COMMISSION REGULATION (EEC) No 542/79

of 21 March 1979

on the sale at prices fixed at a standard rate in advance of certain quantities of frozen beef held by the Italian intervention agency and intended for direct consumption 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 Italian intervention agency is holding stocks of frozen beef ; whereas the market situation at the moment is favourable for the sale of these stocks ;

Whereas, in order to facilitate the sale of these quantities, they should be sold at prices fixed at a standard rate in advance pursuant to Regulation (EEC) No 216/69 (3) ;

Whereas, in order to permit more efficient distribution of the meat in question on the market and to avoid any disturbance to normal selling of other meat, the sale in question should be carried out in stages ; whereas, with the same aim, the minimum and the maximum quantities of product offered for sale need to be fixed per retailer and per month ;

Whereas, in order to prevent the frozen meat sold from being diverted from its destination, it is advisable both that the purchaser should undertake to offer it for sale with a view to its direct consumption within a certain period of time and also that the Member States concerned should take the appropriate supervisory measures ;

Whereas the measures provided for in this Regulation are in accordnce with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION :

Article 1

1. During the period 1 April to 31 December 1979 the Italian intervention agency shall sell, with a view to its direct consumption in the Community, approximately 15 000 tonnes of frozen bone in beef purchased before 1 February 1979.

2. The sale shall take place in accordance with Articles 2 to 5 of Regulation (EEC) No 216/69 and with the provisions of this Regulation.

3. The information relating of the quantities available as well as the places where the stored products are situated may be obtained by interested parties at the address stated in Annex I.

4. The selling prices of the products shall be as fixed in Annex II.

Article 2

1. The Italian intervention agency shall sell the products referred to in Article 1 in accordance with the following timetable :

— up to a maximum of 5 000 tonnes before 1 July 1979,

— up to a maximum of 5 000 tonnes before 1 October 1979,

— up to a maximum of 5 000 tonnes before 1 January 1980.

2. If, at the end of each of the periods fixed in paragraph 1, the quantity of 5 000 tonnes has not all been sold, the quantity offered for sale in the period following may not exceed 5 000 tonnes.

3. The Italian intervention agency shall sell first the meat whose storage period is longest.

4. By way of derogation from Article 2 (2) of Regulation (EEC) No 216/69, the quantity of products which may be sold to each purchaser shall be, per month, at least 500 kg and at most five tonnes.

Article 3

1. Within the quantitative limits fixed in Article 2 (4), the Italian intervention agency shall consider applications to purchase relating to :

— forequarters only, or

— quantities comprising one-third hindquarters and two-thirds forequarters.

(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.

2. By way of derogation from Article 4 (1) of Regulation (EEC) No 216/69 :

(a) applications to purchase may be submitted by registered letter or submitted direct to the Italian intervention agency ;

(b) the lodging of a security shall not be required ;

(c) the application to purchase shall not be valid unless it is submitted by a trader authorized for the retail sale of beef and accompanied :

— by the precise indication of the place or places where the products will be offered for retail sale in accordance with this Regulation,

— by the written undertaking on the part of the puchaser to offer the products for sale with a view to their direct consumption in the Community within 90 days of their receipt.

3. The purchasers referred to in paragraph 2 may instruct an agent to take delivery, on their behalf, of the products which they purchase. In this case the agent shall submit the applications to purchase of the purchasers whom he represents, justifying the purchase of the quantities applied for.

4. The purchasers and agents referred to in the foregoing paragraphs shall maintain and keep up to date an accounting system which permits the distinct nature and use of the products to be ascertained, with a view, particularly, to checking to ensure that the quantities of products purchased and offered for consumption tally.

Article 4

1. By way of derogation from Article 5 (1) of Regulation (EEC) No 216/69, the price shall be paid at the time when the goods are removed and at the latest on the day fixed by the Italian intervention agency for receipt of the goods.

2. If, on the expiry of the period fixed by Article 5 (1) of Regulation (EEC) No 216/69, the purchaser or his agent has not accepted the goods totally or partially, his contract of purchase shall be cancelled and they may not submit any further application to purchase under this Regulation. In this case, if, within the period referred to above, applications to purchase have been submitted by other purchasers in respect of the same goods, these applications shall be considered to have been submitted at the same time and may be accepted within the limits of the quantity available.

Article 5

In the event of *force majeure,* the Italian intervention agency shall decide on the measures which it deems necessary in the light of the circumstances invoked. The Italian intervention agency shall inform the Commission of each case of *force majeure* and of the measures taken in consequence.

Article 6

1. The Italian intervention agency shall inform the Commission of the quantities sold every week.

2. The Italian Republic, if appropriate with the collaboration of the Member State in which the meat is to be marketed, shall take the necessary measures to satisfy itself that the products sold under this Regulation reach their destination in accordance with the undertaking referred to in the second subparagraph of Article 3 (2) (c).

3. The Member States concerned may penalize any breach of the above obligation.

Article 7

By way of derogation from Article 4 (5) of Regulation (EEC) No 216/69 and if the quantities available are less than those in respect of which applications to purchase are submitted on the first day of each of the periods referred to in Article 2 (1), these applications shall be considered as having been submitted at the same time.

Article 8

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, 21 March 1979.

For the Commission

Finn GUNDELACH

Vice-President

BILAG I — ANHANG I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I

Interventionsorganets adresse
Anschrift der Interventionsstelle
Address of the intervention agency
Adresse de l'organisme d'intervention
Indirizzo dell'organismo d'intervento
Adres van het interventiebureau

Azienda di Stato per gli interventi nel mercato agricolo (AIMA),
Roma, via Palestro 81,
tel. 49 57 283.

BILAG II — ANHANG II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II

Salgspris i regningsenheder pr. 100 kg af produkterne
Verkaufspreise in Rechnungseinheiten je 100 kg des Erzeugnisses
Selling price in units of account per 100 kg of product
Prix de vente en unités de compte par 100 kilogrammes de produit
Prezzi di vendita in unità di conto per 100 kg di prodotto
Verkoopprijzen in rekeneenheden per 100 kg produkt

Quarti anteriori, taglio a 8 costole, il pancettone fa parte del quarto anteriore:	
— Vitelloni 1	94,0
— Vitelloni 2	90,0
Quarti posteriori, taglio a 5 costole, detto pistola, provenienti dai:	
— Vitelloni 1	170,0
— Vitelloni 2	161,0
