COMMISSION REGULATION (EC) No 1116/97

of 19 June 1997

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 2222/96 [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 with a view to being processed within the Community;

Whereas in the light of the prevailing market circumstances it is appropriate to restrict the list of the eligible finished products to such products which besides beef also contain pork provided that the proportion of pork vis-à-vis beef is significantly reduced;

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 (EC) No 2417/95 [4], (EEC) No 3002/92 [5], as last amended by Regulation (EC) No 770/96 [6] and (EEC) No 2182/77 [7], as last amended by Regulation (EC) No 2417/95, 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 1 000 tonnes of bone-in forequarters held by the German intervention agency,

— approximately 500 tonnes of bone-in forequarters held by the Austrian intervention agency,

— approximately 500 tonnes of bone-in forequarters held by the Belgium intervention agency,

— approximately 500 tonnes of bone-in forequarters held by the French intervention agency,

— approximately 500 tonnes of bone-in forequarters held by the Italian intervention agency,

— approximately 500 tonnes of bone-in forequarters held by the Dutch intervention agency,

— approximately 100 tonnes of bone-in forequarters held by the Swedish intervention agency,

— approximately 35 tonnes of bone-in forequarters held by the Finnish intervention agency,

— approximately 1 500 tonnes of boneless beef held by the Irish intervention agency,

— approximately 1 500 tonnes of boneless beef held by the Danish intervention agency,

— approximately 1 500 tonnes of boneless beef held by the French intervention agency,

— approximately 1 500 tonnes of boneless beef held by the United Kingdom intervention agency,

— approximately 230 tonnes of boneless beef held by the Spanish intervention agency.

Detailed information concerning the boneless beef 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 24 June 1997.

[1] OJ No L 148, 28. 6. 1968, p. 24.
[2] OJ No L 296, 21. 11. 1996, p. 50.
[3] OJ No L 251, 5. 10. 1979, p. 12.
[4] OJ No L 248, 14. 10. 1995, p. 39.
[5] OJ No L 301, 17. 10. 1992, p. 17.
[6] OJ No L 104, 27. 4. 1996, p. 13.
[7] OJ No L 251, 1. 10. 1977, p. 60.

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 forequarters and 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.

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. A tender 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 pork and who is entered in a national VAT register.

2. Notwithstanding Article 3 (1) and (2) of Regulation (EEC) No 2182/77, the tender must be accompanied by:

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

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

3. The applicants referred to in paragraph 1 may in writing 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 together with the written instruction referred to above.

4. 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

Meat purchased under this Regulation must be manufactured into processed products containing both beef and pork. Furthermore, proof must be provided to the satisfaction of the competent authority of the Member State in which processing takes place that the composition of the processed product concerned has been modified compared with the composition prior to the date of contract of sale leading to a reduction of the pork content of at least 10 percent and a corresponding increase of the beef content, such that the increased quantity of beef used is at least equivalent to the reduction in the quantity of pork used.

Article 6

Member States shall set up a system of physical and documentary supervision to ensure that all meat is processed into the products specified in Article 5.

The system must include physical checks of quantity and quality at the start of the processing, during the processing and after the processing operation is completed. To this end, processors shall at any time be able to demonstrate the identity and use of the purchased meat through appropriate production records.

Upon technical verification of the production method by the competent authority, to the extent necessary, allowance may be taken for drip losses and trimmings.

Article 7

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:

— for bone-in forequarters the difference in ECU between the price offered per tonne and ECU 1 700,

— for boneless beef the difference in ECU between the price offered per tonne and ECU 2 400.

Article 8

By way of derogation from Article 9 of Regulation (EEC) No 2182/77, in addition to the entries laid down in Regulation (EEC) No 3002/92:

— Section 104 of T 5 control copies must be completed with one or more of the following:

  — Para transformación [Reglamentos (CEE) n° 2182/77 y (CE) n° 1116/97]

  — Til forarbejdning (forordning (EØF) nr. 2182/77 og (EF) nr. 1116/97)

  — Zur Verarbeitung bestimmt (Verordnungen (EWG) Nr. 2182/77 und (EG) Nr. 1116/97)

  — Για μεταποίηση [κανονισμοί (ΕΟΚ) αριθ. 2182/77 και (ΕΚ) αριθ. 1116/97]

  — For processing (Regulations (EEC) No 2182/77 and (EC) No 1116/97)

  — Destinés à la transformation [règlement (CEE) n° 2182/77 et (CE) n° 1116/97]

  — Destinate alla trasformazione [regolamenti (CEE) n. 2182/77 e (CE) n. 1116/97]

  — Bestemd om te worden verwerkt (Verordeningen (EEG) nr. 2182/77 en (EG) nr. 1116/97)

  — Para transformação [Regulamentos (CEE) n.º 2182/77 e (CE) n.º 1116/97]

  — Jalostettavaksi (Asetukset (ETY) N:o 2182/77 ja (EY) N:o 1116/97)

  — För bearbetning (Förordningarna (EEG) nr 2182/77 och (EG) nr 1116/97)

— Section 106 of T 5 control copies must be completed with the date of conclusion of the contract of sale.

Article 9

This Regulation shall enter into force on the day following 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, 19 June 1997.

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	Productos	Cantidad aproximada (toneladas)
Medlemsstat	Produkter	Tilnærmet mængde (tons)
Mitgliedstaat	Erzeugnisse	Ungefähre Mengen (Tonnen)
Κράτος μέλος	Προϊόντα	Κατά προσέγγιση ποσότητα (τόνοι)
Member State	Products	Approximate quantity (tonnes)
État membre	Produits	Quantité approximative (tonnes)
Stato membro	Prodotti	Quantità approssimativa (tonnellate)
Lidstaat	Producten	Hoeveelheid bij benadering (ton)
Estado-membro	Produtos	Quantidade aproximada (toneladas)
Jäsenvaltio	Tuotteet	Arvioitu määrä (tonneina)
Medlemsstat	Produkter	Ungefärlig kvantitet (ton)
Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Οπίσθια τέταρτα με κόκαλα — Boneless beef — Viande désossée — Carne senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött (1)		
Danmark	Interventionsskank (INT 11)	300
	Interventionsskank (INT 21)	300
	Interventionsbov (INT 22)	300
	Interventionsbryst (INT 23)	300
	Interventionsforfjerding (INT 24)	300
France	Jarret arrière d'intervention (INT 11)	300
	Jarret avant d'intervention (INT 21)	300
	Épaule d'intervention (INT 22)	300
	Poitrine d'intervention (INT 23)	300
	Avant d'intervention (INT 24)	300
United Kingdom	Intervention shank (INT 11)	300
	Intervention shin (INT 21)	300
	Intervention shoulder (INT 22)	300
	Intervention brisket (INT 23)	300
	Intervention forequarter (INT 24)	300
Ireland	Intervention shank (INT 11)	300
	Intervention shin (INT 21)	300
	Intervention shoulder (INT 22)	300
	Intervention brisket (INT 23)	300
	Intervention forequarter (INT 24)	300
España	Jarrete de intervención (INT 11)	9
	Morcillo de intervención (INT 21)	15
	Paleta de intervención (INT 22)	75
	Pecho de intervención (INT 23)	45
	Cuarto delantero de intervención (INT 24)	86

(1) Véase el Anexo VII del Reglamento (CEE) nº 2453/93 (DO nº L 225 de 4. 9. 1993, p. 4), cuya última modificación la constituye el Reglamento (CE) nº 2368/96 (DO nº L 323 de 13. 12. 1996, p. 6).

(1) Se bilag VII til forordning (EØF) nr. 2453/93 (EFT nr. L 225 af 4. 9. 1993, s. 4), senest ændret ved forordning (EF) nr. 2368/96 (EFT nr. L 323 af 13. 12. 1996, s. 6).

(1) Vgl. Anhang VII der Verordnung (EWG) Nr. 2453/93 (ABl. Nr. L 225 vom 4. 9. 1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2368/96 (ABl. Nr. L 323 vom 13. 12. 1996, S. 6).

(1) Βλέπε παράρτημα VII του κανονισμού (ΕΟΚ) αριθ. 2453/93 (ΕΕ αριθ. L 225 της 4. 9. 1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2368/96 (ΕΕ αριθ. L 323 της 13. 12. 1996, σ. 6).

(1) See Annex VII to Regulation (EEC) No 2453/93 (OJ No L 225, 4. 9. 1993, p. 4), as last amended by Regulation (EC) No 2368/96 (OJ No L 323, 13. 12. 1996, p. 6).

(1) Voir annexe VII du règlement (CEE) nº 2453/93 (JO nº L 225 du 4. 9. 1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) nº 2368/96 (JO nº L 323 du 13. 12. 1996, p. 6).

(1) Cfr. allegato VII del regolamento (CEE) n. 2453/93 (GU n. L 225 del 4. 9. 1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2368/96 (GU n. L 323 del 13. 12. 1996, pag. 6).

(1) Zie bijlage VII van Verordening (EEG) nr. 2453/93 (PB nr. L 225 van 4. 9. 1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2368/96 (PB nr. L 323 van 13. 12. 1996, blz. 6).

(1) Ver anexo VII do Regulamento (CEE) nº 2453/93 (JO nº L 225 de 4. 9. 1993, p. 4), com a última redacção que lhe foi dada pelo Regulamento (CE) nº 2368/96 (JO nº L 323 de 13. 12. 1996, p. 6).

(1) Katso asetuksen (ETY) N:o 2453/93 (EYVL N:o L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2368/96 (EYVL N:o L 323, 13.12.1996, s. 6) liite VII.

(1) Se bilaga VII i förordning (EEG) nr 2453/93 (EGT nr L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2368/96 (EGT nr L 323, 13.12.1996, s. 6).

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

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AIMA (Azienda di Stato per gli interventi nel mercato agricolo)
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