

Commission Regulation (EC) No 1669/2006 of 8 November 2006 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef (Codified version) (repealed)

CHAPTER I

SCOPE

Article 1

Scope

This Regulation lays down detailed rules for the buying-in of beef as provided for in Article 27 of Regulation (EC) No 1254/1999.

CHAPTER II

BUYING-IN

SECTION 1

General rules

Article 2

Intervention regions in the United Kingdom

The United Kingdom shall consist of two intervention regions as follows:

- region I: Great Britain,
- region II: Northern Ireland.

Article 3

Opening and closure of buying-in by invitation to tender

Article 27 of Regulation (EC) No 1254/1999 shall apply in accordance with the following rules:

- (a) with a view to ascertaining that the conditions laid down in paragraph 1 of that Article are fulfilled:
 - the average market price by eligible category in a Member State or in a region thereof shall take account of the prices for qualities U, R and O, expressed in quality R3 using the coefficients set out in Annex I to this Regulation, in the Member State or region concerned,

- the average market prices shall be recorded in accordance with the conditions and in respect of the qualities laid down in Commission Regulation (EC) No 295/96⁽¹⁾,
 - the average market price by eligible category in a Member State or a region thereof shall be the average of the market prices for all the qualities referred to in the second indent, weighted by the proportion each represents of total slaughterings in that Member State or region;
- (b) decisions to open buying-in shall be made by category and Member State or region thereof on the basis of the two most recent weekly market prices recorded;
- (c) decisions to close buying-in shall be made by category and Member State or region thereof on the basis of the most recent weekly market prices recorded.

Article 4

Conditions for the eligibility of products

- 1 The products listed in Annex II to this Regulation and falling within the following categories defined in Article 4(1) of Council Regulation (EC) No 1183/2006⁽²⁾ may be bought in:
- a meat of uncastrated young male animals of less than two years of age (category A);
 - b meat of castrated male animals (category C).
- 2 Carcasses and half-carcasses may be bought in only where they:
- a have obtained the health mark referred to in Chapter III of Section I of Annex I to Regulation (EC) No 854/2004 of the European Parliament and of the Council⁽³⁾;
 - b have no characteristics rendering the products derived from them unfit for storage or subsequent use;
 - c do not come from animals slaughtered as a result of emergency measures;
 - d originate in the Community within the meaning of Article 39 of Commission Regulation (EEC) No 2454/93⁽⁴⁾;
 - e are derived from animals raised in accordance with the prevailing veterinary requirements;
 - f do not exceed the maximum radioactivity levels permitted under Community regulations. The level of radioactive contamination of the product shall be monitored only if the situation so requires and only for as long as is necessary. The duration and scope of any controls necessary shall be determined in accordance with the procedure referred to in Article 43(2) of Regulation (EC) No 1254/1999;
 - g come from carcasses not weighing more than 340 kg.
- 3 Carcasses and half-carcasses may be bought in only where they are:
- a presented, where appropriate after cutting into quarters at the expense of the party concerned, in accordance with Annex III to this Regulation. In particular, parts of the carcass must be inspected to assess compliance with the requirements of point 2 of that Annex. The failure to comply with any of those requirements shall result in rejection; where a quarter is rejected for failure to comply with such conditions of presentation and in particular where unsatisfactory presentation cannot be improved during the acceptance procedure, the other quarter of the same half carcass shall also be rejected;
 - b classified in accordance with the Community scale provided for in Regulation (EC) No 1183/2006. The intervention agencies shall reject any products which they do not deem

- to be classified in conformity with that scale after conducting a detailed inspection of all parts of the carcass;
- c identified, first, by markings indicating the category, the conformation class and the degree of fat cover and, secondly, by an identification or slaughter number. Markings indicating the category, conformation class and fat cover must be perfectly legible and shall be stamped using non-toxic, fast, indelible ink in accordance with a procedure approved by the competent national authorities. The letters and figures must be at least 2 cm high. The markings shall be applied to the striploin at the level of the fourth lumbar vertebra on hindquarters and approximately 10 to 30 cm from the cut edge of the sternum on forequarters. The identification or slaughter number shall be marked in the middle of the inner side of each quarter using a stamp or indelible marker authorised by the intervention agency;
 - d labelled in accordance with the system introduced by European Parliament and Council Regulation (EC) No 1760/2000⁽⁵⁾.

Article 5

Intervention centres

1 The intervention centres shall be selected by the Member States with a view to ensuring the effectiveness of intervention measures.

The facilities at these centres must permit:

- a bone-in meat to be taken over;
- b freezing of all meat to be preserved without further processing;
- c storage of such meat for at least three months under technically satisfactory conditions.

2 Only intervention centres whose cutting plants and refrigeration plants are unconnected with the slaughterhouse and/or the successful tenderer and which are operated, managed and staffed independently of the slaughterhouse and/or the successful tenderer may be selected for bone-in meat intended for boning.

In case of practical difficulties, Member States may derogate from the first subparagraph, provided that they tighten controls at the time of acceptance in accordance with Article 14(5).

SECTION 2

Tendering and takeover

Article 6

Opening and closure of invitations to tender

1 Notices of invitation to tender, amendments thereto and closure thereof shall be published in the *Official Journal of the European Union* no later than the Saturday before the closing date for the submission of tenders.

2 When invitations to tender are issued, a minimum price below which tenders shall not be admissible may be fixed.

Article 7

Submission and notification of tenders

During the period covered by the invitation to tender, the deadline for the submission of tenders shall be 12 noon (Brussels time) on the second and fourth Tuesdays of each month, with the exception of the second Tuesday of August and the fourth Tuesday of December when no submission of tenders shall take place. If the Tuesday falls on a public holiday, the deadline shall be brought forward by 24 hours. Within 24 hours of the deadline for the submission of tenders, the intervention agencies shall notify the Commission of the tenders they have received.

Article 8

Conditions to be met for tendering

- 1 Only the following may submit tenders:
 - a slaughterhouses for bovine animals registered or approved in accordance with Article 4 of Regulation (EC) No 853/2004 of the European Parliament and of the Council⁽⁶⁾, whatever their legal status; and
 - b livestock or meat traders who have slaughtering undertaken therein on their own account and who are entered in a national VAT register.

2 In response to invitations to tender, interested parties shall submit their tenders to the intervention agencies of the Member States where they have been issued, either by lodging a written bid against a receipt or by any other written means of communication accepted by the intervention agency, with advice of receipt.

The submission of tenders may be the subject of contracts on terms laid down by the intervention agencies and in accordance with their specifications.

3 Interested parties may submit only one tender per category in response to each invitation to tender.

The Member States shall ensure that tenderers are independent of each other in terms of their management, staffing and operations.

Where there are serious indications to the contrary or that tenders are not in line with economic facts, tenders shall be deemed admissible only where the tenderer presents suitable evidence of compliance with the second subparagraph.

Where it is established that a tenderer has submitted more than one tender, all the tenders from that tenderer shall be deemed inadmissible.

- 4 Tenders shall state:
 - a the name and address of the tenderer;
 - b the quantity tendered, expressed in tonnes, of the products of the categories specified in the notice of invitation to tender;
 - c the price quoted in accordance with Article 15(3), expressed per 100 kg of products of quality R3 in euro rounded to not more than two decimal places.
- 5 Tenders shall be valid only if:

- a they relate to at least 10 tonnes;
- b they are accompanied by a written undertaking from the tenderer to comply with all the provisions relating to the invitation to tender concerned; and
- c proof is furnished that by the deadline for the submission of tenders the tenderer has lodged a tendering security as provided for in Article 9 in respect of the invitation to tender concerned.

6 Tenders may not be withdrawn after the expiry of the deadline for submission specified in Article 7.

7 Tenders shall be confidential.

Article 9

Securities

1 The maintenance of tenders after the deadline for the submission of tenders and the delivery of the products to the store designated by the intervention agency within the timelimit laid down in Article 13(2) shall constitute primary requirements, the fulfilment of which shall be ensured by the lodging of a security of EUR 30 per 100 kg.

Securities shall be lodged with the intervention agency in the Member State in which the tender is submitted.

2 Securities shall be lodged only in the form of cash deposits as defined in Article 13 and Article 14(1) and (3) of Commission Regulation (EEC) No 2220/85⁽⁷⁾.

3 In the case of tenders which are not accepted, securities shall be released as soon as the outcome of the invitation to tender is published.

In the case of tenders which are accepted, securities shall be released on completion of takeover of the products, without prejudice to Article 14(7) of this Regulation.

Article 10

Award

1 In the light of the tenders received in response to each invitation to tender and in accordance with the procedure referred to in Article 43(2) of Regulation (EC) No 1254/1999, a maximum buying-in price relating to quality R3 shall be fixed per category.

Where the particular circumstances so require, a different price may be set by Member State or region thereof to reflect the average market prices recorded.

2 A decision may be taken to make no award.

3 If the total quantities offered at a price equal to or below the maximum price exceed the quantities to be bought in, the quantities awarded may be reduced for each category by applying reducing coefficients, to fall by an amount increasing progressively with the price differential and the quantities covered by the tenders.

Where the particular circumstances so require, such reducing coefficients may vary by Member State or region thereof with a view to ensuring that the intervention mechanisms function properly.

Article 11

Maximum buying-in price

1 Tenders shall not be considered if the price quoted is higher than the average market price recorded by category in each Member State or region thereof, converted into quality R3 using the coefficients set out in Annex I, plus EUR 10 per 100 kg carcass weight.

2 Without prejudice to paragraph 1, tenders shall be rejected if the price quoted is higher than the maximum price as referred to in Article 10 for the invitation to tender concerned.

3 Where the buying-in price awarded to tenderers is higher than the average market price as referred to in paragraph 1, the price awarded shall be adjusted by multiplying it by the coefficient obtained by applying formula A in Annex IV. However, that coefficient may not:

- a be greater than 1;
- b result in a reduction in the price awarded that is greater than the difference between that price and the average market price.

Should the Member State possess reliable data and have suitable means of verification, it may decide to calculate the coefficient for each tenderer using formula B in Annex IV.

4 Rights and obligations arising under invitations to tender shall not be transferable.

Article 12

Limitation of buying-in

Where the intervention agencies of the Member States are offered meat in quantities greater than they are able to takeover forthwith, they may limit buying-in to the quantities they can takeover in their territory or in one of their intervention regions.

The Member States shall ensure equality of access for all parties concerned in the event of such limitation.

Article 13

Notification of successful tenderers and delivery

1 The intervention agencies shall inform the individual tenderers immediately of the outcome of their tenders.

Intervention agencies shall issue numbered delivery orders forthwith to the successful tenderers, stating:

- a the quantity to be delivered;
- b the price at which the award is made;
- c the timetable for delivery of the products;
- d the intervention centre or centres where delivery is to be made.

2 Successful tenderers shall deliver the products not later than 17 calendar days after the first working day following publication of the regulation fixing the maximum buying-in price and the quantities of beef to be bought in.

However, the Commission may, depending on the quantities awarded, extend that period by one week. Deliveries may be split up into more than one consignment. In addition, intervention agencies may, when setting the timetable for deliveries of the products, reduce that period to not less than 14 calendar days.

Article 14

Takeover

1 The intervention agencies shall takeover the meat at the entrance weighing point at the intervention centre's cutting plant.

Products shall be delivered in consignments of a quantity between 10 and 20 tonnes. However, the quantity may be below 10 tonnes only if it is the final balance of the original offer or if the original offer has been scaled back below 10 tonnes.

Products delivered shall be accepted and taken over subject to verification by the intervention agency that they comply with the requirements laid down in this Regulation. Compliance with the requirements laid down in Article 4(2)(e) and in particular the absence of substances prohibited under Article 3 and Article 4(1) of Council Directive 96/22/EC⁽⁸⁾ shall be verified by analysis of a sample, the size and sampling of which is laid down in the relevant veterinary legislation.

2 Where no preliminary inspection is conducted immediately before loading at the slaughterhouse loading bay and prior to transport to the intervention centre, half-carcasses shall be identified as follows:

- a where they are simply marked, the markings must comply with Article 4(3)(c), and a document specifying the identification or slaughter number and the slaughter date relating to the half-carcass shall be completed;
- b where they are labelled in addition, the labels must comply with Article 1(2), (3) and (4) of Commission Regulation (EEC) No 344/91⁽⁹⁾.

Where half-carcasses are cut into quarters, the quartering shall be carried out in accordance with Annex III to this Regulation. With a view to acceptance, quarters shall be grouped by carcass or half-carcass at the time of takeover. Where half-carcasses are not cut into quarters prior to transport to the intervention centre, they shall be cut in accordance with Annex III on their arrival.

At the point of acceptance, each quarter shall be identified by a label complying with Article 1(2), (3) and (4) of Regulation (EEC) No 344/91. The labels shall also show the weight of the quarter and the contract number. The labels shall be affixed directly to shin/shank tendons on the forequarters and hindquarters or neckstrap tendon on the forequarter and hindquarter flank without using metal or plastic ties.

The acceptance procedure shall entail a systematic check of the presentation, classification, weight and labelling of each quarter delivered. The temperature of one hindquarter of each carcass shall also be checked. In particular no carcass shall be accepted where it exceeds the maximum weight laid down in Article 4(2)(g).

3 A preliminary inspection may be conducted immediately before loading at the slaughterhouse loading bay and shall cover the weight, classification, presentation and temperature of half-carcasses. In particular no carcass shall be accepted where it exceeds the maximum weight laid down in Article 4(2)(g). Products rejected shall be marked as such and may not be presented again for preliminary inspection or acceptance.

Such inspections shall cover consignments of up to 20 tonnes of half-carasses as laid down by the intervention agency. However, where the offer involves quarters, the intervention agency may allow a consignment of more than 20 tonnes of half-carasses. Where more than 20 % of the total number of half-carasses in any consignment inspected is rejected, the whole consignment shall be rejected in accordance with paragraph 6.

Before half-carasses are transported to the intervention centre, they shall be cut into quarters in accordance with Annex III. Each quarter shall be systematically weighed and identified by a label complying with Article 1(2), (3) and (4) of Regulation (EEC) No 344/91. The labels shall also show the weight of the quarter and the contract number. The labels shall be affixed directly to shin/shank tendons on the forequarters and hindquarters or neckstrap tendon on the forequarter and hindquarter flank without using metal or plastic ties.

The quarters from each carcass shall then be grouped for the purposes of the acceptance procedure by carcass or half-carass at the time of takeover.

A checklist giving all details of the half-carasses or quarters, including the number of half-carasses or quarters presented and either accepted or rejected, shall accompany each consignment up to the point of acceptance. The checklist shall be handed over to the accepting officer.

A seal shall be affixed to the means of transport before it leaves the slaughterhouse. The number of the seal shall be shown on the health certificate or checklist.

The acceptance procedure shall include checks of the presentation, classification, weight, labelling and temperature of the quarters delivered.

4 Preliminary inspection and acceptance of the products offered for intervention shall be carried out by an official of the intervention agency or a person authorised by the latter who is a qualified classifier, is not involved in classification at the slaughterhouse and is totally independent of the successful tenderer. Such independence shall be ensured in particular by the periodic rotation of such officials between intervention centres.

At the time of takeover, the total weight of the quarters in each consignment shall be recorded and the record kept by the intervention agency.

A document recording full details of the weight and the number of the products presented and either accepted or rejected must be completed by the accepting officer.

5 The requirements regarding identification, delivery and controls for the takeover of bone-in meat intended for boning in intervention centres which do not meet the requirements laid down in the first subparagraph of Article 5(2) shall include the following:

- a at the time of takeover as referred to in paragraph 1, forequarters and hindquarters for boning must be identified by the letters 'INT' marked on both inner and outer sides in accordance with the same rules as those laid down in Article 4(3)(c) for marking the category and the slaughter number and the places where such markings are to be made; however, the letters 'INT' shall be marked on the inner side of each quarter at the level of the third or fourth rib of forequarters and of the seventh or eighth rib of hindquarters;
- b the codfat must remain attached up to the time of takeover and must be removed before weighing;
- c the products delivered shall be sorted into consignments as defined in paragraph 1.

Where carcasses or quarters marked 'INT' are found outside the areas reserved for them, the Member State shall conduct an enquiry, take suitable measures and inform the Commission thereof.

6 Where more than 20 % of a consignment presented is rejected, in terms of number of half-carcasses or quarters presented, the whole consignment shall be rejected and all the products shall be marked as such and may not be presented again for preliminary inspection or acceptance.

7 If the quantity actually delivered and accepted is less than the quantity awarded, the security shall:

- a be released in full where the difference is not more than 5 % or 175 kg;
- b except in cases of *force majeure*, be forfeited:
 - in part, corresponding to the quantities not delivered or not accepted where the difference is not more than 15 %,
 - in full in other cases, pursuant to Article 1 of Regulation (EEC) No 2220/85.

Article 15

Price to be paid to successful tenderers

1 From the 45th day after completion of takeover of the products to the 65th day thereafter, the intervention agency shall pay successful tenderers the price quoted in their tenders.

2 Only the quantity actually delivered and accepted shall be paid for. However, if the quantity actually delivered and accepted is greater than the quantity awarded, only the quantity awarded shall be paid for.

3 Where qualities other than quality R3 are taken over, the price to be paid to successful tenderers shall be adjusted by applying the coefficient for the quality bought in as set out in Annex I.

4 The buying-in price for meat all of which is intended for boning shall be the price free at the entrance weighing point of the intervention centre's cutting plant.

The costs of unloading shall be borne by the successful tenderer.

Article 16

Exchange rate

The rate to be applied to the amount referred to in Article 11 and the price at which the award was made shall be the exchange rate applicable on the day of entry into force of the regulation fixing the maximum buying-in price and the quantities of beef to be bought in under the invitation to tender concerned.

CHAPTER III

BONING OF MEAT BOUGHT IN BY INTERVENTION AGENCIES

Article 17

Boning requirement

The intervention agencies shall have all the beef bought in boned.

Article 18

General conditions governing boning

1 Boning may only be carried out in cutting plants registered or approved in accordance with Article 4 of Regulation (EC) No 853/2004 and with one or more adjoining blast freezers.

At the request of a Member State, the Commission may grant a derogation for a limited period from the obligations covered by the first subparagraph. When making its decision, the Commission shall take account of current developments in plant and equipment, health and control requirements and the objective of gradual harmonisation in this field.

2 Boned cuts must meet the conditions laid down in Regulation (EC) No 853/2004 and the requirements in Annex V to this Regulation.

3 Boning may not commence before takeover of the consignment concerned has been completed.

4 No other meat may be present in the cutting room when intervention beef is being boned, trimmed or packed.

However, pigmeat may be present in the cutting room at the same time as beef, provided that it is processed on a separate production line.

5 All boning activities shall take place between 7 a.m. and 6 p.m.; boning shall not take place on Saturdays, Sundays or public holidays. Those hours may be extended by up to two hours, provided that the inspection authorities are present.

If boning cannot be completed on the day of takeover, seals shall be affixed by the competent authorities to the refrigeration rooms where the products are stored and may only be broken by the same authorities when boning resumes.

Article 19

Contracts and specifications

1 Boning shall be carried out under contract on terms laid down by the intervention agencies and in accordance with their specifications.

2 The specifications of the intervention agencies shall lay down the requirements to be met by cutting plants, shall specify the plant and equipment required and shall ensure that the Community rules on the preparation of cuts are adhered to.

They shall in particular lay down detailed conditions covering boning, specifying the method of preparation, trimming, packing, freezing and preservation of cuts with a view to their takeover by the intervention agency.

The specifications of the intervention agencies may be obtained by interested parties from the addresses in Annex VI.

Article 20

Monitoring of boning

1 The intervention agencies shall ensure that continuous physical monitoring is carried out of all boning operations.

Such monitoring may be delegated to bodies which are wholly independent of the traders, slaughterers and storers in question. In such cases, the intervention agencies shall ensure that their officials conduct an unannounced inspection of boning of meat covered by each bid. During such inspections, random checks shall be carried out of cartons of cuts before and after freezing and the quantities used shall be compared with the quantities produced on the one hand and with the bones, fat and trimmings on the other hand. Such checks shall cover at least 5 % of cartons filled during the day with a particular cut and, where there are sufficient cartons, a minimum of five cartons per cut.

2 Forequarters and hindquarters must be boned separately. In respect of each day of boning:

- a a comparison shall be made of the numbers of cuts and of cartons filled;
- b a form shall be completed showing separately the yields for boning of forequarters and of hindquarters.

Article 21

Special conditions governing boning

1 During boning, trimming and packing prior to freezing, the internal temperature of the beef must at no time rise above + 7 °C. Cuts may not be transported before they have been blastfrozen, except under the derogations provided for in Article 18(1).

2 All labels and foreign matter must be totally removed immediately prior to boning.

3 All bones, tendons, cartilage, neckstrap and backstrap (paddywack) (*ligamentum nuchae*) and coarse connective tissues must be cleanly removed. Trimming of cuts must be confined to the removal of fat, cartilage, tendons, joint capsules and other specified trim. All obvious nervous and lymphatic tissues must be removed.

4 Large blood vessels and clots and soiled areas must be removed carefully with as little trimming as possible.

Article 22

Packing of cuts

- 1 Cuts shall be packed immediately after boning in such a way that no part of the meat comes into direct contact with the carton, in accordance with the requirements laid down in Annex V.
- 2 Polyethylene used to line cartons and polyethylene sheet or bags used to wrap cuts must be at least 0,05 mm thick and suitable for wrapping foodstuffs.
- 3 Cartons, pallets and cages used must meet the conditions laid down in Annex VII.

Article 23

Storage of cuts

The intervention agencies shall ensure that all boneless beef bought in is stored separately and is easily identifiable by invitation to tender, cut and month of storage.

Cuts obtained shall be stored in cold stores located in the territory of the Member State exercising jurisdiction over the intervention agency.

Save for specific derogations provided for under the procedure referred to in Article 43 (2) of Regulation (EC) No 1254/1999, such cold stores must be capable of holding all boned beef allocated by the intervention agency for at least three months under technically satisfactory conditions.

Article 24

Costs of boning

Contracts as referred to in Article 19(1) and payments made thereunder shall cover the operations and costs resulting from the application of this Regulation, and in particular:

- (a) the costs of any transport of bone-in products to the cutting plant after acceptance;
- (b) boning, trimming, packing and blastfreezing;
- (c) the storage, loading and carriage of frozen cuts and their takeover by the intervention agencies at the cold stores designated by them;
- (d) the costs of materials, in particular for packaging;
- (e) the value of any bones, fat and trimmings left at cutting plants by the intervention agencies.

Article 25

Timelimits

Boning, trimming and packaging must be completed within 10 calendar days of slaughter. However, the Member States may set shorter timelimits.

Blastfreezing shall be carried out immediately after packing, commencing in any event on the same day; the quantity of meat boned may not exceed the daily capacity of the blast freezers.

The internal temperature of boned meat shall be reduced to or below -7°C within 36 hours during blastfreezing.

Article 26

Rejection of products

1 Where the checks specified in Article 20(1) show breaches by the boning plant of Articles 17 to 25 in respect of a particular cut, those checks shall be extended to cover a further 5 % of the cartons filled during the day in question. Where further breaches are discovered, additional samples amounting to 5 % of the total number of cartons of the relevant cut shall be checked. When, at the fourth 5 % check, at least 50 % of the cartons are found to be in breach of those articles, the whole day's production of that cut shall be checked. However, checking of the whole day's production shall not be required once at least 20 % of the cartons of a particular cut has been found to be in breach.

2 When, on the basis of paragraph 1, less than 20 % of the cartons of a particular cut are found to be in breach, the entire contents of those cartons shall be rejected and no payment shall be made in respect of them. The boning plant shall pay the intervention agency an amount equal to the price shown in Annex VIII for the cuts that have been rejected.

If at least 20 % of the cartons of a particular cut are found to be in breach, the whole day's production of that particular cut shall be rejected by the intervention agency and no payment shall be due. The boning plant shall pay the intervention agency an amount equal to the price shown in Annex VIII for the cuts that have been rejected.

If at least 20 % of the cartons of various cuts produced during the day are found to be in breach, the whole day's production shall be rejected by the intervention agency and no payment shall be due. The boning plant shall pay the intervention agency an amount equal to the price to be paid by the agency to the successful tenderer in accordance with Article 15 for the original bone-in products bought in and which, after boning, have been rejected, that price being increased by 20 %.

Where the third subparagraph is applicable, the first and second subparagraphs shall not apply.

3 By way of derogation from paragraphs 1 and 2, where as a result of serious negligence or fraud the boning plant fails to comply with Articles 17 to 25:

- a all products obtained after boning during the day for which non-compliance with the above provisions is established shall be rejected by the intervention agency and no payment shall be due,
- b the boning plant shall pay the intervention agency an amount equal to the price to be paid by the agency to the successful tenderer in accordance with Article 15 for the original bone-in products bought in and which, after boning, have been rejected in accordance with point (a), that price being increased by 20 %.

CHAPTER IV

CHECKS ON PRODUCTS AND NOTIFICATIONS*Article 27***Storage of and checks on products**

1 The intervention agencies shall ensure that meat covered by this Regulation is so placed and kept in storage as to be readily accessible and in conformity with the provisions of the first paragraph of Article 23.

2 The storage temperature may not rise above – 17 °C.

3 The Member States shall take all measures necessary to ensure satisfactory preservation, in terms of quality and quantity, of the products stored and shall replace damaged packaging immediately. They shall provide for cover against the relevant risks by insurance in the form of either a contractual obligation on storers or comprehensive coverage of the liability borne by the intervention agency. The Member States may also act as their own insurers.

4 During storage, the competent authorities shall conduct regular checks on significant quantities of the products stored following awards under invitations to tender held during the month.

During such checks, any products found not to be in compliance with the requirements as laid down in this Regulation shall be rejected and marked as such. Without prejudice to the application of penalties, the competent authorities shall, if need be, recover payments from the responsible parties.

Such checks shall be conducted by officials who do not receive instructions from the department which buys in the meat.

5 The competent authorities shall take the necessary measures as regards traceability and storage to enable the products stored to be removed from storage and disposed of subsequently as efficiently as possible, having regard in particular to any requirements relating to the veterinary health status of the animals concerned.

*Article 28***Notifications**

1 The Member States shall notify the Commission without delay of any change in the list of intervention centres and, where possible, of their freezing and storage capacity.

2 Within 10 calendar days of completion of each takeover period, the Member States shall notify the Commission by telex or fax of the quantities delivered and accepted into intervention.

3 By the twenty-first day of each month at the latest, the Member States shall notify the Commission in respect of the preceding month of:

- a the quantities bought in each week and each month, broken down by products and qualities in accordance with the Community scale for the classification of carcasses established by Regulation (EC) No 1183/2006;

- b the quantities of each boned product covered by contracts of sale concluded in the month concerned;
 - c the quantities of each boned product covered by withdrawal orders or similar documents issued in the month concerned.
- 4 By the end of each month at the latest, the Member States shall notify the Commission in respect of the preceding month of:
- a the quantities of each boned product obtained from bone-in beef bought in during the month concerned;
 - b the uncommitted stocks and the physical stocks of each boned product at the end of the month concerned, with details of the length of time the uncommitted stocks have been in storage.
- 5 For the purposes of paragraphs 3 and 4:
- a 'uncommitted stocks' means stocks not yet covered by a contract of sale;
 - b 'physical stocks' means uncommitted stocks plus stocks covered by a contract of sale but not yet taken over.

CHAPTER V

GENERAL AND FINAL PROVISIONS

Article 29

Repeal

Regulation (EC) No 562/2000 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex X.

Article 30

Entry into force

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 8 November 2006.

For the Commission

Joaquín ALMUNIA

Member of the Commission

Status: This is the original version (as it was originally adopted).

- (1) OJ L 39, 17.2.1996, p. 1.
- (2) OJ L 214, 4.8.2006, p. 1.
- (3) OJ L 139, 30.4.2004, p. 206.
- (4) OJ L 253, 11.10.1993, p. 1.
- (5) OJ L 204, 11.8.2000, p. 1.
- (6) OJ L 139, 30.4.2004, p. 55.
- (7) OJ L 205, 3.8.1985, p. 5.
- (8) OJ L 125, 23.5.1996, p. 3.
- (9) OJ L 41, 14.2.1991, p. 15.