COMMISSION REGULATION (EC) No 492/2002

of 19 March 2002

derogating from Regulation (EC) No 562/2000 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef and amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to tender

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], as last amended by Commission Regulation (EC) No 2345/2001 [2], and in particular Article 47(8) thereof,

Whereas:

(1) Commission Regulation (EC) No 562/2000 [3], as last amended by Regulation (EC) No 1564/2001 [4], lays down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef. In particular, Articles 10 and 16(2) define the periods for submitting tenders and delivery respectively. In view of the dates on which the public holidays fall in the first and second quarter of 2002, it is necessary for practical reasons to cancel the second invitation to tender in March 2002 and to change the closing date for the delivery for the second tender of the second quarter of 2002. Therefore, Regulation (EC) No 562/2000 should be derogated from.

(2) Commission Regulation (EEC) No 1627/89 of 9 June 1989 [5] on the buying-in of beef by invitation to tender, as last amended by Regulation (EC) No 238/2002 [6], opens buying-in by invitation to tender in certain Member States or regions of a Member State for certain quality groups. Commission Regulation (EC) No 1209/2001 [7], as last amended by Regulation (EC) No 2579/2001 [8], introduced a number of derogations from Regulation (EC) No 562/2000 in order to deal with the exceptional situation on the market caused by events linked to bovine spongiform encephalopathy (BSE) and the subsequent outbreak of foot-and-mouth disease. In particular, additional products could be accepted into intervention. As this derogation no longer applies for tendering procedures during the second quarter of 2002, it is necessary to amend Regulation (EEC) No 1627/89 accordingly.

(3) 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

Notwithstanding the first sentence of Article 10 of Regulation (EC) No 562/2000, no submission of tenders shall take place on the fourth Tuesday of March 2002.

Article 2

1. The Annex to Regulation (EEC) No 1627/89 is replaced by the Annex to this Regulation.

2. Notwithstanding Article 16(2) of Regulation (EC) No 562/2000, the delivery period for the second tendering procedure in the second quarter of 2002 shall be 24 calendar days.

Article 3

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

Article 2 shall apply to tendering procedures opened during the second quarter of 2002.

[1] OJ L 160, 26.6.1999, p. 21.
[2] OJ L 315, 1.12.2001, p. 29.
[3] OJ L 68, 16.3.2000, p. 22.
[4] OJ L 208, 1.8.2001, p. 14.
[5] OJ L 159, 10.6.1989, p. 36.
[6] OJ L 39, 9.2.2002, p. 4.
[7] OJ L 165, 21.6.2001, p. 15.
[8] OJ L 344, 28.12.2001, p. 68.