COMMISSION REGULATION (EEC) No 803/76

of 7 April 1976

laying down detailed rules for the granting of a slaughter premium for producers of bovine animals during the 1976/77 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 797/76 of 6 April 1976 authorizing Member States to grant a premium on the slaughter of certain adult bovine animals intended for slaughtering during the 1976/77 marketing year [1], and in particular Article 4 thereof,

Whereas Article 1 of Regulation (EEC) No 797/76 provides that Member States other than those referred to in Regulation (EEC) No 620/76 [2] shall be authorized for the 1976/77 marketing year to grant for the benefit of producers a premium for the slaughter of certain adult bovine animals of Community origin intended for slaughter other than cows ; whereas there should be a further requirement that this premium be granted only in respect of animals born and reared in the Community which are slaughtered in the Member State granting the premium ; whereas, however, under certain conditions animals born and reared in the United Kingdom should be entitled to this premium if they are slaughtered in Ireland ;

Whereas the meat from animals in respect of which the said premium has been granted should not be the subject of intervention buying-in in the case of trade between Member States ;

Whereas rules should be laid down for the calculation of the maximum amount referred to in Article 1 (2) of Regulation (EEC) No 797/76 ;

Whereas the premiums financed by the Guarantee Section of the EAGGF constitute interventions on the internal market within the meaning of Article 3 of 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] ;

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. Member States shall specify the categories, qualities and minimum weights of the animals which they regard as eligible for the premium provided for in Article 1 of Regulation (EEC) No 797/76. Such minimum weights shall not be less than 330 kg live weight.

2. The maximum amount referred to in paragraph 2 of the said Article shall apply to animals whose weight corresponds to the average weight of all the eligible animals as recorded in a Member State or region of a Member State during a period to be determined.

In the case of an animal whose weight exceeds the average weight, the maximum amount actually applicable shall be equal in units of account to 45 times the ratio between the weight of such animal and that average weight.

The period referred to in the first subparagraph and the average weights shall be established in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68.

3. Member States shall establish the rules for equivalences between slaughtered weight and live weight, account being taken of the form in which the carcase is presented.

Article 2

1. Member States may provide that the premium referred to in Article 1 shall be granted at the time when an animal is first marketed for slaughter.

Member States shall inform the Commission when they make such a provision.

2. Animals in respect of which premiums have been granted must be slaughtered within 28 days from the date on which they are first marketed and during the 1976/77 marketing year. The Member States concerned shall take measures to ensure that such animals are permanently marked in such a way as to rule out the possibility of a further premium being granted.

[1] See page 8 of this Official Journal.
[2] OJ No L 74, 20. 3. 1976, p. 1.
[3] OJ No L 94, 28. 4. 1970, p. 13.
[4] OJ No L 295, 30. 12. 1972, p. 1.

3. The Member States shall take the necessary measures to ensure that in appropriate cases an amount equal to the premium granted is recovered.

Article 3

1. The premium referred to in Article 1 shall only be granted in respect of animals born and reared in the Community and slaughtered in the Member State that grants the premium.

2. Nevertheless the United Kingdom may grant the premium for animals born and reared there and slaughtered in Ireland provided that the slaughtering in Ireland has been proved by means of a certificate to the effect that the animals have been slaughtered during the period laid down in Article 2 (2).

Article 4

1. Beef and veal from categories of animals that are eligible in a Member State making use of the authorization in Article 1 of Regulation (EEC) No 797/76 shall not be bought in by intervention agencies in other Member States.

Beef and veal from animals slaughtered in the circumstances referred to in Article 3 (2) may not be bought in for intervention nor may they benefit from the conditions provided for in Article 5.

2. If the meat referred in paragraph 1 is offered for intervention in a Member State making use of the said authorization, an amount equal to the premium applicable in that Member State on the day of slaughter shall be paid to the competent authorities by the seller at the time of the submission to intervention of the meat from the eligible animals.

Article 5

If the United Kingdom grants the premium referred to in Article 1 of Regulation (EEC) No 797/76, Ireland and the United Kingdom shall take all necessary measures to ensure that meat from categories of adult bovine animals eligible for the premium, originating in Ireland and intended for consumption in the United Kingdom, shall receive the same financial advantages as those resulting from the granting of the premium provided for in the said Article for meat derived from animals slaughtered in the United Kingdom.

Article 6

Member States which grant this premium shall take all necessary measures to ensure that the provisions of this Regulation are complied with.

Article 7

1. Member States which grant this premium shall notify the Commission of the measures taken to implement the premium referred to in Article 1 not later than 10 days after the day on which such measures come into effect.

2. Member States which grant this premium shall:

(a) during the week to which the notifications relate, notify the Commission of the amount of premiums foreseen which they intend to grant during that week, taking into account the market situation and the provisions of Article 1 (2) of Regulation (EEC) No 797/76,

(b) not later than 15 days after the end of the week to which the notification relates, notify the Commission of the number and approximate weight of the animals in respect of which entitlement to the premium was established during each week, broken down by specific category pursuant to Article 1, as well as of the amount of the premiums actually granted.

Article 8

1. Within the meaning of Article 3 of Regulation (EEC) No 797/76, EAGGF financing shall apply in respect of animals whose entitlement to the premium was established between 1 September 1976 and the end of the 1976/77 marketing year.

2. The amounts recovered by Member States pursuant to Articles 2 (3) and 4 (2) shall be deducted from the expenditure to be borne by the EAGGF, to the extent that expenditure in respect thereof has been charged to the Community.

Article 9

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*. It shall apply with effect from 15 March 1976.

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

Done at Brussels, 7 April 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission