

COMMISSION REGULATION (EEC) No 1204/76

of 21 May 1976

providing for invitations to tender to determine amounts of private storage aid
in respect of beef and veal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic 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 (EEC) No 568/76⁽²⁾, and in particular Arti-
cles 6 (5) (b) and 8 (2) thereof,

Whereas Article 6 (3) of Regulation (EEC) No 805/68
lays down that intervention measures shall be taken
for the whole of the Community when the price for
adult bovine animals, recorded on representative
Community markets in accordance with Article 10 of
that Regulation, is lower than the intervention price ;
whereas that condition is at present fulfilled ;

Whereas, in the present market situation, of unstable
prices within the Community and especially of short-
term difficulties in supplying the Member State with
the largest shortfall, which in turn affects availabilities
in the producer Member States, private storage aid
should be granted ;

Whereas, in view of the uncertainty of the situation,
the amount of such aid should be established by
means of a tendering procedure in accordance with
Commission Regulation (EEC) No 275/74 of 31
January 1974 laying down detailed rules for the
granting by tender of private storage aid for beef and
veal⁽³⁾; whereas, however, in order to make the
measures as effective as possible, the storage of
carcasses, half-carcasses and 'compensated' quarters
should be restricted solely to meat coming from male
animals and to those qualities which may be bought
in, in accordance with Annex I to Commission Regu-
lation (EEC) No 1896/73 of 13 July 1973 on detailed
rules for the application of intervention measures on
the market in beef and veal⁽⁴⁾, as last amended by
Regulation (EEC) No 1018/76⁽⁵⁾;

Whereas, Article 4 (2) of Council Regulation (EEC)
No 1134/68 of 30 July 1968 laying down rules for the

implementation of Regulation (EEC) No 653/68 on
conditions for alterations to the value of the unit of
account used for the common agricultural policy⁽⁶⁾,
provides that, for transactions carried out under the
common agricultural policy, the sums owed by a
Member State or a duly authorized body, expressed in
national currency and representing amounts fixed in
units of account, shall be paid on the basis of the rela-
tionship between the unit of account and the national
currency which obtained at the time when the transac-
tion or part transaction was carried out ;

Whereas, Article 6 thereof provides that the time
when a transaction is carried out is considered as
being the date on which occurs the event, as defined
by Community rules or, in the absence of and
pending adoption of such rules, by the rules of the
Member States concerned, in which the amount
involved in the transaction becomes due and payable ;

Whereas, as regards private storage aid for beef and
veal, the rate of exchange to be used for calculating
the amount of this aid in national currency should be
that obtaining at the time when the contract for
private storage aid is concluded ;

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

With effect from 24 May 1976, three invitations to
tender shall be issued to determine amounts of private
storage aid, in accordance with Regulation (EEC) No
275/74 ; the invitations to tender shall relate to :

- (a) up to 40 000 metric tons of fresh or chilled
carcasses, semi-carcasses and 'compensated' quarters
from male adult bovine animals as specified in
Annex I to Regulation (EEC) No 1896/73 ;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 28.

⁽³⁾ OJ No L 28, 1. 2. 1974, p. 61.

⁽⁴⁾ OJ No L 193, 14. 7. 1973, p. 18.

⁽⁵⁾ OJ No L 115, 1. 5. 1976, p. 60.

⁽⁶⁾ OJ No L 188, 1. 8. 1968, p. 1.

- (b) up to 20 000 metric tons of fresh or chilled fore-quarters from adult bovine animals; and
- (c) up to 20 000 metric tons of fresh or chilled fore-quarters from adult bovine animals, cut along a straight line with ten ribs.

The time limit for the submission of tenders shall expire on 8 June 1976, at 13.00 hours in France and Italy, and at 12.00 hours in the other Member States.

Article 2

1. The contractor may, before placing them in store, cut and bone the products referred to in Article 1 (a) and (b), in whole or in part, provided that all the meat resulting from such boning or cutting operations is placed in store.
2. For the purposes of this Regulation :
 - (a) 100 kg of the unboned meat referred to in Article 1 (a) shall be equivalent to 77 kg of boned meat; and
 - (b) 100 kg of the unboned meat referred to in Article 1 (b) shall be equivalent to 70 kg of boned meat.
3. In the case of meat stored in the unaltered state, if the quantity stored is less than the quantity for which the contract was concluded and :
 - (a) not less than 90 % of that quantity, the amount of private storage aid shall be reduced proportionally; or
 - (b) less than 90 % of that quantity, private storage aid shall not be paid.

In the case of boned meat, the percentage indicated in (a) and (b) and the lower percentage indicated in the second subparagraph of Article 10 (1) of Regulation (EEC) No 275/74 shall be 85 %.

No aid shall be granted for any quantity placed in store in excess of the quantity for which the contract was concluded.

Article 3

1. At the request of the storer submitted when lodging his tender, the period of storage shall be :
 - (a) five or six months for the products referred to in Article 1 (a); and
 - (b) four or five months for the products referred to in Article 1 (b) and (c).

2. At the end of a storage period of two months, the contractor may withdraw from store all or part of the meat for which he has contracted, provided that not less than five metric tons is withdrawn and is, within 10 working days of such withdrawal, exported from the Community.

In that event, the amount of the aid shall be reduced by one unit of account per day and per metric ton of unboned meat, the day of withdrawal from store being regarded as the last day of storage.

The contractor shall inform the intervention agency not less than two working days before beginning withdrawal of the meat from store, indicating the products and quantities which he intends to export.

3. In the case of exportation in accordance with paragraph 2, the contractor shall furnish proof that the meat has left the geographical territory of the Community or has been delivered within the meaning of Article 3 of Regulation (EEC) No 192/75. The proof shall be furnished as in the case of refunds.

Article 4

By way of derogation from Regulation (EEC) No 275/74

- (a) the period of storage after slaughter referred to in Article 5 (3) (b) (aa) thereof shall be 10 days;
- (b) the period allowed for placing in store, referred to in Article 5 (3) (b) (bb) thereof, shall be 60 days;
- (c) the minimum quantity referred to in Article 5 (3) (c) thereof shall be 50 metric tons;
- (d) the amount of the security referred to in Article 6 (1) thereof shall be 100 units of account per metric ton.

Article 5

Within the meaning of Article 6 of Regulation (EEC) No 1134/68, the event giving entitlement to private storage aid shall be considered as occurring on the day of the conclusion of the contract.

Article 6

This Regulation shall enter into force on 24 May 1976.

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

Done at Brussels, 21 May 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission
