COMMISSION REGULATION (EC) No 2161/98

of 7 October 1998

on the sale, by means of the procedure laid down in Regulation (EEC) No 2539/84, of beef held by certain intervention agencies and intended for export to certain destinations and repealing Regulation (EC) No 788/98

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 organisation of the market in beef and veal [1], as last amended by Regulation (EC) No 1633/98 [2], and in particular Article 7(3) thereof,

Whereas the application of intervention measures in respect of beef has resulted in a build-up of stocks in several Member States; whereas outlets for these products exist in certain third countries; whereas, in order to prevent storage being prolonged excessively, part of these stocks should be sold by tendering procedure for export to those countries; whereas to permit the sale of meat of uniform quality, beef that was purchased under Article 6 of Regulation (EEC) No 805/68 should be sold;

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 the sale should be conducted in accordance with Regulation (EEC) No 2539/84 and Commission Regulation (EEC) No 3002/92 of 16 October 1992 laying down common detailed rules for verifying the use and/or destination of products from intervention [5], as last amended by Regulation (EC) No 770/96 [6];

Whereas, in order to ensure that the tendering procedure is consistent and uniform, measures should be adopted in addition to those provided for in Article 8(1) of Commission Regulation (EEC) No 2173/79 of 4 October 1979 on detailed rules of application for the disposal of beef bought in by intervention agencies [7], as last amended by Regulation (EC) No 2417/95;

Whereas provision should be made for derogations from Article 8(2)(b) of Regulation (EEC) No 2173/79 in view of the administrative difficulties which the application of this point is creating in the Member States concerned;

Whereas, for administrative reasons, a minimum quantity should be set for tenders, taking into consideration normal commercial practice;

Whereas, for practical reasons, export refunds will not be granted for beef sold under this Regulation; whereas, however, buyers will be required to apply for export licences for the quantity allocated, in accordance with Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector [8], as last amended by Regulation (EC) No 759/98 [9]; whereas the deadline for taking over laid down in Article 6 of Regulation (EEC) No 2539/84 should accordingly be adjusted;

Whereas, in order to ensure that the beef sold is exported to the eligible third countries, provision should be made for a security to be lodged before the goods are taken over and the primary requirements should be determined;

Whereas products from intervention stocks may in certain cases have undergone several handling operations; whereas, in order to contribute to their satisfactory presentation and marketing, it is appropriate to authorise the repackaging of the products in certain specified circumstances;

Whereas Commission Regulation (EC) No 788/98 [10] should be repealed;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

[1] OJ L 148, 28. 6. 1968, p. 24.
[2] OJ L 210, 28. 7. 1998, p. 7.
[3] OJ L 238, 6. 9. 1984, p. 13.
[4] OJ L 248, 14. 10. 1995, p. 39.
[5] OJ L 301, 17. 10. 1992, p. 17.
[6] OJ L 104, 27. 4. 1996, p. 13.
[7] OJ L 251, 5. 10. 1979, p. 12.
[8] OJ L 143, 27. 6. 1995, p. 35.
[9] OJ L 105, 4. 4. 1998, p. 7.
[10] OJ L 113, 15. 4. 1998, p. 25.

HAS ADOPTED THIS REGULATION:

Article 1

1. The sale shall take place of intervention products bought in under Article 6 of Regulation (EEC) No 805/68, of approximately:

(a) — 2 000 tonnes of bone-in beef held by the Spanish intervention agency,

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

— 2 000 tonnes of bone-in beef held by the Austrian intervention agency,

— 500 tonnes of bone-in beef held by the Danish intervention agency,

— 250 tonnes of bone-in beef held by the Belgian intervention agency,

— 2 000 tonnes of bone-in beef held by the French intervention agency,

— 2 000 tonnes of bone-in beef held by the Italian intervention agency,

— 250 tonnes of bone-in beef held by the Dutch intervention agency;

(b) — 4 000 tonnes of bone-in beef, to be sold as compensated quarters, held by the German intervention agency,

— 4 000 tonnes of bone-in beef, to be sold as compensated quarters, held by the French intervention agency,

— 1 000 tonnes of bone-in beef, to be sold as compensated quarters, held by the Spanish intervention agency,

— 1 000 tonnes of bone-in beef, to be sold as compensated quarters, held by the Italian intervention agency;

(c) — 2 000 tonnes of boneless beef held by the Irish intervention agency,

— 1 000 tonnes of boneless beef held by the French intervention agency.

2. The beef shall be exported to the zone 08 destinations referred to in Annex II to Commission Regulation (EC) No 1560/98 [1].

3. Subject to the provisions of this Regulation, the sale shall be conducted in accordance with Regulations (EEC) No 2539/84 and (EEC) No 3002/92.

[1] OJ L 202, 18. 7. 1998, p. 58.

Article 2

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

2. For each product mentioned in Annex I, the intervention agencies shall first sell the meat which has been stored the longest. However, with a view to better stock management and after notifying the Commission, the Member States may designate only certain cold stores or parts thereof for deliveries of meat sold under this Regulation.

Particulars of the quantities and places where the products are stored shall be made available to interested parties at the addresses given in Annex II.

3. Only those tenders which reach the intervention agencies concerned no later than 12 noon on 13 October 1998 shall be taken into consideration.

4. A tender or purchase application shall be valid only if it relates to a minimum of 15 tonnes.

5. Tenders or purchase applications relating to the beef indicated in Article 1(1)(b) must be for an equal number of forequarters and hindquarters and must state a single price per tonne for the total quantity of bone-in beef desired.

6. Notwithstanding Article 8(1) of Regulation (EEC) No 2173/79, a tender must be submitted to the intervention agency concerned in a sealed envelope bearing a reference to the Regulation concerned. The sealed envelope must not be opened by the intervention agency before the tender deadline referred to in paragraph 3.

7. Notwithstanding Article 8(2)(b) of Regulation (EEC) No 2173/79, tenders shall not indicate which store the products are held in.

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

Applications for export licences as referred to in Article 3(2) below shall constitute a primary requirement in addition to those laid down in Article 5(2) of the abovementioned Regulation.

Article 3

1. The intervention agency shall notify each operator concerned by fax of the outcome of tenders or purchase applications.

2. The operator shall apply within five working days of the date of notification as referred to in paragraph 1 for one or more export licences as referred to in the first indent of Article 8(2) of Regulation (EC) No 1445/95 to cover the quantity awarded. Applications shall be accompanied by the fax referred to in paragraph 1 and shall contain in box 7 the name of one of the zone 08 countries referred to in Article 1(2). In addition, box 20 of the applications shall contain the following:

— Productos de intervención sin restitución [Reglamento (CE) nº 2161/98]

— Interventionsvarer uden restitution (forordning (EF) nr. 2161/98)

— Interventionserzeugnisse ohne Erstattung [Verordnung (EG) Nr. 2161/98]

— Προϊόντα παρέμβασης χωρίς επιστροφή [Κανονισμός (ΕΚ) αριθ. 2161/98]

— Intervention products without refund [Regulation (EC) No 2161/98]

— Produits d'intervention sans restitution [règlement (CE) nº 2161/98]

— Prodotti d'intervento senza restituzione [Regolamento (CE) n. 2161/98]

— Producten uit interventievoorraden zonder restitutie (Verordening (EG) nr. 2161/98)

— Produtos de intervenção sem restituição [Regulamento (CE) nº 2161/98]

— Interventiotuotteita — ei vientitukea (Asetus (EY) N:o 2161/98)

— Interventionsprodukt utan exportbidrag (Förordning (EG) nr 2161/98).

Article 4

1. A security to guarantee exports to the third countries referred to in Article 1(2) shall be provided by the buyer before the goods are taken over. Importation into one of those countries shall constitute a primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85 ([1]).

2. The security referred to in paragraph 1 shall be per tonne:

— ECU 1 800 for bone-in hindquarters,

— ECU 1 100 for bone-in forequarters,

— ECU 1 800 for compensated quarters,

— ECU 2 100 for boneless meat coming under codes INT 12 to INT 17, and code INT 19,

— ECU 1 400 for other boneless meat.

Article 5

Notwithstanding Article 6 of Regulation (EEC) No 2539/84, taking over must be completed within 45 days.

Article 6

The competent authorities may permit products from intervention whose packaging is torn or soiled to be put up, under their supervision and before being presented for dispatch at the customs office of departure, in new packaging of the same type.

Article 7

No export refund shall be granted in respect of meat sold under this Regulation.

The removal order referred to in Article 3(1)(b) of Regulation (EEC) No 3002/92, the export declaration and, where appropriate, the control copy T5 shall contain one of the following entries:

— Productos de intervención sin restitución [Reglamento (CE) nº 2161/98]

— Interventionsvarer uden restitution (forordning (EF) nr. 2161/98)

— Interventionserzeugnisse ohne Erstattung [Verordnung (EG) Nr. 2161/98]

— Προϊόντα παρέμβασης χωρίς επιστροφή [Κανονισμός (ΕΚ) αριθ. 2161/98]

— Intervention products without refund [Regulation (EC) No 2161/98]

— Produits d'intervention sans restitution [règlement (CE) nº 2161/98]

— Prodotti d'intervento senza restituzione [Regolamento (CE) n. 2161/98]

— Producten uit interventievoorraden zonder restitutie (Verordening (EG) nr. 2161/98)

— Produtos de intervenção sem restituição [Regulamento (CE) nº 2161/98]

— Interventiotuotteita — ei vientitukea (Asetus (EY) N:o 2161/98)

— Interventionsprodukt utan exportbidrag (Förordning (EG) nr 2161/98).

Article 8

Regulation (EC) No 788/98 is hereby repealed.

Article 9

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

([1]) OJ L 205, 3. 8. 1985, p. 5.

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

Done at Brussels, 7 October 1998.

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 ECU 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)	Alimmat hinnat ecuina tonnilta (1)
Medlemsstat	Produkter	Ungefärlig kvantitet (ton)	Lägsta priser i ecu per ton (1)
Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben			
a) DEUTSCHLAND	— Vorderviertel	1 000	700
	— Hinterviertel	1 000	900
DANMARK	— Forfjerdinger	250	700
	— Bagfjerdinger	250	900
ITALIA	— Quarti anteriori	1 000	700
	— Quarti posteriori	1 000	900
FRANCE	— Quartiers avant	1 000	700
	— Quartiers arrière	1 000	900
BELGIQUE	— Quartiers arrière/Achtervoeten	250	900
ÖSTERREICH	— Vorderviertel	1 000	700
	— Hinterviertel	1 000	900
NEDERLAND	— Achtervoeten	250	900
ESPAÑA	— Cuartos delanteros	1 000	700
	— Cuartos traseros	1 000	900
b) DEUTSCHLAND	— Kompensierte Viertel (2)	4 000	820
FRANCE	— Quartiers compensés (2)	4 000	820
ESPAÑA	— Cuartos compensados (2)	1 000	820
ITALIA	— Quarti compensati (2)	1 000	820
Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött			
IRELAND	— shank (code INT 11)	200	800
	— thick flank (code INT 12)	200	1 300
	— topside (code INT 13)	100	1 400
	— silverside (code INT 14)	100	1 250
	— rump (code INT 16)	100	1 250
	— striploin (code INT 17)	100	1 800
	— flank (code INT 18)	200	700
	— fore rib (code INT 19)	200	1 100
	— shin (code INT 21)	200	800
	— shoulder (code INT 22)	200	1 100
	— brisket (code INT 23)	200	700
	— forequarter (code INT 24)	200	1 100
FRANCE	— Jarret (code INT 11)	100	800
	— Semelle (code INT 14)	100	1 250
	— Flanchet (code INT 18)	400	700
	— Jarret avant (code INT 21)	100	800
	— Épaule (code INT 22)	200	1 100
	— Quartier avant (code INT 24)	100	1 100

(1) Véanse los anexos V y VII del Reglamento (CEE) nº 2456/93 de la Comisión (DO L 225 de 4. 9. 1993, p. 4); cuya última modificación la constituye el Reglamento (CE) nº 2602/97 (DO L 351 de 23. 12. 1997, p. 20).

(1) Se bilag V og VII til Kommissionens forordning (EØF) nr. 2456/93 (EFT L 225 af 4. 9. 1993, s. 4), senest ændret ved forordning (EF) nr. 2602/97 (EFT L 351 af 23. 12. 1997, s. 20).

(1) Vgl. Anhänge V und VII der Verordnung (EWG) Nr. 2456/93 (ABl. L 225 vom 4. 9. 1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2602/97 (ABl. L 351 vom 23.12.1997, S. 20).

(1) Βλέπε παραρτήματα V και VII του κανονισμού (ΕΟΚ) αριθ. 2456/93 της Επιτροπής (ΕΕ L 225 της 4. 9. 1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2602/97 (ΕΕ L 351 της 23. 12. 1997, σ. 20).

(1) See Annexes V and VII to Commission Regulation (EEC) No 2456/93 (OJ L 225, 4.9.1993, p. 4), as last amended by Regulation (EC) No 2602/97 (OJ L 351, 23.12.1997, p. 20).

(1) Voir annexes V et VII du règlement (CEE) nº 2456/93 de la Commission (JO L 225 du 4. 9. 1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) nº 2602/97 (JO L 351 du 23. 12. 1997, p. 20).

(1) Cfr. allegati V e VII del regolamento (CEE) n. 2456/93 della Commissione (GU L 225 del 4. 9. 1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2602/97 (GU L 351 del 23. 12. 1997, pag. 20).

(1) Zie de bijlagen V en VII van Verordening (EEG) nr. 2456/93 van de Commissie (PB L 225 van 4. 9. 1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2602/97 (PB L 351 van 23. 12. 1997, blz. 20).

(1) Ver anexos V e VII do Regulamento (CEE) nº 2456/93 da Comissão (JO L 225 de 4. 9. 1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) nº 2602/97 (JO L 351 de 23. 12. 1997, p. 20).

(1) Katso komission asetuksen (ETY) N:o 2456/93 (EYVL L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2602/97 (EYVL L 351, 23.12.1997, s. 20), liitteet V ja VII.

(1) Se bilagorna V och VII i kommissionens förordning (EEG) nr 2456/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2602/97 (EGT L 351, 23.12.1997, s. 20).

(2) Número igual de cuartos delanteros y traseros.

(2) Lige stort antal forfjerdinger og bagfjerdinger.

(2) Gleiche Anzahl Vorder- und Hintertiertel.

(2) Ίσος αριθμός μπροστινών και πισινών τετάρτων.

(2) Equal number of forequarters and hindquarters.

(2) Nombre égal de quartiers avant et quartiers arrière.

(2) Numero uguale di quarti anteriori e posteriori.

(2) Een gelijk aantal voor- en achtervoeten.

(2) Número igual de quartos dianteiros e de quartos traseiros.

(2) Sama määrä etu- ja takaneljänneksiä.

(2) Samma antal framkvartsparter och bakkvartsparter.

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

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