COMMISSION REGULATION (EEC) No 321/76

of 13 February 1976

on an amended system for the importation of certain young bovine animals of highland breeds intended for fattening while protective measures are in force

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Whereas the suspension of the issue of import licences has been replaced by Commission Regulation (EEC) No 76/76 of 16 January 1976 setting up a system linking imports of beef and veal products effected by way of protective measures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, however, young bovine animals may not be imported under these arrangements;

Whereas in certain regions of the Community there is a particular demand, which the Community market has difficulty in meeting, for young bovine animals of certain highland breeds for fattening; whereas this demand is justified by reason of the structural situation of cattle breeding in those regions;

Whereas, therefore, the importation of such animals was permitted by Commission Regulation (EEC) No 3248/75 of 11 December 1975 concerning the issue while protective measures are in force of import licences for certain young bovine animals of highland breeds for fattening (4); whereas this measure only applies to applications for import licences submitted by March 1976; whereas the reasons which led to the adoption of the said Regulation still exist; whereas, therefore, the quantities that may be imported each month should be increased and the applicable levy should be lowered from 75 % to 40 % of the full levy,

HAS ADOPTED THIS REGULATION:

Article 1

1. Import licences for young male bovine animals for fattening, weighing more than 220 kg but not more than 300 kg, of the brindled Alpine Simmental breed without permanent teeth and of grey, brown or Pinzgau Alpine breeds, shall be issued, in accordance with the special conditions laid down in this Regulation.

Where the weight of the imported young bovine animals exceeds 300 kg by a maximum of 10 %, or is less than 220 kg by a maximum of 10 %, the animal shall be considered imported under this Regulation.

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

3. Applications shall relate to a minimum of 100 head and shall be accompanied by:

(a) a written undertaking from the applicant that the 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.

Article 2

1. Applications for import licences shall be submitted to the competent bodies in the Member States from 23 to 27 February and from 15 to 19 March 1976:

Applications for licences and the licences themselves shall include:

(a) in section 12, one of the following endorsements:

— valid for young male bovine cattle intended for fattening (Regulation (EEC) No 321/76);

— gültig für mannliche Jungrinder für die Mast (Verordnung (EWG) Nr. 321/76);

— valable pour jeunes bovins mâles destinés à l'engraissement (règlement (CEE) nº 321/76);

— valido per giovani bovini maschi destinati all'ingrasso (regolamento (CEE) n. 321/76);

— geldig voor jonge mannelijke runderen, bestemd voor de mesterij (Verordening (EEG) nr. 321/76);

— gyldig for ungtyre bestemt til opfedning (forordning (EØF) nr. 321/76;

(b) In Section 14 particulars of the country of origin.

(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 322, 13. 12. 1975, p. 17.

The issue of a licence shall carry with it the obligation to import from the country indicated.

2. The Member States shall notify the Commission by telex at the latest on the second working day following the expiry of the period for the receipt of applications of the total numbers applied for in accordance with paragraph 1 in respect of each of the third countries concerned.

The Commission shall decide, subject to an overall monthly limit of 10 000 head, to what extent applications can be accepted.

If the applications for licences exceed the limit as aforesaid the Commission shall specify percentages by which the quantities applied for shall be reduced.

3. Licences shall be issued on 15 March 1976 for applications submitted from 23 to 27 February 1976 and 5 April 1976 for applications submitted from 15 to 19 March 1976.

4. In addition to the production of an import licence, importation shall be subject to production of an official document drawn up by the competent authorities in the third country indicated in Section 14 of the import licence, certifying that the young bovine animals come within the description set out in Article 1 (1).

Article 3

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 1 (3) (a), or

— has 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 has been issued.

2. If the proof referred to in paragraph 1 (a) is not furnished within 30 days from the expiry of the period specified in Article 1 (3) (a), the security shall be forfeit.

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

Article 4

1. Each animal imported on the terms set out in Article 1 shall be identified by means of :

— an indelible tatto, or

— an official or officially approved earmark placed on at least one of its ears.

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 5

The levy applicable to young bovine animals imported under this Regulation shall be equal to 40 % of the full levy.

Article 6

1. Import licences issued under this Regulation shall be valid for 30 days from their actual day of issue.

2. The licence shall include in Section 20 one of the following entries :

— Applicable levy : 40 % of full levy,

— Geltende Abschöpfung : 40 % der vollen Abschöpfung,

— Prélèvement applicable : 40 % du prélèvement entier,

— Prelievo applicabile : 40 % del prelievo intero,

— Toe te passen heffing : 40 % van de volle heffing,

— Gældende afgift : 40 % af hele afgiften.

In addition, where the third subparagraph of Article 2 (2) is applied, the licence shall include in Section 20 one of the following entries :

— Licence valid for (quantity in words and figures) head,

— Lizenz gültig für (Menge in Buchstaben und Zahlen) Stück Vieh,

— Certificat valable pour (quantité en lettres et en chiffres) têtes,

— Titolo valido per (quantità in lettere e in cifre) capi,

— Certificaat geldig voor (hoeveelheid in letters en cijfers) stuks vee,

— Licens gyldig for (mængde i bogstaver og tal) stk.

Article 7

Regulation (EEC) No 3248/75 is hereby repealed.

Article 8

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