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COMMISSION REGULATION (EC) No 441/ 2001 of 2 March 2001 fixing the export refunds on beef and veal

COMMISSION REGULATION (EC) No 441/ 2001 of 2 March 2001 fixing the export refunds on beef and veal

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) Regulation (EEC) No 32/ 82 (2) , as last amended by Regulation (EC) No 744/ 2000 (3) , Regulation (EEC) No 1964/ 82 (4) , as last amended by Regulation (EC) No 2772/ 2000 (5) , and Regulation (EEC) No 2388/ 84 (6) , as last amended by Regulation (EEC) No 3661/ 92 (7) , lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products.

(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) Given the current market situation in the Community and the possibilities of disposal in certain third countries in particular, export refunds should be granted, on the one hand, on bovine animals intended for slaughter of a live weight greater than 220 kilograms and less than 300 kilograms, and, on the other on adult bovine animals of a live weight of at least 300 kilograms.

(5) Export refunds should be granted for certain destinations on some fresh or chilled meat listed in the Annex under CN code 0201, on some frozen meat listed in the Annex under CN code 0202, on some meat or offal listed in the Annex under CN code 0206 and on some other prepared or preserved meat or offal listed in the Annex under CN code 1602 50 10.

(6) In view of the wide differences in products covered by CN codes 0201 20 90 9700 and 0202 20 90 9100 used for refund purposes, refunds should only be granted on cuts in which the weight of bone does not exceed one third.

(7) In the case of meat of bovine animals, boned or bone- less, salted and dried, there are traditional

trade flows to Switzerland. To allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States.

(8) In the case of certain other cuts and preserves of meat or offal shown in the Annex under CN codes 1602 50 31 to 1602 50 80, the Community share of international trade may be maintained by granting a refund corresponding to that at present available.

(9) In the case of other beef and veal products, a refund need not be fixed since the Community's share of world trade is not significant.

(10) Commission Regulation (EEC) No 3846/ 87 (8) , as last amended by Regulation (EC) No 2849/ 2000 (9) , establishes the agricultural product nomenclature for the purposes of export refunds.

(11) In order to simplify customs export formalities for operators, the refunds on all frozen cuts should be brought into line with those on fresh or chilled cuts other than those from adult male bovine animals. (1) OJ L 160, 26.6.1999, p. 21.

(2) OJ L 4, 8.1.1982, p. 11. (3) OJ L 89, 11.4.2000, p. 3. (4) OJ L 212, 21.7.1982, p. 48. (5) OJ L 321, 19.12.2000, p. 35. (6) OJ L 221, 18.8.1984, p. 28. (8) OJ L 366, 24.12.1987, p. 1. (7) OJ L 370, 19.12.1992, p. 16. (9) OJ L 335, 30.12.2000, p. 1.

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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 (1) , as amended by Regulation (EEC) No 2026/ 83 (2) .

(13) Refunds on female animals should vary depending on their age in order to prevent abuses in the export of certain pure-bred breeding animals.

(14) Opportunities exist for the export to certain third countries of heifers other than those intended for slaughter, but to prevent any abuse control criteria should be laid down to ensure that these animals are not more than 36 months old.

(15) Under 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.

(16) 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 Council Directive 64/ 433/ EEC (3) , Chapter VI of Annex I to Council Directive 94/ 65/ EC (4) , Chapter VI of Annex B to Council Directive 77/ 99/ EEC (5) .

Article 2

The grant of the refund for product code 0102 90 59 9000 of the nomenclature for export refunds and for exports to the third country 075 listed in the Annex to this Regulation shall be subject to presentation, when the customs formalities for export are completed, of the original and one copy of the veterinary certificate signed by an official veterinarian certifying that these are heifers of an age of not more than 36 months. The original of the certificate shall be returned to the exporter and the copy, certified as being in accordance with the regulations by the customs authorities, shall be attached to the application for payment of the refund.

Article 3

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 CN code 0201 30 00 9100 shall be reduced by EUR 14,00/ 100 kg.

Article 4

This Regulation shall enter into force on 6 March 2001. This Regulation shall be binding in its entirety and directly applicable in all Member States. Done at Brussels, 2 March 2001.

For the Commission

Franz FISCHLER

Member of the Commission

(3) OJ L 121, 29.7.1964, p. 2012/ 64. (1) OJ L 62, 7.3.1980, p. 5. (4) OJ L 368, 31.12.1994, p. 10. (2) OJ L 199, 22.7.1983, p. 12. (5) OJ L 26, 31.1.1977, p. 85.

EN Official Journal of the European Communities 3.3.2001 L 63/ 48 Product code Destination Unit of measurement Refunds (7)

ANNEX

to the Commission Regulation of 2 March 2001 fixing export refunds on beef

0102 10 10 9120 A00 EUR/ 100 kg live weight 53,00 0102 10 10 9130 B02 EUR/ 100 kg live weight 15,50

B03 EUR/ 100 kg live weight 9,50 039 EUR/ 100 kg live weight 5,00

0102 10 30 9120 A00 EUR/ 100 kg live weight 53,00 0102 10 30 9130 B02 EUR/ 100 kg live weight 15,50

B03 EUR/ 100 kg live weight 9,50 039 EUR/ 100 kg live weight 5,00

0102 10 90 9120 A00 EUR/ 100 kg live weight 53,00 0102 90 41 9100 B02 EUR/ 100 kg live weight 41,00 0102 90 51 9000 B02 EUR/ 100 kg live weight 15,50

B03 EUR/ 100 kg live weight 9,50 039 EUR/ 100 kg live weight 5,00

0102 90 59 9000 B02 EUR/ 100 kg live weight 15,50 B03 EUR/ 100 kg live weight 9,50 039 EUR/ 100 kg live weight 5,00 075 (9) EUR/ 100 kg live weight 53,00

0102 90 61 9000 B02 EUR/ 100 kg live weight 15,50 B03 EUR/ 100 kg live weight 9,50 039 EUR/ 100 kg live weight 5,00

0102 90 69 9000 B02 EUR/ 100 kg live weight 15,50 B03 EUR/ 100 kg live weight 9,50 039 EUR/ 100 kg live weight 5,00

0102 90 71 9000 B02 EUR/ 100 kg live weight 41,00 B03 EUR/ 100 kg live weight 23,00 039 EUR/ 100 kg live weight 14,00

0102 90 79 9000 B02 EUR/ 100 kg live weight 41,00 B03 EUR/ 100 kg live weight 23,00 039 EUR/ 100 kg live weight 14,00

0201 10 00 9110 (1) B02 EUR/ 100 kg net weight 71,50 B03 EUR/ 100 kg net weight 43,00 039 EUR/ 100 kg net weight 23,50

0201 10 00 9120 B02 EUR/ 100 kg net weight 33,50 B03 EUR/ 100 kg net weight 10,00 039 EUR/ 100 kg net weight 11,50

0201 10 00 9130 (1) B02 EUR/ 100 kg net weight 97,00 B03 EUR/ 100 kg net weight 56,50 039 EUR/ 100 kg net weight 33,50

0201 10 00 9140 B02 EUR/ 100 kg net weight 46,00 B03 EUR/ 100 kg net weight 14,00 039 EUR/ 100 kg net weight 16,00

0201 20 20 9110 (1) B02 EUR/ 100 kg net weight 97,00 B03 EUR/ 100 kg net weight 56,50 039 EUR/ 100 kg net weight 33,50

EN Official Journal of the European Communities 3.3.2001 L 63/ 49 Product code Destination Unit of measurement Refunds (7) 0201 20 20 9120 B02 EUR/ 100 kg net weight 46,00

B03 EUR/ 100 kg net weight 14,00 039 EUR/ 100 kg net weight 16,00

0201 20 30 9110 (1) B02 EUR/ 100 kg net weight 71,50 B03 EUR/ 100 kg net weight 43,00 039 EUR/ 100 kg net weight 23,50

0201 20 30 9120 B02 EUR/ 100 kg net weight 33,50 B03 EUR/ 100 kg net weight 10,00 039 EUR/ 100 kg net weight 11,50

0201 20 50 9110 (1) B02 EUR/ 100 kg net weight 123,00 B03 EUR/ 100 kg net weight 71,50 039 EUR/ 100 kg net weight 41,00

0201 20 50 9120 B02 EUR/ 100 kg net weight 58,50 B03 EUR/ 100 kg net weight 17,50 039 EUR/ 100 kg net weight 19,50

0201 20 50 9130 (1) B02 EUR/ 100 kg net weight 71,50 B03 EUR/ 100 kg net weight 43,00 039 EUR/ 100 kg net weight 23,50

0201 20 50 9140 B02 EUR/ 100 kg net weight 33,50 B03 EUR/ 100 kg net weight 10,00 039 EUR/ 100 kg net weight 11,50

0201 20 90 9700 B02 EUR/ 100 kg net weight 33,50 B03 EUR/ 100 kg net weight 10,00 039 EUR/ 100 kg net weight 11,50

0201 30 00 9050 400 (3) EUR/ 100 kg net weight 23,50 404 (4) EUR/ 100 kg net weight 23,50

0201 30 00 9060 (6) B02 EUR/ 100 kg net weight 46,00 B03 EUR/ 100 kg net weight 13,00 039 EUR/ 100 kg net weight 15,00 809, 822 EUR/ 100 kg net weight 37,00

0201 30 00 9100 (2) (6) B02 EUR/ 100 kg net weight 172,00 B03 EUR/ 100 kg net weight 102,00 039 EUR/ 100 kg net weight 60,00 809, 822 EUR/ 100 kg net weight 152,50

0201 30 00 9120 (2) (6) B08 EUR/ 100 kg net weight 94,50 B09 EUR/ 100 kg net weight 88,00 B03 EUR/ 100 kg net weight 56,50 039 EUR/ 100 kg net weight 33,00 809, 822 EUR/ 100 kg net weight 83,50

0202 10 00 9100 B02 EUR/ 100 kg net weight 33,50 B03 EUR/ 100 kg net weight 10,00 039 EUR/ 100 kg net weight 11,50

0202 10 00 9900 B02 EUR/ 100 kg net weight 46,00 B03 EUR/ 100 kg net weight 14,00 039 EUR/ 100 kg net weight 16,00

0202 20 10 9000 B02 EUR/ 100 kg net weight 46,00 B03 EUR/ 100 kg net weight 14,00 039 EUR/ 100 kg net weight 16,00

0202 20 30 9000 B02 EUR/ 100 kg net weight 33,50 B03 EUR/ 100 kg net weight 10,00 039 EUR/ 100 kg net weight 11,50

EN Official Journal of the European Communities 3.3.2001 L 63/ 50 Product code Destination Unit of measurement Refunds (7) 0202 20 50 9100 B02 EUR/ 100 kg net weight 58,50

B03 EUR/ 100 kg net weight 17,50 039 EUR/ 100 kg net weight 19,50

0202 20 50 9900 B02 EUR/ 100 kg net weight 33,50 B03 EUR/ 100 kg net weight 10,00 039 EUR/ 100 kg net weight 11,50

0202 20 90 9100 B02 EUR/ 100 kg net weight 33,50 B03 EUR/ 100 kg net weight 10,00 039 EUR/ 100 kg net weight 11,50

0202 30 90 9100 400 (3) EUR/ 100 kg net weight 23,50 404 (4) EUR/ 100 kg net weight 23,50

0202 30 90 9200 (6) B02 EUR/ 100 kg net weight 46,00 B03 EUR/ 100 kg net weight 13,00 039 EUR/ 100 kg net weight 15,00 809, 822 EUR/ 100 kg net weight 37,00

0206 10 95 9000 B02 EUR/ 100 kg net weight 46,00 B03 EUR/ 100 kg net weight 13,00 039 EUR/ 100 kg net weight 15,00 809, 822 EUR/ 100 kg net weight 37,00

0206 29 91 9000 B02 EUR/ 100 kg net weight 46,00 B03 EUR/ 100 kg net weight 13,00 039 EUR/ 100 kg net weight 15,00 809, 822 EUR/ 100 kg net weight 37,00

0210 20 90 9100 039 EUR/ 100 kg net weight 23,00 1602 50 10 9170 (8) B02 EUR/ 100 kg net weight 22,50

B03 EUR/ 100 kg net weight 15,00 039 EUR/ 100 kg net weight 17,50

1602 50 31 9125 (5) A00 EUR/ 100 kg net weight 88,50 1602 50 31 9325 (5) A00 EUR/ 100 kg net weight 79,00 1602 50 39 9125 (5) A00 EUR/ 100 kg net weight 88,50 1602 50 39 9325 (5) A00 EUR/ 100 kg net weight 79,00 1602 50 39 9425 (5) A00 EUR/ 100 kg net weight 30,00 1602 50 39 9525 (5) A00 EUR/ 100 kg net weight 30,00 1602 50 80 9535 (8) A00 EUR/ 100 kg net weight 17,50

(1) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to amended Commission Regulation (EEC) No 32/ 82.

(2) The refund is granted subject to compliance with the conditions laid down in amended Regulation (EEC) No 1964/ 82. (3) Carried out in accordance with amended Commission Regulation (EEC) No 2973/ 79 (OJ L 336, 29.12.1979, p. 44) . (4) Carried out in accordance with amended Commission Regulation (EC) No 2051/ 96 (OJ L 274, 26.10.1996, p. 18) . (5) OJ L 221, 18.8.1984, p. 28. (6) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission

Regulation (EEC) No 2429/ 86 (OJ L 210, 1.8.1986, p. 39) . The term average content refers to the sample quantity as defined in Article 2(1) of Regulation (EC) No 2457/ 97 (OJ L 340, 11.12.1997, p. 29) . The sample is to be taken from that part of the consignment presenting the highest risk.

(7) Article 33(10) of amended Regulation (EC) No 1254/ 1999 provides that no export refunds shall be granted on products imported from third countries and re- exported to third countries.

(8) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of amended Council Regulation (EEC) No 565/ 80.

(9) The grant of the refund is subject to compliance with the conditions referred to in Article 2 of this Regulation.

NB: The product codes and the A series destination codes are set out in Commission Regulation (EEC) No 3846/ 87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Regulation (EC) No 2032/ 2000 (OJ L 243, 28.9.2000, p. 14) .

EN Official Journal of the European Communities 3.3.2001 L 63/ 51 The other destinations are defined as follows: B02: B08 and B09 B03: Ceuta, Melilla, Iceland, Norway, Faroe Islands, Andorra, Gibraltar, Vatican, Estonia, Latvia, Lithuania, Poland,

Czech Republic, Slovakia, Hungary, Romania, Bulgaria, Albania, Slovenia, Croatia, Bosnia and

Herzegovina, Yugoslavia, Former Yugoslav Republic of Macedonia, the communes of Livigno and Campione d' Italia, Helgoland, Greenland, Cyprus, stores and provisions (destinations referred to in Articles 36 and 45, and if appropriate in Article 44, of Commission Regulation (EC) No 800/ 1999, as amended) B08: Malta, Turkey, Ukraine, Belarus, Moldova, Russia, Georgia, Armenia, Azerbaijan, Kazakhstan, Turkmenistan,

Uzbekistan, Tajikistan, Kyrgyzstan, Morocco, Algeria, Tunisia, Libya, Egypt, Lebanon, Syria, Iraq, Iran, Israel, West Bank/ Gaza Strip, Jordan, Saudi Arabia, Kuwait, Bahrain, Qatar, United Arab Emirates, Oman, Yemen, Pakistan, Sri Lanka, Myanmar (Burma) , Thailand, Vietnam, Indonesia, Philippines, China, North Korea, Hong Kong B09: Sudan, Mauritania, Mali, Burkina Faso, Niger, Chad, Cape Verde, Senegal, Gambia, Guinea- Bissau, Guinea,

Sierra Leone, Liberia, Côte d' Ivoire, Ghana, Togo, Benin, Nigeria, Cameroon, Central African Republic, Equatorial Guinea, São Tomé and Príncipe, Gabon, Congo (Republic) , Congo (Democratic Republic) , Rwanda, Burundi, Saint Helena and dependencies, Angola, Ethiopia, Eritrea, Djibouti, Somalia, Uganda, Tanzania, Seychelles and dependencies, British Indian Ocean Territory, Mozambique, Mauritius, Comoros, Mayotte, Zambia, Malawi, South Africa, Lesotho.