COMMISSION REGULATION (EEC) No 320/76

of 13 February 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 1855/74 (2), and in particular Article 21 (2) thereof,

Whereas the suspension of the issue of import licences has been relaxed 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); whereas these arrangements do not, however, 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 relaxation of these measures account has been taken of the availability of supplies of such animals within the Community in particular by Commission Regulation (EEC) No 2476/75 of 29 September 1975 concerning the issue while protective measures are in force of import licences for a further 30 000 calves and young bovine animals for fattening (4); whereas this measure only applies to applications for import licences lodged up to 29 February 1976; whereas the reasons which led to the adoption of Regulation (EEC) No 2476/75 still exist; whereas, however, the implementation of that Regulation has met with numerous difficulties and only about 10 000 animals were able to be imported under it; whereas the importation of the remaining number of animals should be permitted and it should at the same time be made possible to import 30 000 additional animals; whereas the levy on such imports should be reduced and the date for lodging applications for import licences should be extended to the end of March 1976,

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 195, 18. 7. 1974, p. 14.
(3) OJ No L 10, 17. 1. 1976, p. 21.
(4) OJ No L 253, 30. 9. 1975, p. 28.

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 bovine animals for fattening, of a minimum weight of 220 kilograms and a maximum weight of 300 kilograms.

Where the imported young bovine animal weighs not more than 10 % under 220 kilograms, 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 fifth 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 the previous month.

Article 3

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

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 lodging 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 320/76) ; licence valid in ... (Member State of delivery)',

— 'Gültig für ... männliche Jungrinder für die Mast (Verordnung (EWG) Nr. 320/76) ; Lizenz gültig in ... (ausstellender Mitgliedstaat)',

— 'Valido per ... giovani bovini maschi destinati all'ingrasso (regolamento (ECC) n. 320/76) ; titolo valido in ... (Stato membro di rilascio)',

— 'Geldig voor ... jonge mannelijke runderen, bestemd voor de mesterij (Verordening (EEG) nr. 320/76) ; certificaat geldig in ... (Lid-Staat van afgifte)',

— 'Gyldig for ... ungtyre bestemt til opfedning (forordning (EØF) nr. 320/76) ; licens gyldig i ... (udstedelsemedlemsstaten)',

— 'valable pour jeunes bovins mâles destinés à l'engraissement (règlement (CEE) no 320/76) ; certificat valable en ... (Etat 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 volle 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.

For those animals, however, for which the import licences have not been used, an amount equal only to five units of account per head shall be forfeited.

Article 5

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

— an indelible tattoo, or

— an official or officially approved earmark.

2. Such tattoo or mark shall be so designed as to enable the verification, if necessary, of the date when the animal was put into free circulation and the identity of the importer by recording them at the time of putting into free circulation.

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 1976.

Article 7

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

Article 8

Regulation (EEC) No 2476/75 is hereby repealed.

Article 9

This Regulation shall enter into force on 16 February 1976.

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

Done at Brussels, 13 February 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission