Commission Regulation (EC) No 1526/2005 of 20 September 2005 fixing the export refunds on beef and veal

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal[(1)], and in particular Article 33(12) thereof,

Whereas:

(1) Article 33 of Regulation (EC) No 1254/1999 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) Commission Regulations (EEC) No 32/82[(2)], (EEC) No 1964/82[(3)], (EEC) No 2388/84[(4)], (EEC) No 2973/79[(5)] and (EC) No 2051/96[(6)] lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products, and the conditions for granting of assistance concerning certain destinations.

(3) It follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below.

(4) With regard to live animals, for reasons of simplification, export refunds should not be granted for categories in which there is insignificant trade with third countries. Moreover, in the light of the general concern for animal welfare, export refunds for live animals for slaughter should be limited as much as possible.

(5) Consequently, export refunds for such animals should be granted only for third countries which, for cultural or religious reasons, traditionally import substantial numbers of animals for domestic slaughter.

(6) As to live animals for reproduction, in order to prevent any abuse, export refunds for pure-bred breeding animals should be limited to heifers and cows of no more than 30 months of age.

(7) In order to enable some Community beef and veal products to be disposed of on the international market, export refunds should be granted for certain destinations on some products under CN codes 0201, 0202 and 1602 50.

(8) The uptake of export refunds for certain categories of beef and veal products proves to be insignificant. This is also the case with regard to the uptake for certain destinations

very close to the Community territory. For such categories, export refunds should no longer be fixed.

(9) The refunds provided for in this Regulation are set on the basis of the product codes as defined in the nomenclature adopted by Commission Regulation (EEC) No 3846/87 of 17 December 1987 establishing an agricultural product nomenclature for export refunds[7].

(10) The refunds on all frozen cuts should be in line with those on fresh or chilled cuts other than those from adult male bovine animals.

(11) Checks on products covered by CN code 1602 50 should be stepped up by making the granting of refunds on these products conditional on manufacture under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products[8].

(12) Refunds should be granted only on products that are allowed to move freely in the Community. Therefore, to be eligible for a refund, products should be required to bear the health mark laid down in Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat[9], Council Directive 77/99/EEC of 21 December 1976 on health problems affecting intra-Community trade in meat products[10] and Council Directive 94/65/EC of 14 December 1994 laying down the requirements for the production and placing on the market of minced meat and meat preparations[11].

(13) Pursuant to the third subparagraph of Article 6(2) of Regulation (EEC) No 1964/82, the special refund is to be reduced if the quantity of boned meat to be exported amounts to less than 95 %, but not less than 85 %, of the total weight of cuts produced by boning.

(14) The negotiations within the framework of the Europe Agreements between the European Community and Romania and Bulgaria aim in particular to liberalise trade in products covered by the common organisation of the market concerned. For these two countries export refunds should therefore be abolished. That abolition should not, however, lead to a differentiated refund for exports to other countries.

(15) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1 The list of products on which export refunds as referred to in Article 33 of Regulation (EC) No 1254/1999 are granted, and the amount thereof and the destinations, shall be as set out in the Annex to this Regulation.

2 The products must meet the relevant health marking requirements of:

— Chapter XI of Annex I to Directive 64/433/EEC,

— Chapter VI of Annex B to Directive 77/99/EEC,

— Chapter VI of Annex I to Directive 94/65/EC.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 1526/2005. (See end of Document for details)*

Article 2

In the case referred to in the third subparagraph of Article 6(2) of Regulation (EEC) No 1964/82 the rate of the refund on products falling within product code 0201 30 00 9100 shall be reduced by 11 EUR/100 kg.

Article 3

The fact that no export refund is set for Romania and Bulgaria shall not be deemed to constitute a differentiation of the refund.

Article 4

This Regulation shall enter into force on 21 September 2005.

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

Done at Brussels, 20 September 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 1526/2005. (See end of Document for details)*

ANNEX

to the Commission Regulation of 20 September 2005 fixing export refunds on beef

Product code	Destination	Unit of measurement	Refunds[g]
0102 10 10 9140	B00	EUR/100 kg live weight	42,4
0102 10 30 9140	B00	EUR/100 kg live weight	42,4
0102 90 71 9000	B11	EUR/100 kg live weight	32,8
0201 10 00 9110[a]	B02	EUR/100 kg net weight	57,2
	B03	EUR/100 kg net weight	34,4
0201 10 00 9130[a]	B02	EUR/100 kg net weight	77,6
	B03	EUR/100 kg net weight	45,2
0201 20 20 9110[a]	B02	EUR/100 kg net weight	77,6
	B03	EUR/100 kg net weight	45,2
0201 20 30 9110[a]	B02	EUR/100 kg net weight	57,2
	B03	EUR/100 kg net weight	34,4
0201 20 50 9110[a]	B02	EUR/100 kg net weight	98,4
	B03	EUR/100 kg net weight	57,2
0201 20 50 9130[a]	B02	EUR/100 kg net weight	57,2
	B03	EUR/100 kg net weight	34,4
0201 30 00 9050	US[c]	EUR/100 kg net weight	18,8
	CA[d]	EUR/100 kg net weight	18,8
0201 30 00 9060[f]	B02	EUR/100 kg net weight	36,8