COMMISSION REGULATION (EEC) No 3116/76

of 21 December 1976

concerning the issue while protective measures are in force of import licences for 50 000 young bovine animals for fattening

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 Article 21 (2) thereof,

Whereas the suspension of the issue of import licences was eased by 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 (3), as amended by Regulation (EEC) No 283/76 (4), and Commission Regulation (EEC) No 223/76 of 30 January 1976 setting up a system linking imports of beef and veal products effected by way of protective measures with the sale of preserved beef held by intervention agencies (5); whereas, however, that system does not permit the importation of young bovine animals;

Whereas there is generally a shortage of young fattening cattle throughout the Community, and it was to meet this situation that the arrangements provided for in Article 11 of Regulation (EEC) No 805/68 were established; whereas those arrangements have been suspended since the protective measures came into force;

Whereas, in connection with the easing of the latter measures, account has been taken of the availability of supplies of such animals with the Community, in particular by Commission Regulation (EEC) No 884/76 of 14 April 1976 concerning the issue while protective measures are in force of import licences for an additional 50 000 young bovine animals for fattening (6), as amended by Regulation (EEC) No 1615/76 (7);

Whereas the reasons which led to the adoption of Regulation (EEC) No 884/76 still exist; whereas provision should therefore be made for the importation of an additional quantity of young bovine animals under the same conditions as those laid down in Regulation (EEC) No 884/76 and for the submission of applications for licences up to 31 March 1977,

HAS ADOPTED THIS REGULATION:

Article 1

1. There shall be issued in accordance with the special conditions laid down in this Regulation import licences for 50 000 young male bovine animals for fattening, of a minimum weight of 220 kg and a maximum weight of 300 kg.

Where the weight of the imported young bovine animal is not more than 10 % under 220 kg it shall be considered as being imported under this Regulation.

2. The licences shall be issued by the competent body:

— in Italy in respect of a maximum of 48 500 head;

— in the Federal Republic of Germany in respect of a maximum of 1 500 head.

3. Licences issued under the provisions of this Regulation shall be valid only in the Member State of issue.

Article 2

1. Each of the Member States concerned shall take all necessary steps to guarantee importers free access to the quota allotted to it, irrespective of the place of establishment of such importers within the Community.

2. The extent to which a Member State's quota has been utilized shall be established by reference to the import licences issued.

3. Not later than the last day of each month, the Member States concerned shall notify the Commission by telex of the total number of animals for which import licences were issued during that month.

Article 3

1. Applications for import licences shall relate to live animals expressed in head of cattle.

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 67, 15. 3. 1976, p. 28.
(3) OJ No L 10, 17. 1. 1976, p. 21.
(4) OJ No L 36, 11. 2. 1976, p. 10.
(5) OJ No L 26, 31. 1. 1976, p. 59.
(6) OJ No L 101, 15. 4. 1976, p. 26.
(7) OJ No L 178, 3. 7. 1976, p. 39.

2. Each application shall relate to a minimum of 100 head and shall be accompanied by :

(a) an undertaking in writing from the importer that the young bovine animals will be fattened in the importing Member State for a period of 120 days from the day on which they are put into free circulation ;

(b) the provision of a security equal to 60 units of account per head.

3. The levy applicable to young bovine animals imported under this Regulation shall be equal to 55 % of the full levy.

4. Applications for licences and the licences themselves shall include in Section 12 one of the following endorsements :

— valid for ... young male bovine animals for fattening (Regulation (EEC) No 3116/76) ; licence valid in ... (Member State of issue) ;

— gültig für ... männliche Jungrinder für die Mast (Verordnung (EWG) Nr. 3116/76) ; Lizenz gültig in ... (ausstellender Mitgliedstaat) ;

— valido per ... giovani bovini maschi destinati all'ingrasso (regolamento (CEE) n. 3116/76) ; titolo valido in ... (Stato membro di rilascio) ;

— geldig voor ... jonge mannelijke mestrunderen (Verordening (EEG) nr. 3116/76) ; certificaat geldig in ... (Lid-Staat van afgifte) ;

— gyldig for ... ungtyre bestemt til opfedning (forordning (EØF) nr. 3116/76) ; licensen gyldig i ... (den udstedende medlemsstat) ;

— valable pour ... jeunes bovins mâles destinés à l'engraissement (règlement (CEE) nº 3116/76) ; certificat valable en ... (État membre de délivrance).

5. Section 20 of the licence shall include one of the following endorsements :

— applicable levy : 55 % of full levy ;

— geltende Abschöpfung : 55 % der vollen Abschöpfung ;

— prelievo applicabile : 55 % del prelievo intero ;

— toe te passen heffing : 55 % van de volledige heffing ;

— gældende afgift : 55 % af hele afgiften ;

— prélèvement applicable : 55 % du prélèvement entier.

Article 4

1. The security shall be released forthwith :

(a) when the competent authorities in the importing Member State receive proof from the importer that the animal in question has :

— not been slaughtered before the expiry of the period specified in Article 3 (2) (a), or

— died as a result of sickness or accident before the expiry of such period ;

(b) in respect of every animal for which no import licence was issued.

2. If the proof referred to in paragraph 1 (a) is not furnished within 150 days from the day on which the animal was put into free circulation, the security shall be forfeit.

Where, however, a licence to import animals is not used, an amount equal to only five units of account per head shall be forfeit.

Article 5

1. Each animal imported on the terms set out in Article 1 shall be identified by marking at least one of its ears with either :

— an idelible tattoo, or

— an official or officially approved earmark.

2. Such tattoo or mark, recorded at the time the animal is put into free circulation, shall be so designed as to enable the date when the animal was put into free circulation and the identity of the importer to be checked as may be necessary.

Article 6

1. Import licences issued under this Regulation shall be valid for 30 days from their day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75.

2. Applications for licences may be lodged up to 31 March 1977.

Article 7

Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 8

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 21 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission