of the recipient storage depot of the Italian intervention agency.

Vouchers shall be retained by the customs office of departure.

2. The Community transit document accompanying the goods shall, in addition to a description of the goods and the address of the recipient storage depot of the Italian intervention agency, bear one of the following endorsements :

— 'For delivery to the Italian intervention agency (Regulation (EEC) No 2453/76)',

— 'Bestemt til levering til det italienske interventionsorgan (forordning (EØF) nr. 2453/76)',

— 'Zur Lieferung an die italienische Interventionsstelle (Verordnung (EWG) Nr. 2453/76)',

— 'Destiné à être livré à l'organisme d'intervention italien (règlement (CEE) n° 2453/76)',

— 'Destinato ad essere fornito all'organismo d'intervento italiano (regolamento (CEE) n. 2453/76)',

— 'Voor levering aan het italiaanse interventiebureau bestemd (Verordening (EEG) nr. 2453/76)'.

3. Where a new document is issued in place of the Community transit document applicable, the new document shall contain the same information as the original document.

4. Where Regulation (EEC) No 304/71 is applied to the carriage of the products in question, the endorsements produced for in paragraphs 1 and 2 above shall be entered on the International Consignment Note (CIM) in the space headed 'Description of goods' or, as the case may be, on the International Express Parcels Consignment Note (TIEx). Such endorsements shall be authenticated by the stamp of the customs office of departure.

Article 5

No monetary compensatory amount or import charge of any kind shall be applied in respect of products transferred under this Regulation.

Article 6

This Regulation shall enter into force on 8 November 1976.

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

Done at Brussels, 5 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEXE — ANHANG — ALLEGATO — BIJLAGE — ANNEX — BILAG

État membre Mitgliedstaat Stati membri Lid-Staat Member State Medlemsstat	Produits Erzeugnisse Prodotti Produkten Products Produkter	Quantités (tonnes) Mengen (Tonnen) Quantità (tonnellate) Hoeveelheid (ton) Quantities (metric tons) Mængde (tons)
a) Viande avec os — Fleisch mit Knochen — Carni con osso — Vlees met been — Unboned beef — Ikke udbenet kød		
BUNDESREPUBLIK DEUTSCHLAND	— Hinterviertel, gerade Schnittführung mit 5 Rippen, stammend von :	
	— Bullen A	5 000
	— Ochsen A	500
FRANCE	— Quartiers avant, découpe à 5 côtes, les caparaçons faisant partie du quartier avant, provenant des :	
	— jeunes bovins R, A, N	1 274
	— Quartiers arrière, découpe à 8 côtes, dite « pistola », provenant des :	
	— jeunes bovins R, A	1 053
IRELAND	— Forequarters, straight cut at tenth rib, from :	
	— Steers 1 and 2	200
	— Hindquarters, straight cut at third rib, from :	
	— Steers 1 and 2	300
NEDERLAND	— Achtervoeten, recht afgesneden op 8 ribben, afkomstig van :	
	— Stieren, 1e kwaliteit	2 000
b) Viande désossée — Fleisch ohne Knochen — Carni senza osso — Vlees zonder been — Boned beef — Udbenet kød		
DANMARK	— Fileter af :	
	— Ungtyre 1	703
	— Køer 1	922
	— Stude 1	10
	— Tyre P	101
	— Kvier 1	50
	— Udbenede bagfjerdinger, uden fileter og mørbrad af :	
	— Køer 1	408
	— Tyre P	226
IRELAND	— Boned beef from Steers 1 and 2 and Heifers 2 :	
	— Striploins	100
	— Insides	250
	— Outsides	250
	— Knuckles	65
	— Rumps	400
	— Cube rolls	100
	— Forequarters excluding the cube rolls	335