

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(91) 160 final

Brussels, 22 May 1991

Proposal for a
COUNCIL REGULATION (EEC)
introducing specific measures in respect of certain
agricultural products for the benefit of the
French overseas departments

(presented by the Commission)

EXPLANATORY MEMORANDUM

On 22 December 1989 the Council adopted Poseidom, a programme of options specific to the remote and insular nature of the French overseas departments.

The purpose of this proposal, which marks the first implementation of Poseidom, is to provide a framework Regulation for agricultural measures under the programme to be financed by the EAGGF Guarantee Section

The objectives of Poseidom are to reduce supply costs and to promote the economic and social development of the French overseas departments, which are characterized by specific geographical constraints and serious structural handicaps compared with other regions of the Community.

Their economic and social progress is impeded principally by geographical factors: remoteness, isolation, small size, difficult terrain and climate, etc.

Given the specific problems of these departments, which form an integral part of the Community and are therefore involved in the gradual removal of trade restrictions in the run-up to the completion of the internal market, Poseidom provides for a range of multiannual and multisectoral measures to improve supplies and provide financial assistance for the production and marketing of local products.

This draft Regulation involves measures establishing special conditions under which the departments can obtain certain supplies and measures to develop the productive sector.

In particular the measures concern supplies of cereals, the development of livestock farming, the improvement of animal and plant health, encouragement for the production and marketing of fruit and vegetables, plants and floricultural products and support for the cane/sugar/rum sector.

Proposal for a
COUNCIL REGULATION (EEC)
Introducing specific measures in respect of certain
agricultural products for the benefit of the
French overseas departments

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, by Decision 89/687/EEC¹, the Council adopted a programme of options specific to the remote and insular nature of the French overseas departments (Poseldom) in accordance with the Community's policy of assistance for the remoter regions; whereas the programme provides for measures to improve the conditions under which the agricultural products of the departments are produced and marketed;

Whereas the exceptional geographical situation of the French overseas departments in relation to the sources of supply of products used as inputs for the manufacture of certain essential foodstuffs imposes costs which constitute a severe handicap to the industries concerned; whereas this is true particularly in the case of cereals, which are not and cannot be produced in the French overseas departments, rendering them dependent on external sources of supply; whereas this natural handicap can be remedied by arranging for supplies on more favourable terms; whereas this may be achieved by exemption from the levy on cereals imported into the departments concerned;

1 OJ No L 399, 30.12.1989, p. 39.

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Regulation (EEC) introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments

(91/C 149/07)

COM(91) 160 final

(Submitted by the Commission on 23 May 1991)

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, by Decision 89/687/EEC ⁽¹⁾, the Council adopted a programme of options specific to the remote and insular nature of the French overseas departments (Poseidom) in accordance with the Community's policy of assistance for the remoter regions; whereas the programme provides for measures to improve the conditions under which the agricultural products of the departments are produced and marketed;

Whereas the exceptional geographical situation of the French overseas departments in relation to the sources of supply of products used as inputs for the manufacture of certain essential foodstuffs imposes costs which constitute a severe handicap to the industries concerned; whereas this is true particularly in the case of cereals, which are not and cannot be produced in the French overseas departments, rendering them dependent on external sources of supply; whereas this natural handicap can be remedied by arranging for supplies on more favourable terms; whereas this may be achieved by exemption from the levy on cereals imported into the departments concerned;

Whereas, in the interests of regional cooperation, preference should be given to imports into the French overseas departments of cereals from the overseas countries and territories, the ACP States and other developing countries; whereas, however, in the event of difficulty, the levy exemption arrangements may also, exceptionally, be applied to imports of cereals from other third countries;

Whereas, to maintain the competitiveness of cereals of Community origin on the markets of the French overseas departments, both in order to achieve the Poseidom objective of reducing prices by promoting competition between sources of supply and to prevent disruption of traditional trade flows, provision should be made for the sale to the departments, on terms equivalent to exemption from the levy, of products bought into intervention and, where appropriate, cereals available on the Community market;

Whereas the purpose of the import arrangements introduced for the French overseas departments is to reduce production costs and consumer prices; whereas their impact should therefore be monitored;

Whereas traditional livestock farming activities should be supported in order to meet local consumption needs; whereas this objective may be pursued indirectly through the financing of genetic improvement programmes involving the purchase of pure-bred breeding animals, through the grant of a supplementary premium for the fattening of adult male bovine animals for meat production, through aid to promote consumption of fresh milk products and through measures concerning the supply of male bovine animals for fattening;

Whereas the undertaking made in the course of negotiations with the ACP States concerning the importation into Réunion of wheat bran from the ACP States should be implemented;

⁽¹⁾ OJ No L 399, 30. 12. 1989, p. 39.

Whereas in French Guiana, in the light of recent agricultural developments, specific measures should be taken to promote livestock production and rice cultivation;

Whereas provision should be made for a Community financial contribution towards the eradication of diseases specific to the French overseas departments; whereas, in the light of the exceptional animal health situation in the departments, provision should also be made for derogations from Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽¹⁾, as last amended by Directive 90/425/EEC⁽²⁾;

Whereas the health of agricultural crops in the French overseas departments is subject to particular problems associated with the climate and the inadequacy of the control measures hitherto applied there; whereas programmes should be implemented to combat harmful organisms; whereas the Community's financial contribution towards such programmes should be specified;

Whereas, in the fruit, vegetables, plants and floricultural sector, measures should be taken to improve farm productivity and product quality; whereas measures should also be taken to improve product marketing;

Whereas rum is a product of great economic importance for the French overseas departments; whereas the gradual abolition of certain benefits currently accorded in respect of rum production would have a serious impact on the earnings of the producers; whereas support measures should therefore be taken in respect of the cultivation of sugar cane and its processing into rum;

Whereas agricultural producers in the French overseas departments should be encouraged to supply quality products and the marketing of these should be assisted; whereas the creation of a graphic symbol and the promotion of such products, in their natural or processed form, could facilitate their marketing;

Whereas farms in the French overseas departments present major structural weaknesses from which specific difficulties derive; whereas a derogation is therefore necessary from the rules which restrict or prohibit the grant of certain forms of structural aid;

Whereas certain structural measures essential for the development of agriculture in the French overseas departments are financed under the Community support frameworks to promote the development and structural adjustment of regions whose development is lagging behind (Objective 1) pursuant to Articles 130a and 130c of the Treaty; whereas the Commission has approved an initiative (Regis) to encourage the economic development of the most remote regions, providing for the diversification of agricultural production, the upgrading of traditional products and measures to reduce the risks associated with natural disasters;

Whereas banana cultivation is of fundamental importance to the economies of certain French overseas departments; whereas all the problems relating to banana production are the subject of a Community study currently under way; whereas appropriate measures will be taken on conclusion of the study,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down specific measures to remedy, in respect of certain agricultural products, the difficulties caused by the remote and insular nature of the French overseas departments, hereinafter referred to as the 'OD'.

TITLE I

Measures to promote the supply of cereals and the development of livestock farming in the OD and to develop rice cultivation in French Guiana

Article 2

1. For each calendar year, the supply requirements of the OD in cereals for animal feed and for human consumption shall be determined on the basis of data provided by the French authorities.

2. The levies fixed pursuant to Article 13 (1) of Council Regulation (EEC) No 2727/75⁽³⁾ shall not apply, in respect of the quantities referred to in paragraph 1, to direct imports into the OD:

(a) of cereals for animal feed from developing countries;

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 224, 18. 8. 1990, p. 13.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 1.

- (b) of cereals for human consumption from the overseas countries and territories or from the ACP States.

In the event of exceptional cereals supply difficulties in the OD, the levy exemption may be extended:

- (a) to cereals for animal feed from other third countries;
- (b) to cereals for human consumption from developing countries.

3. To ensure coverage of the requirements referred to in paragraph 1 in terms of quantity, price and quality, supplies to the OD shall be effected through the mobilization, on equivalent terms, for the end user, of Community cereals held in intervention storage and, where appropriate, of cereals available on the Community market. The terms of supply shall be fixed with particular reference to the costs of the various sources of supply.

4. Application of the measures provided for in paragraphs 2 and 3 shall be subject to the advantage derived therefrom being actually passed on to the end user.

5. Notwithstanding Article 16 of Regulation (EEC) No 2727/75, no refund shall be paid on exports of cereals and cereal-based products from the OD.

6. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75. They shall cover in particular the determination of the quantities referred to in paragraph 1, the application, if appropriate, of the provisions of paragraph 2, second subparagraph, and measures to ensure that the advantages are actually passed on to the end user.

Article 3

1. During the 1991/92, 1992/93 and 1993/94 marketing years, in the case of French Guiana's animal feed supply requirements, determined for each year on the basis of data provided by the French authorities, the levy fixed pursuant to Article 14 (1) of Regulation (EEC) No 2727/75 shall not be applied to imports into French Guiana of products falling within CN codes 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 from developing countries or, in the event of exceptional problems, from other third countries.

To ensure coverage of French Guiana's requirements in terms of quantity, price and quality, animal feed manufactured from cereals processed in the rest of the Community shall be supplied on equivalent terms, for the end user.

2. During the marketing years from 1991/92 to 1995/96 flat-rate aid per hectare shall be granted for rice production in French Guiana. The amount of the aid shall be fixed with particular reference to soil preparation costs.

3. The aid specified in Article 14 shall also be granted in respect of the disposal and marketing in Guadeloupe and Martinique of rice produced in French Guiana, up to an annual quantity of 8 000 tonnes of wholly milled rice equivalent.

4. Within the limit of an annual quantity of 8 000 tonnes, the levy fixed pursuant to Article 13 (1) of Regulation (EEC) No 2727/75 shall not be applied to imports into Réunion of wheat bran falling within CN code 2302 30 from the ACP States.

5. In accordance with the procedure laid down, as appropriate, in Article 26 of Regulation (EEC) No 2727/75 or Article 27 of Council Regulation (EEC) No 1418/76⁽¹⁾, the following shall be determined:

- the quantities covered by the arrangements provided for in paragraph 1 and the measures to ensure that the advantages granted are actually passed on to the end user,
- the amount of the aid per hectare for rice production,
- the other detailed rules for the application of this Article.

6. At least six months before the end of the periods referred to in paragraphs 1 and 2, the Commission shall present to the Council an evaluation of the implementation of the measures, together with any appropriate proposals.

Article 4

1. Aid shall be granted for the supply to the OD of the following products of Community origin:

- (a) pure-bred breeding animals of the bovine species falling within CN code 0102 10 00;
- (b) pure-bred breeding swine falling within CN code 0103 10 00;

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

- (c) pure-bred breeding sheep and goats falling within CN codes 0104 10 10 and 0104 20 10;
- (d) pure-bred breeding horses falling within CN code 0101 11 00;
- (e) pure-bred breeding rabbits falling within ex CN code 0106 00 10;
- (f) multiplier or breeding chicks falling within ex CN code 0105 11 00;
- (g) hatching eggs, other, for the production of multiplier or breeding chicks falling within ex CN code 0407 00 19.

2. The aid terms shall take account in particular of the supply requirements of the OD with regard to the start-up of production. The aid shall be paid for the delivery of animals and products which fulfil the requirements specified under Community rules.

3. The aid shall be determined having regard to the following factors:

- (a) the conditions of supply to the OD resulting from their geographical situation;
- (b) the price of products on the Community market and on the world market;
- (c) whether or not customs duties and/or levies are charged on imports from third countries;
- (d) the economic aspect of the aid envisaged.

4. No refund shall be made in respect of exports from the OD of the products referred to in paragraph 1.

5. The amounts of the aid referred to in paragraph 1 and the detailed rules for the application of this Article shall be determined in accordance with the procedure laid down, as appropriate, in Article 27 of Council Regulation (EEC) No 805/68⁽¹⁾, or the corresponding Articles of the other Regulations on the common organizations of the markets in the sectors concerned.

Article 5

Aid shall be granted in support of traditional activities connected with beef and veal production and measures to improve product quality, within the limit of the consumption needs of the OD assessed on the basis of data provided by the French authorities. Such fattening

aid represents a supplement of ECU 40 per head to the special premium provided for in Article 4a of Regulation (EEC) No 805/68; the supplement may be granted in respect of an animal of a minimum weight to be determined in accordance with the procedure laid down in Article 8.

Article 6

Aid shall be granted for the consumption of locally produced fresh cow's milk products, within the limit of the consumption needs of the OD assessed on the basis of data provided by the French authorities. The aid shall amount to ECU 5 per 100 kilograms of whole milk. It shall be paid to the dairies. Payment shall be subject to the benefit derived therefrom being actually passed on to the consumer.

Article 7

During the period from 1991/92 to 1994/95:

1. the customs duties and levies referred to in Article 9 of Regulation (EEC) No 805/68 shall not be applied to imports, for fattening purposes, of bovine animals from third countries for consumption in the OD;
2. aid shall be granted for the supply, on equivalent terms, of the animals referred to in point 1 and originating in the rest of the Community.

The number of animals concerned under the measures referred to in the first paragraph shall be based on the assessment of needs referred to in Article 5, determined degressively to take account of the development of local production. The number of animals in question and the amount of the aid referred to in point 2 shall be determined in accordance with the procedure laid down in Article 8.

Not later than six months before the end of the 1994/95 marketing year for beef and veal, the Commission shall present to the Council an evaluation of the measures provided for in this Article, together with any appropriate proposals.

Article 8

The Commission, in accordance with the procedure laid down, as the case may be, in Article 30 of Council Regulation (EEC) No 804/68⁽²⁾ or Article 27 of Regulation (EEC) No 805/68, shall adopt detailed rules for the application of Articles 5, 6 and 7.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 13.

TITLE II

Veterinary and plant health measures*Article 9*

1. In Article 24 (1) of Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, the following text is hereby added:

'or by the Commission in accordance with the procedure laid down in Article 41 with regard to the eradication of certain diseases specific to the French overseas departments'.

2. The following Article 31a is hereby inserted in Directive 72/462/EEC:

'Article 31a

The Commission may, in accordance with the procedure laid down in Article 29, derogate from this Directive with regard to imports into the French overseas departments.

When the decisions provided for in the preceding paragraph are taken, the rules applicable after importation shall be laid down in accordance with the same procedure.'

Article 10

1. The French authorities shall submit to the Commission programmes for the control of organisms harmful to plants or plant products. The programmes shall specify in particular the objectives to be achieved, the measures to be carried out, their duration and their cost. The programmes submitted pursuant to this Article shall not concern protective measures for bananas.

2. The Community shall contribute to the financing of such programmes on the basis of a technical analysis of the situation.

3. The financial participation of the Community and the amount of the aid shall be decided in accordance with the procedure laid down in Article 17a of Council Directive 77/93/EEC of 21 December 1977 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products ⁽²⁾. The measures eligible for Community financing shall be defined in accordance with the same procedure.

Such participation may cover up to 60 % of the eligible expenditure. Payment shall be made on the basis of documentation supplied by the French authorities. If necessary, investigations may be organized by the

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 20.

Commission and conducted on its behalf by experts as referred to in Article 19a of Directive 77/93/EEC.

TITLE III

Measures to develop the fruit, vegetables, plants and flowers sectors*Article 11*

In the fourth indent of Article 3 (2) of Council Regulation (EEC) No 1360/78 of 19 June 1978 on producer groups and associations thereof ⁽¹⁾, the following words are added before the words 'in the French overseas departments':

'live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage falling within Chapter 6 of the combined nomenclature; vanilla (CN code 0905 00 00); plants (CN code 1211)'.

Article 12

1. Aid per hectare shall be granted to producers and producer groups and organizations which undertake a programme of initiatives, approved by the competent authorities of the Member State, with a view to the expansion of production and/or the improvement in the quality of the products listed in Chapters 6, 7 and 8 of the combined nomenclature and of vanilla falling within CN code 0905 00 00, and of plants falling within CN code 1211. This aid shall not concern bananas.

The eligible initiatives shall seek in particular to introduce production methods that are suitable and effective against plant diseases and pests and to develop product quality through varietal conversion and cultural improvements. These initiatives shall form an integral part of programmes conducted over at least three years.

The aid shall be granted for programmes covering a minimum area of 0,5 hectare.

2. The amount of Community aid shall be ECU 500 per hectare where the Member State provides official financing of at least ECU 300 per hectare and the contribution of the individual producer or group amounts to at least ECU 200 per hectare. If the contributions of the Member State and the producers are less than the amounts specified, the Community aid shall be reduced proportionately. The aid shall be paid each year of execution of the programme, for three years.

⁽¹⁾ OJ No L 166, 23. 6. 1978, p. 1.

3. The aid shall be increased where the programme of initiatives is presented and carried out by a producer group or organization and where, for its implementation, recourse to technical assistance is envisaged. The additional aid shall be granted in respect of programmes involving a minimum area of 2 hectares. It shall amount to ECU 100 per hectare.

Article 13

1. The Community shall contribute up to a maximum of ECU 200 000 towards the financing of an economic analysis and forward study of the fruit and vegetable processing industry in the OD, to be carried out on the responsibility of the Member State concerned.

The study shall produce an economic and technical assessment of the sector; it shall pay particular attention to supply data and processing costs and examine the conditions and scope for development and sales at regional and international level, having regard to competition on the world market and the diversity of the OD. It shall make a specific assessment of the pineapple-processing sector.

2. The Commission shall adopt, on the basis of the study referred to in paragraph 1, appropriate proposals which it shall transmit to the Council before 1 January 1993.

Article 14

1. Community aid shall be granted for the conclusion of annual contracts concerning the marketing and sale of the products specified in Article 12 (1) and harvested in the OD to the remainder of the Community market or on the world market. This aid shall be paid up to a limit of a volume of trade of 3 000 tonnes per product per year per department. The contracts shall be concluded between individual producers or producer groups or associations and natural or legal persons established in the rest of the Community.

2. The amount of the aid shall be 10 % of the value of the production marketed, free at destination.

3. The aid shall be granted to purchasers who undertake to market the OD products under the contracts referred to in paragraph 1.

4. Where the measures provided for in paragraph 1 are undertaken by joint ventures constituted, with the aim of trading in the rest of the Community or on the world market products harvested in the OD, by

producers or producer groups or associations in those departments and natural or legal persons established in the rest of the Community, and where the partners undertake to pool the knowledge and knowhow required to achieve the objective of the enterprise over a minimum period of three years, the amount of the aid specified in paragraph 2 shall be increased to 13 % of the value of the annual production marketed jointly.

Article 15

Detailed rules for the application of this Title shall be adopted in accordance with the procedure laid down, as appropriate, in Article 33 of Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾ or Article 13 of Council Regulation (EEC) No 234/68 of 27 February 1968 on the establishment of a common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage ⁽²⁾.

The rules for products not covered by the above market organizations shall be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72.

TITLE IV

Measures to promote sugar cane — sugar — rum production

Article 16

In so far as the French authorities submit a restructuring plan for the improvement of plantations and/or development of mechanization to strengthen the sugar cane — sugar — rum sector, aid at a flat rate per hectare shall be granted for sugar cane cultivation.

The aid shall be paid to individual planters, planter groups or associations.

The Community shall finance the aid at the rate of 60 % of eligible expenditure where the official contribution of the Member State is at least 15 %; if less, the Community aid shall be reduced accordingly.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 55, 2. 3. 1968, p. 1.

Article 17

1. Aid shall be granted for the direct processing of sugar cane into agricultural rum as defined in Article 1 (4) (a) (2) of Council Regulation (EEC) No 1576/89⁽¹⁾.

The aid shall be paid to the distiller on condition that he has paid to the sugar cane producer a minimum price to be determined.

2. The aid referred to in paragraph 1 shall be granted within the limit of an overall quantity corresponding to the average quantity of agricultural rum sold during the three marketing years 1987/88, 1988/89 and 1989/90.

Article 18

Detailed rules for the application of this Title shall be adopted, and the level of the aid and of the minimum price referred to in Article 17 (1) fixed, in accordance with the procedure laid down in Article 41 of Council Regulation (EEC) No 1785/81⁽²⁾.

When the decisions provided for in the first paragraph are taken, account shall be taken in particular of the production objectives in the context of the arrangements applicable to sugar and of the supply requirements of the OD markets.

TITLE V

Measures concerning the creation of a graphic symbol*Article 19*

1. A graphic symbol shall be introduced with a view to ensuring greater awareness and consumption of quality agricultural products, whether natural or processed, specific to the OD as remote regions.

2. The graphic symbol shall be chosen on the basis of an invitation to tender published by the Commission in the *Official Journal of the European Communities*.

3. The conditions of utilization of the symbol shall be proposed by the trade organizations. The French authorities shall forward such proposals, with their opinion, to the Commission for approval.

The utilization of the symbol shall be monitored by an official authority or a body approved by the competent French authorities.

⁽¹⁾ OJ No L 160, 12. 6. 1989, p. 1.

⁽²⁾ OJ No L 177, 1. 7. 1981, p. 4.

4. The Community shall finance the production of the graphic symbol and its promotion.

5. Detailed rules for the application of this Article shall be adopted, as necessary, in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72, or the corresponding Articles of other Regulations on the common organization of the markets.

TITLE VI

Derogations applicable to structural measures*Article 20*

1. Notwithstanding Articles 3, 4, and 8 of Council Regulation (EEC) No 797/85⁽³⁾, investment aid for agricultural holdings in the OD shall be granted on the following conditions:

- (a) pig production shall not be subject to the conditions specified in Article 3 (4);
- (b) with regard to eggs and poultry production, the prohibition referred to in Article 3 (5) shall not apply to family farms in so far as their size is in proportion to the need to ensure balanced development in those departments;
- (c) with regard to property investment, the value of the aid referred to in Article 4 (2) may be applied to other types of investment;
- (d) notwithstanding Article 4 (1), expenditure relating to initial stock purchases of pigs and poultry may be eligible under the system of investment aid specified in Article 3 (1).

The measures mentioned under (a), (b) and (d) shall apply only in so far as livestock production is undertaken in a manner compatible with animal welfare and environment protection requirements and provided that the production is for the domestic market of the departments concerned.

2. Notwithstanding Article 13 of Regulation (EEC) No 797/85, the compensatory allowance referred to in Article 15 of that Regulation may be granted in the OD for all crops, provided they are cultivated in a way compatible with environmental protection requirements and subject to a maximum income per holding to be determined.

⁽³⁾ OJ No L 93, 30. 3. 1985, p. 1.

In addition, cows whose milk is intended for the domestic market of the departments concerned may be taken into consideration for the calculation of the compensatory allowance in all the areas in the OD specified in Article 3 (4) and (5) of Council Directive 75/268/EEC⁽¹⁾, up to a maximum number of 20 livestock units.

3. The Commission, in accordance with the procedure laid down in Article 29 of Council Regulation (EEC) No 4253/88⁽²⁾:

- (i) shall adopt the conditions of application of this Article;
- (ii) may decide, on a reasoned request by the French authorities:
 - (a) to derogate from the investment ceiling referred to in Article 5 of Regulation (EEC) No 797/85;
 - (b) to derogate from the first paragraph of Article 12 and the second indent of Article 13 of Council Regulation (EEC) No 866/90⁽³⁾ and

⁽¹⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽²⁾ OJ No L 374, 31. 12. 1988, p. 1.

⁽³⁾ OJ No L 91, 6. 4. 1990, p. 1.

from the corresponding provisions of Council Regulation (EEC) No 867/90⁽⁴⁾ in order to extend the coverage of these measures to essential imports from third countries, provided that the products processed or marketed are intended exclusively for the domestic market in the OD.

TITLE VII

Final provisions

Article 21

The measures provided for in this Regulation, with the exclusion of Articles 11 and 20, constitute aid designed to stabilize the agricultural markets within the meaning of Article 3 (1) of Regulation (EEC) No 729/70⁽⁵⁾.

Article 22

This Regulation shall enter into force on 1 August 1991.

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

⁽⁴⁾ OJ No L 91, 6. 4. 1990, p. 7.

⁽⁵⁾ OJ No L 94, 28. 4. 1970, p. 13.

III

(Notices)

COMMISSION

General information notice on the implementation of specific programmes under the third research and technological development framework programme (1990 to 1994)

(91/C 149/08)

1. Pursuant to Article 130k of the Treaty the Commission sent to the Council and Parliament proposals for specific programmes to implement the third R & TD framework programme.
2. After following the cooperation procedure with Parliament, the Council has recently adopted decisions on the following specific programmes:
 - communications technologies,
 - development of telematics systems of general interest,
 - environment,
 - marine sciences and technologies,
 - life sciences and technologies for developing countries.
3. The Council has adopted common positions on the following specific programmes:
 - information technologies,
 - industrial and materials technologies,
 - agricultural and agro-industrial research,

- biomedical and health research,
- non-nuclear energies.

The texts which were the subject of these common positions are now being presented to Parliament for second reading before being finally adopted by the Council.

4. With a view to implementing these programmes, the Commission intends to launch as soon as possible, in line with internal procedures provided for in the text of the programmes, calls for proposals for R & D projects, based on the work programmes corresponding to each of the specific programmes.
5. The Commission would point out that, in addition to this procedure, it reserves the right to receive, evaluate and accept, in accordance with derogation procedures provided for in the programmes, proposals which come under a number of specific programmes or which, by their nature or means of execution or urgency, assume particular importance for strengthening the scientific and technological base of European industry and for promoting the growth of its international competitiveness.

Additional information

(91/C 149/09)

Reference: Call for expression of interest regarding consultancy in the field of the internal market and industrial affairs and in particular public procurement from 27th September 1990 (90/C 242/06).

The Commission has modified its call for expressions of interest published in the *Official Journal of the European Communities*, No C 242 of 27 September 1990, page 16:

the closing date has been abolished in order to provide open access for all contract bidders ('The closing date for submission is 40 days after publication of this call' may be considered as no longer valid).

FICHE FINANCIERE

1. LIGNE BUDGETAIRE : 184/ 251/ 381		CREDITS : 11,0 /3,0 Mio ECU/ p.m.		
2. INTITULE DE LA MESURE : Mise en oeuvre des mesures agricoles du programme d'options spécifiques à l'éloignement et à l'insularité des départements français d'outre-mer (Poséidom)				
3. BASE JURIDIQUE : Article 43 du Traité				
4. OBJECTIFS DE LA MESURE : Mise en oeuvre de la décision du Conseil instituant le POSEIDOM en ce qui concerne certaines mesures agricoles.				
5. INCIDENCES FINANCIERES	PERIODE DE 12 MOIS Mio ECU	EXERCICE EN COURS (91) Mio ECU	EXERCICE SUIVANT (92) Mio ECU	
5.0 DEPENSES A LA CHARGE - DU BUDGET DES CE (INTERVENTIONS)		p.m.	46,8	
5.1 RECETTES - RESSOURCES PROPRES DES CE (PRELEVEMENTS)		p.m.	- 17,4	
	1993	1994	1995	1996
5.0.1 PREVISIONS DES DEPENSES	48,5	50,4	30,1	30,2
5.1.1 PREVISIONS DES RECETTES	- 17,4	- 17,4	- 17,3	- 17,3
5.2 MODE DE CALCUL : Voir en annexe. Le double taux appliqué est 1,145				
6.0 FINANCEMENT POSSIBLE PAR CREDITS INSCRITS AU CHAPITRE CONCERNE				OUI
6.1 FINANCEMENT POSSIBLE PAR VIREMENT ENTRE CHAPITRES DU BUDGET EN COURS D'EXECUTION				NON
6.2 NECESSITE D'UN BUDGET SUPPLEMENTAIRE				NON
6.3 CREDITS A INSCRIRE DANS LES BUDGETS FUTURS				OUI
OBSERVATIONS :				

POSEIDOM-VOLET AGRICOLE : SYNTHESE DU COUT DE LA PROPOSITION

ANNEXE I A LA FICHE FINANCIERE

(Mio ECU(A))

article reglement	produit	type d'aide	POSTE BUDGETAIRE	1992	1993	1994	1995	1996	1997	1998	TOTAL
2-3	cereales	par tonne	184	9.6	9.6	9.6	9.6	9.6	9.6	9.6	67.2
3-1		par tonne	184	0.4	0.4	0.4	-	-	-	-	1.2
3-2	riz	par ha	184	1.0	1.0	1.0	1.0	p.m.	-	-	4.0
3-3		par valeur commerciale	184	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4
4	animaux de race pure	par tete	251	0.2	0.2	0.2	0.2	0.2	0.2	p.m.	1.2
5	viande bovine engraissement	par tete	251	1.0	1.0	1.0	1.0	1.0	1.0	1.0	7.0
6	consommation prod. laitier	par tonne	251	0.8	0.8	0.8	0.8	0.8	0.8	0.8	5.6
7	viande bovine approvision.	par tete	251	0.5	0.4	0.2	0.1	-	-	-	1.2
9	animaux maladies	forfait	251	0.5	0.5	0.5	0.5	0.5	0.5	p.m.	3.0
10	vegetaux	forfait	184	1.0	1.0	1.0	1.0	1.0	1.0	p.m.	8.0
12	fruits et legumes	par ha	184	4.1	4.8	5.4	1.9	1.8	1.2	0.6	19.8
13	fruits et legumes tr.	forfait	184	0.2	-	-	-	-	-	-	0.2
14	fruits et legumes	par valeur commerciale	184	1.6	2.8	4.0	5.2	6.5	6.5	6.5	33.1
16	canne a sucre	par ha	184	14.4	14.4	14.4	p.m.	-	-	-	43.2
17	rhum agricole	par hl	184	4.6	4.6	4.6	4.6	4.6	4.6	4.6	32.2
19	logo	forfait	381	0.6	0.5	0.5	p.m.	-	-	-	1.6
TOTAL				40.9	42.4	44.0	26.3	26.4	25.8	23.5	229.3
vegetaux			184	37.3	39.0	40.8	23.7	23.9	23.3	21.7	209.7
animaux			251	3.0	2.9	2.7	2.6	2.5	2.5	1.8	18.0
autres			381	0.6	0.5	0.5	p.m.	-	-	-	1.6

P O S E I D O M

I. COÛT A CHARGE DU BUDGET

Céréales et aliments du bétail

Ce chiffrage est effectué à titre indicatif sur base des quantités actuellement importées du reste de la Communauté et devra être revu annuellement conformément aux articles 2 §1 et 3 §1.

Article 2 §3 (approvisionnement en céréales)

Les importations en provenance de la CEE sont estimées à 80.000 t. Cette quantité recevra une aide équivalente au niveau des restitutions (comme cela est déjà le cas pour le riz communautaire destiné à la Réunion).

Le coût est estimé à :
 $80.000 \text{ t} \times 120 \text{ ECU/t} = 9,6 \text{ Mio ECU.}$

Article 3 §1 (approvisionnement en aliments du bétail)

Les importations en provenance de la Communauté sont estimées à 3.000 t.

Sur base d'une aide de 120 ECU/t, le coût est estimé à :
 $3.000 \text{ t} \times 120 \text{ ECU/t} = 0,36 \text{ Mio ECU.}$

Riz

Article 3 §2 (mise en culture)

La superficie totale concernée couvre 5.000 ha.
 $5.000 \text{ ha} \times 800 \text{ ECU/ha} = 4,0 \text{ Mio ECU sur cinq ans.}$

Article 3 §3 (aide à la commercialisation du riz de Gyane dans les autres DOM)

Le prix du riz rendu à destination est estimé à 400 ECU/t
Coût : $8.000 \text{ t} \times 400 \text{ ECU/t} \times 0,13 = 0,41 \text{ Mio ECU}$

Fourniture d'animaux de race pure

(article 4)

	<u>Nombre/an</u>	<u>Aide</u>	
Bovins	: 150 x	1.300 ECU	= 195.000 ECU
	: 60 x	1.000 ECU	= 60.000 "
Porcins	: 80 x	410 ECU	= 33.000 "
	: 130 x	380 ECU	= 49.000 "
Ovins, capr.:	20 x	150 ECU	= 3.000 "
Poussins)	: 500.000 x	0,25 ECU	= 125.000 "
Oeufs)			
Chevaux)	: p.m.		
Lapins)			
			----- 465.000 ECU/an

La CEE prend 50 % à sa charge, soit 232.000 ECU/an.

Aide à la viande bovine pour l'engraissement (article 5)
(activités traditionnelles)

25.000 têtes x 40 ECU/tête : 1 Mio ECU

Aide à la consommation de produits laitiers (article 6)

50 ECU/t x 15.000 t = 0,75 Mio ECU

Aide à l'approvisionnement en bovins (article 7)

On suppose que l'approvisionnement se fera en totalité à partir du reste de la Communauté grâce à une aide équivalente au montant des restitutions.

1ère année	:	2.000 têtes x 0,25 t x 1.000 ECU/t	=	500.000 ECU
2ème année	:	1.500 têtes x 0,25 t x 1.000 ECU/t	=	375.000 ECU
3ème année	:	1.000 têtes x 0,25 t x 1.000 ECU/t	=	250.000 ECU
4ème année	:	500 têtes x 0,25 t x 1.000 ECU/t	=	125.000 ECU

Eradication des maladies animales (article 9)

Forfait : 0,5 Mio ECU/an (part communautaire)

Lutte contre les organismes nuisibles (article 10)

Sur base d'un programme français; forfait indicatif : 1 Mio ECU/an

Fruits et légumes (aide/ha) (article 12)

Le coût annuel de cette mesure est estimé à 4,1 Mio ECU pour la première tranche et à environ 0,6 Mio ECU pour chaque nouvelle tranche. Le paiement de chaque tranche s'étale sur 3 ans.
(voir Annexe III)

Fruits et légumes transformés (article 13)

200.000 ECU pour une étude : forfait payé à 100 % en 1992.

Fruits et légumes (commercialisation) (article 14)

Passage au coût maximal en 5 ans (voir Annexe IV)

Canne à sucre (restructuration des cultures) (article 16)

Le rajeunissement et la mécanisation concernent 12.000 HA/an.
L'aide sera accordée sur 3 ans.

Le coût est estimé à 2.000 ECU/ha.
La CEE rembourse 60 % de la dépense :
12.000 ha x 2.000 ECU/ha x 60 % = 14,4 Mio ECU

Rhum agricole (aide à la transformation de sucre de canne) (article 17)

Quantité moyenne écoulee : 65.000 hl
 Prix de la matière première : 800 FF/hl = 101 ECU/hl
 Prix sur le marché mondial : 245 FF/hl = 31 ECU/hl

Coût : 65.000 hl x (101 - 31) ECU/hl = 4,6 Mio ECU

Symbole graphique (logo) (article 19)

0,1 Mio ECU pour la création du logo financé la première année;
 0,5 Mio ECU pour la promotion du logo pendant 3 ans.

II. PERTE DE PRELEVEMENT

Céréales et aliments du bétail

Ce chiffrage est effectué à titre indicatif sur base des quantités actuellement importées des pays tiers et devra être revu annuellement conformément aux articles 2 §1 et 3 §1.

Article 2 §2 (pour l'approvisionnement en céréales)

Blé tendre : 70.000 t x 165 ECU/t = 11,6 Mio ECU
 Autres céréales : 20.000 t x 145 ECU/t = 2,9 Mio ECU

 T O T A L 14,5 Mio ECU

Article 3 §1

Pour les 3 premières années et pour l'approvisionnement en aliments du bétail à la Guyane :

1.000 t x 145 ECU/t = 0,1 Mio ECU

Article 3 §4

Pour les importations de sons à la Réunion :

8.000 t x 70 ECU/t = 0,6 Mio ECU

Résumé :

Année / Articles	1992	1993	1994	1995 et suiv.
Art. 2.2	14,5	14,5	14,5	14,5
Art. 3.1	0,1	0,1	0,1	0
Art. 3.4	0,6	0,6	0,6	0,6
T O T A L	15,2	15,2	15,2	15,1

POSEIDOM : VOLET PRODUCTIONS VEGETALES (FRUITS ET LEGUMES, FLORICULTURE)

1) PROGRAMME D'INITIATIVE (ARTICLE 12)

PRODUIT	SUPERFICIE ACTUELLE (1989) (ha)	SUPERFICIE PROJETEE (ha)	AIDE MAXIMUM CEE (ECU/ha)	COUT INITIAL (MIO ECU)	COUT SUPPLEMENTAIRE (MIO ECU)
	(1)	(2)	(3)	(4)=(3)x(1)	(5)=(3)x((2)-(1))
ANANAS	630	690	500	0.315	0.030
AUBERGINES	295	928	500	0.148	0.317
AVOCATS	503	595	500	0.252	0.048
FRUITS DE LA PASSION	76	308	500	0.038	0.116
GOYAVES	217	234	500	0.109	0.009
LIMES	865	1001	500	0.433	0.068
LITCHIS	455	1355	500	0.228	0.450
MANGUES	358	923	500	0.178	0.284
MELONS	203	861	500	0.102	0.329
PAPAYES	26	45	500	0.013	0.010
IGNAMES	2538	2648	500	1.269	0.055
CHRISTOPHINES	120	120	500	0.060	0.000
FLORICULTURE	1927	3450	500	0.964	0.762
TOTAL	8211	13158	312	4.11	2.47

REPARTITION DE LA DEPENSE PAR ANNEE BUDGETAIRE

	1992	1993	1994	1995	1996	1997	1998
1ere tranche	4.1	4.1	4.1	-	-	-	-
2eme tranche		0.7	0.7	0.7	-	-	-
3eme tranche			0.6	0.6	0.6	-	-
4eme tranche				0.6	0.6	0.6	-
5eme tranche					0.6	0.6	0.6
TOTAL	4.1	4.8	5.4	1.9	1.8	1.2	0.6

2) CONTRATS DE CAMPAGNE (ARTICLE 14)

ANNEXE IV

PRODUIT	QUANTITE ACTUELLE (1989) (T)	QUANTITE PROJETEE (T)	PRIX VENTE (ECU/T)	VALEUR COMMERCIALE INITIALE (MIO ECU)	VALEUR COMMERCIALE PROJETEE (MIO ECU)
	(1)	(2)	(3)	(4)=(3)x(1)	(5)=(3)x(2)
ANANAS	1710	4000	1569	2.682	6.275
AUBERGINES	215	2960	1699	0.365	5.030
AVOCATS	1414	1800	1699	2.403	3.059
FRUITS DE LA PASSION	0	0	1961	0.000	0.000
GOYAVES	0	0	1699	0.000	0.000
LIMES	350	450	1438	0.503	0.647
LITCHIS	255	5000	1961	0.500	9.804
MANGUES	24	6100	2092	0.050	12.758
MELONS	2070	4100	3922	8.118	16.078
PAPAYES	0	200	1699	0.000	0.340
IGNAMES	20	20	2745	0.055	0.055
CHRISTOPHINES	88	90	1438	0.127	0.129
GERANTUM	22	40	915	0.020	0.037
FLORICULTURE	671	3700	523	0.351	1.935
TOTAL	5129	24460		12.49	49.87

LA PART DU FEAGA EST DE 13% DE LA VALEUR COMMERCIALE.

COMPRISE ENTRE 1.6 ET 6.5 MIO ECU

L'AIDE COMMUNAUTAIRE DE 1.6 MIO ECU LA PREMIERE ANNEE AUGMENTERA CHAQUE ANNEE POUR ATTEINDRE 6.5 MIO ECU LA SEME ANNE.

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FICHE D'IMPACT SUR LA COMPETITIVITE ET L'EMPLOI

I. Quelle est la justification principale de la mesure ?

Mise en oeuvre de mesures agricoles pour l'application du programme POSEIDOM, adopté en décembre 1989 par le Conseil.

II. Caractéristiques des entreprises concernées. En particulier :

(a) Y a-t-il un grand nombre de PME ? Oui

(b) Note-t-on des concentrations dans des régions

i. éligibles aux aides régionales des Etats membres ?

ii. éligibles au Feder ?

III. Quelles sont les obligations imposées directement aux entreprises ?

Mesures visant à répercuter sur l'utilisateur final le bénéfice du régime spécifique à l'approvisionnement en produits essentiels.

IV. Quelles sont les obligations susceptibles d'être imposées indirectement aux entreprises via les autorités locales ?

Idem

V. Y a-t-il des mesures spéciales pour les PME ?

Lesquelles ?

VI. Quel est l'effet prévisible

a) sur la compétitivité des entreprises ? Positif

b) sur l'emploi ? Positif

VII. Les partenaires sociaux ont-ils été consultés ? Oui Quels sont leurs avis ? Très favorables

. formule de partenariat associant les représentants des régions
. consultation du CES

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