COMMISSION REGULATION (EEC) No 2793/76

of 18 November 1976

on detailed arrangements for the disposal on the Italian market of frozen beef made available to the Italian intervention agency under Regulation (EEC) No 2453/76

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),

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,

Whereas Regulation (EEC) No 2453/76 provided that 40 000 metric tons of frozen beef held by the intervention agencies of other Member States should be made available to the Italian intervention agency; whereas the rules for implementing that Regulation were laid down in Commission Regulation (EEC) No 2697/76 of 5 November 1976 (6); whereas the latter Regulation provides that the Italian intervention agency should take delivery in several consignments of the beef transferred; whereas in addition it provides that the meat in question should be sold in Italy at pre-set prices;

Whereas the conditions of sale on the Italian market and the selling prices of the beef in the first consignment should be established;

Whereas, in view of the special nature of the transfer of the products in question, special conditions should be laid down governing their sale which may derogate from Commission Regulation (EEC) No 216/69 of 4 February 1969 on detailed rules of application for the disposal of frozen beef and veal bought in by intervention agencies (7);

Whereas it should be specified that sales contracts concluded under this Regulation do not give entitlement to the issue of import licences under Commission Regulation (EEC) No 76/76 of 16 January 1976 setting up a system linking imports of beef and veal products effected by way of protective measures with the sale of beef held by intervention agencies (8), as last amended by Regulation (EEC) No 2696/76 (9);

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. During the period 1 December 1976 to 31 March 1977 and within the limit of the quantities available, the Italian intervention agency shall put up for sale the products transferred under Regulation (EEC) No 2453/76 and (EEC) No 2697/76.

2. Sales shall be effected in accordance with Articles 2 to 5 of Regulation (EEC) No 216/69 and with the provisions of this Regulation.

3. Information concerning the quantities available and the places where the products are stored may be obtained by prospective purchasers from the address given in Annex I hereto.

Article 2

1. The products shall be offered for sale in quarters or in whole cartons.

2. By way of derogation from Article 2 (2) of Regulation (EEC) No 216/69, the minimum quantity offered to any one buyer in any one month shall be 200 kilogrammes of meat bone-in and the maximum two metric tons.

3. For the purposes of paragraph 2, 100 kilogrammes of boned meat shall be equivalent to 130 kilogrammes of meat bone-in.

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 67, 15. 3. 1976, p. 28.
(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 304, 6. 11. 1976, p. 19.
(7) OJ No L 28, 5. 2. 1969, p. 10.
(8) OJ No L 10, 17. 1. 1976, p. 21.
(9) OJ No L 304, 6. 11. 1976, p. 18.

Article 3

1. By way of derogation from Article 4 (1) of Regulation (EEC) No 216/69 :

(a) applications to purchase shall be submitted once a month and may be transmitted not only by telegram or telex but also by registered letter or direct delivery to the Italian intervention agency. In the latter case, confirmation by registered letter shall not be required ;

(b) no security shall be required ;

(c) no application to purchase shall be valid unless submitted by an authorized retailer of beef and accompanied by :

— particulars indicating the precise address of the shop or shops where the products purchased in accordance with this Regulation are to be put up for retail sale,

— a written undertaking by the purchaser to put the products up for sale for direct consumption in Italy within 45 days of taking delivery thereof.

2. The retailers referred to in the preceding paragraph may authorize an agent to take delivery of the goods purchased.

In such case, the authorized agent shall be required to produce applications to purchase from the retailers whom he represents in respect of all the quantities purchased.

3. The retailers and authorized agents referred to in the preceding paragraphs shall keep up-to-date stock accounts. Such that a check may be kept upon the destination and utilization of the products concerned, with a view in particular to verifying that the quantities of products purchased correspond to those released for consumption.

Article 4

By way of derogation from Article 5 (1) of Regulation (EEC) No 216/69, the price shall be paid not later than the day fixed by the Italian intervention agency for the taking over of the goods, at the time of removal.

Article 5

In a case of *force majeure,* the Italian intervention agency shall take such action as it considers necessary having regard to the circumstances invoked. The Italian intervention agency shall inform the Commission of each case of *force majeure* and of the action taken in respect thereof.

Article 6

Contracts of sale concluded under this Regulation shall not give entitlement to the issue of import licences as referred to in Regulation (EEC) No 76/76.

The Italian intervention agency shall make on the original of each contract of purchase one of the following endorsements :

'Linked sale excluded'
'Koblingstransaktioner ikke indbefattet'
'Kopplung ausgeschlossen'
'Jumelage exclu'
'Abbinamento non ammesso'
'Koppeling uitgesloten'.

Article 7

The Italian Republic shall take the necessary measures to ensure that the products sold pursuant to this Regulation reach their destination in accordance with the undertaking referred to in the second indent of Article 3 (1) (c).

Article 8

1. Selling prices of the products made available to the Italian intervention agency on 15 November 1976 in accordance with Article 1 (3) of Regulation (EEC) No 2697/76 shall be as laid down in Annex II hereto.

2. By way of derogation from Article 4 (5) of Regulation (EEC) No 216/69, if the quantities available are less than those for which applications to purchase are submitted on the day of entry into force of this Regulation, all such applications shall be regarded as having been submitted at the same time.

Article 9

This Regulation shall enter into force on 1 December 1976.

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

Done at Brussels, 18 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEXE I — ANNEX I — ANHANG I — BILAG I — ALLEGATO I — BIJLAGE I

Adresse de l'organisme d'intervention — Address of the intervention agency — Anschrift der Interventionsstelle — Interventionsorganets adresse — Indirizzo dell'organismo d'intervento — Adres van het interventiebureau

Azienda di Stato per gli interventi nel mercato agricolo
(AIMA)
Roma, Via Palestro 81
Tel. 49 57 283

ANNEXE II — ANNEX II — ANHANG II — BILAG II — ALLEGATO II — BIJLAGE II

Produits Products Erzeugnisse Produkt Prodotti Produkten	Prix de vente (UC/100 kg) Selling prices (u.a./100 kg) Verkaufspreise (RE/100 kg) Salgspris (RE/100 kg) Prezzi di vendita (UC/100 kg) Verkoopprijzen (R.E./100 kg)
— Quartiers avant Forequarters Vorderviertel Forfjerdinger Quarti anteriori Voorvoeten	115,000
— Quartiers arrière Hindquarters Hinterviertel Bagfjerdinger Quarti posteriori Achtervoeten	184,000
— Fileter	241,000
— Udbenede bagfjerdinger uden fileter og mørbrad	208,000
— Striploins and cube rolls	303,000
— Insides, outsides, knuckles and rumps	259,000
— Boned forequarters excluding the cube rolls, plates and flanks, briskets and shins	196,000