COMMISSION REGULATION (EEC) No 226/78

of 2 February 1978

on the sale by tender of hindquarters of beef held by the German intervention agency for processing in the Community

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 Article 7 (3) thereof,

Whereas the application of intervention measures in respect of beef has led to the build-up of large stocks in certain Member States; whereas for technical reasons it is necessary to arrange for the sale of these stocks;

Whereas, in the present market situation, there are certain outlets in the processing industry for the meat concerned; whereas this meat should be sold by tender;

Whereas the sale should be made subject to the rules laid down by 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), and also to the rules adopted by Commission Regulation (EEC) No 1687/76 of 30 June 1976 laying down common detailed rules for verifying the use and/or destination of products from intervention (4), as last amended by Regulation (EEC) No 2961/77 (5), and to the rules laid down in Commission Regulation (EEC) No 2182/77 of 30 September 1977 laying down detailed rules for the sale of frozen beef from intervention stocks for processing in the Community and amending Regulation (EEC) No 1687/76 (6); whereas, however, certain derogations are necessary, in particular in view of the quality of the products being put up for sale;

Whereas, pursuant to 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 (7), 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, are 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 pursuant to Article 6 of the abovementioned Regulation 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 such rules, by the rules of the Member State concerned, in which the amount involved in the transaction becomes due and payable;

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

During the period 7 to 16 February 1978, there shall be put up for sale approximately 5 000 tonnes of hindquarters of beef bought in under Article 6 (1) of Regulation (EEC) No 805/68 and held by the German intervention agency as a result of buying-in operations carried out before 31 January 1977.

Article 2

1. The sale shall be by tender in accordance with Articles 6 to 14 of Regulation (EEC) No 216/69, with Regulation (EEC) No 1687/76, with Regulation (EEC) No 2182/77, and with this Regulation.

2. By way of derogation from Article 6 (3) of Regulation (EEC) No 216/69, the notice of invitation to tender shall be published not less than nine days before the final date set for the expiry of tenders.

(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, 5. 2. 1969, p. 10.
(4) OJ No L 190, 14. 7. 1976, p. 1.
(5) OJ No L 348, 30. 12. 1977, p. 51.
(6) OJ No L 251, 1. 10. 1977, p. 60.
(7) OJ No L 188, 1. 8. 1968, p. 1.

Article 3

For purposes of this Regulation, the processing of hindquarters may take place after removal of the following cuts : 'filet' and 'roastbeef'. In such case, and by way of derogation from the first subparagraph of Article 1 (3) of Regulation (EEC) No 2182/77, 100 kilograms of unboned hindquarters, without 'filet' or 'roastbeef' shall be equivalent to 66 kilograms of boned meat.

Article 4

The security provided for in Article 4 (1) of Regulation (EEC) No 2182/77 shall be 45 units of account per 100 kilograms of boned meat.

Article 5

By way of derogation from Article 8 of Regulation (EEC) No 2182/77, the event on which the selling price becomes due and payable within the meaning of Article 6 of Regulation (EEC) No 1134/68 shall be regarded as occurring on the last day of the period laid down for the submission of tenders.

Article 6

This Regulation shall enter into force on 3 February 1978.

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

Done at Brussels, 2 February 1978.

For the Commission

Finn GUNDELACH

Vice-President