COMMISSION REGULATION (EC) No 813/95

of 11 April 1995

on the sale by tender of beef held by certain intervention agencies and intended for processing within the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 (EC) No 424/95 (2), and in particular Article 7 (3) thereof,

Whereas the application of intervention measures in respect of beef has created stocks in several Member States; whereas, in order to prevent an excessive prolongation of storage, part of these stocks should be sold by tender;

Whereas the sale should be made subject to the rules laid down by Commission Regulations (EEC) No 2173/79 (3), as last amended by Regulation (EEC) No 1759/93 (4), (EEC) No 3002/92 (5), as last amended by Regulation (EEC) No 1938/93 (6) and (EEC) No 2182/77 (7), as last amended by Regulation (EEC) No 1759/93, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

Whereas with a view to securing a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Article 8 (1) of Regulation (EEC) No 2173/79; whereas these measures must be applied as quickly as possible;

Whereas it seems appropriate to provide for derogations from provisions of Article 8 (2) (b) of Regulation (EEC) No 2173/79, taking into account the administrative difficulties which the application of this subparagraph raises in the Member States concerned;

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. The sale shall take place of:

— approximately 13 tonnes of boneless beef held by the Irish intervention agency and bought in before 1 November 1993,

— approximately 59 tonnes of boneless beef held by the Danish intervention agency, and bought in before 1 September 1993,

— approximately 1 167 tonnes of boneless beef held by the Italian intervention agency, and bought in before 1 February 1993,

— approximately 340 tonnes of boneless beef held by the United Kingdom intervention agency, and bought in before 1 January 1992.

Detailed information concerning quantities is given in Annex I.

2. Subject to the provisions of this Regulation the products referred to in paragraph 1 shall be sold in accordance with Regulations (EEC) No 2173/79, in particular Articles 6 to 12 thereof, (EEC) No 2182/77 and (EEC) No 3002/92.

Article 2

1. The deadlines for submitting tenders, which must be made out in ecus, shall be 12 noon on 19 April 1995.

The intervention agencies concerned shall draw up a notice of invitation to tender which shall include the following:

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

(b) the deadline and place for submitting tenders.

2. For each product mentioned in Annex I the intervention agencies concerned shall sell first the meat which has been stored the longest.

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. Interested parties may obtain the details of the quantities available and the places where the products are stored from the addresses listed in Annex II to this Regulation. The intervention agencies will, moreover, display the notice referred to in paragraph 1 at their head office and may also publish them elsewhere.

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 45, 1. 3. 1995, p. 2.
(3) OJ No L 251, 5. 10. 1979, p. 12.
(4) OJ No L 161, 2. 7. 1993, p. 59.
(5) OJ No L 301, 17. 10. 1992, p. 17.
(6) OJ No L 176, 20. 7. 1993, p. 12.
(7) OJ No L 251, 1. 10. 1977, p. 60.

5. By way of derogation from Article 8 (1) of Regulation (EEC) No 2173/79 a tender must be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope must not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 1.

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

Article 3

1. Member states shall provide information on the offers received to the Commission at the latest on the day following the deadline for submitting tenders.

2. After the offers received have been examined a minimum selling price shall be fixed for each product or the sale will not be proceeded with.

Article 4

1. Notwithstanding Article 3 (1) and (2) of Regulation (EEC) No 2182/77, the tender

(a) shall be valid only if presented by a natural or legal person who, for at least 12 months, has been engaged in the processing of products containing beef and who is entered in a public register of a Member State;

(b) must be accompanied by:

— a written undertaking by the applicant to process the meat purchased into products specified in Article 1 (1) of Regulation (EEC) No 2182/77 within the period referred to in Article 5 (1) of the abovementioned Regulation,

— a precise indication of the establishment or establishments where the meat which has been purchased will be processed.

2. The applicants referred to in paragraph 1 may instruct an agent to take delivery, on their behalf, of the products which they purchase. In this case the agent shall submit the tenders of the purchasers whom he represents.

3. The purchasers and agents referred to in the foregoing paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view particularly to checking to ensure that the quantities of products purchased and manufactured tally.

Article 5

1. The security provided for in Article 15 (1) of Regulation (EEC) No 2173/79 shall be ECU 12 per 100 kilograms.

2. The security provided for in Article 4 (1) of Regulation (EEC) No 2182/77 shall be:

— ECU 300 per 100 kilograms for boneless meat referred to under (a) in Annex I.

— ECU 170 per 100 kilograms for boneless meat referred to under (b) in Annex I.

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, 11 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

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

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro Jäsenvaltio Medlemsstat	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos Tuotteet Produkter	Cantidad aproximada (toneladas) Tilnærmet mængde (tons) Ungefähre Mengen (Tonnen) Κατά προσέγγιση ποσότητα (τόνοι) Approximate quantity (tonnes) Quantité approximative (tonnes) Quantità approssimativa (tonnellate) Hoeveelheid bij benadering (ton) Quantidade aproximada (toneladas) Arvioitu määrä (tonneina) Ungefärlig kvantitet (ton)
Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέας χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött		
Danmark	b) — Tyksteg	48
	— Klump med kappe	7
	— Skank og muskel	1
	— Yderlår med Lårtunge	1
	— Inderlår med kappe	1
	— Øvrigt kød af forfjerdinger	1
Italia	b) — Spalla gereto	1
	— Sottospalla	3
	— Collo	1
	— Scamone	95
	— Fesa esterna	746
	— Fesa interna	320
	— Girello	1
United Kingdom	a) — Fillet	90
	— Striploin	250
Ireland	b) — Rumps	2
	— Insides	8
	— Outsides	2
	— Briskets	1

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II — LIITE II — BILAGA 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 — Interventioelinten osoitteet — Interventionsorganens adresser

DANMARK:

EF-Direktoratet
Nyropsgade 26
DK-1602 København K
Tlf. 33 92 70 00; telex 15137 EFDIR DK; fax 33 92 69 48

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

ITALIA:

Ente per gli interventi nel mercato agricolo (EIMA)
Via Palestro 81
I-00185 Roma
Tel. 49 49 91
Telex 61 30 03

IRELAND:

Department of Agriculture, Food and Forestry
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 678 90 11, ext. 2278 and 3806
Telex 93292 and 93607, telefax (01) 6616263, (01) 6785214 and (01) 6620198