

**COMMISSION REGULATION (EC) No 2238/2001
of 16 November 2001**

fixing the maximum buying-in price and the quantities of beef to be bought in under the 278th partial invitation to tender as a general intervention measure pursuant to Regulation (EEC) No 1627/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1512/2001 ⁽²⁾, and in particular Article 47(8) thereof,

Whereas:

(1) Commission Regulation (EC) No 562/2000 of 15 March 2000 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef ⁽³⁾, as last amended by Regulation (EC) No 1564/2001 ⁽⁴⁾, lays down buying standards. Pursuant to the above Regulation, an invitation to tender was opened under Article 1(1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender ⁽⁵⁾, as last amended by Regulation (EC) No 2053/2001 ⁽⁶⁾.

(2) Article 13(1) of Regulation (EC) No 562/2000 lays down that a maximum buying-in price is to be fixed for quality R3, where appropriate, under each partial invitation to tender in the light of tenders received while Article 13(2) of that Regulation states that a decision may be taken to make no award. In accordance with Article 36 of that Regulation, only tenders quoting prices not exceeding the maximum buying-in price and not exceeding the average national or regional market price, plus the amount referred to in Article 1(6) of Commission Regulation (EC) No 1209/2001 of 20 June 2001 derogating from Regulation (EC) No 562/2000 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef ⁽⁷⁾, as last amended by Regulation (EC) No 1922/2001 ⁽⁸⁾, are to be accepted.

(3) Once tenders submitted in respect of the 278th partial invitation to tender have been considered pursuant to Article 47(8) of Regulation (EC) No 1254/1999, and taking account of the requirements for reasonable

support of the market and the seasonal trend in slaughtering and prices, the maximum buying-in price and the quantities which may be bought in should be fixed.

- (4) Article 1(7) of Regulation (EC) No 1209/2001 also opens buying-in of carcasses and half-carcasses of store cattle and lays down special rules in addition to those laid down for the buying-in of other products.
- (5) In the light of developments, this Regulation should enter into force immediately.
- (6) 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

Under the 278th partial invitation to tender opened pursuant to Regulation (EEC) No 1627/89:

- (a) for category A:
 - the maximum buying-in price shall be EUR 215,50/100 kg of carcasses or half-carcasses of quality R3,
 - the maximum quantity of carcasses, half-carcasses and forequarters accepted shall be 1 957 t;
- (b) for category C:
 - the maximum buying-in price is fixed at EUR 218,90/100 kg of carcasses or half-carcasses of quality R3,
 - the maximum quantity of carcasses, half-carcasses and forequarters shall be 1 502 t.
- (c) for carcasses and half-carcasses of store cattle as referred to in Article 1(7) of Regulation (EC) No 1209/2001:
 - the maximum buying-in price shall be EUR 360,00/100 kg of carcasses or half-carcasses,
 - the maximum quantity of carcasses and half-carcasses shall be 130 t.

Article 2

This Regulation shall enter into force on 17 November 2001.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 201, 26.7.2001, p. 1.

⁽³⁾ OJ L 68, 16.3.2000, p. 22.

⁽⁴⁾ OJ L 208, 1.8.2001, p. 14.

⁽⁵⁾ OJ L 159, 10.6.1989, p. 36.

⁽⁶⁾ OJ L 277, 20.10.2001, p. 8.

⁽⁷⁾ OJ L 165, 21.6.2001, p. 15.

⁽⁸⁾ OJ L 261, 29.9.2001, p. 52.

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

Done at Brussels, 16 November 2001.

For the Commission
Franz FISCHLER
Member of the Commission
