COMMISSION REGULATION (EEC) No 219/91

of 30 January 1991

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of bone-in beef held by certain intervention agencies and intended for export to Poland amending Regulation (EEC) No 569/88 and repealing Regulation (EEC) No 2722/90

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 3577/90 (2) and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies (3), as amended by Regulation (EEC) No 1809/87 (4), has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas certain intervention agencies hold stocks of bone-in intervention meat; whereas an extension of the period of storage for the meat bought in should be avoided on account of the ensuing high costs; whereas outlets exist in certain third countries for the products in question; whereas it is appropriate therefore to offer this meat for sale in accordance with Regulation (EEC) No 2539/84;

Whereas quarters from intervention stocks may in certain cases have been handled a number of times; whereas, in order to help with the presentation and marketing of such meat, its repackaging should be authorized, subject to the observance of precise conditions;

Whereas it is necessary to lay down a time limit for export of the said meat; whereas this time limit should be fixed by taking into account Article (5) (b) of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector (5), as last amended by Regulation (EEC) No 211/91 (6);

Whereas in order to ensure that beef sold is exported the lodging of security, as specified at (a) of Article 5 (2) of Regulation (EEC) No 2539/84, should be required;

Whereas products held by intervention agencies and intended for export are subject to the provisions of Commission Regulation (EEC) No 569/88 (7), as last amended by Regulation (EEC) No 148/91 (8); whereas, however, the Annex to the said Regulation setting out the entries to be made should be expanded;

Whereas, in order to ensure better administration of intervention stocks, Commission Regulation (EEC) No 2722/90 (9) should be repealed:

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

1. A sale shall be organized of approximately:

— 20 000 tonnes of bone-in beef held by the German intervention agency and bought in before 1 December 1990,

— 10 000 tonnes of bone-in beef held by the French intervention agency and bought in before 1 December 1990.

2. This meat must be imported into Poland.

3. Subject to the provisions of this Regulation, the sale shall take place in accordance with the provisions of Commission Regulations (EEC) No 2539/84 and (EEC) No 2824/85 (10).

The provisions of Commission Regulation (EEC) No 985/81 (11) shall not apply to this sale. However, the competent authorities may allow bone-in forequarters and hindquarters the packaging material of which is torn or soiled, to be placed in new packaging of the same type under their supervision before presentation for consignment at the customs office of departure.

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 353, 17. 12. 1990, p. 23.
(3) OJ No L 238, 6. 9. 1984, p. 13.
(4) OJ No L 170, 30. 6. 1987, p. 23.
(5) OJ No L 241, 13. 9. 1980, p. 5.
(6) OJ No L 24, 30. 1. 1991, p. 11.
(7) OJ No L 55, 1. 3. 1988, p. 1.
(8) OJ No L 17, 23. 1. 1991, p. 11.
(9) OJ No L 261, 25. 9. 1990, p. 19.
(10) OJ No L 268, 10. 10. 1985, p. 14.
(11) OJ No L 99, 10. 4. 1981, p. 38.

4. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

5. An offer shall be valid only if:

— it relates to a total minimum quantity of 10 000 tonnes expressed in product weight,

— it relates to an equal weight of forequarters and hindquarters and shall contain a single price per tonne expressed in ecus for the whole quantity of bone-in beef specified in the offer,

— it is made up of one third of beef stored in France and two thirds of beef stored in Germany,

— it is accompanied by a copy of a sales contract for a quantity of beef at least equal to the quantity applied for, concluded by the applicant with PHZ Animex (1).

6. In order to meet the conditions provided for by paragraph 5 the operator may submit part offers in several Member States. If so, those offers shall contain the same price expressed in ecus.

Immediately after submitting tenders or purchase applications the operator shall send a copy hereof to the Commission of the European Communities. Division VI/D.2, 130 rue de la loi, B-1049 Brussels (telex 220 37 b Agrec).

7. Intervention agencies shall only conclude selling contracts upon verification, in collaboration with the Commission's Services, that the conditions referred to in paragraphs 5 and 6 have been met.

8. Only those tenders shall be taken into consideration which reach the intervention agencies concerned not later than 12 noon on 6 February 1991.

9. Particulars of the qualities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

Article 2

1. Before taking over the meat the purchaser shall lodge with the intervention agency in respect of each quantity he takes over, a security intended to guarantee payment of the purchase price. The amount of the security per 100 kilograms shall be equal to the purchase price plus ECU 10.

2. By way of derogation from Article 19 of Commission Regulation (EEC) No 2173/79 (2) the purchase price shall, in respect of each quantity taken over by the purchaser, be paid to the intervention agency within three months of the date on which the meat is taken over.

3. As regards the security provided for in paragraph 1 the payment within three months as referred to in paragraph 2 shall constitute a primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85 (3).

Article 3

The products referred to in Article 1 must be exported within five months from the date of conclusion of the contract of sale.

Article 4

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 30 per 100 kilograms.

2. The security provided for in Article 5 (2) (a) of Regulation (EEC) No 2539/84 shall be ECU 300 per 100 kilograms of bone in beef.

Article 5

In respect of meat sold under this Regulation no export refund shall be granted.

Article 6

In part I of the Annex to Regulation (EEC) No 569/88, 'Products to be exported in the same state as that in which they were when removed from intervention stock' the following item and footnote are added:

'77. Commission Regulation (EEC) No 219/91 of 30 January 1991 on the sale by procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export to Poland (77).

(77) OJ No L 26, 31. 1. 1991, p. 11.'

Article 7

Regulation (EEC) No 2722/90 is hereby repealed.

Article 8

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities.*

(1) PHZ Animex, Warszawa, ul. Chalubinskiego 8, (tel. 30 08 10, telex 814491 ax pl).
(2) OJ No L 251, 5. 10. 1979, p. 12.
(3) OJ No L 205, 3. 8. 1985, p. 5.

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

Done at Brussels, 30 January 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas)	Precio mínimo expresado en ecus por tonelada Mindstepriser i ECU/ton Mindestpreise, ausgedrückt in ECU/Tonne Ελάχιστες τιμές πωλήσεως εκφραζόμενες σε Ecu ανά τόνο Minimum prices expressed in ecus per tonne Prix minimaux exprimés en écus par tonne Prezzi minimi espressi in ecu per tonnellata Minimumprijzen uitgedrukt in ecu per ton Preço mínimo expresso em ecus por tonelada
Deutschland	— Vorderviertel, stammend von : Kategorien A/C	10 000	485
	— Hinterviertel, stammend von : Kategorien A/C	10 000	485
France	— Quartiers avant : catégorie A/C	5 000	485
	— Quartiers arrière : catégorie A/C	5 000	485

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

Direcciones de los organismos de intervención — Interventionsorganernes adresser — Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de intervenção

DEUTSCHLAND : Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)
Postfach 180 107 — Adickesallee 40
D-6000 Frankfurt am Main 18
Tel. (069) 1 56 40, App. 772/773
Telex : 04 11 56

FRANCE : Ofival
Tour Montparnasse,
33, avenue du Maine,
75755 Paris Cedex 15,
tél. : 45 38 84 00, télex : 26 06 43.