COMMISSION REGULATION (EEC) No 848/76

of 9 April 1976

on an invitation to tender for the sale of unboned quarters of frozen beef held by the intervention agencies

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 7 (3) thereof,

Whereas there are now certain opportunities to dispose, on the market, of meat held by the intervention agencies of the Member States;

Whereas subject to certain derogations, recourse should be had to the procedure for sale by tender provided for in 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 the intervention agencies [3], thus allowing the evaluation of the present market prices and the release of the meat from storage on the best terms available;

Whereas, however, release from storage may be interrupted by *force majeure*; whereas the intervention agency should therefore be permitted to take the necessary action in such cases;

Whereas, furthermore, operators should be prohibited from using the sales of meat concerned in order to apply for the issue of import licences referred to in 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 [4], as amended by Regulation (EEC) No 283/76 [5];

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

There shall be put up for sale about 10 000 metric tons of unboned quarters of frozen beef bought in under Regulation (EEC) No 805/68 and held by the intervention agencies as a result of buying-in operations carried out not later than 31 December 1975.

Article 2

1. The sale shall be by tender in accordance with Regulation (EEC) No 216/69, and with this Regulation.

2. By way of derogation from Article 6 (3) of Regulation (EEC) No 216/69, tenders shall be submitted by 12 noon on 3 May 1976.

3. The quantities put up for tender by each Member State shall be fixed by a notice of invitation to tender published in the *Official Journal of the European Communities.*

Article 3

When, by reason of *force majeure*, the tenderer is unable to comply with the time limit set for taking delivery, the intervention agency shall take such action as it considers necessary having regard to the circumstances invoked.

The intervention agency shall inform the Commission of each case of *force majeure* and of the action taken in respect thereof.

Article 4

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

The intervention agencies shall inscribe on the original of each contract of purchase one of the following endorsements 'Jumelage exclu', 'Koblingstransaktioner ikke indbefattet', 'Kopplung ausgeschlossen', 'Linked sale excluded', 'Abbinamento non ammesso', 'Koppeling uitgesloten'.

Article 5

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities.*

[1] OJ No L 148, 28. 6. 1968, p. 24.
[2] OJ No L 67, 15. 3. 1976, p. 28.
[3] OJ No L 28, 5. 2. 1969, p. 10.
[4] OJ No L 10, 17. 1. 1976, p. 21.
[5] OJ No L 36, 11. 2. 1976, p. 10.

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

Done at Brussels, 9 April 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission