COMMISSION REGULATION (EEC) No 2061/79

of 20 September 1979

providing for the grant of private storage aid fixed in advance at a standard rate in respect of hindquarters of beef

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 26 April 1977 on the exchange rates to be applied in agriculture (3), as last amended by Regulation (EEC) No 1266/79 (4),

Whereas, in view of the different price trends at present obtaining in the various Member States and in particular the seasonal difficulties on the market in hindquarters, private storage aid should be granted in respect of hindquarters of adult bovine animals;

Whereas provisions should be made to ensure that the animals whose hindquarters are involved be slaughtered exclusively in slaughterhouses which are approved and supervised in accordance with the provisions of 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 72/379/EEC (6);

Whereas, in order to facilitate storage operations, it would be advisable to adapt some of the conditions set out in 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 relating to the security; whereas, in addition, the consequences of puttung too small a quantity into storage and of prematurely removing the meat from storage should 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 if the market situation so requires, the period of storage may be curtailed or extended; whereas it is therefore appropriate that, in addition to the amounts of aid granted for a specific storage period, amounts to be added or reduced in the event of that period being extended or curtailed should also be fixed;

Whereas in order to prevent the financing of normal private storage, it appears desirable to fix high minimum quantities;

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 provision should be made for the possibility of reducing the storage period where meat removed from storage is intended for export; whereas proof that the meat has been exported must be supplied as in the case of refunds, in accordance with Commission Regulation (EEC) No 192/75 of 17 January 1975 laying down detailed rules for the application of export refunds in respect of agricultural products (11), as last amended by Regulation (EEC) No 1469/77 (12);

(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 161, 29. 6. 1979, p. 4.
(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.
(11) OJ No L 25, 31. 1. 1975, p. 1.
(12) OJ No L 162, 1. 7. 1977, p. 9.

Whereas the Management Committee for Beef and Veal has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION :

Article 1

1. Applications may be submitted between 1 and 31 October 1979, for aid for the private storage of hindquarters of adult bovine animals.

The amounts of this aid, by tonne, excluding packaging, are fixed in the Annex hereto.

If the quantities in respect of which contracts have been applied for or the market situation make it advisable, the deadline for the submission of applications may be changed.

2. The amount of aid shall be adjusted if the period of storage is extended or reduced. The supplements per month and deductions *per diem* are fixed in the fourth and fifth columns of the Annex hereto.

3. Subject to the provisions of this Regulation, the provisions of Regulation (EEC) No 1071/68 shall apply.

Article 2

1. Only meat produced in accordance with the provisions of Article 3 (1A) (a) to (e) of Council Directive 64/433/EEC shall be eligible for private storage aid.

2. For the purposes of this Regulation, hindquarters shall mean the rear part of a half carcase comprising all the bones and the thigh and sirloin, with a minimum of three and a maximum of eight whole or cut ribs, with the shin and with or without the thin flank.

Article 3

1. The minimum quantity per contract shall be 20 tonnes.

2. Placing in storage must be carried out within 30 days of the date of conclusion of the contract.

The storage period shall commence on the day on which placing is completed.

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

Article 4

1. The contractor may, before placing them in store, cut or bone all or part of the product referred to in the Annex, provided that all the meat resulting from such cutting or boning operations is placed in store.

2. For the purposes of this Regulation, 100 kilograms of unboned meat shall be equal to 77 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 quantities placed in store in excess of the quantity for which the contract was concluded.

Article 5

1. The storage period shall be, on application by the storer, to be submitted at the time of his offer, either five or six months.

2. Entitlement to payment of the aid shall be established only if all the meat has remained in storage throughout the storage period.

3. On the expiry of a storage period of three months, the contracting party may withdraw from store all or part of the quantity of meat under contract, subject to a minimum of 10 tonnes, provided that it is exported within 10 working days of the date of its removal from storage.

In this case, the amount of aid shall be reduced, in accordance with Article 1 (2), the day of removal from storage being the last day of storage.

The contracting party shall inform the intervention agency at least two working days before the commencement of removal operations, stating the quantities which he intends to export.

4. In cases of export in accordance with paragraph 3, the contracting party shall provide proof that the meat has left the Community's geographical territory or has been the subject of a delivery within the meaning of Article 3 of Regulation (EEC) No 192/75. This proof shall be provided as under the refund procedure.

Article 6

1. The amount of the security shall be fixed at 110 ECU per tonne.

2. In the event of *force majeure*, the intervention agency shall decide on the measures which it deems necessary in view of the circumstances invoked.

The intervention agency shall inform the Commission of each case of *force majeure* and of the measures taken in consequence.

Article 7

The aid shall be paid, at the request of the party concerned, at the latest on the 15th day following that on which it is ascertained that the terms of the contract have been satisfied.

Article 8

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

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, 20 September 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Products in respect of which aid is granted	Amount of aid in ECU per tonne for a storage period		Amounts (ECU/tonne):	
	of five months	of six months	to be added per month	to be deducted per day
Hindquarters, fresh or chilled, of adult bovine animals	545	580	35	1·2