

Commission Regulation (EC) No 826/2008 of 20 August 2008 laying down common rules for the granting of private storage aid for certain agricultural products (repealed)

## CHAPTER I

### **Introductory provisions**

#### Section 1

### **Scope and general rules for granting of private storage aid**

#### *Article 1*

### **Scope and definition**

1 This Regulation lays down common rules for the granting of an aid for private storage for products listed in Articles 28 and 31 of Regulation (EC) No 1234/2007.

It shall apply without prejudice to the specific provisions laid down in Commission Regulations either opening a tendering procedure or fixing in advance the private storage aid.

2 For the purposes of this Regulation ‘the competent authorities of the Member States’ shall mean the departments or bodies accredited by the Member States as paying agencies which fulfil the conditions laid down in Article 6 of Council Regulation (EC) No 1290/2005<sup>(1)</sup>.

#### *Article 2*

### **Eligibility of products**

1 In order to qualify for private storage aid, in addition to the requirements laid down in Regulation (EC) No 1234/2007, the products shall fulfil the requirements listed in Annex I to this Regulation.

2 Butter stored in a Member State other than the Member State of production, shall fulfil also the additional requirements set out in Annex II to this Regulation.

#### *Article 3*

### **Conditions for granting aid for white sugar**

1 The decision to grant an aid for private storage of white sugar may be taken where the following conditions are met:

- a the average Community price for white sugar recorded within the price reporting system is below 85 % of the reference price;
- b the recorded average prices for white sugar are likely to remain at or below that level for two months on the basis of the market situation, account being taken of expected effects of market management mechanisms and notably withdrawals.

Subject to the criteria set out in the first subparagraph, the granting of aid for private storage may be limited to Member States in which the average price for white sugar recorded within the price reporting system is below 80 % of the reference price. The aid shall be granted for sugar stored or to be stored by sugar manufacturers approved in these Member States.

2 The private storage of white sugar may take place in a period running from 1 November to 30 June of the marketing year in which the aid is granted.

#### *Article 4*

### **Conditions for granting aid for olive oil**

For the purposes of application of Article 33 of Regulation (EC) No 1234/2007, the average price shall be recorded on the market during a period of two weeks at least.

Detailed rules for data reporting by Member States to the Commission are laid down in Part A of Annex III to this Regulation.

#### *Article 5*

### **Conditions for granting aid for beef**

An aid for private storage may be granted if the average Community price for carcasses of adult male bovine animals expressed as grade R3, calculated in accordance with Part B of Annex III, is recorded at EUR 2 291 per tonne or lower.

#### Section 2

### **General rules for fixing the private storage aid**

#### *Article 6*

### **Procedure for fixing the aid**

To establish the amount of aid for private storage for the products listed in Articles 28 and 31 of Regulation (EC) No 1234/2007, the Commission shall either open a tendering procedure for a limited period in accordance with Article 9 of this Regulation or fix in advance the aid in accordance with Article 16 of this Regulation.

#### *Article 7*

### **Tenders and applications for private storage aid**

1 An operator seeking aid shall either lodge a tender in accordance with Article (9)(1), or an application in accordance with Article 16(1) with the competent authorities of the Member States where the products are stored or will be stored.

2 In sectors where the storage scheme is open only to one or several regions or Member States, tenders and applications may be lodged only in those regions or Member States.

3 Tenders or applications for private storage aid for salted and unsalted butter and cheeses shall relate also to products which have been fully placed in storage.

4 Tenders and applications for private storage aid for fresh or chilled meat of bovine animals, pig, sheep, goat and olive oil shall relate to quantities of those products which have not yet been placed in storage.

5 Tenders or applications for private storage aid for sugar shall relate to sugar which is already placed into storage or which will be placed in storage.

#### *Article 8*

#### **Conditions related to the eligibility of operators**

1 Operators applying or submitting a tender for private storage aid shall be established and registered for VAT purposes in the Community.

2 In the case of olive oil, operators applying or submitting a tender for private storage aid shall fulfil the conditions laid down in paragraph 1 and the additional requirements laid down in Annex IV.

3 In the case of sugar, operators applying or submitting a tender for an aid for private storage shall fulfil the conditions laid down in paragraph 1 and shall be sugar manufacturers as referred to in point (a) of Article 7(1) of Regulation (EC) No 952/2006.

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

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(1) OJ L 209, 11.8.2005, p. 1.