COMMISSION REGULATION (EEC) No 1197/77

of 3 June 1977

providing for an invitation to tender to determine amounts of private storage aid in respect of beef forequarters

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 425/77 (2), and in particular Articles 6 (5) (b) and 8 (2) thereof,

Whereas Article 6 (3) of Regulation (EEC) No 805/68 lays down that intervention measures shall be taken for the whole of the Community when the price for adult bovine animals, recorded on representatative Community markets in accordance with Article 12 (6) of that Regulation, is lower than the intervention price; whereas that condition is at present fulfilled;

Whereas, in the present situation of diverging prices in the different Member States and especially of the seasonal difficulties in the market for forequarters, aids for the private storage of beef forequarters should be granted;

Whereas, in view of this situation, the amount of such aid should be established by means of a tendering procedure in accordance with Commission Regulation (EEC) No 275/74 of 31 January 1974 laying down detailed rules for the granting by tender of private storage aid for beef and veal (3);

Whereas Article 4 (2) of Council Regulation (EEC) No 1134/68 of 30 July 1968 laying down rules for the implementation of Regulation (EEC) No 653/68 on conditions for alterations to the value of the unit of account used for the common agricultural policy (4), provides that, for transactions carried out under the common agricultural policy, the sums owed by a Member State or a duly authorized body, expressed in national currency and representing amounts fixed in units of account, shall be paid on the basis of the relationship between the unit of account and the national currency which obtained at the time when the transaction or part transaction was carried out;

Whereas Article 6 thereof provides that the time when a transaction is carried out is considered as being the date on which occurs the event, as defined by Community rules or, in the absence of and pending adoption of such rules, by the rules of the Member States concerned, on which the amount involved in the transaction becomes due and payable;

Whereas, as regards private storage aid for beef and veal, the rate of exchange to be used for calculating the amount of this aid in national currency should be that obtaining at the time when the contract for private storage aid is concluded;

Whereas the Management Committee for Beef and Veal has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 6 June 1977, an invitation to tender shall be issued to determine the amount of private storage aid, in accordance with Regulation (EEC) No 275/74; this invitation to tender shall relate to a limited quantity of up to 15 000 tonnes of fresh or chilled forequarters from adult bovine animals.

The time limit for the submission of tenders shall be 13 June 1977, at 1 p.m. in Denmark, the Federal Republic of Germany, Ireland and the United Kingdom and at 2 p.m. in the other Member States.

Article 2

1. The contractor may, before placing them in store, cut and bone the products referred to in Article 1, in whole or in part, provided that all the meat resulting from such boning or cutting operations is placed in store.

2. For the purposes of this Regulation, 100 kilograms of unboned meat shall be equal to 70 kilograms of boned meat.

3. In the case of meat stored in the unaltered state, if the quantity stored is less than the quantity for which the contract was concluded and,

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 61, 5. 3. 1977, p. 1.
(3) OJ No L 28, 1. 2. 1974, p. 61.
(4) OJ No L 188, 1. 8. 1968, p. 1.

(a) not less than 90 % of that quantity, the amount of private storage aid shall be reduced proportionally, or

(b) less than 90 % of that quantity, private storage aid shall not be paid.

In the case of boned meat, the percentage indicated in (a) and (b) and the lower percentage indicated in the second subparagraph of Article 10 (1) of Regulation (EEC) No 275/74 shall be 85 %.

No aid shall be granted for any quantity placed in store in excess of the quantity for which the contract was concluded.

Article 3

1. As the request of the storer submitted when lodging his tender, the period of storage shall be five or six months.

2. At the end of a storage period of two months, the contractor may withdraw from store all or part of the meat for which he has contracted, provided that not less than five tonnes is withdrawn and is, within 10 working days of such withdrawal, exported from the Community.

In that event, the amount of the aid shall be reduced by one unit of account per day and per tonne of unboned meat, the day of withdrawal from store being regarded as the last day of storage.

The contractor shall inform the intervention agency not less than two working days before beginning withdrawal of the meat from store, indicating the products and quantities which he intends to export.

3. In the case of exportation in accordance with paragraph 2, the contractor shall furnish proof that the meat has left the geographical territory of the Community or has been delivered within the meaning of Article 3 of Regulation (EEC) No 192/75. The proof shall be furnished as in the case of refunds.

Article 4

By way of derogation from Regulation (EEC) No 275/74 :

(a) the period of storage after slaughter referred to in Article 5 (3) (b) (aa) thereof shall be 10 days ;

(b) the period allowed for placing in store referred to in Article 5 (3) (b) (bb) thereof shall be 40 days ;

(c) the minimum quantity referred to in Article 5 (3) (c) thereof shall be 30 tonnes ;

(d) the amount of the security referred to in Article 6 (1) thereof shall be 100 units of account per tonne.

Article 5

Within the meaning of Article 6 of Regulation (EEC) No 1134/68, the event giving entitlement to private storage aid shall be considered as occurring on the day of the acceptance of the contract.

Article 6

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

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

Done at Brussels, 3 June 1977.

For the Commission

Finn GUNDELACH

Vice-President