COMMISSION REGULATION (EEC) No 2632/77

of 29 November 1977

amending Regulation (EEC) No 2697/76 laying down detailed rules for the implementation of Regulation (EEC) No 2453/76 on the transfer to the Italian intervention agency of frozen beef held by the intervention agencies of other Member States

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],

Having regard to Council Regulation (EEC) No 2453/76 of 5 October 1976 on the transfer to the Italian intervention agency of frozen beef held by the intervention agencies of other Member States [3], as last amended by Regulation (EEC) No 2584/77 [4], and in particular Article 1 (2) thereof,

Whereas Commission Regulation (EEC) No 2697/76 of 5 November 1976 [5] laid down detailed rules for the implementation of Regulation (EEC) No 2453/76;

Whereas difficulties have arisen regarding the transfer of certain meat from the French intervention agency to the Italian intervention agency; whereas it is therefore necessary to reduce the quantity of meat made available to the Italian intervention agency by the French intervention agency and consequently to increase the quantity made available to the Italian intervention agency by the German intervention agency;

Whereas it is essential from the budgetary point of view that all of the meat made available to the Italian intervention agency should be taken over at the latest by 31 December 1977; whereas as regards the meat stored by the French intervention agency, however, taking into account the period for which it has been stored, it should be provided that, if the meat cannot be transferred to the Italian intervention agency within the time limit laid down, the French intervention agency may sell it in accordance with the current rules on the sale of intervention meat;

Whereas, in these circumstances, since a relatively short period is fixed for the transport to Italy of meat still stored in Germany, it is necessary to provide that this transport should be carried out by private contract;

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

In Article 1 (1) of Regulation (EEC) No 2697/76:

— in respect of the German intervention agency, for '14 000 tonnes' read '18 000 tonnes',

— in respect of the French intervention agency, for '10 000 tonnes' read '6 000 tonnes'.

Article 2

The following Article 1a is inserted in Regulation (EEC) No 2697/76:

'*Article 1a*

1. The Italian intervention agency shall take over all the products made available to it by 31 December 1977 at the latest.

2. By 31 December 1977 at the latest, the rights and obligations relating to all the products placed at the disposal of the Italian intervention agency shall be transferred to it.

However:

(a) products placed by the French intervention agency at the disposal of the Italian intervention agency which are not taken over by the latter before the date specified in paragraph 1 shall, from 1 January 1978, be again available to the French intervention agency;

(b) as regards products placed at the disposal of the Italian intervention agency by the German intervention agency which have not been transported to Italy by 31 December 1977, the German intervention agency shall be responsible for their storage until the day when they are removed; for this purpose it shall receive the fixed amount laid down for storage.'

[1] OJ No L 148, 28. 6. 1968, p. 24.
[2] OJ No L 61, 5. 3. 1977, p. 1.
[3] OJ No L 279, 9. 10. 1976, p. 3.
[4] OJ No L 301, 25. 11. 1977, p. 6.
[5] OJ No L 304, 6. 11. 1976, p. 19.

Article 3

1. In the first subparagraph of Article 2 (2) of Regulation (EEC) No 2697/76 the words 'by tender' are replaced by :

'by means of private transport contracts concluded on the most favourable terms.'

2. Article 2 (3) of Regulation (EEC) No 2697/76 is amended to read as follows :

'3. The Italian intervention agency shall inform the Commission of the terms of each private contract at least 24 hours before it is concluded.'

3. Paragraphs 4 and 5 of Article 2 of Regulation (EEC) No 2697/76 are hereby repealed.

Article 4

This Regulation shall enter into force on 1 December 1977.

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

Done at Brussels, 29 November 1977.

For the Commission

Finn GUNDELACH

Vice-President