I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1364/96
of 15 July 1996
fixing the export refunds on beef

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 1357/96 (2), and in particular Article 13 thereof,

Whereas Article 13 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Commission Regulation (EEC) No 32/82 (3), as last amended by Regulation (EEC) No 3169/87 (4), (EEC) No 1964/82 (5), as amended by Regulation (EEC) No 3169/87, and (EEC) No 2388/84 (6), as last amended by Regulation (EEC) No 3661/92 (7), lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products;

Whereas it follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below;

Whereas, given the current market situation in the Community and the possibilities of disposal in certain third countries in particular, export refunds should be granted, on the one hand, on bovine animals intended for slaughter of a live weight greater than 220 kilograms and less than 300 kilograms, and, on the other, on adult bovine animals of a live weight of at least 300 kilograms;

Whereas export refunds should be granted for certain destinations on some fresh or chilled meat listed in the Annex under CN code 0201, on some frozen meat listed in the Annex under CN code 0202, on some meat or offal listed in the Annex under CN code 0206 and on some other prepared or preserved meat or offal listed in the Annex under CN code 1602 50 10;

Whereas, in view of the wide differences in products covered by CN codes 0201 20 90 700 and 0202 20 90 100 used for refund purposes, refunds should only be granted on cuts in which the weight of bone does not exceed one-third;

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, to allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States; whereas there are possibilities for exporting such meat and also salted, smoked and dried meat to certain African, Near and Middle Eastern countries; whereas a refund should accordingly be set;

Whereas, in the case of certain other cuts and preserves of meat or offal shown in the Annex under CN codes 1602 50 31 to 1602 50 80, the Community share of international trade may be maintained by granting a refund corresponding to that at present available;

Whereas, in the case of other beef and veal products, a refund need not be fixed since the Community's share of world trade is not significant;

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 175, 13. 7. 1996, p. 9.
(3) OJ No L 4, 8. 1. 1982, p. 11.
(4) OJ No L 301, 24. 10. 1987, p. 21.
(5) OJ No L 212, 21. 7. 1982, p. 48.
(6) OJ No L 221, 18. 8. 1984, p. 28.
(7) OJ No L 370, 19. 12. 1992, p. 16.

Whereas Commission Regulation (EEC) No 3846/87 [1], as last amended by Regulation (EC) No 823/96 [2], establishes the agricultural product nomenclature for the purposes of export refunds; whereas, with a view to clarification, the destinations must be identified in a seperate Annex;

Whereas, in order to simplify customs export formalities for operators, the refunds on all frozen cuts should be brought in line with those on fresh or chilled cuts other than those from adult male bovine animals;

Whereas experience has shown that in certain cases it is often difficult to determine the relevant quantities of beef, veal and other meat contained in prepared or preserved meat falling within CN code 1602 50; whereas exclusively beef and veal products should accordingly be set apart and a new heading should be created for mixtures of meats or offals; whereas checks on products other than mixtures of meat or offal should be stepped up by making the granting of refunds on these products conditional on manufacture under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products [3], as amended by Regulation (EEC) No 2026/83 [4];

Whereas refunds on female animals should vary depending on their age in order to prevent abuses in the export of certain pure-bred breeding animals;

Whereas Council Regulation (EEC) No 990/93 [5], as amended by Regulation (EC) No 1380/95 [6], prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia und Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96 [7]; whereas account should be taken of this fact when fixing the refunds;

Whereas, notwithstanding the subdivision of the combined nomenclature for prepared and preserved meat, other than uncooked, falling within CN code 1602 50, experience has shown that it is possible to delete from the refund nomenclature several products falling within CN code 1602 50 31 and to amend the list of products falling within CN code 1602 50 80;

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 list of products on which export refunds as referred to in Article 13 of Regulation (EEC) No 805/68 are granted and the amount thereof shall be as set out in the Annex I.

2. The destinations are identified in Annex II to this Regulation.

Article 2

This Regulation shall enter into force on 16 July 1996.

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

Done at Brussels, 15 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

(1) OJ No L 366, 24. 12. 1987, p. 1.
(2) OJ No L 111, 4. 5. 1996, p. 9.
(3) OJ No L 62, 7. 3. 1980, p. 5.
(4) OJ No L 199, 22. 7. 1983, p. 12.
(5) OJ No L 102, 28. 4. 1993, p. 14.
(6) OJ No L 138, 21. 6. 1995, p. 1.
(7) OJ No L 65, 15. 3. 1996, p. 1.

ANNEX I

to the Council Regulation of 15 July 1996 fixing export refunds on beef

(ECU/100 kg)

Product code	Destination	Refund (7) (9)
		— Live weight —
0102 10 10 120	01	82,00
0102 10 10 130	02	54,50
	03	37,50
	04	19,00
0102 10 30 120	01	82,00
0102 10 30 130	02	54,50
	03	37,50
	04	19,00
0102 10 90 120	01	82,00
0102 90 41 100	02	73,00
0102 90 51 000	02	54,50
	03	37,50
	04	19,00
0102 90 59 000	02	54,50
	03	37,50
	04	19,00
0102 90 61 000	02	54,50
	03	37,50
	04	19,00
0102 90 69 000	02	54,50
	03	37,50
	04	19,00
0102 90 71 000	02	73,00
	03	48,00
	04	24,00
0102 90 79 000	02	73,00
	03	48,00
	04	24,00
		— Net weight —
0201 10 00 110 (1)	02	112,50
	03	77,00
	04	38,00
0201 10 00 120	02	83,00
	03	58,50
	04	29,00
0201 10 00 130 (1)	02	155,00
	03	104,00
	04	52,50
0201 10 00 140	02	114,00
	03	79,50
	04	39,50
0201 20 20 110 (1)	02	155,00
	03	104,00
	04	52,50

(ECU/100 kg)

Product code	Destination	Refund (7) (9)
		— Net weight —
0201 20 20 120	02	114,00
	03	79,50
	04	39,50
0201 20 30 110 (1)	02	112,50
	03	77,00
	04	38,00
0201 20 30 120	02	83,00
	03	58,50
	04	29,00
0201 20 50 110 (1)	02	196,50
	03	131,00
	04	65,00
0201 20 50 120	02	145,00
	03	100,00
	04	50,00
0201 20 50 130 (1)	02	112,50
	03	77,00
	04	38,00
0201 20 50 140	02	83,00
	03	58,50
	04	29,00
0201 20 90 700	02	83,00
	03	58,50
	04	29,00
0201 30 00 050 (4)	05	100,50
0201 30 00 100 (2)	02	274,00
	03	187,50
	04	94,00
	06	240,50
0201 30 00 150 (6)	08	145,50
	09	133,50
	03	112,50
	04	56,50
	06	130,50
	07	81,00
0201 30 00 190 (6)	02	115,00
	03	75,50
	04	37,50
	06	92,50
	07	81,00

(ECU/100 kg)

Product code	Destination	Refund (7) (9)
		— Net weight —
0202 10 00 100	02	83,00
	03	58,50
	04	29,00
0202 10 00 900	02	114,00
	03	79,50
	04	39,50
0202 20 10 000	02	114,00
	03	79,50
	04	39,50
0202 20 30 000	02	83,00
	03	58,50
	04	29,00
0202 20 50 100	02	145,00
	03	100,00
	04	50,00
0202 20 50 900	02	83,00
	03	58,50
	04	29,00
0202 20 90 100	02	83,00
	03	58,50
	04	29,00
0202 30 90 100 (4)	05	100,50
0202 30 90 400 (6)	08	145,50
	09	133,50
	03	112,50
	04	56,50
	06	130,50
	07	81,00
0202 30 90 500 (6)	02	115,00
	03	75,50
	04	37,50
	06	92,50
	07	81,00
0202 30 90 900	07	81,00
0206 10 95 000	02	115,00
	03	75,50
	04	37,50
	06	92,50
0206 29 91 000	02	115,00
	03	75,50
	04	37,50
	06	92,50
0210 20 90 100	02	96,00
	04	57,00
0210 20 90 300	02	119,00
0210 20 90 500 (3)	02	119,00

(ECU/100 kg)

Product code	Destination	Refund (7) (9)
		— Net weight —
1602 50 10 120	02	132,50 (8)
	03	106,00 (8)
	04	106,00 (8)
1602 50 10 140	02	117,00 (8)
	03	94,00 (8)
	04	94,00 (8)
1602 50 10 160	02	94,00 (8)
	03	75,50 (8)
	04	75,50 (8)
1602 50 10 170	02	62,50 (8)
	03	50,00 (8)
	04	50,00 (8)
1602 50 10 190	02	62,50
	03	50,00
	04	50,00
1602 50 10 240	02	—
	03	—
	04	—
1602 50 10 260	02	—
	03	—
	04	—
1602 50 10 280	02	—
	03	—
	04	—
1602 50 31 125	01	129,50 (5)
1602 50 31 135	01	75,50 (8)
1602 50 31 195	01	37,00
1602 50 31 325	01	116,00 (5)
1602 50 31 335	01	67,50 (8)
1602 50 31 395	01	37,00
1602 50 39 125	01	129,50 (5)
1602 50 39 135	01	75,50 (8)
1602 50 39 195	01	37,00
1602 50 39 325	01	116,00 (5)
1602 50 39 335	01	67,50 (8)
1602 50 39 395	01	37,00
1602 50 39 425	01	85,50 (5)
1602 50 39 435	01	50,00 (8)
1602 50 39 495	01	37,00
1602 50 39 505	01	37,00
1602 50 39 525	01	85,50 (5)
1602 50 39 535	01	50,00 (8)
1602 50 39 595	01	37,00

(ECU/100 kg)

Product code	Destination	Refund (7) (9)
		— Net weight —
1602 50 39 615	01	37,00
1602 50 39 625	01	16,50
1602 50 39 705	01	19,00
1602 50 39 805	01	—
1602 50 39 905	01	—
1602 50 80 135	01	75,50 (8)
1602 50 80 195	01	37,00
1602 50 80 335	01	67,50 (8)
1602 50 80 395	01	37,00
1602 50 80 435	01	50,00 (8)
1602 50 80 495	01	37,00
1602 50 80 505	01	37,00
1602 50 80 515	01	16,50
1602 50 80 535	01	50,00 (8)
1602 50 80 595	01	37,00
1602 50 80 615	01	37,00
1602 50 80 625	01	16,50
1602 50 80 705	01	19,00
1602 50 80 805	01	—
1602 50 80 905	01	—

(1) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to amended Commission Regulation (EEC) No 32/82.

(2) Entry under this subheading is subject to compliance with the condition laid down in amended Commission Regulation (EEC) No 1964/82.

(3) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(4) Carried out in accordance with amended Commission Regulation (EEC) No 2973/79 (OJ No L 336, 29. 12. 1979, p. 44).

(5) OJ No L 221, 19. 8. 1984, p. 28.

(6) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ No L 210 of 1. 8. 1986, p. 39).

(7) Article 13 (10) of amended Regulation (EEC) No 805/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

(8) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of amended Commission Regulation (EEC) No 565/80.

(9) Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 462/96 are observed.

NB: The descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

ANNEX II

Zone 01: all third countries

Zone 02: zones 08 and 09

Zone 03	Zone 05	373 Mauritius
022 Ceuta and Melilla	400 United States of America	375 Comoros
024 Iceland		377 Mayotte
028 Norway	Zone 06	378 Zambia
041 Faroe Islands		386 Malawi
043 Andorra	809 New Caledonia	388 South Africa
044 Gibraltar	822 French Polynesia	395 Lesotho
045 Vatican City		604 Lebanon
053 Estonia	Zone 07	608 Syria
054 Latvia		612 Iraq
055 Lithuania	404 Canada	616 Iran
060 Poland		624 Israel
061 Czech Republic	Zone 08	625 Gaza and Jericho
063 Slovakia		628 Jordan
064 Hungary	046 Malta	632 Saudi Arabia
066 Romania	052 Turkey	636 Kuwait
068 Bulgaria	072 Ukraine	640 Bahrain
070 Albania	073 Belarus	644 Qatar
091 Slovenia	074 Moldova	647 United Arab Emirates
092 Croatia	075 Russia	649 Oman
093 Bosnia-Herzegovina	076 Georgia	653 Yemen
094 Serbia and Montenegro	077 Armenia	720 China
096 Former Yugoslav Republic of Macedonia	078 Azerbaijan	
109 The communes of Livigno and Campione d'Italia; the island of Helgoland	079 Kazakhstan	Zone 09
406 Greenland	080 Turkmenistan	
600 Cyprus	081 Uzbekistan	228 Mauritania
662 Pakistan	082 Tajikistan	232 Mali
669 Sri Lanka	083 Kirghistan	236 Burkina Faso
676 Myanmar (Burma)	204 Morocco	240 Niger
680 Thailand	208 Algeria	244 Chad
690 Vietnam	212 Tunisia	247 Cape Verde
700 Indonesia	216 Libya	248 Senegal
708 Philippines	220 Egypt	252 Gambia
724 North Korea	224 Sudan	257 Guinea-Bissau
740 Hong Kong	324 Rwanda	260 Guinea
950 Stores and provisions (Destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87, as amended)	328 Burundi	264 Sierra Leone
	329 St Helena and dependencies	268 Liberia
	330 Angola	272 Côte d'Ivoire
	334 Ethiopia	276 Ghana
	336 Eritrea	280 Togo
	338 Djibouti	284 Benin
	342 Somalia	288 Nigeria
Zone 04	350 Uganda	302 Cameroon
	352 Tanzania	306 Central African Republic
039 Switzerland	355 Seychelles and dependencies	310 Equatorial Guinea
	357 British Indian Ocean Territory	311 Sao Tome and Principe
	366 Mozambique	314 Gabon
		318 Congo
		322 Zaire

NB: The countries are those defined by Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 6).