

COMMISSION OF THE EUROPEAN COMMUNITIES

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COMMISSION PROPOSALS TO THE COUNCIL

on the fixing of prices for certain agricultural products
and on certain related measures

(Communication by Mr LARDINOIS)

Volume II

COM(75) 600 final

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COUNCIL REGULATION (EEC) NO /75

of

fixing, for the 1976/77 marketing year, the monthly price increase for cereals,
wheat and rye flour and wheat groats and meal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on
the common organization of the market in cereals ¹⁾, as last amended by
Regulation (EEC) No /75 ²⁾ and in particular Article 6 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, when the number and amount of the monthly price increases and the
first month in which these are to apply are fixed, account should be taken of
the storage costs and interest charges for storing cereals in the Community
and of the need to ensure that the offtake of cereals stocks conforms to
market requirements;

Whereas the application of such criteria does not necessitate any change in
the level of the monthly increases fixed for the 1975/76 marketing year;
whereas, however, the agri-monetary measures adopted necessitate a slight
alteration in the amount of such monthly increases;

Whereas the monthly increases also apply to the reference price fixed for
common wheat,

1) OJ No L 281 of 1.11.1975, p. 45.

2) OJ No L of 1975, p. .

HAS ADOPTED THIS REGULATION :

Article 1

For the 1976/77 marketing year, the monthly increases to be applied to the target price, threshold price and intervention price for the products listed in Article 1(a), (b) and (c) of Regulation (EEC) No 2727/75 and to the reference price for common wheat are fixed by this Regulation.

Article 2

The monthly increases to be applied to the target price, threshold price and intervention price for common wheat, rye, barley, maize and durum wheat and to the reference price for common wheat, operative for the first month of the marketing year, shall be as follows :

(u.a./1 000 kg)

Period	Common wheat, rye, barley and maize	durum wheat
August 1976	-	-
September	1,42	1,52
October	2,84	3,04
November	4,26	4,56
December	5,68	6,08
January 1977	7,10	7,60
February	8,52	9,12
March	9,94	10,64
April	11,36	12,16
May	12,78	13,68
June	(14,20)	(15,20)
July	(14,20)	(15,20)

The monthly increases in brackets shall not apply to the intervention prices or the reference price for common wheat.

Article 3

The monthly increases to be applied to the threshold price for meslin, oats, buckwheat, millet, canary seed and sorghum, valid for the first month of the marketing year, shall be the same as the monthly increases applicable to the threshold price for cereals other than durum wheat.

Article 4

The monthly increases to be applied to the threshold price for wheat, meslin and rye flour and to the threshold price for groats and meal of common or durum wheat, valid for the first month of the marketing year, shall be as follows :

(u.a./1 000 kg)

Period	Wheat and meslin flour, common wheat groats and meal, rye flour	Groats and meal of durum wheat
August 1976	-	-
September	2,13	2,33
October	4,26	4,66
November	6,39	6,99
December	8,52	9,32
January 1977	10,65	11,65
February	12,78	13,98
March	14,91	16,31
April	17,04	18,64
May	19,17	20,97
June	21,30	23,30
July	21,30	23,30

Article 5

This Regulation shall enter into force on 1 August 1976.

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

Done at

For the Council

Proposal for a

REGULATION (EEC) No /75 OF THE COUNCIL

of

fixing the amount of aid for durum wheat for the
1976/77 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 2727/75¹ of 29 October 1975 on the common organisation of the market in cereals, as last amended by Regulation (EEC) No /75², and in particular Article 10(2) thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas, although provision should be made for maintaining durum wheat production at its present level, it is necessary to reduce the incentive to produce that cereal in high-yield areas whilst maintaining the income levels of producers in low-yield areas; whereas, to that end, the amount of aid for durum wheat should vary according to whether the yield in the production region is lower than 2.2 m.t. or between 2.2. and 3 m.t. per hectare;

Whereas, in calculating those yields, account should be taken of the average yields recorded in each region in the 1971/72, 1972/73 and 1973/74 marketing years;

HAS ADOPTED THIS REGULATION:

Article 1

For the 1976/77 marketing year, the aid for durum wheat provided for in Article 10 of Regulation (EEC) No 2727/75 shall be fixed at:

- 42 units of account per hectare in the regions listed in Annex A,
- 21 units of account per hectare in the regions listed in Annex B.

(1) OJ No L 281, 1.11.1975, p. 1

(2) OJ No

Article 2

This Regulation shall enter into force on 1 August 1976.

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

Done at

For the Council

ANNEX A

Italy - Administrative regions

Abbruzzi
Basilicata
Calabria
Campania
Molise
Puglie
Sardegna
Sicilia
Umbria

ANNEX B

France - Administrative regions

Bordeaux
Clermont
Dijon
Lyon
Marseille
Nancy
Mantes
Poitiers
Toulouse

Italy - Administrative regions

Friuli-Venezia-Giulia
Emilia Romagna
Lazio
Liguria
Lombardia
Marche
Toscana

Proposal for

REGULATION (EEC) No /75 OF THE COUNCIL

of

amending Regulation (EEC) 2727/75 on the common
organization of the market in cereals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the common organization of the market in cereals includes a single price system for the Community; whereas this system entails, in particular, fixing annually for each basic cereal a target price and a single intervention price with the exception of common wheat for which provision is made for a basic intervention price from which are obtained various derived intervention prices;

Whereas this price system and the structure resulting from its application no longer represents the best means of attaining the objectives set out in Article 39 of the Treaty; whereas the aim of stabilizing prices on the market, essential to ensure equitable standard of living for the agricultural community concerned, has not been entirely successful as is shown by the number of exceptional intervention measures for certain cereals;

Whereas therefore the system should be reformed; whereas in the light of experience gained in the case of other cereals, regionalization for common wheat should be abolished and replaced by a single price intervention system for the whole community;

Whereas, furthermore, to increase the fluidity of the cereals market as a whole, a new structure should be set up for the fixing of intervention prices for the principal cereals to ensure a better balance between the different types of production in accordance with real market needs but without affecting producers' incomes; whereas, to this end, intervention prices for high-yield common wheat varieties little suited to bread-making should be brought into line with those for barley and maize; whereas this common intervention level

for all feed grains with the exception of rye fully suitable for bread-making would constitute the minimum level guaranteed to producers above which market prices for these cereals would develop in accordance with their value for use in animal feed;

Whereas, on the other hand, the production of common wheat of good bread-making quality at a level higher than that of the intervention price should be encouraged, and if necessary market prices should be supported in relation to this level; whereas the reference price related to this level should reflect the gap between the gross return from the production of common wheat of bread-making quality and that from high-yield common wheat;

Whereas there should be sufficient difference between the target price which determines the level of protection of the Community market and the intervention price to ensure an orderly market and particularly to enable shortages in deficit areas to be covered by excess produce from surplus areas; whereas to attain this objective, target prices should be established taking into consideration, in addition to the element corresponding to the cost of transport between the area with the largest surplus and that with the largest deficit, a market element representing the difference occurring in a price structure developing under normal conditions in the production area with the largest surplus, between market prices and the support levels corresponding to the reference price for common wheat and the intervention price for the other cereals;

Whereas in view of the radical nature of this reform, to allow the market to adjust to it in the most favourable circumstances provision should be made for the postponement, during the 1976/77 marketing year of the establishing of a price structure fully in conformity with the new system;

Whereas the reference price for common wheat of bread-making quality during the marketing year should be included among those subject to monthly increases;

Whereas special circumstances in certain regions of the Community can temporarily cause market prices to diverge from trends in the rest of the Community; whereas to avoid massive intervention in such regions, provision should be made for preventive measures to ease the market concerned for a specified period; whereas, in addition, provision should also be made for

special intervention measures for common wheat of bread-making quality in cases where market prices fail to develop normally in relation to the level of the reference price;

Whereas to maintain the homogeneity of the Community market in cereals, the special intervention measures referred to above should be evaluated and decided from a Community viewpoint;

Whereas on account of the substantial rise in the production of durum wheat in the Community, the granting of uniform aid to all producers is no longer justified; whereas, however, with a view to encouraging productivity and improving the quality of this product, the power to grant such aid should be provisionally retained; whereas, however, such aid could be limited to areas with low yields and to durum wheat having a quality and technical characteristics suitable for the manufacture of pasta products;

Whereas to avoid an influx, for intervention, of durum wheat not meeting the abovementioned requirements, the stringency of the conditions at present laid down in respect of its eligibility for intervention must be increased;

HAS ADOPTED THIS REGULATION:

Article 1

Articles 2, 3 and 4 of Regulation (EEC) No 2727/75 are amended as follows:

"Article 2

The marketing year for all products listed in Article 1 shall begin on 1 August and end on 31 July of the following year.

Article 3

1. Before 1 August of each year the following prices shall be fixed for the Community for the marketing year beginning the following year:

- a single common intervention price for common wheat, barley and maize and a single intervention price for rye and durum wheat;
- a reference price for common wheat of bread-making quality;
- a target price for common wheat, durum wheat and rye and a common target price for barley and maize.

2. These prices shall be fixed for a standard quality to be determined for each of the above cereals.

3. The single intervention prices shall be fixed for the intervention centre at Ormes, the centre of the region with the largest cereals surplus, in the community, at the wholesale stage, goods delivered to warehouse, not unloaded. They shall be valid for all Community intervention centres designated for each cereal.

The single intervention prices shall be valid from 1 August to 31 May of the following year. From 1 June to 31 July, the intervention prices valid for August of the beginning of the same marketing year shall apply.

4. The reference price for common wheat of bread-making quality shall be established by adding to the single common intervention price fixed for this product an amount representing the difference between the reform per hectare obtained from this crop and that obtained from high-yield common wheat.

5. The target prices shall be fixed for Duisburg, the area with the greatest deficit, at the wholesale stage, goods delivered to warehouse, not unloaded.

They shall be established by adding a market element and an element corresponding to the cost of transport between the Ormes area and the Duisburg area.

- to the reference price, for common wheat;
- to the respective single intervention prices, for rye and durum wheat;
- to the single common intervention price, for barley and maize.

For rye, durum wheat and common wheat respectively, the market element shall correspond to the probably difference between:

- (a) the single intervention price for rye, the single intervention price for durum wheat and the reference price for common wheat of bread-making quality on the one hand, and
- (b) the market prices for rye, durum wheat and common wheat of bread-making quality respectively to be expected in a normal harvest under natural conditions of price formation on the Community market in the area with the largest surplus, on the other.

The market element for barley and maize shall correspond to the probably difference between the market price for barley and the single common intervention price, plus the differences in market prices reflecting the relative values of the two cereals concerned for use in animal feed. The market prices to be taken into consideration are those to be expected in a normal harvest under natural conditions of price formation on the Community market in the production area with the largest surplus.

The element corresponding to the cost of transport is established on the basis of the most favourable means, or combination of means, of transport and prevailing rates available.

6. The prices referred to in paragraph 1 and the quality standards referred to in paragraph 2 shall be determined in accordance with the procedure laid down in Article 43(2) of the Treaty.

7. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt the rules to be applied in determining the intervention centres to which the single intervention prices apply.

8. The intervention centres referred to in the preceding paragraph shall be determined, after consultation with the Member States concerned, before 1 May of each year for the following marketing year in accordance with the procedure laid down in Article 26.

Article 4

To facilitate the transition from the system applied during the 1975/76 marketing year to that set forth in Article 3 and in particular the price structure established thereby, the single intervention prices for common wheat, barley and maize may, in derogation from paragraph 1 of the same Article, be fixed at different levels for the 1976/77 marketing year. In such case, the common single intervention price used to establish both the reference price for common wheat of bread-making quality and the common target price for barley and maize shall be considered as the single intervention price for barley."

Article 2

Article 6(1) of Regulation (EEC) No 2727/75 is amended as follows:

"The intervention prices, the reference price for common wheat of bread-making quality, the target prices and threshold price shall be the subject of monthly increases phased over all or part of the marketing year."

Article 3

Article 7 of Regulation (EEC) No 2727/75 is amended as follows:

1. Throughout the marketing year, the intervention agencies designated by Member States shall be obliged to buy in cereals referred to in Article 3 which have been harvested in the Community and offered to them, provided that the offers comply with conditions, in particular in respect of quality and quantity, to be determined in accordance with paragraph 5.

2. The intervention agencies shall buy in at the single intervention price regardless of the centre at which the cereal is offered, under conditions determined in accordance with paragraphs 4 and 5. If the quality of the cereal is different from the standard quality for which the intervention price has been fixed, the intervention price shall be adjusted in accordance with scales of price increases and reductions.

3. Under conditions to be laid down in accordance with paragraphs 4 and 5, the intervention agencies shall offer for sale:

- for export to third countries,
- or for supply to the internal market, the product bought in under the provisions of paragraph 1.

4. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules governing intervention.

5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 26, in particular as regards:

- the minimum quality and quantity required for each cereal and in respect of durum wheat the technical qualities it must satisfy to be eligible for intervention,
- the scales of price increases and reductions applicable for the purposes of intervention,
- the procedures and conditions for taking over by the intervention agencies,
- the procedures and conditions for the sale of produce by the intervention agencies".

Article 4

Article 8 of Regulation (EEC) No 2727/75 is amended as follows:

- "1. To prevent substantial purchases being made in certain regions of the Community in pursuance of Article 7(1), it may be decided that the intervention agencies should take special intervention measures.
2. Where called for by the situation on the Community market in common wheat of bread-making quality, special intervention measures may be decided for this cereal to support the market price in relation to the reference price referred to in Article 3(1).
4. The nature and application of special intervention measures and the conditions and procedures for the sale or other means of disposal of the products subject to those measures shall be determined in accordance with the procedure laid down in Article 26.

The rules for the application of this Article shall where necessary be adopted by the same procedure."

Article 5

Article 10 of Regulation (EEC) No 2727/75 is concluded as follows:

- "1. Aid may be granted for the production of durum wheat in the Community.
 2. The amount of such aid shall be fixed per hectare of land sown and harvested and shall be the same throughout the marketing year.
- Aid shall be granted only for durum wheat having a quality and technical characteristics to be determined; further, it may be limited to certain production regions.
3. The amount of aid and, if applicable, the production regions referred to in paragraph 2 shall be determined before 1 August for the marketing year beginning in the following calendar year, in accordance with the procedure laid down in Article 43(2) of the Treaty.
 4. The Council, acting by a qualified majority on a proposal from the Commission, shall lay down the general rules for the application of this Article and in particular the criteria for determining the quality

standards and technical characteristics referred to in paragraph 2.

5. The following shall be adopted in accordance with the procedure laid down in Article 26:

- the detailed rules for the application of this Article;
- the quality standards and technical characteristics which must be met by durum wheat to qualify for aid and, where appropriate, the list of varieties concerned."

Article 6

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

Done at Brussels,

For the Council

The President

Proposal for a

REGULATION (EEC) No /75 OF THE COUNCIL

of

laying down rules for determining the intervention
centres for cereals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75¹ of 29 October 1975
on the common organization of the market in cereals, as last amended by
Regulation (EEC) No /75², and in particular Article 3(7) thereof;

Having regard to the proposal from the Commission;

Whereas the rules for deriving intervention prices cease to apply on 1 August
1976 and whereas, consequently, uniform intervention prices will subsequently
apply for all intervention centres;

Whereas, to ensure the proper working of the intervention system, intervention
centres should be selected on the basis of geographical situation and the
existence of storage facilities which allow the assembly and disposal of large
quantities of cereals;

Whereas Council Regulation (EEC) No 2733/75³ of 29 October 1975 laying down
rules for deriving intervention prices for common wheat and for determining
certain marketing centres for cereals no longer meets the requirements laid
down in Regulation (EEC) No 2727/75; whereas it should therefore be repealed;

HAS ADOPTED THIS REGULATION:

Article 1

The intervention centres to be determined pursuant to Article 3(7) of
Regulation (EEC) No 2727/75 must meet one of the following requirements:

(1) OJ No L 281, 1.11.1975, p. 1
(2)
(3) OJ No L 281, 1.11.1975, p. 31

- (a) location in regions with a substantial cereals production, which greatly exceeds local demand either regularly or occasionally;
- (b) the existence of substantial storage facilities;
- (c) possession of special importance for the marketing of the produce both inside and outside the Community.

Article 2

1. Of the centres situated in regions of the kind described in Article 1(a), only those centres shall be considered which have:

- storage facilities with technical equipment permitting the taking over, preparation and delivery of sufficiently large quantities of cereals;
- convenient transport links for the taking over, and - in particular - disposal of cereals.

2. Of the centres meeting the requirements listed in Article 1(b) or (c), only those shall be considered whose storage facilities, technical equipment and geographical situation permit the assembly and, in particular, disposal of large homogeneous quantities of cereals.

Article 3

Regulation (EEC) No 2733/75 is hereby repealed.

Article 4

This Regulation shall enter into force on 1 August 1976.

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

Done at Brussels,

For the Council

The President

Proposal for a

REGULATION (EEC) No /76 OF THE COUNCIL

of

on special intervention measures for cereals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727 of 29 October 1975 on the common organization of the market in cereals¹, as last amended by Regulation (EEC) No /76², and in particular Article 8(3) thereof,

Having regard to the proposal from the Commission,

Whereas Article 8(1) of Regulation (EEC) No 2727/75 makes provision for special intervention measures for cereals in cases where in certain regions in the Community there is a danger of substantial quantities being offered for intervention; whereas the circumstances giving rise to a situation which could justify such special intervention measures being taken should be specified;

Whereas Article 8(2) of Regulation (EEC) No 2727/75 provides for the taking of special intervention measures for common wheat of bread-making quality to support the market price in relation to the reference price; whereas therefore, this common wheat must be of adequate bread-making quality; whereas however, the description of bread-making quality can be attributed, depending on the use envisaged, to common wheat of quality and technical characteristics varying according to the requirements of such use; whereas the special intervention measures must be adaptable to such a situation; whereas recourse to a tendering procedure for the buying-in by intervention agencies of common wheat of bread-making quality of particular kinds appears to be a suitable means to that end;

Whereas the sale of cereals held by intervention agencies, following the taking of special intervention measures must be effected without discrimination between

(1) OJ No L 281, 1.11.1975, n. 1

(2)

buyers established in the Community and at price levels which do not hinder the normal development of market prices in the Community; whereas the tendering procedure enables these objectives to be attained; whereas, however, if this procedure is not followed or if cereals which have been the subject of special intervention measures are not held by the intervention agencies, there should be provision for fixing special conditions where the market situation so requires, as to putting the cereals in question back on the market or to disposing of them by other means.

HAS ADOPTED THIS REGULATION:

Article 1

The special intervention measures referred to in Article 8(1) of Regulation (EEC) No 2727/75 may be taken if, in one or more regions of the Community, market prices show a fall or a weakness which, in view of the size of the harvest or of regional stocks and their geographical situation, could oblige the intervention agencies to buy in large quantities in accordance with the procedure provided for in Article 7 of the said Regulation.

Article 2

The special intervention measures for common wheat of bread-making quality referred to in Article 8(2) of Regulation (EEC) No 2727/75, may be applied by way of invitations to tender, issued by the intervention agencies, for the purchase of common wheat of bread-making quality meeting specific quality and technical standards.

Article 3

1. If the special intervention measures have taken the form of buying-in of cereals by the intervention agencies, these cereals shall be subsequently be disposed of by invitation to tender:

- (a) either with a view to their being put back on the Community market on the basis of price conditions such as will prevent a deterioration of the market;
- (b) or with a view to export on the basis of price conditions to be determined case by case according to market trends and requirements.

Where an invitation to tender relates to the putting back on the Community market of cereals bought in by intervention agencies, the use to be made of the product

may be stipulated.

2. If special intervention measures take forms other than that referred to in paragraph 1, special conditions may be laid down as to putting the cereals back on the market or to the disposal thereof by other means.

3. The Council, acting by a qualified majority on a proposal from the Commission, may establish selling procedures other than those laid down in paragraph 1 if special circumstances so require.

Article 4

When invitations to tender are issued pursuant to this Regulation, the terms must ensure equality of access and treatment to all persons concerned irrespective of the place of their establishment within the Community.

Article 5

Council Regulation (EEC) No 2740/75 of 29 October 1975 on special intervention measures for cereals³ is hereby repealed.

Article 6

This Regulation shall enter into force on 1 August 1976.

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

Brussels,

For the Council

The President

(3) OJ No L 281, 1.11.1975, p. 54

Proposal for a

REGULATION (EEC) No /76 OF THE COUNCIL

of

on aid for durum wheat

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75¹ of 29 October 1975 on the common organization of the market in cereals, as last amended by Regulation (EEC) No /76², and in particular Article 10(4) thereof;

Having regard to the proposal from the Commission;

Whereas Article 10 of Regulation (EEC) No 2727/75 provides that aid may be granted for the production of durum wheat in the Community; whereas to promote a general improvement in quality and guarantee that the durum wheat harvested is suitable for the manufacture of pasta products in particular, it should be laid down that the qualitative and technological requirements which durum wheat must satisfy qualify for aid must be determined in accordance with these objectives;

Whereas, pursuant to Article 10(2) of Regulation (EEC) No 2727/75, aid is granted by the Member States per hectare of land sown and harvested; whereas the proper functioning the aid system requires suspension by the Member States to ensure that aid is granted only for the areas concerned and for products eligible; whereas provision must therefore be made for the establishment by each Member State concerned of a system by which declarations are made in respect of such areas; whereas, the affectiveness of supervision measures can be enhanced by checking that certain types of seeds yet to be specified are used for sowing and that crops harvested, are derived therefrom,

HAS ADOPTED THIS REGULATION:

(1) OJ No L 281, 1.11.1975, n. 1
(2)

Article 1

The aid provided for in Article 10 of Regulation (EEC) No 2727/75 shall be granted by the Member States for durum wheat produced on their territory under the conditions set out in the following Articles.

Article 2

For the purposes of this Regulation, durum wheat shall mean wheat of the triticum durum species and the hybrids derived from the interspecific crossing of triticum durum with the same number of chromosomes as that species.

Article 3

The qualitative and technological requirements which durum wheat must satisfy to qualify for aid must guarantee that the product is suitable for use by the semolina industry and for the manufacture of pasta products and that the processed products derived therefrom satisfy certain requirements as regards fitness for human consumption.

Article 4

1. The Member States shall create a system of administrative supervision to ensure that the product for which aid is requested meets the requirements for the grant of such aid .
2. For this purpose, the Member States shall introduce a system by which declarations are made in respect of areas sown and harvested.

Article 5

The Member States shall carry out sampling checks to ensure the accuracy of declarations relating to areas of land sown and harvested and of applications for aid submitted by producers.

Article 6

The amount of aid to be paid shall be calculated on the basis of the area sown and harvested.

Article 7

The Member States shall inform the Commission of the measures taken pursuant to this Regulation and, at the end of each half-year, of the quantities of durum wheat in respect of which aid has been granted.

Article 8

Council Regulation (EEC) No 2741³ of 29 October 1975 on the aid for durum wheat is hereby repealed.

Article 9

This Regulation shall enter into force on 1 August 1976.

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

Done at Brussels,

For the Council,

(3) OJ No L 281, 1.11.1975, p. 55

Proposal for
COUNCIL REGULATION (EEC) No
of

fixing, for the 1976/77 marketing year, the protective amount
to be included in the threshold price for milled rice.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 359/67/EEC of 25 July 1967 on the common organization of the market in rice ¹, as last amended by Regulation (EEC) No 668/75 ², and in particular Article 14 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Article 14 (3) of Regulation No 359/67/EEC provides that the threshold prices of milled rice are to be derived from the threshold prices of husked rice to which an amount for the protection of the industry is to be added ; whereas, in view of the situation of the Community rice industry, it appears appropriate to retain for the 1976/77 marketing year the same protective amount as that adopted for the 1975/76 marketing year,

HAS ADOPTED THIS REGULATION :

Sole Article

For the 1976/77 marketing year, the amount to be included in the threshold price for milled rice for the protection of the industry shall be 11.50 units of account per metric ton.

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

Done at

For the Council

¹ OJ No 174 of 31.7.1967, p. 1.

² OJ No L 72 of 20.3.1975, p. 18.

Proposal for
COUNCIL REGULATION (EEC) No /75

of

fixing, for the 1976/77 marketing year, the monthly price increases
for paddy and husked rice

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 359/67/EEC of 25 July 1967 on the Common organization of the market in rice ¹, as last amended by Regulation (EEC) No 668/75 ², and in particular Article 7 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, when the number and amount of the monthly increases and the first month in which these are to apply are fixed, account should be taken both the costs of storing and financing rice in the Community and the need to ensure that the offtake of rice stocks conforms to market requirements ;

Whereas the application of such criteria does not necessitate any change in the level of the monthly increases adopted for the 1975/76 marketing year ; whereas, however, the agri-monetary measures adopted necessitate a slight alteration in the amount of such monthly increases,

HAS ADOPTED THIS REGULATION :

Sole Article

1. For the 1976/77 marketing year, the amount of each of the monthly increases provided for in Articles 7 (1) and 14 (2) of Regulation No 359/67/EEC shall be :
 - 1.74 unit of account per metric ton of paddy rice ;
 - 2.18 units of account per metric ton of husked rice.

¹ OJ No 174, 31.7.1967, p. 1.

² OJ No L 72, 20.3.1975, p. 18.

2. These monthly shall apply from 1 October 1976 to 1 July 1977. The prices thus obtained for the month of July 1977 shall remain valid until 31 August 1977.

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

Done at

For the Council

Proposal for
COUNCIL REGULATION (EEC)
of

fixing for the 1976/77 sugar year the derived intervention prices,
the intervention prices for raw beet sugar, the minimum prices for
beet, the threshold prices, the maximum amount of the production
levy and the coefficient for calculating the special maximum quota

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar¹, as last amended by Regulation (EEC) No /75², and in particular Articles 3 (6), 4 (4), 9 (5), 13 (5), 28 and 32 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No of fixing the prices and amounts applicable in the agricultural sector for the 1976/77 sugar year³, fixed the intervention price for white sugar at 33.14 units of account per 100 kilograms for the Community area having the largest surplus ;

Whereas Article 3 (2) of Regulation (EEC) No 3330/74 provides for derived intervention prices to be fixed for other areas, account being taken of the regional variations which, given a normal harvest and free movement of sugar, might be expected to occur in the price of sugar under natural conditions of price formation ;

Whereas in view of the quotas fixed for the production areas in Belgium, Denmark, Germany, France and Netherlands, a balanced or surplus situation can be anticipated ; whereas, with the exception of the French overseas departments, the ex-factory prices in the areas mentioned will in the main be equal to the prices in the Community area having the largest surplus ;

¹ OJ No L 359, 31.12.1974, p. 1.

²

³

Whereas, sugar production in Italy, with relatively high production costs, will probably not appreciably exceed the basic quantity fixed ; whereas a deficit of about 500 000 metric tons to be covered by the production of the Community surplus areas should be taken into account ;

Whereas, in these circumstances, the level of market prices in Italy will be determined by the offer prices of sugar from Community surplus areas ; whereas the derived intervention price for Italy may be fixed at 35.70 units of account per 100 kilograms, account being taken on the one hand of the intervention price applicable in the north of France plus the marketing costs for deliveries to Italy and, on the other, of the disposal costs for the Italian sugar industry ;

Whereas, given a normal harvest, the production of sugar in Ireland and the United Kingdom covers roughly 90 % and 40 %, respectively, of the requirements of their national markets : whereas these requirements must be met partly by sugar from the Community surplus areas ;

Whereas, in these circumstances, the level of market prices in Ireland and in the United Kingdom will be determined largely by the offer prices of sugar from those areas ; whereas a single derived intervention price for white sugar, which may be fixed at 33.14 units of account per 100 kilograms, should therefore be adopted for all regions of Ireland and the United Kingdom, account being taken on the one hand of the intervention price applicable in the Community area having the largest surplus plus the marketing costs for deliveries to Ireland and the United Kingdom and, on the other, of the disposal costs for the sugar industry of those Member States ;

Whereas there is a considerable surplus in the production of raw sugar in the French overseas departments ; whereas the most favourable potential outlets for this sugar within the Community are in the south of France and in Italy, where the sugar, after being refined, may be sold directly ; whereas, on the basis of the foreseeable market prices in the deficit areas of Italy, which will probably be 0.57 unit of account per 100 kilograms above the derived intervention price in Italy, and taking account of the transport costs between the overseas departments and these areas, the derived intervention prices for these departments should be fixed at 32.94 units of account per 100 kilograms of white sugar ;

Whereas Article 3 (4) of Regulation (EEC) No 3330/74 provides for the fixing of an intervention price for raw sugar for those departments, to be derived from the intervention price for white sugar fixed for those departments on the basis of a quality surcharge of 0.60 unit of account, a standard processing margin and a standard yield ; whereas, on the basis of available information, the refining costs may be estimated at 2.64 units of account per 100 kilograms of refined sugar, whereas, moreover, pursuant to the definition of the standard quality for raw sugar laid down by Regulation (EEC) No 431/68¹, a yield of 92 % should be used ;

Whereas Article 9 (5) of Regulation (EEC) No 3330/74 provides for the determination of intervention prices for raw beet sugar ; whereas these prices should be derived from the intervention price for white sugar, account being taken of the factors already mentioned for fixing the intervention price for raw sugar in the French overseas departments, and of the forwarding costs for supplying raw sugar, estimated at a fixed rate of 0.50 unit of account per 100 kilograms ;

Whereas the minimum prices for sugar beet referred to in the first indent of Article 4 (1) of Regulation (EEC) No 3330/74 must be determined for the areas other than that having the largest surplus on the basis of the intervention prices for white sugar applicable in those areas, account being taken in particular of the amounts used when fixing the minimum price for beet for the area having the largest surplus, for the processing margin, the yield, the receipts from molasses and the delivery costs of the beet ;

Whereas, under Article 13 (2) of Regulation (EEC) No 3330/74, the threshold price for white sugar should be the same as the target price for the Community area having the largest surplus plus transport costs, calculated at a flat rate, from that area to the most distant deficit area in the Community ; whereas, given the state of supplies within the Community, account should be taken of the transport costs between the departments of northern France and Palermo, the main port of importation in Sicily ;

¹ OJ No L 89, 10.4.1968, p. 3.

Whereas the threshold price for raw sugar should be derived from the threshold price for white sugar on the basis of a standard processing margin and yield; whereas the same criteria as are used in the derivation of the intervention price for raw sugar should be applied;

Whereas the threshold price for molasses should be so fixed that the receipts from sales of molasses may reach the level of receipts of undertakings taken into account in the fixing of minimum prices for beet;

Whereas Article 28 of Regulation (EEC) No 3330/74 provides for the fixing of the maximum amount of the production levy for the fixing of the minimum prices for beet outside the basic quota for the beet-sugar producing areas for which an intervention price is fixed and for fixing the percentage determining the amount of the supplementary payment which manufacturers may have to make to beet growers; whereas, under Article 27 (3) of Regulation (EEC) No 3330/74, the production levy may not exceed 30% of the intervention price; whereas for the area with the largest surplus the minimum price for beet outside the basic quota should be fixed at 70% of the minimum price for beet; whereas the percentage taken for determining abovementioned supplementary payment may be fixed at 60% account being taken of the value of beet in relation to the intervention price for sugar; whereas the same percentage should be taken to determine the payment which sugar manufacturers may require of cane sellers;

Whereas, under Article 32 (4) of Regulation (EEC) No 3330/74, it is necessary, for the period or periods subsequent to 30 June 1976, to determine the length of each period for which a decision not to apply Article 30 of that Regulation may be taken and the coefficient for the calculating of the special maximum quota, and to specify the basic quota to which the said coefficient applies,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation shall apply for the 1976/77 sugar year.

Article 2

For the regions other than the Community area having the largest surplus the derived interventions price for 100 kilograms of white sugar shall be:

- a) 35.70 units of account for all regions fo Italy;
- b) 32.94 units of account for hte French overseas departments;
- c) 34.14 units of account for all regions of Ireland and the United Kingdom;
- d) 33.14 units of account for the other regions of the Community.

Article 3

1. The intervention price for 100 kilograms of raw beet sugar shall be:

- a) 28.15 units of account for the Community area having the largest surplus and the regions referred to in Article 2 (d);
- b) 30.51 units of account for the regions referred to in Article 2 (a);
- c) 29.07 units of account for the regions referred to in Article 2 (c);

This intervention price shall be valid for raw sugar of standard quality, unpacked, ex-factory, loaded onto the means of transport chosen by the buyer.

2. The derived intervention price for the French overseas departments for raw sugar referred to in Article 3 (4) of Regulation (EEC) No. 3330/74 shall be 28.43 units of account per 100 kilograms, account being taken of the second subparagraph of Article 3 (b) of the Regulation.

Article 4

1. The minimum price for beet shall be per metric ton:
 - a) 27.90 units of account for the regions referred to in Article 2 (a);
 - b) 25.87 units of account for the regions referred to in Article 2 (c);
 - c) 24.57 units of account for the regions referred to in Article 2 (d);
2. The minimum price for beet outside the basic quotas shall be, per metric ton:
 - a) 17.20 units of account for the area having the largest surplus and for the regions referred to in Article 2 (d);
 - b) 20.53 units of account for the regions referred to in Article 2 (a);
 - c) 18.50 units of account for the regions referred to in Article 2 (c).

Article 5

The threshold price shall be:

- a) 37.96 units of account per 100 kilograms of white sugar;
- b) 33.05 units of account per 100 kilograms of raw sugar;
- c) 3.20 units of account per 100 kilograms of molasses.

Article 6

1. The maximum amount of the production levy referred to in Article 28 of Regulation (EEC) No 3330/74 shall be 9.94 units of account per 100 kilograms of white sugar.
2. The percentages referred to in Article 27 (4) and (5) of Regulation (EEC) No 3330/74 shall be 60.

Article 7

1. The period referred to in the first indent of Article 32 (4) of Regulation (EEC) No 3330/74 shall run from 1. July 1976 to 30 July 1978. The Member State concerned must take the decision in respect of this period before 1 May 1976.

2. The coefficient referred to in the second indent of Article 32 (4) of Regulation (EEC) No 3330/74 shall be 2.35 for the period referred to in paragraph 1. The coefficient shall be applied to the basic quota for the 1976/1977 sugar year.

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

Done at Brussels

For the Council
The President

Proposal for a
REGULATION (EEC) No OF THE COUNCIL
of
amending Regulation (EEC) No 3330/74 on
the common organization of the market
in sugar

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament⁽¹⁾;

Whereas Protocol No 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé signed on 28 February 1975 and provisionally brought into force by the Agreements on cane sugar, in the form of exchanges of letters between the Community and certain ACP States⁽²⁾, as also the Council Decision of 25 February 1975 concerning the importation of cane sugar originating in the overseas countries and territories (OCT)⁽³⁾, supplemented by the Council Decision of 26 March 1975⁽⁴⁾, and the Agreement between the European Economic Community and the Republic of India on cane sugar⁽⁵⁾, affirmed two basic principles whereby on the one hand the Community undertakes to purchase and import the sugar at negotiated prices and to provide intervention guarantees, and on the other these undertakings are to be implemented within the framework of the common organization of the market in sugar; whereas the incorporation of Title V concerning the system of preferential imports into Council Regulation (EEC) No 3330/74⁽⁶⁾ of 19 December 1974, as last amended by Regulation (EEC) No /75⁽⁷⁾, establishes this principle on a permanent footing; whereas, therefore, save as otherwise provided, the relevant provisions of the other titles of the said Regulation are applicable to preferential sugar referred to in Article 43 of the said Regulation;

(1) OJ No C

(2) OJ No L 268, 17 October 1975, p. 39

(3) OJ No L 268, 17 October 1975, p. 43

(4) OJ No L 268, 17 October 1975, p. 45

(5) OJ No L 190, 23 July 1975, p. 36

(6) OJ No L 359, 31 December 1974, p. 1

(7) OJ No L

Whereas, however, since Article 8 of Regulation (EEC) No 3330/74 provides that storage costs for white sugar, raw sugar and certain syrups produced prior to the crystallizing stage, manufactured from beet or cane harvested in the Community, are reimbursed at a flat rate by the Member States, preferential sugar is not entitled to such reimbursement;

Whereas the system of reimbursement for storage costs is to be regarded as a means of ensuring that supplies are spread as evenly as possible over the marketing year; whereas preferential sugar should serve this objective, in particular by enabling Community refineries to maintain a steady rhythm of work despite the geographical seasonality of deliveries of sugar;

Whereas the above mentioned undertakings have the effect of conferring the same rights on preferential sugar as on Community sugar produced under the quota system; whereas, therefore, preferential sugar should contribute to ensuring the normal supplies to the Community which are the main purpose of Article 18 of Regulation (EEC) No 3330/74; whereas, therefore, preferential sugar should be subject to the system of minimum stocks;

HAS ADOPTED THIS REGULATION:

Article 1

Article 8(1) of Regulation (EEC) No 3330/74 is amended as follows:

"1. Storage costs, subject to Article 31(2) for white sugar, raw sugar and certain syrups produced prior to the crystallizing stage, manufactured from beet or cane harvested in the Community and the storage costs for preferential sugar referred to in Article 43 shall be reimbursed at a flat rate by the Member States.

Member States shall charge a levy:

(a) on each sugar manufacturer

- per unit of weight of sugar produced, or
- per unit of weight of the syrups referred to in the preceding subparagraph and produced and marketed as such;

- (b) on each importer of preferential sugar per unit of weight of sugar imported and marketed as such;
- (c) on each sugar refiner of preferential sugar per unit of weight of refined sugar.

The amount of the reimbursement shall be the same for the entire Community.

The same rule shall apply to the levy.

However, in accordance with the procedure provided for in the first subparagraph of paragraph 2, the Council may, in respect of preferential sugar, derogate from the rule regarding uniformity of the levy so as to take account of aspects of storage of this sugar which do not arise with sugar produced under the quota system."

Article 2

The second subparagraph of Article 18(1) of Regulation (EEC) No 3330/74 is amended as follows:

"This minimum stock shall, in principle, be equal to 10% of the basic quota of each undertaking or to 10% of an undertaking's production, where its production is smaller than its basic quota; in respect of preferential sugar referred to in Article 4) this minimum stock shall in principle be equal to 10% of the quantity of preferential sugar that an undertaking refines during a period to be determined."

Article 3

The first indent of Article 20 of Regulation (EEC) No 3330/74 is amended as follows:

- "- the products listed in Article 1(1) which are intended for the manufacture of the products listed in the same paragraph under (a) and (d),"

Article 4

This Regulation shall enter into force on the eight day following

its publication in the Official Journal of the European Communities.
However, Article 1 shall not be applicable until the beginning of the
1976/1977 sugar marketing year.

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

Done at Brussels,

For the Council

COUNCIL REGULATION (EEC) No

of

fixing the monthly increases in the market target price,
the intervention price and the threshold price for olive oil
for the 1976/77 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 November 1966 on the establishment of a common organization of the market in oils and fats ¹, as last amended by Regulation (EEC) No 1707/73 ², and in particular Article 9 thereof,

Having regard to the proposal from the Commission,

Whereas under Article 9 of Regulation No 136/66/EEC the market target price, the intervention price and the threshold price for olive oil must be increased each month for a period of ten months beginning on 1 January 1977 ; whereas these increases must be the same for all three prices ;

Whereas these increases, the same for each of the ten months, must be fixed account being taken of average storage costs and interest charges in the Community ; whereas the storage costs should be calculated on the basis of the cost of storing the oil in suitable premises and the cost of the handling required in order to maintain the oil in good condition ; whereas the interest charges may be calculated by reference to an average price for olive oil valid in the producer areas,

HAS ADOPTED THIS REGULATION :

Article 1

For the 1976/77 marketing year, the amount of the monthly increases referred to in Article 9 of Regulation No 136/66/EEC and applicable as from 1 January 1977 shall be 1.12 units of account per 100 kgs.

¹ OJ No 172, 30.9.1966, p. 3025/66.

² OJ No L 175, 29.6.1973, p. 5.

Article 2

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

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

Done at

For the Council

The President

COUNCIL REGULATION (EEC) No

of

fixing the monthly increase in the target price and the intervention price for oil seeds for the 1976/77 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats¹, as last amended by Regulation (EEC) No 1707/73², and in particular Article 25 thereof,

Having regard to the proposal from the Commission,

Whereas under Article 25 of Regulation (EEC) No 136/66/EEC the amount by which the target price and the intervention price for colza, rape and sunflower seeds are increased each month beginning with the third month of the marketing year should be fixed for the 1976/77 marketing year and the number of months in which these increases are applicable should be determined ; whereas the amount must be the same for both prices ;

Whereas these increases, the same for each month, must be fixed account being taken of average storage costs and interest charges recorded in the Community ; whereas the average storage costs should be calculated on the basis of the cost of storing the seeds in suitable premises and the cost of the handling required in order to maintain the seeds in good condition ; whereas the interest charges may be calculated on the basis of the normal rate for the producer regions ;

Whereas, in view of the requirements outlined above, the monthly increases for the 1976/77 marketing year should be fixed at a level higher than that for the previous marketing year ;

Whereas experience gained in the 1975/76 marketing year and harvest forecasts do not give grounds for laying down a number of monthly increases for the 1976/77 marketing year different from that the previous year,

HAS ADOPTED THIS REGULATION :

¹ OJ No 172, 30.9.1966, p. 3025/66.

² OJ No L 175, 29.6.1973, p. 5.

Article 1

1. For the 1976/77 marketing year, the amount of the monthly increases applicable for cclza and rape seed shall be 0.304 unit of account per 100 kilograms.
2. These increases shall be applicable for seven months.

Article 2

1. For the 1976/77 marketing year, the amount of the monthly increases applicable for sunflower seed shall be 0.355 unit of account per 100 kilograms.
2. These increases shall be applicable for five months.

Article 3

This Regulation shall enter into force on

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

Done at

For the Council
The President

Proposal for
REGULATION (EEC) No./75 OF THE COUNCIL
of

laying down special measures for flax seed

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Having regard to the Opinion of the Economic and Social Committee;

Whereas the production of flx seed is becoming of increasing interest to the Community; whereas, in order to promote the development of this production, which is subjected to direct competition from the flax seed imported from third countries duty free, provision should be made for appropriate measures of support;

Whereas to this end the marketing of Community crops must ensure producers a fair income, the level of which may be defined by a guide price; whereas the difference between this price and price ascertained for the flax seed on the world market for a representative period corresponds to the amount of the subsidy which should be granted in order to achieve the objective pursued;

Whereas provision should be made to ensure that expenditure incurred by Member States as a result of the obligations arising from the application of this Regulation becomes a charge on the Community in accordance with the regulations on the financing of the common agricultural policy.

HAS ADOPTED THIS REGULATION :

Article 1

1. Each year before 1 August, a guide price for flax seed falling within Common Customs Tariff heading No 12.01 shall be fixed for the Community in accordance with the procedure laid down in Article 43 (2) of the Treaty.

This price shall be fixed at a level which is fair to producers, account being taken of the supply requirements of the Community.

2. The guide price shall continue to apply throughout the following marketing year; this shall cover the period from 1 August to 31 July.
3. The guide price shall relate to a standard quality. This quality shall be determined by the Council in accordance with the procedure referred to in paragraph 1.

Article 2

1. When the guide price valid for a marketing year is higher than the average world market price for standard quality flax seed, observed during the same marketing year for a Community frontier crossing point and for a representative period, a subsidy equal to the difference between these two prices shall be granted for flax seed harvested within the Community.
2. The subsidy shall be granted for production obtained by applying an indicative yield to the surface areas on which flax has been sown and harvested.
The target yield may be differentiated, taking into account the characteristics of the flax produced and the yield ascertained in the major producing areas in the Community.
3. The Council, acting by qualified majority on a proposal from the Commission, shall lay down :
 - (a) the criteria for the determination of the average world market price;
 - (b) the general rules according to which the subsidy shall be granted, as well as those concerning the control of the areas sown and harvested within the Community with a view to establishing eligibility for the subsidy.
4. The following shall be determined in accordance with the procedure set out in Article 38 of Council Regulation No 136/66/EEC⁽¹⁾ of 22 September 1966 on the establishment of a common organization of the market in oils and fats :
 - (a) the average world market price;
 - (b) detailed rules for the application of the present Article.

(1) OJ No 172, 30.9.1966, p. 3025/66

Article 3

Member States and the Commission shall communicate to each other the information necessary for the application of this Regulation. This information shall be decided upon in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC. Detailed rules concerning the communication and dissemination of this information shall be adopted in accordance with the same procedure.

Article 4

The provisions on the financing of the common agricultural policy shall apply to the subsidy system provided for in this Regulation.

Article 5

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

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

Done at Brussels,

For the Council

Proposal for

COUNCIL REGULATION (EEC) No /75

of

amending Regulation (EEC) No 1308/70 as regards the system of aid for flax

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Articles 42 and 43 thereof,

Having regard to the Opinion of the Commission,

Having regard to the Opinion of the European Parliament,

Having regard to the Opinion of the Economic and Social Committee,

Whereas under Article 4 (1) of Council Regulation (EEC) No 1308/70
of 29 June 1970 on the common organization of the market in flax and hemp ¹,
as amended by the Act concerning the Conditions of Accession and the
Adjustments to the Treaties ², aid is granted for flax and hemp produced in
the Community ; whereas, in view of the characteristics of flax grown mainly
for fibre and of hemp, provision was made in respect of that aid for a system
fixing a flat rate per hectare ; whereas, in view of the reduced volume of
flax grown mainly for seed, this system of aid was also made applicable to
that product ;

Whereas for some years the production of linseed has been increasing in
importance in the Community ; whereas in these circumstances provision should
be made for a support system better suited to the characteristics of the product
in question which would make it possible to expand production ; whereas,
therefore, the flat-rate system of aid should be confined to flax grown mainly
for fibre and to hemp ;

Whereas, when fixing the amount of the flat rate per hectare for flax, account
should be taken of the system laid down for linseed ;

Whereas it should be specified that the general rules for applying the system of
aid, to be adopted under Article 4 (4) of Regulation (EEC) No 1308/70, must
include measures relating the verification of entitlements to the aid,

HAS ADOPTED THIS REGULATION :

1) OJ No L 146, 4.7.1970, p. 1.
2) OJ No L 73, 27.3.1972, p. 14.

Article 1

The first subparagraph of Article 4 (1) of Regulation (EEC) No 1308/70 is amended as follows :

"1. A system of aid shall be introduced for flax grown mainly for fibre and for hemp grown in the Community."

Article 2

The second subparagraph of Article 4 (2) of Regulation (EEC) No 1308/70 is amended as follows :

"When the amount of the aid is being fixed account shall also be taken

- with regard to flax and hemp :

of the price for flax and hemp fibres on the world market and the price for other competing natural products,

- with regard to flax :

of the norm price for lin-seed,

- with regard to hemp :

of the price for hemp seeds on the world market."

Article 3

Article 4 (4) of Regulation (EEC) No 1308/70 is amended as follows :

"The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for the application of this Article, in particular as regards the verification of entitlement to the aid."

Article 4

This Regulation shall enter into force on 1 August 1976.

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

Done at

For the Council

Proposal for
COUNCIL REGULATION (EEC) No
of
amending Regulation (EEC) No 1035/72 on the common organization of
the market in fruit and vegetables

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal of the Commission,

Having regard to the Opinion of the European Parliament,

Whereas there are considerable structural surpluses of table grapes ; whereas these surpluses have depressed the wine market ; whereas the Community has provided for measures to reorganize this sector by introducing a system for the grubbing of certain vine varieties ; whereas, in order to enable these measures to attain their objectives, the buying-in price for table grapes should be adjusted by the conversion factor for Class III,

HAS ADOPTED THIS REGULATION :

Article 1

The following is added to Article 18 (1) (a) of Regulation (EEC) No 1035/72 :

"Whereby the withdrawal price for table grapes must not exceed the level specified in the second indent in respect of products which have the characteristics laid down in the quality standards for Class III or for higher classes".

Article 2

The following subparagraph is added to Article 19 (2) of Regulation (EEC) No 1035/72 :

"However, table grapes satisfying the requirements of quality and size laid down in the quality standards for Class III or for higher classes shall be bought in only at the price laid down in the second indent."

Article 3

Article 20 (2) of Regulation (EEC) No 1035/72 is repealed.

Article 4

This Regulation shall enter into force on 1

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

Done at Brussels,

For the Commission
The President

¹ same date as that adopted for the entry into force of the Council Regulation on the granting of a conversion premium to wine growers.

Proposal for

REGULATION (EEC) No OF THE COUNCIL

laying down further measures for reorganizing Community fruit production

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas, despite the application of the reorganization measures provided for in Council Regulation (EEC) No 2517/69 of 9 Dec 69 laying down certain measures for reorganizing Community fruit production¹, the Community market in apples and pears still shows an imbalance between supply and demand; whereas that situation results largely from excess supply of apples of the variety "Golden Delicious"; and pears of the variety "Passe Crassane".

Whereas market stabilization measures are not likely to overcome such difficulties; whereas action should therefore be taken to adjust production potential of these varieties so far as possible to present and foreseeable outlets for Community products;

¹ OJ No L 318, 18 December 1969, p. 15

Whereas, in order to initiate action of this kind, some inducement should be offered to growers to relinquish their production, wholly or in part, of the products in question; whereas, to that end, provision should be made for Member States to grant premiums to growers who, having agreed to grub all or part of their orchard of apples and pears of the said varieties, also undertake, where applicable, not to extend, for a specified period, the part of the orchard which they have retained; whereas, on grounds of equity, the undertakings given by recipients of the premiums provided for in Regulation (EEC) No 2517/69 should be adjusted accordingly;

Whereas the amount of the grubbing premium must be fixed at a level which takes into account the cost of grubbing and the temporary loss of income.

Whereas, in order to ensure correct application of the rules for granting grubbing premiums it should be laid down that national aid for purposes similar to those of the said rules may not be granted unless the requests for such aid have been submitted before the entry into force of this Regulation;

Whereas the proposed measures are in the interest of the Community and serve to attain the objectives laid down in Article 39(1) (a) of the Treaty; whereas it therefore constitutes a common measure under the terms of Article 6 of Council Regulation (EEC) No 729/70 on the financing of the common agricultural policy¹, as last amended by Regulation (EEC) No 2788/72²;

Whereas the expenditure arising from the granting of grubbing premiums should be financed on a Community basis;

HAS ADOPTED THIS REGULATION :

(1) OJ No L 94, 29.4.1970, p. 13
(2) OJ No L 295, 30.12.1972, p. 1

Article 1

At their request and under the conditions specified below, Community fruit growers shall qualify for a premium for grubbing

- apple trees of the variety "Golden Delicious" and pear trees of the variety "Passe Crassane"
- trees of varieties other than those mentioned above if those varieties are necessary for the fertilisation of "Golden Delicious" or "Passe Crassane".

The rules for granting that premium, in particular with regard to the minimum number and age of trees, shall be adopted in accordance with the procedure laid down in Article 33 of Council Regulation No 1035/72 on the common organization of the market in fruit and vegetables¹.

Article 2

1. Requests for the granting of premiums must be lodged before 1 April 1976.
2. The granting of a premium shall be subject in particular to a written undertaking by the recipient :
 - a) to proceed, before 1 April 1977, with the grubbing of the apple or pear trees for which the premium is claimed;
 - b) to abstain for a period of five years following the grubbing carried out on his holding from any planting of apple, pear or peach trees other than, after informing the Member State concerned, for purposes of normal total or partial replanting of the areas of orchard remaining following the grubbing for which the premium was granted.

Article 3

1. The amount of the premium shall in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72 be fixed at different levels to take account of the state of growth of the trees.

This amount shall not exceed 1100 units of account per hectare grubbed.

¹ OJ No L 118, 20 May 1972, p. 1

2. The amount of the premium shall be paid in a lump sum, at the latest three months after the claimant has shown that he has actually completed the grubbing.

Article 4

Member States shall verify whether the recipient of the premium has observed the undertaking provided for in Article 2(2) (b) of this Regulation; they shall make that verification during the last three months of the five years following the grubbing.

Member States shall inform the Commission of the results of that verification.

Article 5

The measures provided for in this Regulation shall constitute a common measure within the meaning of Article 6(1) of Regulation (EEC) No 729/70.

Article 6

1. The total budget cost of the common measure, to be borne by the E.A.G.G.F, shall be 7,837,500 units of account.

2. The time-limit for completion of the measure provided for in paragraph 1 shall be 1 April 1977.

Article 7

1. The expenditure incurred by Member States in respect of the measure provided for in the Regulation shall be eligible for financing by the Guidance Section of the E.A.G.G.F.

2. The Guidance Section of the E.A.G.G.F. shall reimburse to Member States 50% of the eligible expenditure.

3. Rules for the application of paragraph 2 shall be laid down in accordance with the procedure provided for in Article 13 of Regulation (EEC) No 729/70.

Article 8

1. Requests for reimbursement shall relate to expenditure incurred by Member States during a calendar year and shall be presented to the Commission before 1 July of the following year.

2. The Commission shall take a decision concerning those requests, in one or several stages, in accordance with the procedure laid down in Article 7(1) of Regulation (EEC) No 729/70.

Article 9

1. Without prejudice to Article 8 of Regulation (EEC) No 729/70, the Member States in accordance with national provisions laid down by law, regulation or administrative action shall take the measures necessary to recover sums paid where the undertakings provided for in Article 2 are not observed.

They shall inform the Commission of the measures taken and in particular of the state of the relevant administrative and judicial procedures.

2. The sums recovered shall be paid to the paying authorities or bodies and deducted by them from the expenditure financed by the Fund.

3. The financial consequences resulting from failure to recover the sums paid shall be borne by the Community.

4. Interest may be added to the sums to be recovered.
5. Rules for the application of this Article shall be laid down in accordance with the procedure provided for in Article 13 of Regulation (EEC) No 729/70.

Article 10

1. The Commission shall submit to the Council, before 1 April 1979, on the basis of information provided by Member States, a report on the application of the rules for granting premiums laid down by this Regulation.
2. The Council, acting in accordance with the voting procedure laid down in Article 43(2) of the Treaty, shall decide on amendments to these rules.
3. The general rules for applying Article 5 shall be laid down in accordance with the same procedure.

Article 11

This Regulation shall not preclude the granting of aid laid down by national regulations and designed to achieve aims similar to those pursued through this Regulation, provided requests for such aid are lodged before the date of entry into force of this Regulation.

Article 12

At the date of entry into force of this Regulation, the following text shall be substituted for Article 2(2) (b) of Regulation (EEC) No 2517/69 : "(b) to abstain for a period of five years following the grubbing carried out on his holding from any planting of apple, pear or peach trees other than, after informing the Member State concerned, for purpose of normal total or partial replanting of the areas of orchard remaining following the grubbing for which the premium was granted".

Article 13

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

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

Done at Brussels,

For the Council

The President

Proposal for

COUNCIL REGULATION (EEC) No

of

fixing the threshold prices for certain milk products for the 1976/77
milk year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the Common organization of the market in milk and milk products ¹, as last amended by Regulation (EEC) No ², and in particular Article 4 thereof ;

Having regard to the proposal from the Commission ;

Whereas threshold prices should be fixed so that, taking account of the protection required for the Community processing industry, the prices of imported milk products correspond to the level of the target price for milk ; whereas, consequently, the threshold price should be fixed on the basis of the target price for milk, taking into account the relationship which should be established between the value of milkfat and that of skimmed milk, as well as the standardized costs yields for each of the milk products in question ; whereas a fixed amount should be included to ensure adequate protection of the Community processing industry ;

Whereas threshold prices should be fixed for the trading stage at which imported milk products first come into competition with milk products manufactured within the Community, i.e. the 'delivered free wholesaler' stage,

HAS ADOPTED THIS REGULATION :

Article 1

1. The threshold prices for the 1976/77 milk year shall be as follows :

¹ OJ No L 148, 28.6.1968, p. 13.

² OJ No L

Pilot product of the group of products	Units of account per 100 kg from	
	3 March 1975	16 September 1975
1	25,75	26,50
2	103,75	107,25
3	158,00	163,75
4	59,00	61,00
5	80,75	82,75
6	232,50	241,25
7	227,90	237,70
8	189,00	196,00
9	290,00	299,25
10	202,00	209,50
11	185,50	192,50
12	51,50	53,00

2. The pilot products referred to in paragraph 1 are those described in Annex I to Council Regulation (EEC) No 823/68 of 28 June 1968 determining the groups of products and the special provisions for calculating levies on milk and milk products ³, as last amended by Regulation (EEC) No ⁴.

Article 2

This Regulation shall enter into force on 1st March 1976.

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

Done at Brussels,

For the Council
The President

³ OJ No L:151, 30.6.1968, p. 3.

⁴ OJ No L

PROPOSAL FOR

THE COUNCIL REGULATION (EEC) No

of

fixing the dates for the end of 1975/76 milk year and the
beginning of the 1976/77 milk year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products¹, as last amended by Regulation (EEC) No², and in particular Article 2 thereof,

Having regard to the proposal from the Commission,

Whereas, according to the first paragraph of Article 2 of Regulation (EEC) No 804/68, the milk year normally begins on 1 April and ends on 31 March the following year : whereas Council Regulation (EEC) No 466/75 of 27 February 1975 fixing the dates for the beginning and the end of the 1975/76 milk year³ provides for the 1974/75 milk year to end on 31 January 1976 ;

Whereas, as a result of the economic situation in the milk sector, it has become necessary to extend the date for the end of the milk year to 29 February 76 and to bring forward the date for the beginning of 1975/76 milk year to 1 March 76,

HAS ADOPTED THIS REGULATION :

Article 1

The 1975/76 milk year shall end on 29 February 1976 and the 1976/77 milk year shall begin on 1 March 1976.

Article 2

Regulation (EEC) No 466/75 is repeated.

Article 3

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

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

Done at Brussels,

For the Council
The President

1 OJ No L 148 of 28 June 1968, p. 13. 2 OJ No L
3 OJ No L 52 of 28 February 1975, p. 9.

Proposal for

REGULATION (EEC) No /75 OF THE COUNCIL

of

amending Regulation (EEC) No 823/68 as regards the conditions of entry for certain kinds of cheeses and Regulation (EEC) No 950/68 on the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 804/68⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 740/75⁽²⁾, and in particular Article 14 (6) thereof ;

Having regard to the proposal from the Commission ;

Whereas Annex II to Council Regulation (EEC) No 823/68⁽³⁾ of 28 June 1968 determining the groups of products and the special provisions for calculating levies on milk and milk products, as last amended by Regulation (EEC) No 823/75⁽⁴⁾, lays down certain conditions in respect of the entry into the Community of Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell cheeses falling within subheading 04.04 A I, and also the Cheddar falling within subheading 04.04 E Ib) 1 aa) of the Common Customs Tariff ; whereas these conditions include in particular observance of free-at-frontier values corresponding to obligations taken under GATT ; whereas these values must be aligned, respectively, on the Community target price for milk and on threshold prices of group No 10 for two periods of the milk year 1976/1977;

Whereas the tariff nomenclature employed in Annex II to Regulation (EEC) No 823/68 is also that of the Common Customs Tariff,

HAS ADOPTED THIS REGULATION :

(1) OJ No L 148, 28. 6.1968, p. 13

(2) OJ No L 74, 22. 3.1975, p. 1

(3) OJ No L 151, 30. 6.1968, p. 3

(4) OJ No L 79, 28. 3.1975, p. 3

Article 1

The descriptions of goods falling within subheading 04.04 A I as well as subheading 04.04 E I b) 1 aa) of the Common Customs Tariff given in Annex II to Regulation (EEC) No 823/68 are replaced:

- with effect from 1 March 1976, by those set out in Annex I to this Regulation,
- with effect from 16 September 1976, by those set out in Annex II to this Regulation.

Article 2

The Common Customs Tariff annexed to Regulation (EEC) No 950/68 is amended

- with effect from 1 March 1976: as shown in Annex III to this Regulation,
- with effect from 16 September 1976: as shown in Annex IV to this Regulation.

Article 3

This Regulation shall enter into force on

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

Done at Brussels,

For the Council

ANNEX I

(applicable with effect from 1 March 1976)

CCT heading No	Description of goods
04.04	<p>Cheese and curd :</p> <p>A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered :</p> <p>I. Of a minimum fat content of 45 % by weight, in the dry matter, matured for at least three months (2) :</p> <p>a) Whole chesses (4) of a free-at-frontier value (5) per 100 kg net weight of :</p> <p>1. 200.40 u.a. (a) or more, but less than 220.40 u.a. (a)</p> <p>2. 220.40 u.a. (a) or more</p> <p>b) Pieces packed in vacuum or in inert gas :</p> <p>1. With rind on at least one side, of a net weight :</p> <p>aa) Of not less than 1 kg but less than 5 kg and of a free-at-frontier value (5) of not less than 220.40 u.a. (a) but less than 248.40 u.a. (a) per 100 kg net weight.</p> <p>bb) Of not less than 450 g and of a free-at-frontier value (5) of not less than 248.40 u.a. (a) per 100 kg net weight</p> <p>2. Other, of a net weight of not less than 75 g but not more than 250 g (6) and of a free-at-frontier value (5) of not less than 268.40 u.a. (a) per 100 kg net weight.</p> <p>II. (Unchanged)</p>
04.04	<p>E. (Unchanged)</p> <p>1. (Unchanged)</p> <p>a) (Unchanged)</p> <p>b) (Unchanged)</p> <p>1. Cheddar, including Chester :</p> <p>aa) Whole Cheddar cheeses (4) made from unpasteurized milk, of a minimum fat content of 50 % by weight, in the dry matter, matured for at least nine months and of a free-at-frontier value of not less than 198.00 u.a. per 100 kg net weight (2)</p>

(a) For imports into the United Kingdom this free-at-frontier value shall be reduced by 2.58 u.a. per 100 kg net weight.

ANNEX II

(applicable with effect from 16 September 1976)

CCT heading No	Description of goods
04.04	<p>Cheese and curd :</p> <p>A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered :</p> <p>I. Of a minimum fat content of 45 % by weight, in the dry matter, matured for at least three months (2) :</p> <p>a) Whole chesses (4) of a free-at-frontier value (5) per 100 kg net weight of :</p> <p>1. 210.20 u.a. (a) or more, but less than 230.20 u.a. (a)</p> <p>2. 230.20 u.a. (a) or more</p> <p>b) Pieces packed in vacuum or in inert gas :</p> <p>1. With rind on at least one side, of a net weight :</p> <p>aa) Of not less than 1 kg but less than 5 kg and of a free-at-frontier value (5) of not less than 230.20 u.a. (a) but less than 258.20 u.a. (a) per 100 kg net weight.</p> <p>bb) Of not less than 450 g and of a free-at-frontier value (5) of not less than 258.20 u.a. (a) per 100 kg net weight</p> <p>2. Other, of a net weight of not less than 75 g but not more than 250 g (6) and of a free-at-frontier value (5) of not less than 278.20 u.a. (a) per 100 kg net weight.</p> <p>II. (Unchanged)</p>
04.04	<p>E. (Unchanged)</p> <p>1. (Unchanged)</p> <p>a) (Unchanged)</p> <p>b) (Unchanged)</p> <p>1. Cheddar, including Chester :</p> <p>aa) Whole Cheddar cheeses (4) made from unpasteurized milk, of a minimum fat content of 50 % by weight, in the dry matter, matured for at least nine months and of a free-at-frontier value of not less than 205.50 u.a. per 100 kg net weight (2)</p>

(a) For imports into the United Kingdom this free-at-frontier value shall be reduced by 3.45 u.a. per 100 kg net weight.

A N N E X III

In Chapter 4 of the Common Customs Tariff, the columns relating to subheading 04.04 A I and 04.04 E I b) 1 aa) are amended, with effect from 1 March 1976, as follows:

CCT heading No	Description of goods	Rate of duty	
		Autonomous % or levy(L)	Conventional %
1	2	3	4
04.04	Cheese and curd (a) :		
	A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered :		
	I. Of a minimum fat content of 45 % by weight, in the dry matter, matured for at least three months (b) :		
	a) Whole cheeses of a free-at-frontier value per 100 kg net weight of :		
	1. 200.40 u.a.(*) or more, but less than 220.40 u.a.(*)	23 (L)	(c)
	2. 220.40 u.a.(*) or more	23 (L)	(c)
	b) Pieces packed in vacuum or in inert gas :		
	1. With rind on at least one side, or of a net weight :		
	aa) Of not less than 1 kg but less than 5 kg and of a free-at-frontier value of not less than 220.40 u.a. (*) but less than 248.40 u.a. (*) per 100 kg net weight	23 (L)	(c)
	bb) Of not less than 450 g and of a free-at-frontier value of not less than 248.40 u.a. (*) per 100 kg net weight	23 (L)	(c)
	2. Other, of a net weight of not less than 75 g but not more than 250 g and of a free-at-frontier value of not less than 268.40 u.a. (*) per 100 kg net weight	23 (L)	(c)
	II. (Unchanged)		
04.04	E. (Unchanged)		
	1. (Unchanged)		
	a) (Unchanged)		
	b) (Unchanged)		
	1. Cheddar, including Chester :		
	aa) Whole Cheddar cheeses (4), made from unpasteurized milk, of a minimum fat content of 50 % by weight, in the dry matter, matured for at least 9 months and of a free-at-frontier value of not less than 198.00 u.a. per 100 kg net weight (2)	23 (L)	-
	bb) Unchanged	23 (L)	-

(*) For imports into the United Kingdom this free-at frontier value shall be reduced by 2.50 u.a. per 100 kg net weight

A N N E X IV

In Chapter 4 of the Common Customs Tariff, the columns relating to subheading 04.04 A I and 04.04 E I b) 1 aa) are amended, with effect from 16 September 1976, as follows:

CCT heading No	Description of goods	Rate of duty	
		Autonomous % or levy(L)	Conventional %
1	2	3	4
04.04	<p>Cheese and curd (a) :</p> <p>A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered :</p> <p>I. Of a minimum fat content of 45 % by weight, in the dry matter, matured for at least three months (b) :</p> <p>a) Whole cheeses of a free-at-frontier value per 100 kg net weight of :</p> <p>1. 210.20 u.a.(*) or more, but less than 230.20 u.a.(*)</p> <p>2. 230.20 u.a.(*) or more</p> <p>b) Pieces packed in vacuum or in inert gas :</p> <p>1. With rind on at least one side, or of a net weight :</p> <p>aa) Of not less than 1 kg but less than 5 kg and of a free-at-frontier value of not less than 230.20 u.a. (*) but less than 258.20 u.a. (*) per 100 kg net weight</p> <p>bb) Of not less than 450 g and of a free-at-frontier value of not less than 258.20 u.a. (*) per 100 kg net weight</p> <p>2. Other, of a net weight of not less than 75 g but not more than 250 g and of a free-at-frontier value of not less than 278.20 u.a. (*) per 100 kg net weight</p> <p>II. (Unchanged)</p>	<p>23 (L)</p> <p>23 (L)</p> <p>23 (L)</p> <p>23 (L)</p> <p>23 (L)</p> <p>23 (L)</p>	<p>(c)</p> <p>(c)</p> <p>(c)</p> <p>(c)</p> <p>(c)</p> <p>(c)</p>
04.04	<p>E. (Unchanged)</p> <p>1. (Unchanged)</p> <p>a) (Unchanged)</p> <p>b) (Unchanged)</p> <p>1. Cheddar, including Chester :</p> <p>aa) Whole Cheddar cheeses (4), made from unpasteurized milk, of a minimum fat content of 50 % by weight, in the dry matter, matured for at least 9 months and of a free-at-frontier value of not less than 205.50 u.a. per 100 kg net weight (2)</p> <p>bb) Unchanged</p>	<p>23 (L)</p> <p>23 (L)</p>	<p>-</p> <p>-</p>

(*) For imports into the United Kingdom this free-at frontier value shall be reduced by 3.45 u.a. per 100 kg net weight

Proposal for a

REGULATION (EEC) No /75 OF THE COUNCIL

of

amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament¹;

Whereas experience acquired in applying Council Regulation (EEC) No 804/68² of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 740/75³, has shown that this common organization of the market requires some adjustments; whereas market developments call in particular for the adjustment of certain intervention measures without impairing the effectiveness of the measures as a whole as regards the attainment of the target price for milk sold by producers;

Whereas, in the interest of greater flexibility and in order to take account, where necessary, of developments in the market situation, it is desirable to cease fixing an intervention price for skimmed milk powder offered to intervention agencies and to apply a variable buying-in price fixed on the basis of a guide price;

Whereas, for the same reasons, the granting of aid for the private storage of butter should no longer be a permanent measure but should henceforth be decided in the light of the market situation;

(1)

(2) OJ No L 148, 28.6.1968, p. 13

(3) OJ No L 74, 22.3.1975, p. 1

Whereas it appears necessary to extend the possibility provided for in Article 12 of Regulation (EEC) No 804/68 in respect of surpluses of butterfat to cases where such a situation occurs or is likely to occur in respect of other milk products;

Whereas, in order further to stimulate the consumption of milk by young people, provision should be made for the Community to defray a part of the expenditure occasioned by granting aid for the free supply of milk to pupils in schools;

Whereas it has been found necessary, in order to facilitate trade, to harmonize the provisions relating to the production and marketing of skimmed milk powder;

HAS ADOPTED THIS REGULATION:

Article 1

Article 3(1) of Regulation (EEC) No 804/68 is amended as follows:

"1. Before the start of each milk year a target price for milk shall be fixed for the Community. It may either be valid for the whole of the milk year or be varied for specific periods thereof."

Article 2

1. With effect from 16 September 1976, Article 5 of Regulation (EEC) No 804/68 is amended as follows:

"Article 5

1. At the same time as the target price for milk, in accordance with the same procedure and in respect of the same period or periods, the following shall be fixed:

- (a) an intervention price for butter,
- (b) intervention prices for Grana Padano and Parmigiano Reggiano cheeses,
- (c) a guide price for skimmed milk powder.

2. The intervention prices for the cheeses specified in paragraph 1(b)

shall be fixed at levels which will give milk producers in areas of the Community where such cheeses qualifying to bear the designation of origin are produced the same long-term security as regards milk prices to producers as that provided by the intervention measures in respect of butter and skimmed milk."

2. The guide price for skimmed milk powder shall be fixed for the first time in respect of a period beginning on 16 September 1976.

Article 3

In Article 6(2) of Regulation (EEC) No 804/68 the words "aid shall be granted" are replaced by "aid may be granted".

Article 4

With effect from 16 September 1976, Article 7(1) of Regulation (EEC) No 804/68 is amended as follows:

"1. Under the conditions determined in accordance with paragraph 4, the intervention agency designated by each Member State shall buy in skimmed milk powder produced in the Community if it reaches certain standards.

The buying-in price paid by the intervention agencies shall be determined on the basis of the guide price for skimmed milk powder."

Article 5

Article 12(1) of Regulation (EEC) No 804/68 is amended as follows:

"1. When surpluses of milk products build up, or are likely to occur, measures other than those laid down in Articles 6 to 11 may be taken in order to facilitate their disposal or to prevent new surpluses from building up."

Article 6

The following paragraph is added to Article 26 of Regulation (EEC) No 804/68:

"The Council, acting in accordance with the voting procedure laid down in Article 43(2) of the Treaty on a proposal from the Commission, may decide to make a Community contribution to the financing of programmes as referred to in the preceding paragraph provided they fulfil certain conditions."

Article 7

Article 27 of Regulation (EEC) No 804/68 is amended as follows:

"Article 27

Quality standards for butter and skimmed milk powder shall be adopted in accordance with the procedure laid down in Article 43(2) of the Treaty; they shall provide, in particular, for a control stamp on butter reaching certain standards."

Article 8

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

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

Done at Brussels,

For the Commission

Proposal for a

REGULATION (EEC) No /76 OF THE COUNCIL

of

amending Regulation (EEC) No 1014/68 laying
down general rules for the public storage of
skimmed-milk powder.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Council Regulation (EEC) No 804/68¹ of 27 June 1968 on the
common organization of the market in milk and milk products, as last amended
by Regulation (EEC) No /76², and in particular Article 7(4) thereof;

Having regard to the proposal from the Commission;

Whereas, in view of the amendments to Articles 5 and 7 of Regulation (EEC) No
804/68, it is necessary to adopt criteria governing the fixing of the
buying-in price for skimmed milk powder offered to intervention agencies and,
in consequence, to supplement Council Regulation (EEC) No 1014/68³ of
20 July 1968 laying down general rules for the public storage of skimmed milk
powder, as last amended by Regulation (EEC) No 1211/69⁴;

Whereas, so that the buying-in price may be in keeping with market trends,
provision should be made for fixing it by way of a tendering procedure;

Whereas Article 5(2) of Regulation (EEC) No 1014/68 referring to the
intervention price must be adapted to the new legal situation;

HAS ADOPTED THIS REGULATION:

(1) OJ No L 148, 28.6.1968, p. 13

(2)

(3) OJ No L 173, 22.7.1968, p. 4

(4) OJ No L 155, 28.6.1969, p. 13

Article 1

Article 1(1) of Regulation (EEC) No 1014/68 is amended as follows:

- "1. Intervention agencies shall buy-in only such skimmed milk powder manufactured by the spray process as:
- (a) reaches quality standards and standards as to keeping quality to be determined and
 - (b) satisfies requirements to be determined on minimum quantity, packing and labelling.

In determining the buying-in price applicable to skimmed-milk powder offered to intervention agencies account shall be taken of the market price for skimmed-milk powder and other milk products and of changes in the size of intervention and private stocks of skimmed milk powder.

The buying-in price shall neither exceed 102% nor less than 94% of the target price for skimmed milk powder.

A tendering procedure may be adopted in order to determine the buying-in price applied by the intervention agencies."

Article 2

The second sentence of Article 5(2) of Regulation (EEC) No 1014/68 is amended as follows:

"This minimum price shall take into account the market situation and the storage costs, in order to retain the possibility of voluntary storage."

Article 3

This Regulation shall enter into force on 16 September 1975.

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

Done at Brussels,

For the Council

Proposal for a Council Regulation
on the use of skimmed-milk powder in
animal feedingstuffs

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and
in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the stocks of skimmed-milk powder bought-in by the intervention agencies
pursuant to Council Regulation (EEC) No 804/68¹ of 27 June 1968 on the common
organization of the market in milk and milk products, as last amended by
Regulation (EEC) No /76², now involve very large quantities; whereas
these supplies represent an important source of proteins which could be used in
animal feedingstuffs; whereas these feedingstuffs were defined by the
Council Directive of 23 November 1970³ concerning additives in feedingstuffs,
as last amended by the Directive of 28 April 1975⁴;

Whereas, in order to expand the utilization of these proteins in feedingstuffs
for animal species other than calves, provision should be made to compel
undertakings producing feedingstuffs to include a certain amount of denatured
skimmed milk powder to prevent its being dejected from its destination; whereas
comparable price conditions should be assured for all Member States,

HAS ADOPTED THIS REGULATION:

Article 1

1. Undertakings producing animal feedingstuffs shall henceforth incorporate in
those feedingstuffs at least 2% of denatured skimmed milk powder bought from
intervention agencies.

(1) OJ No L 148, 28.6.1968, p.13

(2)

(3) OJ No L 270, 14.12.1970, p. 1

(4) OJ No L124, 15.5.1975, p. 29

2. For the purposes of this Regulation, "feedingstuffs" shall be taken to mean feedingstuffs within the meaning of Article 1(b), (d) and (e) of the Council Regulation of 23 November 1970 concerning additives in feedingstuffs other than those intended for the feeding of calves.

3. For the purposes of this Regulation, "undertakings" shall be taken to mean producers of feeding stuffs having a minimum production capacity to be determined, whether manufacturing on their own account or for a third party, for their own uses or for the use of a third party and whether using their own basic products or those of a third party.

Article 2

1. The sale price of skimmed-milk powder shall be so fixed as to take into account the non-application of the system of aid provided for in Article 10 of Regulation (EEC) No 804/68.

For the utilization of skimmed milk powder in those Member States in which stocks are inadequate, and for which freight costs would exceed a certain limit, the sale price shall be so fixed that undertakings may obtain supplies under price conditions comparable to those in the other Member States.

2. However, where an undertaking has not informed the competent authorities to their satisfaction and within a period to be determined:

- (a) of the quantity of products of whatever type used during a specific period in the production of feedingstuffs:
- (b) of the quantity of denatured skimmed milk powder incorporated in feedingstuffs produced,

the scale price shall be increased by an amount equal to the amount of aid fixed pursuant to the provisions of Article 10 of Regulation (EEC) No 804/68.

Article 3

1. The intervention agencies shall denature the skimmed-milk powder sold pursuant to this Regulation in such manner that its use both in foodstuffs for human consumption and feedingstuffs for calves shall be made impossible.

2. In certain cases to be determined, denaturing may be carried out in the undertaking itself at the time of incorporation, subject to suitable guarantees.

3. In addition, analytical tests on feedingstuffs should be carried out according to detailed rules to be determined.

Article 4

The Member States shall provide for penalties to ensure that the obligations resulting from this Regulation are respected.

Article 5

The detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

Article 6

This Regulation shall enter into force on the 31st day following that of its publication in the Official Journal of the European Communities.

It shall be applicable until 1976¹.

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

Done at Brussels,

For the Council

The President

(1) Eight months from the date on which this Regulation enters into force.

Proposal for
REGULATION (EEC) No /76 OF THE COUNCIL

of

introducing a premium system for the non-marketing of milk and milk products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 43 thereof ;

Having regard to the proposal from the Commission ;

Having regard to the Opinion of the European Parliament ;

Whereas the products covered by Council Regulation (EEC) No 804/68⁽¹⁾ of
27 June 1968 on the common organization of the market in milk and milk
products, as last amended by Regulation (EEC) No /76⁽²⁾, are substantially
and increasingly in surplus ; whereas it therefore seems justified to
encourage the trend noted among certain producer groups in the Community
to cease milk production or the marketing of milk and milk products ;

Whereas this aim may be achieved by granting premiums to farmers who,
without giving up farming, cease marketing milk and milk products.
The granting of this premium should however be restricted to farms whose
milk production does not exceed a given amount per year, in order to
improve dairy farming structures in respect of a more economic scale of
farming ;

Whereas the amount of this premium for the non-marketing of milk and milk
products must be fixed at such a level that it may be considered as
compensation for loss of income from the marketing of these products ;
whereas it therefore appears necessary to vary the amount of the premium
according to the quantity of products marketed in a reference period ;

(1) OJ No L 148, 28. 6.1968, p. 13

(2) OJ No L 1976, p.

Whereas, in order to facilitate the honouring of obligations arising from the application of this Regulation, the premium for the non-marketing of milk and milk products should be paid in several yearly instalments ;

Whereas all the proposed measures are of importance to the Community and are designed to achieve the objectives set out in Article 39 (1) (a) of the Treaty, including the structural changes necessary for the proper working of the common market ; whereas they therefore constitute common measures within the meaning of Article 6 of Council Regulation (EEC) No 729/70⁽¹⁾ of 21 April 1970 on the financing of the common agricultural policy, as last amended by Regulation (EEC) No 2788/72⁽²⁾;

Whereas, in view of the proposed aims and the probable effects on the market situation, the full expenditure incurred by the granting of these premiums should be financed at Community level ;

HAS ADOPTED THIS REGULATION :

Article 1

Farmers marketing not more than 120,000 litres of milk per year may upon application receive a premium for the non-marketing of milk and milk products in accordance with the following rules.

Article 2

- (1) The grant of the premium shall be conditional upon a written undertaking, valid for a period of five years, from the applicant:
- (a) to give up all sales of milk and milk products;
 - (b) not to let the farm for dairy farming;
 - (c) not to sell any fodder harvested thereon to dairy farmers.

The period of non-marketing shall start six months following the date on which the competent authorities approve the application ;

- (2) If the number of dairy cows entered in the application should fall between the date of the application and the expiry of the period covered by the undertaking, the recipient of the premium shall prove that the cows no longer available are not being used to produce and market milk or milk products on another farm in the Community.

(1) OJ No L 94, 28. 4.1970, p. 13

(2) OJ No L 295, 30.12.1972, p. 1

Article 3

- (1) For every 100 litres of milk or milk products, expressed in milk equivalent, or part thereof, the premium shall be :
 - (a) 10 units of account for producers who in the calendar year 1975 supplied at least 60,000 but not more than 120,000 litres ;
 - (b) 12 units of account for producers who in the calendar year 1975 supplied at least 30,000 but fewer than 60,000 litres ;
 - (c) 14 units of account for producers who supplied fewer than 30,000 litres of milk in the calendar year 1975.
- (2) A sum equal to 36 % of the total amount of the premium shall be paid in the first three months of the period of non-marketing.

The remainder shall be paid in four equal annual instalments of 16 % of the total premium in the same period in the following years, provided that the recipient proves to the competent authorities that he has fulfilled the undertakings mentioned in Article 2.

Article 4

The following shall be laid down in accordance with the procedure provided for in Article 30 of Regulation (EEC) No 804/68 :

- (a) the time limit for submitting applications for the granting of premiums ;
- (b) the detailed rules for verifying that obligations arising from the grant of the premium are observed and that the premium is paid ;
- (c) the conditions for continuing entitlement to all or part of the premium in exceptional cases, when the beneficiary can no longer be expected to fulfil the undertakings entered into ;
- (d) the other detailed rules for implementing the preceding Articles.

Article 5

All the measures provided for in this Regulation shall constitute a common measure within the meaning of Article 6 (1) of Regulation (EEC) No 729/70.

Article 6

- (1) The total estimated cost of the common measures chargeable to the EAGGF shall be 160 million units of account.
- (2) The measures referred to in Article 1 shall, save as otherwise provided, continue in application until 31 December 1976.

Article 7

- (1) Expenditure incurred by Member States in connection with the measures provided for in this Regulation shall be eligible for aid from the Guidance Section of the EAGGF.
- (2) The Guidance Section of the EAGGF shall refund to the Member States 50 % of the eligible expenditure.
- (3) Detailed rules for the application of paragraph 2 shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 8

- (1) Requests for reimbursement in respect of expenditure incurred by the Member States shall relate to a calendar year and shall be forwarded to the Commission before 1 July of the following year.
- (2) The Commission shall take decisions on such requests, together or severally, in accordance with the procedure laid down in Article 7 (1) of Regulation (EEC) No 729/70.

Article 9

- (1) Notwithstanding Article 8 of Regulation (EEC) No 729/70, the Member States shall take the measures necessary for the recovery of funds paid where, subject to Article 4 (c), the undertakings given are not fulfilled.

They shall inform the Commission of the measures taken, and in particular shall notify it periodically of the position as regards administrative and judicial proceedings relating thereto.

- (2) Sums recovered shall be reimbursed to the departments or agencies which made the payments and deducted by them from expenditure financed by the Fund in proportion to the amount financed by the Community.
- (3) Where it is impossible to recover sums paid, the financial consequences shall be borne by the Community and the Member States in proportion to their financial participation.
- (4) Interest may be charged on sums to be recovered.
- (5) Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 10

- (1) By 31 October 1976 at the latest the Commission shall submit to the Council, on the basis of information supplied by the Member States, a report on the application of the premium system.
- (2) After examining this report, the Council, acting by a qualified majority on a proposal from the Commission may decide, in the light of experience and of economic conditions in the sector in question, to maintain or to amend the premium system.

Article 11

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

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

Done at Brussels,

For the Council

Proposal for

REGULATION (EEC) No /76 OF THE COUNCIL
of

laying down general rules for the granting of an aid to the manufacture of whole
milk powder

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68⁽¹⁾ of 27 June 1968 on the
common organization of the market in milk and milk products, as last amended by
Regulation (EEC) No /76⁽²⁾, and in particular Article 12(2) thereof;

Having regard to the proposal from the Commission;

Whereas the situation in the Community skimmed milk powder and butter market is
characterized by large stocks formed as a result of interventions on the market;
whereas the outlets on the world market are limited and the export possibilities
therefore considerably reduced;

Whereas the only measures taken pursuant to Article 6 and 7 of Regulation
(EEC) No 804/68 will not enable to reduce the surpluses in the near future;
whereas it is therefore necessary to take additional measures in order to
facilitate the disposal of the surpluses of the dairy products in question;

Whereas, according to the provisions of Article 12(1) of Regulation (EEC) No
804/68, when the surpluses of dairy products build up or are likely to occur,
measures other than those laid down in Articles 6 to 11 of that Regulation
may be taken in order to facilitate their disposal or to avoid new surpluses
building up;

(1) OJ No L 148, 28. 6.1968, p. 13

(2) OJ No L 1976, p.

Whereas the increased utilization of whole milk powder offers an additional outlet for these surpluses; whereas, in order to stimulate the utilization of whole milk powder, the market price should be lowered and aid to its manufacture should therefore be granted;

HAS ADOPTED THIS REGULATION:

Article 1

1. An aid shall be granted to the manufacture of whole milk powder.
2. Within the meaning of this Regulation, whole milk powder shall be milk with a minimum fat content of 26%.

Article 2

The amount of the aid shall be fixed at 15 units of account per 100 kg whole milk powder manufactured.

Article 3

The aid shall only be granted for whole milk powder produced during the 1976/1977 milk year.

Article 4

Only undertakings offering sufficient supervision guarantees of their production may benefit of the aid.

Article 5

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

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

Done at Brussels,

For the Council

Proposal for

REGULATION (EEC) No

OF THE COUNCIL

of

on the granting of a consumer subsidy for butter

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to Council Regulation (EEC) No 804/68⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No ⁽²⁾, and in particular Article 12(2) thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament⁽³⁾;

Having regard to the Opinion of the Economic and Social Committee;

Whereas Council Regulation (EEC) No 1191/73⁽⁴⁾ of 8 May 1973 laying down general rules for the granting of a consumer subsidy for butter, as last amended by Regulation (EEC) No 470/75⁽⁵⁾, has authorized the Member States, until the end of the 1975/76 milk year, to grant private ultimate consumers an aid for butter up to 45 units of account per 100 kg;

Whereas, in view of the situation in the Community butter market, it would seem appropriate to maintain that measure during the 1976/77 milk year so as to increase, taking into account the existing surpluses, the consumption of butter; whereas, further to the butter price increase, it is necessary to adapt the calculation system of the aid financed by the Community;

HAS ADOPTED THIS REGULATION

Article 1

Member States shall to the advantage of private ultimate consumers during the 1976/77 milk year be authorized to grant aid for butter. However, this aid shall not exceed 45 units of account per 100 kg.

(1) OJ No L 148, 28. 6.1968, p. 13
(2) OJ No L
(3) OJ No L

(4) OJ No L 122, 9. 5.1973, p. 5
(5) OJ No L 52, 28. 2.1975, p. 19

Article 2

Member States shall take the measures appropriate to ensure that the aid is granted only for butter bought for private consumption and that the aid benefits the ultimate consumer through reduction of the final sales price.

Article 3

1. Notwithstanding the system referred to in Article 3 of Council Regulation (EEC) No 729/70⁽¹⁾ of 21 April 1970 on the financing of the common agricultural policy, as last amended by the Act of Accession⁽²⁾, the Guarantee Section of the European Agricultural Guidance and Guarantee Fund shall contribute:

- for aid less than 10 u.a./100 kg butter: 50% of the aid;
- for aid not less than 10 u.a. but less than 36.50 u.a./100 kg of butter: 5 u.a./100 kg;
- for aid not less than 36.50 u.a./100 kg butter: 5 u.a./100 kg plus 66.7% of that part of the aid exceeding 36.50 u.a./100 kg.

2. However, the aid financed by the Community as specified in paragraph 1 shall be limited to the butter originating from the Community.

Article 4

This Regulation shall enter into force on 1 March 1976.

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

Done at Brussels,

For the Council

(1) OJ No L 94, 28. 4.1970, p. 13

(2) OJ No L 73, 27. 3.1972, p. 14

COUNCIL REGULATION (EEC) No

of

fixing the beginning of the 1976/77 marketing year for beef
and veal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 (EEC) No ², and in particular the second paragraph of Article 4 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to the first paragraph of Article 4 of Regulation (EEC) No 805/68, the marketing year normally begins on the first Monday in April ; whereas, as a result of the economic situation in the beef and veal sector, it has become necessary to fix an earlier date for the commencement of the 1976/77 marketing year,

HAS ADOPTED THIS REGULATION :

Article 1

In the beef and veal sector the 1975/76 marketing year shall end on 29 February 1976 and the 1976/77 marketing year shall begin on 1st March 1976.

Article 2

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

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

Done at

For the Council
The President

¹ OJ No L 148 of 28.6.1968, p. 26.

² OJ No L

Proposal for
COUNCIL REGULATION (EEC) No
of
amending Regulation (EEC) No 464/75 establishing systems of premiums
for producers of bovine animals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Whereas the system of premiums for producers of bovine animals, introduced by Council Regulation (EEC) No 464/75 of 27 February 1975¹, ends on 29 February 76; whereas, in order to prevent as far as possible market disturbances which might result in large numbers of bovine animals being sent for slaughter before that date, provision should be made for reducing the premium gradually ;

Whereas in the Member State which has applied the premium for the birth of calves referred to in Article 6 of Regulation (EEC) No 464/75, the application of this premium began on different dates in different administrative regions ; whereas provision should therefore be made to enable this Member State to vary the beginning and ending according to administrative region, of the period of 12 months laid down for the application of the said premium, in order to ensure that the objective of the premium is attained,

HAS ADOPTED THIS REGULATION :

Article 1

The text of Article 1 of Regulation (EEC) No 464/75 is replaced by the following text :

"Article 1

1. Member States shall grant to producers a premium on the slaughter of certain adult bovine animals of Community origin intended for slaughter other than cows.

¹ OJ No L 52 of 28.2.1975, p. 5.

The amount of the premium for each adult bovine animal shall be equal to.:

- (a) 28 units of account for the period from 1 May 1975 to 31 January 1976 ;
- (b) 18 units of account for the period from 1 to 29 February 1976 ;
- (c) 10 units of account for the period from 1 to 31 March 1976.

2. In addition, Member States are authorised to grant for these animals a supplementary national premium, the amount of which can vary in time for each adult bovine animal up to a maximum amount of :

- (a) 52 units of account for the period from 1 May 1975 until 29 February 1976;
- (b) 34 units of account for the period from 1 to 31 March 1976;
- (c) 18 units of account for the period from 1 to 30 April 1976;

Article 2

The text of Article 2 (1) of Regulation (EEC) No 464/75 is amended as follows :

" The granting of the premium shall be subject to proof that slaughter has taken place in the Community during one of the periods laid down in Article 1".

Article 3

The text of Article 6 (1) of Regulation (EEC) No 464/76 shall be amended as follows :

" The premium for the birth of calves referred to in Article 4 shall be granted per calf born during the period between 3 March 1975 and 1 March 1977, determined according to administrative regions in such a way as to ensure application of the premium for a period of 12 months".

Article 4

This Regulation shall enter into force on 1 February 1976.

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

Done at Brussels,

For the Council

Proposal for
COUNCIL REGULATION (EEC) N° /75

of

amending Regulation (EEC) N° 181/73 in respect of the bases for calculating compensatory amounts for beef and veal.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Article 62 (1) of the Accession Treaty (1)

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) N° 181/73 of 23 January 1973 (2) laid down general rules for a system of compensatory amounts for beef and veal; whereas these rules provide in particular that the basic compensatory amounts are to be adjusted by the amount of customs duties;

Whereas the basic compensatory amounts for products other than bovine animals on the hoof are calculated in accordance with the rules used for the calculation of levies; whereas, however, it has become evident that such rules could lead to deflections of trade, if the compensatory amounts were applied to both imports and exports, particularly where the cut or presentation of the product has been altered with a view to its reclassification under another tariff heading;

Whereas the basic compensatory amounts are adjusted by the amount of customs duties on the basis of the guide prices, in accordance with Article 5 of Regulation (EEC) N° 181/73; whereas, in cases where the market price is well below the guide price, this results in the amount of the adjustment being excessive in relation to the customs duties actually paid; whereas, consequently, the adjustment should be calculated on the basis of the market price;

(1) OJ N° L 73, 23.3.1972, p.14.

(2) OJ N° L 25, 30.1.1973, p. 9.

Whereas it is appropriate, therefore, to include in the general rules the measures adopted in the abovementioned cases pursuant to the first paragraph of Article 14 of Regulation (EEC) N° 181/73,

HAS ADOPTED THIS REGULATION:

Article 1

The following Article 2a is added to Regulation (EEC) N° 181/73:

"Article 2a

As regards the derivation of amounts provided for in Article 1 (2) and Article 2, derogations may be made from the rules and coefficients applicable for the calculation of levies where this proves necessary in order to prevent deflections of trade, in view of the value relationship between products, one of which may be obtained directly from the other."

Article 2

The following fifth paragraph is added to Article 5 of Regulation (EEC) N° 181/73:

"5. If, in Member States which apply the same guide price, the average price recorded in accordance with Article 10 (5) of Regulation (EEC) N° 805/68 is lower than the intervention price on the representative markets of those Member States for at least two weeks, the amount of the customs duty referred to in paragraphs 1 and 3 shall be calculated on the basis of that average price. Only changes of 2 u.a. or more in that price shall be taken into account."

Article 3

This Regulation shall enter into force on 1 March 1976.

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

Done at Brussels,

For the Council

Proposal for
REGULATION (EEC) No/75 OF THE COUNCIL
of

on the recognition of producer groups of silkworm rearers

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Having regard to the Opinion of the Economic and Social Committee;

Whereas, in order to help ensure a fair income for silkworm rearers and stabilize the market in their products, the centralization of supply and its adaptation to the requirements of the market, through joint action, by rearers, should be encouraged;

Whereas these objectives may be pursued by the formation of producer groups which oblige their members to comply with certain rules regarding production and marketing;

Whereas, to avoid any discrimination between producers and ensure the unity and effectiveness of any action undertaken, conditions should be fixed, applicable throughout the Community, with which producer groups must comply to qualify for recognition by the Member States;

HAS ADOPTED THIS REGULATION :

Article 1

1. For the purposes of this Regulation, "recognised producer groups" means a group of silkworm rearers, formed by the rearers themselves for the following purposes, in particular :
 - (a) to centralize supply;
 - (b) to make available, to the associate rearers, adequate technical resources for the preparation, storage, and marketing of their products, on condition :
 - that all their production is marketed (first stage of marketing) by the producer group; the group being able, however, to exempt rearers from this obligation in respect of certain quantities;
 - that they apply, in respect of production and marketing, the rules adopted by the producer group designed to adapt the volume of supply and the quality of the product to market requirements;and recognised by a Member State under the provisions of paragraph 2.
2. For the purposes of this Regulation, " first stage of marketing" means the sale to the wholesale trade or to the user industries.

Article 2

1. Member States shall recognize producer group insofar as their activities include the production and marketing of cocoons and which request recognition and fulfil the following general conditions together with those laid down in Article 1; they should :
 - (a) provide evidence of economic activity on an adequate scale;
 - (b) exclude, throughout their field of activity, any discrimination whatsoever between Community rearers in respect of, in particular, their nationality or place of establishment;
 - (c) they must have legal personality or sufficient legal capacity to be subject to rights and obligations in accordance with national laws;
 - (d) include in their statutes :
 - (aa) the obligation to keep separate accounts for the activities in respect of which they have been recognized;
 - (bb) provisions aimed at ensuring that members of a group who wish to give up their membership may do so after at least three years provided they inform the organization of their intention at least one year in advance.

This provisions shall apply without prejudice to national laws or provisions designed to protect the group or association or their creditors, in specified cases, against any financial consequences which might result from the with drawal of a member or to preclude a member from withdrawing from membership in the course of the budgetary year.

(e) have no members other than silkworm rearers.

2. The authority competent to recognize producer groups shall be the Member State within whose territory the producer group has its registered office.

Article 3

Detailed rules for the application of this Regulation shall be, where necessary, laid down in accordance with the procedure provided for in Article 12 of Council Regulation (EEC) No 1308/70⁽¹⁾ of 29 June 1970 on the common organization of the market in flax and hemp.

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

Done at

For the Council

(1) OJ No L 146, 4.7.1970, p. 1

Proposal for
COUNCIL REGULATION (EEC) N° /75
of.....

on the granting of supplementary aid to certain silkworm rearers for the 1976/77 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Having regard to the Opinion of the Economic and Social Committee.

Whereas in recent months cut-price imports of silk from non-member countries have had unfavourable effects on the sales of the products of silkworm rearing in the Community; whereas these difficulties have been aggravated by an inadequate organization of sales on the Community market;

Whereas, to stabilize this market, a better organization of sales should be encouraged by the granting, in the 1976/77 marketing year, of supplementary aid to rearers who are members of a silkworm producer group recognized in accordance with Regulation (EEC) N° /75 (1); whereas, to that end, the amount of such aid should be related to the volume of production marketed by the organizations in question;

Whereas expenditure incurred by the Member States as a result of the obligations arising from this Regulation should be financed by the Community in accordance with the provisions relating to the financing of the common agricultural policy,

HAS ADOPTED THIS REGULATION:

(1) OJ N° L.....,.....1975,p.

Article 1

For the 1976/77 marketing year, supplementary aid shall be granted to silkworm rearers in the Community who are members of a recognized producer group within the meaning of Council Regulation (EEC) N° /75.

Article 2

The amount of the aid shall be 6 units of account for each box of silk seed used.

Article 3

1. On application by each producer group on behalf of all its members, each producer Member State shall grant supplementary aid for the silkworms reared on its territory.
2. The aid shall only be granted :
 - (a) for boxes containing at least 20 000 fertile silk seeds and
 - (b) provided that the rearer, having successfully reared the silk worms, delivers to the producer group to which he belongs a minimum quantity of cocoons which satisfy conditions to be laid down.
3. The Member States shall be authorized to grant supplementary aid only to those rearers who have been supplied with boxes of seed by an approved body.

Article 4

The producer Member States shall introduce administrative controls to ensure that the product in respect of which aid has been applied for satisfies the conditions which govern the granting of such aid.

Article 5

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 12 of Council Regulation (EEC) N° 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp (1).

Article 6

The supplementary aid referred to in Article 2 shall be considered, for the purposes of the financing of the common agricultural policy, as part of the intervention measures designed to stabilize agricultural markets.

(1) OJ N° L 146, 4.7.1970, p. 1.

Article 7

this Regulation shall enter into force on 1 April 1976.

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

Done at Brussels,

For the Council

PROPOSAL FOR A
COUNCIL DIRECTIVE.

amending Article 15 of the Directive on mountain and
hill farming and farming in certain less-favoured
areas, of 28 April 1975 (75/268/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and
in particular articles 42 and 43, thereof,

Having regard to the Proposal from the Commission,

Having regard to the Opinion of the European Parliament (1).

Having regard to the Opinion of the Economic and Social Committee (2),

Whereas an increase in the proportion paid by the Community of the eligible
expenditure on the compensatory allowance referred to in Article 7 of the
Council Directive of 28 April 1975 (3) would enable this measure to be
applied more harmoniously throughout the areas included on the Community list
of less-favoured agricultural areas;

HAS ADOPTED THIS DIRECTIVE:

Article 1

With effect from 1st January 1976, the percentage stated in the first paragraph
of article 15 of the Council Directive of 28 April 1975 shall be increased
from 25% to 40%.

Article 2

This Directive is addressed to the Member States.

Done at Brussels,

For the Council

(1) OJ N°

(2) OJ N°

(3) OJ N° L 128, 19.5.1975, p.1.



