COMMISSION REGULATION (EEC) No 2217/77

of 5 October 1977

opening an invitation to tender to determine amounts of private storage aid in respect of beef carcases, half carcases and compensated quarters

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) and 8 (2) thereof,

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

Whereas market trends for beef and especially for beef from cows indicate that private storage aid should be granted for carcases, half-carcases and compensated quarters;

Whereas 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 it should be ensured that the animals concerned are slaughtered solely in slaughterhouses approved and supervised in accordance with Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat [4], as last amended by Directive 77/99/EEC [5];

Whereas provision should be made for the possibility of reducing the storage period where the meat which has left the store is intended for export; whereas proof that the meat has been exported must be given in the same way as in the case of refunds, Commission Regulation (EEC) No 192/75 of 17 January 1975 [6] laying down detailed rules for the application of export refunds in respect of agricultural products, as last amended by Regulation (EEC) No 1633/77 [7];

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 [8], 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 port transaction was carried out;

Whereas Article 6 provides that the time when a transaction is carried out is to be 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, in the case of private storage aid for beef and veal, the rate of exchange for calculating the amount of this aid in national currency should be that obtaining at the time of the conclusion of the contract for private storage aid;

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. With effect from 10 October 1977 an invitation to tender shall be opened to determine amounts of private storage aid, in accordance with Regulation (EEC) No 275/74; this invitation to tender shall relate to a maximum quantity of about 20 000 tonnes of fresh or chilled carcases, half carcases and compensated quarters from adult bovine animals.

(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 121, 29. 7. 1964, p. 2012/64.
(5) OJ No L 26, 31. 1. 1977, p. 85.
(6) OJ No L 25, 31. 1. 1975, p. 1.
(7) OJ No L 181, 21. 7. 1977, p. 33.
(8) OJ No L 188, 1. 8. 1968, p. 1.

The time limit for the submission of tenders shall be 21 October 1977, at 1 p.m. This time limit shall be one hour earlier in Ireland and the United Kingdom outside the period known as summer time in those Member States.

2. Private storage aid may be granted only in respect of meat produced in accordance with Article 3 (1) A (a) to (e) of Council Directive 64/433/EEC.

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 cutting or boning operations is placed in store.

2. The authorization for cutting and boning in part the quantity for which the contract is concluded may only cover the cutting and the boning either of all the forequarters or of the same number of fore- and hindquarters.

3. For the purposes of this Regulation, 100 kilograms of the unboned meat referred to in Article 1 shall be equivalent to :

(a) 77 kilograms of boned meat in the case of cutting and boning the total quantity for which the contract is concluded, or in the case of cutting and boning the same number of fore- and hindquarters ;

(b) 70 kilograms of boned meat in the case of cutting and boning all the forequarters.

4. 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

(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.

5. In the case of boned meat, the percentage referred in paragraph 4 (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. At the request of the storer submitted when lodging his tender, the period of storage for the products referred to in Article 1 shall be 4, 5 or 6 months.

2. By way of derogation from Article 5 (3) (b) (cc) of Regulation (EEC) No 275/74, after a storage period of two months, the contractor may withdraw from store all or part of the meat for which he has contracted, subject to a minimum withdrawal of five tonnes, provided that it is exported from the Community within 10 working days of such withdrawal.

In this event, 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 starting to withdraw 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 in the same way 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 minimum quantity referred to in Article 5 (3) (c) thereof shall be 40 tonnes ;

(c) 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 10 October 1977.

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

Done at Brussels, 5 October 1977.

For the Commission

Finn GUNDELACH

Vice-President