COMMISSION REGULATION (EEC) No 809/93

of 2 April 1993

on the sale by tender of beef held by certain intervention agencies for the production of minced meat

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 125/93 (2), and in particular Article 7 (3) thereof,

Whereas the application of intervention measures in respect of beef has created large stocks; whereas, in order to avoid an excessively long period of storage, part of those stocks should be sold by tender;

Whereas Community supplies of meat suitable for the production of minced meat are relatively small; whereas to ensure efficient management of the markets, sales of intervention stocks should be limited to producers of minced meat approved in accordance with Article 7 of Council Directive 88/657/EEC of 14 December 1988 laying down the requirements for the production of, and trade in, minced meat, meat in pieces of less than 100 grams and meat preparations and amending Directives 64/433/EEC, 71/118/EEC and 72/462/EEC (3), as amended by Directive 89/662/EEC (4);

Whereas the sales should be made subject to the rules laid down by Commission Regulation (EEC) No 2173/79 (5), as amended by Regulation (EEC) No 1809/87 (6), subject to certain necessary exceptions;

Whereas derogations should be laid down from Article 8 (2) (b) of Regulation (EEC) No 2173/79 in view of the administrative difficulties the application of that subparagraph raises in the Member States concerned;

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. The sale shall take place of:

— 1 000 tonnes of bone-in meat held by the French intervention agency and bought in before 1 November 1992,

— approximately 1 000 tonnes of boned meat held by the United Kingdom intervention agency and bought in before 1 January 1991,

— approximately 1 000 tonnes of boned meat held by the Irish intervention agency and bought in before 1 November 1991.

2. The products referred to in paragraph 1 shall be sold in accordance with Regulation (EEC) No 2173/79, and in particular Articles 6 to 12 thereof, and with this Regulation.

Article 2

1. Tenders, made out in ecus, shall be submitted by 12 noon on 7 April 1993 at the latest.

The intervention agencies concerned shall draw up a notice of invitation to tender specifying:

(a) the quantities of beef offered for sale; and

(b) the deadline and place for the submission of tenders.

2. The intervention agencies concerned shall sell meat which has been stored the longest first.

3. Notwithstanding Articles 6 and 7 of Regulation (EEC) No 2173/79, the provisions of and the Annexes to this Regulation shall serve as a general notice of invitation to tender.

4. Details of the quantities available and the places they are stored shall be available to the interested parties from the addresses listed in Annex II to this Regulation. Intervention agencies shall, in addition, display the notice referred to in paragraph 1 at their head office and may publish notices elsewhere.

5. Notwithstanding Article 8 (2) (b) of Regulation (EEC) No 2173/79, tenders shall not indicate in which cold store or stores the products are held.

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 18, 27. 1. 1993, p. 1.
(3) OJ No L 382, 31. 12. 1988, p. 3.
(4) OJ No L 395, 30. 12. 1989, p. 13.
(5) OJ No L 251, 5. 10. 1979, p. 12.
(6) OJ No L 170, 30. 6. 1987, p. 23.

Article 3

1. Tenders shall only be accepted when submitted by a natural or legal person entered on the list of establishments referred to in the first subparagraph of Article 7 (1) of Directive 88/657/EEC as a producer of minced meat. Member States shall consult with each other where necessary for the application of this paragraph.

2. Tenders must be accompanied by:

— a written undertaking by the tenderer to use all the meat concerned for the production of minced meat as defined by Article 2 (2) (a) of Directive 88/657/EEC within two months of the date referred to in Article 2 (1) of this Regulation,

— details of the exact location of the establishment or establishments of the tenderer in which the minced meat is to be produced.

3. The purchasers shall keep up-to-date accounts records permitting the use made of the meat purchased to be established with a view, in particular, to verifying that the quantities purchased and the quantities of minced meat produced correspond. For the purposes of administrative supervision, where appropriate the intervention agency holding the products concerned shall send the competent authority of the Member State in which the minced meat is to be produced a certified copy of the sales contract.

4. Any purchaser who does not submit the documentation required to prove compliance with the undertaking referred to in paragraph 2 to the competent authority of the Member State in which the minced meat is produced withing three months of the date referred to in Article 2 (1) shall, except in cases of *force majeure*, be excluded from any sales operations of the same type which may be held in the 12 months following the said date.

On a duly substantiated request, the abovementioned period may be extended by one month where the purchaser is unable to supply the necessary proof having taken all the necessary steps to obtain it and submit it within the time limit laid down.

Article 4

After the tenders received in reply to the invitation to tender have been examined, a minimum selling price shall be fixed for each product or a decision taken not to proceed with the sale.

Article 5

Notwithstanding Article 15 (1) of Regulation (EEC) No 2173/79, the security shall be ECU 100 per tonne.

Article 6

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, 2 April 1993.

For the Commission

René STEICHEN

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 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)
UNITED KINGDOM	— Forequarter flanks	1 000
IRELAND	— Plates/flanks	1 000
FRANCE	— Caisse B	1 000

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

UNITED KINGDOM: Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26
Telex 848 302
Telefax (0734) 56 67 50

IRELAND: Department of Agriculture and Food
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 2278 and ext. 3806
Telex 93 292 and 93 607
Telefax (01) 61 62 63, (01) 78 52 14 and (01) 66 20 198

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Tour Montparnasse
33, avenue du Maine
F-75755 Paris Cedex 15
Tél. 45 38 84 00, télex 205 476