

COMMISSION REGULATION (EEC) No 3754/91

of 20 December 1991

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export to the Soviet Union, implementing Regulation (EEC) No 599/91 and amending Regulation (EEC) No 569/88

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 the beef and veal sector⁽¹⁾, as last amended by Regulation (EEC) No 1628/91⁽²⁾, and in particular Article 7 (3) thereof,

Whereas certain intervention agencies hold large stocks of intervention meat; whereas an extension of the period of storage for the meat bought in should be avoided on account of the ensuing high costs; whereas part of that meat should be put up for sale in accordance with Regulation (EEC) No 2539/84 and Regulation (EEC) No 2824/85 in order to be imported into the Soviet Union under Council Regulation (EEC) No 599/91 of 5 March 1991 introducing a credit guarantee for exports of agricultural products and foodstuffs from the Community, Bulgaria, Czechoslovakia, Hungary, Poland, Romania, Yugoslavia, Lithuania, Latvia and Estonia to the Soviet Union⁽³⁾, as last amended by Regulation (EEC) No 3281/91⁽⁴⁾;

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⁽⁵⁾, as amended by Regulation (EEC) No 1809/87⁽⁶⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks; whereas Commission Regulation (EEC) No 2824/85 of 9 October 1985 laying down detailed rules for the sale of frozen boned beef from intervention stocks for export either in the same state or after cutting and/or repackaging⁽⁷⁾ provided for repackaging under certain conditions;

Whereas, in view of the present situation on the Soviet market, the sale must be made subject to the presentation of contracts concluded with the sole body acting on behalf of the Soviet Government; whereas, in view of the

urgency and the specific nature of the operation and of the need for controls, special detailed rules must be laid down in particular as regards the minimum quantity which may be purchased within the period of the operation;

Whereas quarters from intervention stocks may in certain cases have been handled a number of times; whereas in order to help with the presentation and marketing of such meat, its repackaging should be authorized, subject to the observance of precise conditions;

Whereas it is necessary to lay down a time limit for export of the said meat; whereas this time limit should be fixed by taking into account Article 5 (b) of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽⁸⁾, as last amended by Regulation (EEC) No 815/91⁽⁹⁾;

Whereas in order to ensure that beef sold is exported to the intended destination, the lodging of a security, as specified in Article 5 (2) (a) of Regulation (EEC) No 2539/84, should be required;

Whereas products held by intervention agencies and intended for export are subject to the provision of Commission Regulation (EEC) No 569/88⁽¹⁰⁾, as last amended by Regulation (EEC) No 3513/91⁽¹¹⁾; whereas the Annex to the said Regulation setting out the entries to be made should be expanded;

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. A sale shall be organized of approximately:
 - 15 000 tonnes of bone-in beef held by the German intervention agency,

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 150, 15. 6. 1991, p. 16.

⁽³⁾ OJ No L 67, 14. 3. 1991, p. 21.

⁽⁴⁾ OJ No L 310, 12. 11. 1991, p. 1.

⁽⁵⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁶⁾ OJ No L 170, 30. 6. 1987, p. 23.

⁽⁷⁾ OJ No L 268, 10. 10. 1985, p. 14.

⁽⁸⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁹⁾ OJ No L 83, 3. 4. 1991, p. 6.

⁽¹⁰⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽¹¹⁾ OJ No L 333, 4. 12. 1991, p. 19.

- 15 000 tonnes of bone-in beef held by the French intervention agency,
- 10 000 tonnes of bone-in beef held by the Irish intervention agency,
- 60 000 tonnes of boned beef held by the Irish intervention agency.

2. This meat shall be offered for sale under the terms of Regulation (EEC) No 599/91 and must be imported into the Soviet Union.

3. Subject to the provisions of this Regulation, the sale shall take place in accordance with the provisions of Regulations (EEC) No 2539/84 and (EEC) No 2824/85.

The provisions of Commission Regulation (EEC) No 985/81⁽¹⁾ shall not apply to this sale. However, the competent authorities may allow bone-in forequarters and hindquarters, the packaging material of which is torn or soiled, to be placed in new packaging of the same type under their supervision before presentation for consignment at the customs office of departure.

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

5. An offer or purchase application shall be valid only if:

- it relates to bone-in or boneless beef,
- it relates to a total minimum quantity of 10 000 tonnes expressed in product weight,
- it relates to an equal weight of forequarters and hindquarters and shall contain a single price per tonne expressed in ecus for the whole quantity of bone-in beef specified in the offer,
- in respect of boneless beef it relates to a lot comprising all the cuts referred to in Annex II in the percentages stated therein and shall contain a single price per tonne expressed in ecus of the lot made up in this fashion,
- it is accompanied by a copy of a sales contract for a quantity of beef equal to the quantity applied for, concluded by the applicant with Prodintorg⁽²⁾; the content must contain a declaration in English by Prodintorg certifying that the quantity mentioned shall be delivered under the terms of Council Regulation (EEC) No 599/91,
- it relates to the amount of the price fob, Community ports, in ecus per tonne.

6. No purchase application shall be accepted after 1 March 1992.

7. In order to meet the conditions provided for by paragraph 5 the operator may submit part offers relating to bone-in beef in several Member States. If so, those offers or purchase applications shall contain the same price expressed in ecus.

Immediately after submitting tenders or purchase applications, the operator shall send a copy thereof to the Commission of the European Communities, Division VI/D.2, 130 rue de la Loi, B-1049 Brussels (telex 220 37 b, AGREC, fax (02) 236 60 27).

8. Intervention agencies shall only conclude selling contracts after verification, in collaboration with the Commission's departments, that the conditions referred to in paragraphs 5, 6 and 7 have been met.

9. Only those tenders shall be taken into consideration which reach the intervention agencies concerned not later than 12 noon on 6 January 1992.

10. Particulars of the qualities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex III.

Article 2

1. Notwithstanding Article 6 of Regulation (EEC) No 2539/84, the time limit for taking over meat as defined in that Article shall be increased to three months.

2. The products referred to in Article 1 must be exported within five months from the date of conclusion of the contract of sale with the intervention agency.

Article 3

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 30 per 100 kilograms.

2. The security provided for in Article 5 (2) (a) of Regulation (EEC) No 2539/84 shall be:

- ECU 300 per 100 kilograms of bone-in beef,
- ECU 500 per 100 kilograms of boneless beef.

Article 4

1. In respect of meat sold under this Regulation, no export refund shall be granted.

In the removal order referred to in Article 3 of Regulation (EEC) No 569/88, the export declaration, and, where appropriate, the T5 control copy shall be entered:

Carne de intervención — Sin restitución — [Reglamento (CEE) n° 3754/91];

Interventionskød — Uden restitution — [Forordning (EØF) nr. 3754/91];

⁽¹⁾ OJ No L 99, 10. 4. 1981, p. 38.

⁽²⁾ Vvo. Prodintorg, 32-34, Smolenskaia, Moscow, USSR.

Interventionsfleisch — Ohne Erstattung — [Verordnung (EWG) Nr. 3754/91];

Κρέας παρεμβάσεως — Χωρίς επιστροφή — [κανονισμός (ΕΟΚ) αριθ. 3754/91];

Intervention meat — Without refund — [Regulation (EEC) No 3754/91];

Viande d'intervention — Sans restitution — [Règlement (CEE) n° 3754/91];

Carni d'intervento — Senza restituzione — [Regolamento (CEE) n° 3754/91];

Vlees uit interventievoorraden — zonder restitutie — [Verordening (EEG) nr. 3754/91];

Carne de intervenção — Sem restituição — [Regulamento (CEE) n° 3754/91].

2. With regard to the security provided for in Article 3 (2) compliance with the provisions of paragraph 1 shall constitute a primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85⁽¹⁾.

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

Done at Brussels, 20 December 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

Article 5

In part I of the Annex to Regulation (EEC) No 569/88, 'Products to be exported in the same state as that in which they were when removed from intervention stock', the following item and footnote are added:

'116. Commission Regulation (EEC) No 3754/91 of 20 December 1991 on the sale by procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export to the Soviet Union, implementing Council Regulation (EEC) No 599/91⁽¹⁶⁾.

⁽¹⁶⁾ OJ No L 352, 21. 12. 1991, p. 66.'

Article 6

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

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I

| Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro | Productos Produkte Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos | Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas) | Precio mínimo expresado en ecus por tonelada Mindstepriser i ECU/ton Mindestpreise, ausgedrückt in ECU/Tonne Ελάχιστες τιμές πωλήσεως εκφραζόμενες σε Ecu ανά τόνο Minimum prices expressed in ecus per tonne Prix minimaux exprimés en écus par tonne Prezzi minimi espressi in ecu per tonnellata Minimumprijzen uitgedrukt in ecu per ton Preço mínimo expresso em ecus por tonelada |
|---|---|--|---|
| Bundesrepublik Deutschland | — Vorderviertel, stammend von : Kategorien A/C, Klassen U, R und O | 7 500 | 485 |
| | — Hinterviertel, stammend von : Kategorien A/C, Klassen U, R und O | 7 500 | 485 |
| France | — Quartiers avant, provenant de : Catégorie A/C, classes U, R et O | 7 500 | 485 |
| | — Quartiers arrière, provenant de : Catégorie A/C, classes U, R et O | 7 500 | 485 |
| Ireland | — Hindquarters from : Category C, classes U, R and O | 5 000 | 485 |
| | — Forequarters from : Category C, classes U, R and O | 5 000 | 485 |
| Ireland | — Boned cuts from : Category C, classes U, R and O | 60 000 | 700 (*) |

(*) Precio mínimo por cada tonelada de producto de acuerdo con la distribución contemplada en el Anexo II.

(*) Minimumpris pr. ton produkt efter fordelingen i bilag II.

(*) Mindestpreis je Tonne des Erzeugnisses gemäß der in Anhang II angegebenen Zusammensetzung.

(*) Ελάχιστη τιμή ανά τόνο προϊόντος σύμφωνα με την κατανομή που αναφέρεται στο παράρτημα II.

(*) Minimum price per tonne of products made up according to the percentages referred to in Annex II.

(*) Prix minimum par tonne de produit selon la répartition visée à l'annexe II.

(*) Prezzo minimo per tonnellata di prodotto secondo la ripartizione indicata nell'allegato II.

(*) Minimumprijzen per ton produkt volgens de in bijlage II aangegeven verdeling.

(*) Preço mínimo por tonelada de produto segundo a repartição indicada no anexo II.

ANHANG II

Zusammensetzung der in Artikel 1 Absatz 5 vierter Gedankenstrich genannten Partie

| Teilstücke | Gewichtsanteile |
|-------------------------|-----------------|
| Striploins | 5,5 % |
| Insides | 9,1 % |
| Outsides | 8,6 % |
| Knuckles | 5,4 % |
| Rumps | 5,8 % |
| Briskets | 7,9 % |
| Forequarters | 30,2 % |
| Shins/shanks | 6,6 % |
| Plates/Flanks | 20,9 % |
| Partie insgesamt | 100,0 % |

*ANEXO III — BILAG III — ANHANG III — ΠΑΡΑΡΤΗΜΑ ΙΙΙ — ANNEX III — ANNEXE III
— ALLEGATO III — BIJLAGE III — ANEXO III*

**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**

**BUNDESREPUBLIK
DEUTSCHLAND:** Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)
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F-75755 Paris Cedex 15
Tél. 4538 84 00; télex 20 54 76

IRELAND: Department of Agriculture and Food
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