COMMISSION REGULATION (EC) No 2697/98

of 14 December 1998

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 (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal (1), as last amended by Regulation (EC) No 1633/98 (2), and in particular Article 13 thereof,

Whereas Article 13 of Regulation (EEC) No 805/68 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;

Whereas Regulation (EEC) No 32/82 (3), as last amended by Regulation (EC) No 2326/97 (4), Regulation (EEC) No 1964/82 (5), as last amended by Regulation (EC) No 2469/ 97 (6), and Regulation (EEC) No 2388/84 (7), as last amended by Regulation (EEC) No 3661/92 (8), lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products;

Whereas 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;

Whereas, 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;

Whereas 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

- (¹⁾ OJ L 148, 28. 6. 1968, p. 24.
 (²⁾ OJ L 210, 28. 7. 1998, p. 17.
 (³⁾ OJ L 4, 8. 1. 1982, p. 11.
 (⁴⁾ OJ L 323, 26. 11. 1997, p. 1.
 (⁵⁾ OJ L 212, 21. 7. 1982, p. 48.
 (⁶⁾ OJ L 341, 12. 12. 1997, p. 8.
 (⁷⁾ OJ L 221, 18. 8. 1984, p. 28.
 (⁸⁾ OJ L 370, 19. 12. 1992, p. 16.

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;

Whereas, in view of the wide differences in products covered by CN codes 0201 20 90 700 and 0202 20 90 100 used for refund purposes, refunds should only be granted on cuts in which the weight of bone does not exceed one third;

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, 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; whereas there are possibilities for exporting such meat and also salted, smoked and dried meat to certain African, Near and Middle Eastern countries; whereas a refund should accordingly be set;

Whereas, 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;

Whereas, 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;

Whereas Commission Regulation (EEC) No 3846/87 (9), as last amended by Regulation (EC) No 2580/98 (10), establishes the agricultural product nomenclature for the purposes of export refunds; whereas, with a view to clarification, the destinations must be identified in a separate Annex;

Whereas, 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;

^{(&}lt;sup>9)</sup> OJ L 366, 24. 12. 1987, p. 1. (¹⁰⁾ OJ L 322, 1. 12. 1998, p. 31.

Whereas experience has shown that in certain cases it is often difficult to determine the relevant quantities of beef, veal and other meat contained in prepared or preserved meat falling within CN code 1602 50; whereas exclusively beef and veal products should accordingly be set apart and a new heading should be created for mixtures of meats or offals; whereas checks on products other than mixtures of meat or offal 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);

Whereas refunds on female animals should vary depending on their age in order to prevent abuses in the export of certain pure-bred breeding animals;

Whereas 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;

Whereas, notwithstanding the subdivision of the combined nomenclature for prepared and preserved meat, other than uncooked, falling within CN code 1602 50, experience has shown that it is possible to delete from the refund nomenclature several products falling within CN code 1602 50 31 and to amend the list of products falling within CN code 1602 50 80;

Whereas Article 2 of Council Regulation (EC) No 1103/ 97 of 17 June 1997 on certain provisions relating to the introduction of the euro (3) provides that, as from 1 January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1;

Whereas 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

The list of products on which export refunds as 1. referred to in Article 13 of Regulation (EEC) No 805/68 are granted and the amount thereof shall be as set out in Annex I of this Regulation.

The destinations are identified in Annex II to this 2. Regulation.

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 countries in zone 10 listed in Annex II 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

This Regulation shall enter into force on 17 December 1998.

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

Done at Brussels, 14 December 1998.

For the Commission Franz FISCHLER Member of the Commission

OJ L 62, 7. 3. 1980, p. 5.
 OJ L 199, 22. 7. 1983, p. 12.
 OJ L 162, 19. 6. 1997, p. 1.

ANNEX I

to the Commission Regulation of 14 December 1998 fixing export refunds on beef

		(ECU/100 kg)			(ECU/100
Product code	Destination	Refund (⁷)	Product code	Destination	Refund (7)
		— Live weight —			– Net weight –
102 10 10 9120	01	63,00	0201 20 20 9120	02	51,00
0102 10 10 9130	02	24,50		03	35,00
	03	16,50		04	18,00
	04	8,50	0201 20 30 9110 (¹)	02	94,00
02 10 30 9120	01	63,00	0201 20 30 9110 ()	03	65,00
02 10 30 9130	02			04	31,50
02 10 50 9150	02	24,50 16,50			
	03	8,50	0201 20 30 9120	02	36,50
02 10 00 01 20				03	26,00
02 10 90 9120	01	63,00		04	13,00
02 90 41 9100	02	60,50	0201 20 50 9110 (¹)	02	163,00
02 90 51 9000	02	24,50		03	109,00
	03	16,50		04	54,00
	04	8,50	0201 20 50 9120	02	65,00
02 90 59 9000	02	24,50	0201 20 30 9120	02	44,50
	03	16,50		04	22,00
	04	8,50			
	10	60,50 (⁹)	0201 20 50 9130 (¹)	02	94,00
02 90 61 9000	02	24,50		03	65,00
	03	16,50		04	31,50
	04	8,50	0201 20 50 9140	02	36,50
02 90 69 9000	02	24,50		03	26,00
	03	16,50		04	13,00
	04	8,50	0201 20 90 9700	02	36,50
02 90 71 9000	02	60,50	0201 20 90 97 00	02	26,00
	03	39,50		04	13,00
	04	20,00			
02 90 79 9000	02	60,50	0201 30 00 9050	05 (4)	53,00
	03	39,50		07 (^{4a})	53,00
	04	20,00	0201 30 00 9100 (²)	02	227,50
				03	156,00
		 Net weight – 		04	78,50
201 10 00 9110 (¹)	02	94,00		06	201,00
.01 10 00 9110 (*)	02 03	65,00	0201 30 00 9120 (²)	08	125,50
	04	31,50	0201 30 00 9120 ()	09	116,50
01 10 00 01 20				03	86,00
201 10 00 9120	02 03	36,50 26,00		04	43,00
	03	13,00		06	110,00
			0201 20 00 01 50 (6)	0.0	22.00
201 10 00 9130 (¹)	02 03	129,00	0201 30 00 9150 (6)	08 09	33,00 30,00
	03	86,50 43,50		03	26,00
01 10 00 01 40				03	13,50
201 10 00 9140	02	51,00		06	29,50
	03 04	35,00 18,00			
			0201 30 00 9190 (°)	02	51,00
201 20 20 9110 (1)	02	129,00		03	33,50
	03	86,50		04	16,00
	04	43,50		06	41,00

Product code	Destination	Refund (7)	Product code	Destination	Refund (7)
		– Net weight –			– Net weight -
0202 10 00 9100	02	36,50	1602 50 10 9120	02	59,00 (⁸)
	03	26,00		03	47,00 (8)
	04	13,00		04	47,00 (⁸)
0202 10 00 9900	02	51,00	1602 50 10 9140	02	52,50 (⁸)
	03	35,00		03	41,50 (⁸)
	04	18,00		04	41,50 (⁸)
202 20 10 9000	02	51,00	1602 50 10 9160	02	41,50 (8)
202 20 10 9000	02	35,00		03	33,50 (8)
	04	18,00		04	33,50 (8)
		,	1602 50 10 9170	02	28,00 (8)
202 20 30 9000	02	36,50		03	22,00 (8)
	03	26,00		04	22,00 (8)
	04	13,00	1602 50 10 9190	02	28,00
202 20 50 0100	0.2	(5.00		03	22,00
202 20 50 9100	02 03	65,00 44,50		04	22,00
	04	22,00	1602 50 10 9240	02	_
				03	_
0202 20 50 9900	02	36,50		04	_
	03	26,00	1 (02 50 10 02 (0	0.2	
	04	13,00	1602 50 10 9260	02 03	_
202 20 90 9100	02	36,50		04	_
	03	26,00	1 (02 50 10 0200	0.2	
	04	13,00	1602 50 10 9280	02 03	
202 30 90 9100	05 (4)	52.00		04	_
202 30 90 9100	05 (4) 07 (⁴ a)	53,00 53,00	1602 50 31 9125	01	100,00 (5)
			1602 50 31 9135	01	38,00 (8)
202 30 90 9400 (°)	08 09	33,00 30,00			
	03	26,00	1602 50 31 9195	01	18,50
	04	13,50	1602 50 31 9325	01	89,00 (⁵)
	06	29,50	1602 50 31 9335	01	33,50 (8)
202 30 90 9500 (°)	02	51,00	1602 50 31 9395	01	18,50
202 30 90 9300 (1)	02	33,50	1602 50 39 9125	01	
	04	16,00			100,00 (⁵)
	06	41,00	1602 50 39 9135	01	38,00 (8)
206 10 95 9000	02	51,00	1602 50 39 9195	01	18,50
	03	33,50	1602 50 39 9325	01	89,00 (⁵)
	04	16,00	1602 50 39 9335	01	33,50 (8)
	06	41,00	1602 50 39 9395	01	18,50
206 29 91 9000	02	51,00		01	
	03	33,50	1602 50 39 9425		38,00 (5)
	04	16,00	1602 50 39 9435	01	22,00 (⁸)
	06	41,00	1602 50 39 9495	01	16,00
210 20 90 9100	02	42,50	1602 50 39 9505	01	16,00
	04	25,50	1602 50 39 9525	01	38,00 (5)
210 20 90 9300	02	53,00	1602 50 39 9535	01	22,00 (8)
210 20 90 9500 (3)	02	53,00	1602 50 39 9595	01	16,00

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		(ECU/100 kg)	(ECU/100 kg			
Product code	Destination	Refund (7)	Product code	Destination	Refund (⁷)	
		– Net weight –			– Net weight –	
1602 50 39 9615	01	16,00	1602 50 80 9495	01	16,00	
1602 50 39 9625	01	7,50	1602 50 80 9505	01	16,00	
1602 50 39 9705	01	—	1602 50 80 9515	01	7,50	
1602 50 39 9805	01	—	1602 50 80 9535	01	22,00 (8)	
1602 50 39 9905	01	—	1602 50 80 9595	01	16,00	
1602 50 80 9135	01	33,50 (8)	1602 50 80 9615	01	16,00	
1602 50 80 9195	01	16,00	1602 50 80 9625	01	7,50	
1602 50 80 9335	01	30,00 (8)	1602 50 80 9705	01	_	
1602 50 80 9395	01	16,00	1602 50 80 9805	01	_	
1602 50 80 9435	01	22,00 (⁸)	1602 50 80 9905	01	_	

(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) Entry under this subheading is subject to compliance with the condition laid down in amended Commission Regulation (EEC) No 1964/82.

(3) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(4) 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 (EEC) No 2051/96 (OJ L 274, 26. 10. 1996, p. 18).

(⁵) OJ L 221, 19. 8. 1984, p. 28.

(°) 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 of 1. 8. 1986, p. 39).

(7) Article 13 (10) of amended Regulation (EEC) No 805/68 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 Commission Regulation (EEC) No 565/80.

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

NB: The descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

ANNEX II

Zone 01: all third countries

Zone 02: zones 08 and 09

Zone 03		Zone 07			Zone 09	
022	Ceuta and Melilla	404	Canada	224	Sudan	
024	Iceland			228	Mauritania	
028	Norway			232	Mali	
041	Faeroes			236	Burkina Faso	
043	Andorra			240	Niger	
044	Gibraltar		Zone 08	244	Chad Came Marda	
045	Vatican City			247 248	Cape Verde Senegal	
053	Estonia	046	Malta	240	Gambia	
		052	Turkey	252	Guinea-Bissau	
054	Latvia	072	Ukraine	260	Guinea	
055	Lithuania	073	Belarus	264	Sierra Leone	
060	Poland	074	Moldova	268	Liberia	
061	Czech Republic	075	Russia	272	Côte d'Ivoire	
063	Slovakia	076	Georgia	276	Ghana	
064	Hungary	077	Armenia	280	Togo	
066	Romania	078 079	Azerbaijan Kazakhstan	284	Benin	
068	Bulgaria	079	Kazakhstan Turkmenistan	288	Nigeria	
070	Albania	080	Uzbekistan	302	Cameroon	
091	Slovenia	081	Tajikistan	306	Central African Republic	
092	Croatia	082	Kirghistan	310	Equatorial Guinea	
093	Bosnia-Herzegovina	204	Morocco	311	Sao Tomé and Principe	
	-	208	Algeria	314 318	Gabon	
094	Federal Republic of Yugoslavia	212	Tunisia	318	Congo (Republic) Congo (Democratic Republic)	
096	Former Yugoslav Republic of Macedonia	216	Libya	322	Rwanda	
100		220	Egypt	328	Burundi	
109	The communes of Livigno and Campione d'Italia; the island of	604	Lebanon	329	St Helena and dependencies	
	Helgoland	608	Syria	330	Angola	
406	Greenland	612	Iraq	334	Ethiopia	
600	Cyprus	616	Iran	336	Eritrea	
950	Stores and provisions	624	Israel	338	Djibouti	
930	(Destinations referred to in Article	625	West Bank and the Gaza Strip	342	Somalia	
	34 of Commission Regulation (EEC)	628	Jordan	350	Uganda	
	No 3665/87, as amended)	632	Saudi Arabia	352	Tanzania	
		636	Kuwait	355	Seychelles and dependencies	
	7 61	640	Bahrain	357	British Indian Ocean Territory	
	Zone 04	644 647	Qatar United Arab Emirates	366	Mozambique	
0.20		647 649	Omited Arab Emirates Oman	373 375	Mauritius Comoros	
039	Switzerland	653	Yemen	373	Mayotte	
		662	Pakistan	378	Zambia	
	Zone 05	669	Sri Lanka	386	Malawi	
		676	Myanmar (Burma)	388	South Africa	
400	United States of America	680	Thailand	395	Lesotho	
		690	Vietnam			
		700	Indonesia			
	Zone 06	708	Philippines			
		720	China		Zone 10	
809	New Caledonia	724	North Korea			
822	French Polynesia	740	Hong Kong	075	Russia	

NB: The countries are those defined by Commission Regulation (EC) No 2317/97 (OJ L 321, 22.11.1997, p. 19).