COMMISSION REGULATION (EC) No 2116/97

of 28 October 1997

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 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 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 products which besides beef also contain pork provided that the proportion of pork *vis-à-vis* beef is significantly reduced;

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies [3], as last amended by Regulation (EC) No 2417/95 [4], provides for the possibility of a two-stage procedure for the sale of beef from intervention;

Whereas, in order to ensure that the tendering procedure is consistent and uniform, measures should be adopted in addition to those laid down in Article 8 (1) of Commission Regulation (EEC) No 2173/79 [5], as last amended by Regulation (EC) No 2417/95;

Whereas the measures must be applied as quickly as possible;

Whereas the sale should be conducted in accordance with Commission Regulations (EEC) No 2539/84, (EEC) No 3002/92 [6], as last amended by Regulation (EC) No 770/96 [7], and (EEC) No 2182/77 [8], 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, as specified in Article 5 of Regulation (EEC) No 2539/84, lodging of securities should be required;

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 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 400 tonnes of bone-in forequarters held by the Portuguese intervention agency,

— approximately 2 000 tonnes of bone-in forequarters held by the German intervention agency,

— approximately 1 000 tonnes of bone-in forequarters held by the Austrian intervention agency,

— approximately 1 000 tonnes of bone-in forequarters held by the Danish intervention agency,

— approximately 1 000 tonnes of bone-in forequarters held by the Belgian intervention agency,

— approximately 1 000 tonnes of bone-in forequarters held by the French intervention agency,

— approximately 1 000 tonnes of bone-in forequarters held by the Italian intervention agency,

— approximately 1 000 tonnes of bone-in forequarters held by the Dutch intervention agency,

[1] OJ L 148, 28. 6. 1968, p. 24.
[2] OJ L 296, 21. 11. 1996, p. 50.
[3] OJ L 238, 6. 9. 1984, p. 13.
[4] OJ L 248, 14. 10. 1995, p. 39.
[5] OJ L 251, 5. 10. 1979, p. 12.
[6] OJ L 301, 17. 10. 1992, p. 17.
[7] OJ L 104, 27. 4. 1996, p. 13.
[8] OJ L 251, 1. 10. 1977, p. 60.

— approximately 1 000 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 400 tonnes of bone-in forequarters held by the Irish intervention agency,

— approximately 2 000 tonnes of boneless beef held by the Irish intervention agency,

— approximately 2 000 tonnes of boneless beef held by the Danish intervention agency,

— approximately 2 000 tonnes of boneless beef held by the French intervention agency,

— approximately 2 000 tonnes of boneless beef held by the United Kingdom intervention agency,

— approximately 153 tonnes of boneless beef held by the Spanish intervention agency.

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. The sales shall be conducted in accordance with the provisions of Regulations (EEC) No 2539/84, (EEC) No 3002/92, (EEC) No 2182/77 and this Regulation.

4. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

5. Only those tenders shall be taken into consideration which reach the intervention agencies concerned no later than 12 noon on 4 November 1997.

6. Particulars relating to the quantities and the place where the products are stored may be obtained by interested parties at the addresses given in Annex II.

7. 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 5.

8. 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 2

1. A tender or purchase application shall be valid only if presented by a natural or legal person who for at least the last twelve months prior to the day of presentation 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 or the purchase application must be accompanied by:

— a written undertaking by the applicant to process the meat purchased into products specified in Article 3 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 instruct an agent in writing 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 3

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 4

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 3.

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, allowance may be taken to the extent necessary for drip losses and trimmings.

Article 5

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 12 per 100 kilograms.

2. The security provided for in Article 5 (3) (a) of Regulation (EEC) No 2539/84 shall be:

— ECU 135 per 100 kilograms for bone-in forequarters,

— ECU 170 per 100 kilograms for boneless meat.

Article 6

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 T5 control copies must be completed with one or more of the following:

  — Para transformación [Reglamentos (CEE) nº 2182/77 y (CE) nº 2116/97]

  — Til forarbejdning (forordning (EØF) nr. 2182/77 og (EF) nr. 2116/97)

  — Zur Verarbeitung bestimmt (Verordnungen (EWG) Nr. 2182/77 und (EG) Nr. 2116/97)

  — Για μεταποίηση [κανονισμοί (ΕΟΚ) αριθ. 2182/77 και (ΕΚ) αριθ. 2116/97]

  — For processing (Regulations (EEC) No 2182/77 and (EC) No 2116/97)

  — Destinés à la transformation [règlements (CEE) nº 2182/77 et (CE) nº 2116/97]

  — Destinate alla trasformazione [regolamenti (CEE) n. 2182/77 e (CE) n. 2116/97]

  — Bestemd om te worden verwerkt (Verordeningen (EEG) nr. 2182/77 en (EG) nr. 2116/97)

  — Para transformação [Regulamentos (CEE) nº 2182/77 e (CE) nº 2116/97]

  — Jalostettavaksi (Asetukset (ETY) N:o 2182/77 ja (EY) N:o 2116/97)

  — För bearbetning (Förordningarna (EEG) nr 2182/77 och (EG) nr 2116/97)

— Section 106 of T5 control copies must be completed with the date of conclusion of the contract of sale.

Article 7

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, 28 October 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)	Precio mínimo expresado en ecus por tonelada (1)
Medlemsstat	Produkter	Tilnærmet mængde (tons)	Mindstepriser i ECU/ton (1)
Mitgliedstaat	Erzeugnisse	Ungefähre Mengen (Tonnen)	Mindestpreise, ausgedrückt in ECU/Tonne (1)
Κράτος μέλος	Προϊόντα	Κατά προσέγγιση ποσότητα (τόνοι)	Ελάχιστες τιμές πώλησης εκφραζόμενες σε Ecu ανά τόνο (1)
Member State	Products	Approximate quantity (tonnes)	Minimum prices expressed in ecus per tonne (1)
État membre	Produits	Quantité approximative (tonnes)	Prix minimaux exprimés en écus par tonne (1)
Stato membro	Prodotti	Quantità approssimativa (tonnellate)	Prezzi minimi espressi in ecu per tonnellata (1)
Lidstaat	Producten	Hoeveelheid bij benadering (ton)	Minimumprijzen uitgedrukt in ecu per ton (1)
Estado-membro	Produtos	Quantidade aproximada (toneladas)	Preço mínimo expresso em ecus por tonelada (1)
Jäsenvaltio	Tuotteet	Arvioitu määrä (tonneina)	Vähimmäishinnat ecuina tonnia kohden ilmaistuna (1)
Medlemsstat	Produkter	Ungefärlig kvantitet (ton)	Minimipriser i ecu per ton (1)

a) **Carnes deshuesadas (2) — Udbenet kød (2) — Fleisch ohne Knochen (2) — Οπίσθια τέταρτα με κόκαλα (2) — Boneless beef (2) — Viande désossée (2) — Carne senza osso (2) — Vlees zonder been (2) — Carne desossada (2) — Luuton naudanliha (2) — Benfritt kött (2)**

Danmark	A. (3)		
	Interventionsskank (INT 11)	10	1 300
	Interventionssbov (INT 22)	500	1 600
	Interventionssbryst (INT 23)	200	1 300
	Interventionsforfjerding (INT 24)	500	1 450
	Interventionsskank (INT 21)	50	1 300
	B.		
	Interventionssbov (INT 22)	300	1 650
	Interventionssbryst (INT 23)	100	1 300
	Interventionsforfjerding (INT 24)	300	1 500
	Interventionsskank (INT 21)	40	1 300
France	Jarret arrière d'intervention (INT 11)	400	1 400
	Jarret avant d'intervention (INT 21)	400	1 400
	Épaule d'intervention (INT 22)	400	1 650
	Poitrine d'intervention (INT 23)	400	1 350
	Avant d'intervention (INT 24)	400	1 400
United Kingdom	Intervention shank (INT 11)	400	1 200
	Intervention shin (INT 21)	400	1 200
	Intervention shoulder (INT 22)	400	1 300
	Intervention brisket (INT 23)	400	1 200
	Intervention forequarter (INT 24)	400	1 300
Ireland	Intervention shank (INT 11)	400	1 200
	Intervention shin (INT 21)	400	1 200
	Intervention shoulder (INT 22)	400	1 300
	Intervention brisket (INT 23)	400	1 200
	Intervention forequarter (INT 24)	400	1 300
España	Jarrete de intervención (INT 11)	12	1 200
	Morcillo de intervención (INT 21)	20	1 200
	Paleta de intervención (INT 22)	30	1 700
	Pecho de intervención (INT 23)	63	1 300
	Cuarto delantero de intervención (INT 24)	28	1 400

b) **Cuartos delanteros con hueso — Forfjerdinger, ikke udbenet — Vorderviertel mit Knochen — Εμπρόσθια τέταρτα με κόκαλα — Bone-in forequarters — Quartiers avant avec os — Quarti anteriori non disossati — Voorvoeten met been — Quartos dianteiros com osso — Luullinen etuneljännes — Framkvartsparter med ben**

Deutschland	— *Vorderviertel,* stammend von: Kategorien A/C, Klassen U, R und O	2 000	1 000
Danmark	— *Forfjerdinger,* af: kategori A/C, klasse R og O	1 000	1 000
Italia	— *Quarti anteriori,* provenienti da: categoria A, classi U, R e O	1 000	1 000
Ireland	— *Forequarters,* from: category C, classes U, R and O	400	1 000
France	— *Quartiers avant:* Catégorie A/C	1 000	1 000
Belgique	— *Quartiers avant* provenant de: *Voorvoeten,* afkomstig van: Catégorie A, classes U, R et O Categorie A, klassen U, R en O	1 000	1 000
Österreich	— *Vorderviertel,* stammend von: Kategorien A/C, Klassen U, R und O	1 000	1 000
Nederland	— *Voorvoeten,* afkomstig van: Categorie A, klassen U, R en O	1 000	1 000
Portugal	— *Quartos dianteiros:* Categoria A, classes U, R e O	400	1 000
España	— *Cuartos delanteros,* provenientes de: Categoría A, clases U, R y O	1 000	1 000
Suomi/Finland	— *ETU-NELJÄNNES* A-Laatuluokka alaluokat R tai O	35	1 000
Sverige	— *FRAMKVARTSPART* Kategori A Klasserna R eller O	100	1 000

(1) Estos precios se entenderán con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) nº 2173/79.

(1) Disse priser gælder i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

(1) Diese Preise gelten gemäß Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

(1) Οι τιμές αυτές εφαρμόζονται σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

(1) These prices shall apply in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

(1) Ces prix s'entendent conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) nº 2173/79.

(1) Il prezzo si intende in conformità del disposto dell'articolo 17, paragrafo 1 del regolamento (CEE) n. 2173/79.

(1) Deze prijzen gelden overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

(1) Estes preços aplicam-se conforme o disposto no nº 1 do artigo 17º do Regulamento (CEE) nº 2173/79.

(1) Näitä hintoja sovelletaan asetuksen (ETY) N:o 2173/79 17 artiklan 1 kohdan määräysten mukaisesti.

(1) Dessa priser gäller i enlighet med bestämmelserna i artikel 17.1 i förordning (EEG) nr 2173/79.

(2) 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).

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

(2) 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).

(2) 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).

(2) 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).

(2) 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).

(2) 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).

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

(2) 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).

(2) 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.

(2) 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 L 323, 13.12.1996, s. 6).

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

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

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

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

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

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

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

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

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

(3) Tuotettu laitoksessa, jonka eläinlääkinnällinen hyväksyntänumero on välillä 0-699.

(3) 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: (32-2) 287 24 11; télex: BIRB. BRUB/24076-65567; télécopieur: (32-2) 230 2533/280 03 07

BUNDESREPUBLIK DEUTSCHLAND:

Bundesanstalt für Landwirtschaft und Ernährung (BLE)
Postfach 180203, D-60083 Frankfurt am Main
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Landbrugs- og Fiskeriministeriet
EU-direktoratet
Kampmannsgade 3
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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)
Beneficencia, 8
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Teléfono: (91) 347 65 00, 347 63 10; télex: FEGA 23427 E, FEGA 41818 E; fax: (91) 521 98 32, 522 43 87

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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
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NEDERLAND:

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p/a LASER, Zuidoost
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Vallgatan 8
S-551 82 Jönköping
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