# COMMISSION REGULATION (EEC) No 1198/79

## of 15 June 1979

## on the granting at a standard rate fixed in advance of private storage aid for 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,

Having regard to Council Regulation (EEC) No 878/77 of 25 April 1977 on the exchange rates to be applied in agriculture (3), as last amended by Regulation (EEC) No 705/79 (4),

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

Whereas it should be ensured that the animals from which the forequarters come 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 (5), as last amended by Directive 75/379/EEC (6) ;

Whereas, in order to facilitate storage operations, certain conditions of Commission Regulation (EEC) No 1071/68 of 25 July 1968 laying down detailed rules for granting private storage aid for beef and veal (7), and in particular those concerning the security required, should be amended ; whereas the consequences of putting too small a quantity into storage and of withdrawing meat prematurely should also be specified ;

Whereas Article 3 of Council Regulation (EEC) No 989/68 of 15 July 1968 laying down general rules for granting private storage aid for beef and veal (8), as amended by Regulation (EEC) No 428/77 (9), provides that a decrease or an increase of the storage period can be decided on if the market situation calls for it ; whereas it is therefore appropriate to fix, in addition to the amounts of aid for a specified storage period, the amount to be added when this period is lengthened ;

Whereas, in order to avoid financing normal private storage, it appears desirable to specify high minimum quantities ;

Whereas the amount of the security required should be such as to oblige the storer to fulfil the obligations undertaken by him ;

Whereas under Article 4 (2) of Council Regulation (EEC) No 1134/68 (10) sums referred to in the said Article are to be paid on the basis of the conversion rate applicable at the time when the transaction or part transaction is carried out ; whereas under Article 6 of the same Regulation the time when a transaction is carried out shall be considered as being the date on which the event occurs, as defined by Community rules or, in the absence of and pending adoption of such rules, by the rules of the Member State concerned, which gives entitlement to the amount involved in the transaction ; whereas, however, by virtue of Article 4 (3) of Regulation (EEC) No 878/77, derogations may be made from the abovementioned provisions ;

Whereas, in respect of private storage aid for beef, 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 measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 61, 5. 3. 1977, p. 1.
(3) OJ No L 106, 29. 4. 1977, p. 27.
(4) OJ No L 89, 9. 4. 1979, p. 1.
(5) OJ No 121, 29. 7. 1964, p. 2012/64.
(6) OJ No L 172, 3. 7. 1975, p. 17.
(7) OJ No L 180, 26. 7. 1968, p. 19.
(8) OJ No L 169, 18. 7. 1968, p. 10.
(9) OJ No L 61, 5. 3. 1977, p. 17.
(10) OJ No L 188, 1. 8. 1968, p. 1.

HAS ADOPTED THIS REGULATION :

*Article 1*

1. From 25 June until 31 July 1979 applications may be submitted for aid for the private storage of forequarters from adult bovine animals. The amounts of such aid per tonne, exclusive of packaging, shall be as shown in the Annex hereto. If the quantities for which contracts have been applied for or if the market situation make it appropriate the final date for the submission of applications may be changed.

2. The amount of aid shall be adjusted if the duration of storage is lengthened. The amount to be added per month shall be as shown in column 4 of the Annex hereto.

3. Subject as provided in this Regulation, the rules laid down in Regulation (EEC) No 1071/68 shall apply.

*Article 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 3*

1. The minimum quantity per contract shall be 30 tonnes.

2. Storing must be completed within 40 days following the conclusion of the contract and at the latest on 1 September 1979.

The storage period shall begin on the day on which storing is completed.

3. By way of derogation from Article 2 (2) of Regulation (EEC) No 1071/68, private storage aid may be granted only for products obtained from animals slaughtered within the Community not more than 10 days previously.

*Article 4*

1. The contractor may, before placing them in store, cut and bone all or part of the products referred to in the Annex, 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 without cutting or boning, 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 ;

(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 Article 4 (3) of Regulation (EEC) No 1071/68 shall be equal to 85 %.

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

*Article 5*

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

2. No aid shall be payable unless all the meat remains in store throughout the storage period.

*Article 6*

1. The amount of the security shall be 120 ECU per tonne.

2. In cases of *force majeure*, the intervention agency shall take such measures as it considers necessary having regard to the circumstances invoked.

The intervention agency shall inform the Commission of each case of *force majeure* and of the action taken in respect thereof.

*Article 7*

Aid shall be paid at the request of the person entitled thereto and at the latest on the 15th day following that on which it is ascertained that the obligations under the contract have been fulfilled.

*Article 8*

The rate to be used in relation to private storage aid is the representative rate on the day the contract is finalized.

*Article 9*

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, 15 June 1979.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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*ANNEX*

| Products for which aid is granted | Amount of aid, in ECU/tonne, for a storage period of | | Amount in ECU/tonne to be added per month |
|---|---|---|---|
| | 5 months | 6 months | |
| Forequarters, fresh or chilled, from adult bovine animals | 365 | 400 | 35 |