COMMISSION REGULATION (EEC) No 2471/77

of 8 November 1977

on the granting at a standard rate fixed in advance of private storage aid in respect of beef carcases, half-carcases and compensated quarters

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 425/77 (2), and in particular Articles 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, as recorded on representative Community markets in accordance with Article 12 (6) of that Regulation, is lower than the intervention price; whereas that condition is at present fulfilled;

Whereas market trends for beef and especially for beef from cows indicate that private storage aid should be granted for carcases, half-carcases and compensated quarters;

Whereas, from the result of the tender organized under Commission Regulation (EEC) No 2217/77 of 5 October 1977 providing for an invitation to tender to determine amounts of private storage aid in respect of beef carcases, half-carcases and compensated quarters (3), it is clear that provision should be made for the granting at a standard rate fixed in advance of private storage aid for carcases, half-carcases and compensated quarters; whereas the amount of such aid must be fixed having regard to the result of the tender and to foreseeable developments on the market;

Whereas it should be ensured that the animals concerned are slaughtered solely in slaughterhouses approved and supervised in accordance with Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat (4), as last amended by Directive 77/99/EEC of 21 December 1976 (5);

Whereas, in order to facilitate storage operations, certain conditions of Commission Regulation (EEC) No 1071/68 of 25 July 1968 laying down detailed rules for granting private storage aid for beef and veal (6), and in particular those concerning the security required, should be amended; whereas the consequences of putting too small a quantity into storage and of withdrawing meat prematurely should also be specified;

Whereas Article 3 of Council Regulation (EEC) No 989/68 of 15 July 1968 laying down general rules for granting private storage aid for beef and veal (7), as amended by Regulation (EEC) No 428/77 (8), provides that a decrease or an increase of the storage period can be decided on if the market situation calls for it; whereas it is therefore appropriate to fix, in addition, to the amounts of aid for a specified storage period, amounts to be deducted or added when this period is shortened or lengthened;

Whereas, in order to avoid financing normal private storage, it appears desirable to specify high minimum quantities;

Whereas it is desirable, having regard to the present supply of beef on the Community market, to allow the products stored to be exported before the end of the storage period provided they are stored for a minimum period;

Whereas the amount of the security required should be such as to oblige the storer to fulfil the obligations undertaken by him;

Whereas, pursuant to Article 4 (2) of Council Regulation (EEC) No 1134/68 of 30 July 1968 laying down general 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 (9), for transactions carried out under

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 61, 5. 3. 1977, p. 1.
(3) OJ No L 256, 7. 10. 1977, p. 14.
(4) OJ No 121, 29. 7. 1964, p. 2012/64.
(5) OJ No L 26, 31. 1. 1977, p. 85.
(6) OJ No L 180, 26. 7. 1968, p. 19.
(7) OJ No L 169, 18. 7. 1968, p. 10.
(8) OJ No L 61, 5. 3. 1977, p. 17.
(9) OJ No L 188, 1. 8. 1968, p. 1.

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, are paid on the basis of the relationship between the unit of account and the national currency obtaining at the time when the transaction or part transaction was carried out;

Whereas, pursuant to Article 6 of the Regulation referred to above, 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 State concerned, in which the amount involved in the transaction becomes due and payable;

Whereas, in respect of private storage aid for beef, 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

1. From 28 November until 30 December 1977 applications may be submitted for aid for the private storage of carcases, half-carcases and compensated quarters from adult bovine animals.

The amounts of such aid per tonne, exclusive of packaging, shall be as shown in the Annex hereto.

If the quantities for which contracts have been applied for or if the market situation makes it appropriate the final date for the submission of applications may be changed.

2. The amount of aid shall be adjusted if the duration of storage is lengthened or shortened. The amount to be added per month or to be deducted per day shall be as shown in columns 4 and 5 of the Annex hereto.

3. Subject as provided in this Regulation, the rules laid down in Regulation (EEC) No 1071/68 shall apply.

Article 2

Private storage aid may be granted only in respect of meat produced in accordance with Article 3 (1) A (a) to (e) of Council Directive 64/433/EEC of 26 June 1964.

Article 3

1. The minimum quantity per contract shall be 40 tonnes.

2. Storing must be completed within 40 days following the conclusion of the contract.

The storage period shall begin on the day on which storing is completed.

3. By way of derogation from Article 2 (2) of Regulation (EEC) No 1071/68, private storage aid may be granted only for products obtained from animals slaughtered within the Community not more than 10 days previously.

Article 4

1. The contractor may, before placing them in store, cut and bone the products referred to in Article 1, in whole or in part, provided that all the meat resulting from such cutting or boning operations is placed in store.

2. The authorization for cutting and boning in part the quantity for which the contract is concluded may only cover the cutting and the boning either of all the forequarters or of the same number of fore- and hindquarters.

3. For the purposes of this Regulation, 100 kilograms of the unboned meat referred to in Article 1 shall be equivalent to:

(a) 77 kilograms of boned meat in the case of cutting and boning the total quantity for which the contract is concluded, or in the case of cutting and boning the same number of fore- and hindquarters;

(b) 70 kilograms of boned meat in the case of cutting and boning all the forequarters.

4. 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.

5. In the case of boned meat, the percentage referred in paragraph 4 (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 5

1. The period of storage shall, at the request of the storer to be submitted when lodging his tender, be either four or five months.

2. No aid shall be payable unless all the meat remains in store throughout the storage period.

3. 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 tonnes 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 in accordance with Article 1 (2), 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.

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

Article 6

1. The amount of the security shall be 100 units of account per tonne.

2. In cases of *force majeure,* the intervention agency shall take such measures as it considers necessary having regard to the circumstances invoked.

The intervention agency shall inform the Commission of each case of *force majeure* and of the action taken in respect thereof.

Article 7

Aid shall be paid at the request of the person entitled thereto and at the latest on the 15th day following that on which it is ascertained that the obligations under the contract have been fulfilled.

Article 8

The event within the meaning of Article 6 of Regulation (EEC) No 1134/68 in which private storage aid becomes due and payable shall be considered as occurring on the day of the conclusion of the contract.

Article 9

This Regulation shall enter into force on the third 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, 8 November 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Products for which aid is granted	Amount of aid, in u.a./tonne, for a storage period of		Amount in u.a./tonne	
	4 months	5 months	to be added per month	to be deducted per day
1	2	3	4	5
Fresh or chilled carcases, half-carcases and compensated quarters, from adult bovine animals	360	390	30	1