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REGULATION (EEC) No 1097/68 OF THE COMMISSION

of 27 July 1968

on detailed rules for the application of intervention measures on the market in 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 805/68¹ of 27 June 1968 on the common organisation of the market in beef and veal, and in particular Articles 6 (4), 14 (4) and 25 thereof;

Whereas Council Regulation (EEC) No 972/68² of 15 July 1968 laid down general rules for intervention on the market in beef and veal; whereas that Regulation provides that the regions referred to in Article 6 (1) (b) of Regulation (EEC) No 805/68 shall be determined having regard, in particular, to natural conditions of price formation; whereas, for the application of that rule, the Federal Republic of Germany needs to be divided into three regions;

Whereas it is necessary to fix the coefficients referred to in Article 6 (1) (b) of Regulation (EEC) No 805/68 in accordance with the rules laid down to that end in Regulation (EEC) No 972/68; whereas, however, only the coefficients likely to be used need be fixed; whereas such coefficients should be fixed with reference to prices in force during the periods most representative of normal market conditions; whereas, consequently, those prices should be fixed on the first occasion to correspond to the average of the prices recorded during the second six months of 1966 and of 1967;

Whereas Regulation (EEC) No 805/68 lays down that the intervention measures provided for in Article 6 (1) thereof shall be applied in circumstances to be determined; whereas such application should be conditional on it being established that the price situation specified in Article 6 (1) has existed for two consecutive weeks; whereas, in practice, because of the normal fluctuations in market prices from week to week, it is necessary to wait for the confirmation of quotations before applying intervention

measures either nationally or regionally; whereas for the same reason the suspension of such measures can be conditional on it being established that the conditions relating to prices have for two weeks not been fulfilled;

Whereas, with the object of organising buying-in by intervention agencies in an efficient manner, criteria for the selection of intervention centres should be laid down; whereas the choice of such centres should be determined by certain technical requirements ensuring satisfactory cold-storage of the meat;

Whereas in order to ensure that buying-in takes place with reasonable efficiency, a minimum quantity for buying-in should be laid down, varied according to product;

Whereas in order to ensure equal treatment of sellers, the buying-in price and the place where the product is taken over by the intervention agency should be defined; whereas that place may, as a rule, be the intervention centre to which the seller intends to deliver his products; whereas it must, however, be left to the intervention agency to appoint another place if taking over at the centre designated by the seller is not possible;

Whereas the intervention policy of the Community must be efficiently pursued; whereas, therefore, it is advisable to ensure that the products bought in satisfy the requirements laid down in the directive on trade in fresh meat; whereas furthermore it is advisable that such products should satisfy certain technical requirements;

Whereas entitlement to the concession provided for in Article 14 (3) (b) (aa) of Regulation (EEC) No 805/68 may be more easily verified if the document conferring such entitlement includes an entry to that effect;

Whereas to enable the Commission to have an overall view of the application of intervention measures,

¹ OJ No L 148, 28.6.1968, p. 24.

² OJ No L 166, 17.7.1968, p. 11.

provision should be made for Member States to keep it informed of such measures;

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

For the purpose of Article 6 (1) of Regulation (EEC) No 805/68, the territory of the Federal Republic of Germany shall consist of three intervention regions as follows:

- Region I: the Länder of Schleswig-Holstein, Hamburg, Bremen, Niedersachsen, Berlin,
- Region II: the Länder of Nordrhein-Westfalen, Hessen, Rheinland-Pfalz, Saarland,
- Region III: the Länder of Baden-Württemberg, Bayern.

Article 2

The coefficients provided for in Article 6 (1) (b) of Regulation (EEC) No 805/68 shall be as shown in Annex I.

Article 3

1. Application of the intervention measures provided for in Article 6 (1) of Regulation (EEC) No 805/68 may be decided upon as soon as it is established that the conditions laid down Article 6 (1).

(a) and (b) of that Regulation have been satisfied simultaneously for two consecutive weeks.

2. Suspension of the intervention measures provided for in Article 6 (1) of Regulation (EEC) No 805/68 shall be decided upon as soon as it is established that the conditions laid down in Article 6 (1) (a) and (b) of that Regulation have not been satisfied simultaneously for two consecutive weeks.

Article 4

1. Intervention centres shall be selected by Member States with a view to ensuring the efficiency of intervention measures and so that taking-over, slaughtering, if necessary, and refrigeration are effected under satisfactory technical conditions.

2. Member States shall take all measures necessary to ensure satisfactory preservation of the stored products.

Article 5

The minimum quantity for delivery shall be:

- (a) 12 head in respect of adult bovine animals,
- (b) 2 metric tons in respect of carcasses, half-carcasses or compensated quarters,
- (c) 1 metric ton in respect of forequarters,
- (d) 1 metric ton in respect of hindquarters.

Article 6

The buying-in price of adult bovine animals shall be the price free at the slaughterhouse or free at the slaughter cattle market selected as an intervention centre.

The buying-in price of meat shall be the price free at the intervention centre's refrigeration plant.

Unloading charges shall be borne by the seller.

Article 7

1. The seller must state the intervention centre to which he intends to deliver the product and where the product is located.

2. The intervention agency shall determine the taking-over date.

3. If the product cannot be taken over at the intervention centre referred to in paragraph 1, the intervention agency shall select the place where the product is to be taken over from the three intervention centres nearest to where the product is located.

Article 8

1. Products can be bought in only if:

- (a) they comply with the provisions of the Council Directive of 26 June 1964³ on health problems concerning intra-Community trade in fresh meat, as amended by the Council Directive of 25 October 1966,⁴ and in particular Articles 3 and 4 thereof,
- (b) in the case of meat, they satisfy the requirements defined in Annex II,
- (c) they have no characteristics rendering them unsuitable for storage or subsequent use,
- (d) they originate in the Community, within the meaning of Article 4 of Council Regulation (EEC) No 802/68⁵ of 27 June 1968 on the common definition of the concept of the origin of goods,
- (e) in the case of meat, they do not come from animals slaughtered as a result of emergency measures.

2. Member States shall inform the Commission of the provisions adopted for the application of this Article.

Article 9

1. When a buying-in contract is entered into which confers entitlement to the concession provided for in Article 14 (3) (b) (aa) of Regulation (EEC) No 805/68, the following entry shall appear on one copy of the contract:

'Dieses Vertragsexemplar gewährt Anspruch auf die besondere Einfuhrregelung im Sinne des Artikels 14 Absatz 3 Buchstabe (b) (aa) der Verordnung (EWG) Nr. 805/68.

Cet exemplaire du contrat donne droit au bénéfice du régime spécial à l'importation, visé à l'article 14 paragraphe 3 sous (b) (aa) du règlement (CEE) No 805/68.

Questo esemplare del contratto dà diritto al beneficio del regime speciale di importazione, di cui all'articolo 14, paragrafo 3, punto (b) (aa) del regolamento (CEE) n. 805/68.

Dit exemplaar van het contract geeft recht op de bijzondere regeling bij invoer, bedoeld in artikel 14, lid 3, sub (b) (aa) van Verordening (EEG) nr. 805/68.'

(This copy of the contract entitles to the special import arrangement provided for in Article 14 (3) (b) (aa) of Regulation (EEC) No 805/68.)

2. Entitlement to the special import arrangements provided for in Article 14 (3) (b) (aa) of Regulation (EEC) No 805/68 shall be granted only on production of the copy of the contract referred to in the previous paragraph.

3. Member States shall communicate to the Commission every fortnight the following information on the above-mentioned contracts:

- (a) name of the contracting parties,
- (b) description and quantity of the goods to which the contract relates,
- (c) date of the contract.

Article 10

Member States shall communicate to the Commission not later than the time when products are first bought in a list of the intervention centres and their refrigeration and storage capacity.

Any subsequent amendments shall be communicated forthwith.

Article 11

1. Member States shall communicate to the Commission by telex every other working day of the week the following information relating to the buying-in operations of the preceding week:

- (a) the products, qualities and quantities bought in,
- (b) the price paid for each product and quality.

2. Member States shall communicate to the Commission with the minimum delay the products and quantities in store as a consequence of buying-in at the end of the second and fourth weeks of each month, showing the products and quantities stored and the address of their place of storage.

3. The working of the intervention system shall be reviewed periodically under the provisions of Article 28 of Regulation (EEC) No 805/68.

Article 12

This Regulation shall enter into force on 29 July 1968.

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

Done at Brussels, 27 July 1968.

For the Commission

The President

Jean REY

¹ OJ No 121, 29.7.1964, p. 2012/64.

² OJ No 192, 27.10.1966, p. 3302/66.

³ OJ No L 148, 28.6.1968, p. 1.

ANNEX I

Belgium:	Génisses	55%	1·03
	Boeufs	55%	1·03
	Taureaux	55%	1·07
	Vaches	55%	0·99
	Vaches	50%	0·79
Germany:	Ochsen A		1·11
	Färsen A		1·03
	Bullen A		1·13
	Kühe A		0·94
	Kühe B		0·86
France:	Boeufs 1re		1·01
	Boeufs 2e		0·90
	Vaches 1re		0·97
	Vaches 2e		0·78
Italy:	Vitelloni 2a		1·17
	Vacche 1a		0·96
	Vacche 2a		0·72
	Vacche 3a		0·44
Luxembourg:	Boeufs, génisses, taureaux, vaches AA		1·16
	Boeufs, génisses, taureaux, vaches A		0·86
Netherlands:	Slachtrunderen 1e kwaliteit		1·04
	Slachtrunderen 2e kwaliteit		0·89
	Slachtrunderen 3e kwaliteit		0·76

ANNEX II

1. Meat of adult bovine animals, fresh or chilled (sub-heading No ex 22.01 A II (a) 1 of the Common Customs Tariff) in the form of carcasses, half-carcasses or compensated quarters, forequarters or hindquarters from animals slaughtered not more than 6 days previously.
 - (a) Carcasses, half-carcasses, compensated quarters:

cut symmetrically along the spine, and without head, feet, tail, kidneys, kidney fat, pelvis fat, spinal cord, thin flank, penis and muscles of the diaphragm. The throat must be clean and properly trimmed.
 - (b) Forequarters:
 - cut from the carcass after cooling off;
 - 10-rib straight cut, or 5-rib cut with the skirt included in the forequarter.
 - (c) Hindquarters:
 - cut from the carcass after cooling off;
 - 3-rib straight cut, or 8-rib cut known as pistola.
 2. The products specified in paragraph 1 must come from well-bled carcasses, the animal having been properly flayed, the skin in no way peeling, bloodstained, suffused or bruised. Superficial fat must not be torn. The pleura must be undamaged.
 3. The products specified in subparagraphs (1 b) and (c) must come from carcasses or half-carcasses satisfying the requirements stated in subparagraph (1a).
 4. The products specified in paragraph 1 must have been chilled immediately after slaughter and up to the time of being taken over, and must have, when taken over, an internal temperature not exceeding +7 °C.
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