COMMISSION REGULATION (EEC) No 772/78

of 17 April 1978

amending Regulation (EEC) No 2793/76 as regards certain arrangements concerning the taking over by the buyers of frozen beef made available to the Italian intervention agency

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 Article 3 (1) (b) of Commission Regulation (EEC) No 2793/76 of 18 November 1976 on detailed arrangements for the disposal on the Italian market of frozen beef made available to the Italian intervention agency under Regulation (EEC) No 2453/76 (5), as last amended by Regulation (EEC) No 338/78 (6), provides that no security is required on the lodging of applications to purchase the meat in question; whereas in the absence of additional provisions the fact that a security is not lodged risks giving rise to abuses; whereas consequently arrangements should be made to prevent such abuses and to ensure that all purchases can get supplies as far as the quantities available permit;

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

The following subparagraph is hereby added to Article 4 of Regulation (EEC) No 2793/76:

'If the purchaser has not taken over the goods on the expiry of the time limit fixed by Article 5 (1) of Regulation (EEC) No 216/69, he may introduce no further demands under this Regulation. In that case, if, before the time limit referred to above, applications to purchase have been made by other purchasers for the same goods, these applications shall be considered as being lodged at the same time and may be accepted as far as the quantity available permits.'

Article 2

This Regulation shall enter into force on the day of 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, 17 April 1978.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 148, 28. 6. 1968, p. 13.
(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 319, 19. 11. 1976, p. 24.
(6) OJ No L 47, 18. 2. 1978, p. 33.