COMMISSION REGULATION (EC) No 1570/97

of 4 August 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 some meat plants in Denmark hold a special veterinary status for certain third country exports; whereas operators ought to tender separately for beef produced in such plants;

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:

— 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 Belgian 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 500 tonnes of bone-in forequarters held by the Spanish 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 100 tonnes of boneless beef held by the Spanish intervention agency.

[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.

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 8 September 1997.

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) nº 2182/77 y (CE) nº 1570/97]

  — Til forarbejdning (forordning (EØF) nr. 2182/77 og (EF) nr. 1570/97)

  — Zur Verarbeitung bestimmt (Verordnungen (EWG) Nr. 2182/77 und (EG) Nr. 1570/97)

  — Για μεταποίηση [κανονισμοί (ΕΟΚ) αριθ. 2182/77 και (ΕΚ) αριθ. 1570/97]

  — For processing (Regulations (EEC) No 2182/77 and (EC) No 1570/97)

  — Destinés à la transformation [règlement (CEE) nº 2182/77 et (CE) nº 1570/97]

  — Destinate alla trasformazione [regolamenti (CEE) n. 2182/77 e (CE) n. 1570/97]

  — Bestemd om te worden verwerkt (Verordeningen (EEG) nr. 2182/77 en (EG) nr. 1570/97)

  — Para transformação [Regulamentos (CEE) nº 2182/77 e (CE) nº 1570/97]

  — Jalostettavaksi (Asetukset (ETY) N:o 2182/77 ja (EY) N:o 1570/97)

  — För bearbetning (Förordningarna (EEG) nr 2182/77 och (EG) nr 1570/97)

— 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, 4 August 1997.

For the Commission

Monika WULF-MATHIES

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 Lidstaat Estado-membro Jäsenvaltio Medlemsstat	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Producten 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 (1) — Udbenet kød (1) — Fleisch ohne Knochen (1) — Οπίσθια τέταρτα με κόκαλα (1) — Boneless beef (1) — Viande désossée (1) — Carne senza osso (1) — Vlees zonder been (1) — Carne desossada (1) — Luuton naudanliha (1) — Benfritt kött (1)

Danmark	A. (2)	
	Interventionsbov (INT 22) (*)	400
	Interventionsbryst (INT 23) (*)	100
	Interventionsforfjerding (INT 24) (*)	400
	B.	
	Interventionsbov (INT 22)	218
	Interventionsbryst (INT 23)	120
	Interventionsforfjerding (INT 24)	262
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)	5
	Morcillo de intervención (INT 21)	15
	Paleta de intervención (INT 22)	40
	Pecho de intervención (INT 23)	40

(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). Regulamento 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).

(2) Producida en un establecimiento cuyo número de registro sanitario esté comprendido entre 0 y 699.

(2) Fremstillet på en virksomhed med et veterinært autorisationsnummer mellem 0 og 699.

(2) Hergestellt in einer Fleischwarenfabrik mit einer veterinärrechtlichen Zulassungsnummer zwischen 0 und 699.

(2) Παραχθέν σε εγκατάσταση με αριθμό κτηνιατρικής έγκρισης μεταξύ 0 και 699.

(2) Produced in a plant having a veterinary approval number between 0 and 699.

(2) Viandes produites dans un établissement dont le numéro d'agrément vétérinaire est compris entre 0 et 699.

(2) Carni prodotte in uno stabilimento con un numero di riconoscimento veterinario compreso tra 0 e 699.

(2) Geproduceerd in een inrichting met een veterinair erkenningsnummer tussen 0 en 699.

(2) Produzido num estabelecimento com um número de aprovação veterinária compreendido entre 0 e 699.

(2) Tuotettu laitoksessa, jonka eläinlääkinnällinen hyväksyntänumero on välillä 0 – 699.

(2) Producerat i en anläggning med ett veterinärkontrollnummer mellan 0 och 699.

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

BELGIQUE/BELGIË:

Bureau d'intervention et de restitution belge
Rue de Trèves 82
B-1040 Bruxelles
Belgisch Interventie- en Restitutiebureau
Trierstraat 82
B-1040 Brussel
Téléphone/Tel.: (32 2) 287 24 11; télex/telex: 24076-65567 BIRB BRU B; télécopieur/fax: (32 2) 230 2533/280 03 07

BUNDESREPUBLIK DEUTSCHLAND:

Bundesanstalt für Landwirtschaft und Ernährung (BLE)
Postfach 180203, D-60083 Frankfurt am Main
Adickesallee 40
D-60322 Frankfurt am Main
Tel.: (49) 69 1564-704/755; Telex: 411727; Telefax: (49) 69 15 64-790/791

DANMARK:

Ministeriet for Fødevarer, Landbrug og Fiskeri
EU-direktoratet
Kampmannsgade 3
DK-1780 København V
Tlf. (45) 33 92 70 00; telex 151317 DK; fax (45) 33 92 69 48, (45) 33 92 69 23

ESPAÑA:

FEGA (Fondo Español de Garantía Agraria)
Calle Beneficencia, 8
E-28005 Madrid
Teléfono: (91) 347 65 00, 347 63 10; télex: FEGA 23427 E, FEGA 41818 E; fax: (91) 521 98 32, 522 43 87

FRANCE:

OFIVAL
80, avenue des Terroirs-de-France
F-75607 Paris Cedex 12
Téléphone: (33 1) 44 68 50 00; télex: 215330; télécopieur: (33 1) 44 68 52 33

ITALIA:

AIMA (Azienda di Stato per gli interventi nel mercato agricolo)
Via Palestro 81
I-00185 Roma
Tel. 49 49 91; Telex 61 30 03; telefax: 445 39 40/445 19 58

IRELAND:

Department of Agriculture, Food and Forestry
Agriculture House
Kildare Street
IRL-Dublin 2
Tel. (01) 678 90 11, ext. 2278 and 3806
Telex 93292 and 93607, fax (01) 661 62 63, (01) 678 52 14 and (01) 662 01 98

NEDERLAND:

Ministerie van Landbouw, Natuurbeheer en Visserij
Voedselvoorzieningsin- en verkoopbureau
p/a LASER, Zuidoost
Slachthuisstraat 71
Postbus 965
6040 AZ Roermond
Tel.: (31-475) 35 54 44; telex: 56396 VIB NL; fax: (31-475) 31 89 39.

ÖSTERREICH:

AMA-Agrarmarkt Austria
Dresdner Straße 70
A-1201 Wien
Tel.: (43-1) 33 15 12 20; Telefax: (43-1) 33 15 1297

SUOMI/FINLAND:

Ministry of Agriculture and Forestry
Department of Agriculture Policy
Mariankatu 23, PO Box 232
FIN-00171 Helsinki
Tel.: (358) 916 01; Telefax: (358) 916 09790

SVERIGE:

Statens jordbruksverk — Swedish Board of Agriculture
Vallgatan 8
S-551 82 Jönköping
Tfn (46-36) 15 50 00; telex 70991 SJV-S; fax (46-36) 19 05 46

UNITED KINGDOM:

Intervention Board, Executive Agency
Kings House
33 Kings Road
Reading RG1 3BU
Berkshire
Tel.: (01189) 58 36 26
Fax (01189) 56 67 50