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COMMISSION PROPOSALS

on the prices for agricultural products
and on related measures (1994/95)

VOLUME III

Legal instruments

PROPOSITIONS DE PRIX AGRICOLES

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Proposal for a
COUNCIL REGULATION (EC) No
of
amending Regulation (EEC) No 1766/92 on the common
organization of the market in cereals

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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,

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

Whereas Council Regulation (EEC) No 1766/92⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, provides for a system of compensatory payments for producers of potatoes intended for the manufacture of starch; whereas, with a view to controlling the production of starch, the granting of such compensatory payments should be conditional on the presentation of a cultivation contract;

Whereas Regulation (EEC) No 1766/92 also makes provision for adjusting measures, according to the world market situation, in respect of levies and refunds fixed in advance; whereas, to facilitate the administration of such measures and in the interests of sound management, the provisions governing the fixing of the premiums and corrective amounts arising from such measures should be relaxed;

(1) OJ No L 181, 1.7.1992, p. 21.

(2) OJ No L 196, 5.8.1993, p. 22.

Whereas, moreover, when Regulation (EEC) No 1766/92 was adopted, malt was transferred from the group of products referred to in Article 1(1)(d) to the group of products referred to in (c) of that paragraph; whereas Annex A to the aforementioned Regulation should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1766/92 is hereby amended as follows:

1. In Article 8, the following subparagraph is added to paragraph 2:

"Without prejudice to the provisions of the first subparagraph, the compensatory payment shall be paid only in respect of the quantity of potatoes covered by a contract between the potato producer and the starch manufacturer."

2. In Article 12(2), the final sentence is replaced by the following:

"In this case, a premium shall be added to the levy."

3. In Article 13(4), the second subparagraph is replaced by the following:

"A corrective amount may be fixed. It shall be applied to refunds fixed in advance. The corrective amount shall be fixed in accordance with the procedure laid down in Article 23. However, where necessary the Commission may alter the corrective amounts."

4. In Annex A, code 1107 (Malt, whether or not roasted) is deleted.

Article 2

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

It shall apply from the 1994/95 marketing year. However, Article 1, point 4, shall apply from 1 July 1993.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing the monthly price increases for cereals
for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 Article 3 of Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No (2), fixes the monthly increases in the intervention and threshold prices;

Whereas, when the amounts and the number of the monthly increases are fixed and the first month in which they are to apply is determined, account should be taken of the storage costs and financing charges for storing cereals in the Community and of the need to ensure that the disposal of stocks of cereals is in line with market requirements;

Whereas, under the reform of the common agricultural policy, provision was made for the fixing of a single intervention price for all cereals; whereas this price has been fixed at a substantially reduced level, the reduction carried out in stages; whereas this fact should be taken into account in the fixing of the size of the monthly increases;

(1) OJ No L 181, 1.7.1992, p. 21.

(2) See page of this Official Journal.

Whereas, as regards the threshold price for maize and sorghum, the monthly increases are to be determined in accordance with the last subparagraph of Article 3(2) of Regulation (EEC) No 1766/92,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year, the monthly increases to be applied to the intervention price for common wheat, rye, barley, maize, sorghum and durum wheat, and to the threshold price for all cereals, applicable for the first month of the marketing year, shall be as follows:

(ECU/t)

	Monthly increase in the intervention price	Monthly increase in the threshold price
July 1994	-	-
August 1994	-	1,16
September 1994	-	2,32
October 1994	-	3,48
November 1994	1,16	4,64
December 1994	2,32	5,80
January 1995	3,48	6,96
February 1995	4,64	8,12
March 1995	5,80	9,28
April 1995	6,96	10,44
May 1995	8,12	11,60
June 1995	-	11,60

In the case of maize and sorghum, the monthly increases for August and September shall not apply to the threshold price.

Article 2

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

It shall apply from the 1994/95 marketing year.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
establishing a quota system in relation to the production
of potato starch

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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,

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

Whereas Council Regulation (EEC) No 1543/93 of 14 June 1993 fixing the amount of the premium paid to producers of potato starch during the 1993/94, 1994/95 and 1995/96 marketing years⁽¹⁾ provided for the Council to decide what measures to take if the production of potato starch within the Community exceeded 1.5 million tonnes in the marketing year 1993/94 or 1994/95; whereas production in 1993/94 exceeded such figure;

Whereas in order to limit Community potato starch production, any Member State where potato starch has been produced should be allocated a quota based on the average amount of potato starch produced in that Member State in the marketing years 1990/91, 1991/92 and 1992/93 for which premium was received, proportionately adjusted, if necessary, to bring the total Community quota to 1.5 million tonnes;

Whereas quotas should be allocated to Denmark, Germany, France and the Netherlands for use in the marketing years 1994/95, 1995/96 and 1996/97;

(1) OJ No L 154, 25.6.1993, p. 4.

Whereas in the case of Germany, the change from the planned economy existing in the new Länder before reunification to a market economy and the consequent change in agricultural production structures justifies the use of a different reference period for the allocation of quota to that Member State; whereas the reference year should be 1992/93;

Whereas producer Member States should allocate their quota for a period of three years between all undertakings producing potato starch, on the basis of the average starch produced by them during the marketing years 1990/91, 1991/92 and 1992/93 or the amount of starch produced in 1992/93 only, at the choice of the Member State, and investments made by those undertakings prior to 31 January 1994 in relation to the production of potato starch;

Whereas in order to take account of possible restructuring of the market in potato starch production the Commission shall at the end of the 3 year period and thereafter at 3 yearly intervals make a report to the Council on quota allocations accompanied, if necessary, by appropriate proposals;

Whereas the specific structural constraints on the starch production sector make it necessary to establish a premium for the production of potato starch up to the level of an undertaking's quota; whereas in order to protect potato producers, payment of the premium shall be dependent upon payment of the minimum price for the quantity of potatoes needed to produce starch up to the level of the quota;

Whereas undertakings producing potato starch shall not conclude cultivation contracts with potato producers in relation to a quantity of potatoes which would produce starch in excess of their quota; whereas any starch produced in excess of that quota shall be exported from the Community without benefiting from any export refund,

HAS ADOPTED THIS REGULATION:

Article 1

A system of quotas for the production of potato starch is hereby introduced.

Article 2

1. The following producer Member States are hereby allocated quotas for the production of potato starch within the following limits for the marketing years 1994/95, 1995/96 and 1996/97:

Denmark	178 460 t
Germany	501 717 t
France	281 516 t
Netherlands	<u>538 307 t</u>
Total	1 500 000 t.

2. Each producer Member State shall allocate the quota referred to in paragraph 1 to undertakings producing potato starch for use in the marketing years 1994/95, 1995/96 and 1996/97, at the option of the Member State, on the basis of:

- either the average amount of starch produced by them in the marketing years 1990/91, 1991/92 and 1992/93 and for which they received the premium referred to in Article 1 of Regulation (EEC) No 1543/93,
- or the amount of starch produced by them in the marketing year 1992/93 and for which they received the premium referred to in Article 1 of Regulation (EEC) No 1543/93.

Where necessary, a producer Member State shall also, on the basis of objective criteria, take into account investments made by undertakings producing potato starch before 31 January 1994 which did not give rise to production in the reference period chosen by that Member State.

Article 3

1. On or before 31 October 1996 and thereafter at three yearly intervals, the Commission shall present to the Council a report on the allocation of quota within the Community, accompanied if necessary by appropriate proposals.
2. On or before 30 November 1996 and thereafter at three yearly intervals, the Council shall allocate quota between Member States on the basis of the report referred to in paragraph 1, for use in the following three marketing years.
3. On or before 31 December 1996 and thereafter at three yearly intervals, Member States shall notify those concerned of the details of quota allocations for the following three marketing years.

Article 4

An undertaking producing potato starch shall not conclude cultivation contracts with potato producers for a quantity of potatoes which would produce a quantity of starch in excess of its quota, referred to in Article 2(2).

Article 5

A premium of ECU 18,43 per tonne of starch produced shall be paid to undertakings producing potato starch for the quantity of potato starch up to the quota limit referred to in Article 2(2), provided that they have paid to potato producers the minimum price, referred to in Article 8(1) of Council Regulation (EEC) No 1766/92⁽²⁾, as last amended by Regulation (EC) No ⁽³⁾, for all the potatoes necessary to produce starch up to that quota limit.

Article 6

1. Without prejudice to Article 5, any potato starch produced in excess of the quota referred to in Article 2(2) shall be exported, as such, from the Community before 1 January following the end of the marketing year in question.
No export refund shall be paid in respect of it.

(2) OJ No L 181, 1.7.1992, p. 21

(3) See page of this Official Journal

2. Without prejudice to paragraph 1, an undertaking producing potato starch may, in any marketing year, in addition to its quota for that year, utilize no more than 5% of its quota relating to the following marketing year. In such case, the quota for the following marketing year shall be reduced accordingly.

Article 7

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92. They shall include, in particular, rules applicable in the case of mergers, changes of ownership and the commencement or cessation of trading of undertakings, and any specific measures necessary to facilitate the transition from the system in force to that established by this Regulation.

Article 8

Regulation (EEC) No 1543/93 is repealed with effect from 1 July 1994. All references to Regulation (EEC) No 1543/93 shall be construed as being references to this Regulation.

Article 9

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

It shall apply from 1 July 1994.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
amending Council Regulation (EEC) No 1418/76
on the common organization of the market in rice

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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,

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

Whereas Council Regulation (EEC) No 1418/76⁽¹⁾, as last amended by Regulation (EEC) No 1544/93⁽²⁾, makes provision for adjusting measures, according to the world market situation, in respect of levies and refunds fixed in advance; whereas, to facilitate the administration of such measures and in the interests of sound management, the provisions governing the fixing of the premiums and corrective amounts arising from such measures should be relaxed;

Whereas, on account of the impossibility in practice of identifying precisely immature grains, such grains may not be excluded from classification as "whole grains"; whereas grains which are not fully mature must therefore be included in the definition of "whole grains";

Whereas Annex A to Regulation (EEC) No 1418/76 specifies the methods of measuring grains and defines what is meant by broken rice;

(1) OJ No L 166, 25.6.1976, p. 1.

(2) OJ No L 154, 25.6.1993, p. 5.

Whereas, to enable Importers to determine the rate of levy to be applied to the rice they import, it is necessary to simplify the definition of broken rice by specifying that only fragments whose length does not exceed 6 mm shall be classified as broken rice; whereas this new definition makes it necessary to establish a new method by which the percentage by weight of broken rice shall be determined,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1418/76 is hereby amended as follows:

1. In Article 13(2), the last sentence is replaced by the following:

"In this case, a premium shall be added to the levy."

2. In Article 17(4), the second subparagraph is replaced by the following:

"A corrective amount may be fixed. It shall be applied to the refund where this is fixed in advance. The corrective amount shall be fixed according to the procedure specified in Article 27. However, when necessary, the Commission may modify the corrective amounts."

3. Annex A is hereby amended as follows:

(a) Point 2(d)(ii) is replaced by the following:

"(ii) sieve the sample so as to retain only whole grains including grains which are not fully mature.";

(b) Point 3 is replaced by the following:

"3. Broken rice: grain fragments, excluding clipped grains, whose length does not exceed 6 mm.";

(c) the following point is added:

"4. Determination of broken rice: the percentage by weight of broken rice in a given consignment shall be determined by the following method:

- (i) take a representative sample of at least 40 g from the consignment;
- (ii) sieve the sample, including grains which are not fully mature, dividing broken rice from whole grains;
- (iii) determine the percentage by weight of broken rice in relation to the total weight of the sample."

Article 2

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

It shall apply from the 1994/95 marketing year.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
amending Regulation (EEC) No 2729/75
on the import levies on mixtures of cereals,
rice and broken rice

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 Article 2(2) of Council Regulation (EEC) No 2729/75⁽¹⁾ provides for the application of import levies applicable to rice mixtures;

Whereas, following the amendment of the definition of broken rice provided for in Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽²⁾, as last amended by Regulation (EC) No ⁽³⁾, imports of rice will comprise a higher percentage of broken rice; whereas the percentage of broken rice which must be present in a mixture in order to create entitlement to the levy applicable to broken rice should be increased,

HAS ADOPTED THIS REGULATION:

(1) OJ No L 281, 1.11.1975, p. 18.

(2) OJ No L 166, 25.6.1976, p. 1.

(3) See page of this Official Journal.

Article 1

Regulation (EEC) No 2729/75 is hereby amended as follows:

1. In Article 2(1), "Regulation No 359/67/EEC" is replaced by "Regulation (EEC) No 1418/76" and "Regulation (EEC) No 2727/75" is replaced by "Regulation (EEC) No 1766/92".
2. In Article 2, paragraph 2 is replaced by the following paragraphs:
 - "2. The import levy applicable to mixtures composed either of rice classifiable under several different processing groups or stages or of rice classifiable under one or more different groups or stages and of broken rice shall be that applicable to the component predominating by weight, when that component represents at least 90% of the weight of the mixture in the case of rice classifiable under one or more different processing groups or stages, and at least 95% of the weight of the mixture in the case of broken rice.
3. Pursuant to paragraph 2, if no component represents at least 90% or 95% of the weight of the mixture, as the case may be, the levy applicable shall be that applicable to the component liable to the higher or highest import levy."

Article 2

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

It shall apply from the 1994/95 marketing year.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing prices for rice for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 markets and prices policy continues to be the main instrument of the incomes policy in the rice sector;

Whereas the intervention price for paddy rice must be fixed at a rate which takes account, on the one hand, of the policy in respect of rice production with a view to the uses to which it is put and, on the other, of the budgetary and market constraints;

Whereas the target price for husked rice must be derived from the intervention price for paddy rice in accordance with the criteria set out in Article 4(3) of Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EC) No (2);

Whereas, for the products referred to in this Regulation, the application of the aforementioned criteria entails fixing those prices at the levels indicated below,

(1) OJ No L 166, 25.6.1976, p. 1.

(2) See page of this Official Journal.

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year, prices for rice shall be as follows:

- (a) intervention price, paddy rice: ECU 309,60/t;
- (b) target price, husked rice: ECU 530,60/t.

Article 2

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

It shall apply from 1 September 1994.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing the monthly price increases for paddy rice and husked rice
for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EC) No (2), and in particular Article 7(2) thereof,

Having regard to the proposal from the Commission,

Whereas, when the number and the amounts of the monthly increases are fixed and the first month in which they are to apply is determined, account should be taken on the one hand of the storage costs and the financing charges for storing rice in the Community and on the other hand of the need to ensure that the disposal of stocks of rice is in line with market requirements,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1994/95 marketing year, the monthly increases provided for in Article 7(1) of Regulation (EEC) No 1418/76 shall be:

- ECU 1,88/t for the intervention and buying-in prices,
- ECU 2,35/t for the target price.

(1) OJ No L 166, 25.6.1976, p. 1.

(2) See page of this Official Journal.

2. The monthly increases shall apply to the intervention and buying-in prices from 1 January 1995 to 1 July 1995, the prices thus obtained for July 1995 remaining valid until 31 August 1995.

The monthly increases shall apply to the target price from 1 October 1994 to 1 July 1995, the price thus obtained for July 1995 remaining valid until 31 August 1995.

Article 2

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

It shall apply from 1 September 1994.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing certain sugar prices and the
standard quality of beet for the 1994/95 marketing year,

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector (1), as last amended by Regulation (EC) No 133/94 (2), and in particular Articles 2(3), 3(4) and 4(3) 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, when sugar prices are fixed, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are, in particular, to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas, in order to attain these objectives, the target price for sugar must be fixed at a level which, taking into account, in particular, the resultant level of the intervention price, ensures a fair remuneration for beet and sugar cane producers while at the same time respecting consumers interest, and which is likely to maintain the balance between the prices of the principal agricultural products;

(1) OJ No L 177, 1. 7.1981, p. 4

(2) OJ No L 22, 27. 1.1994, p. 7

Whereas, as a result of the characteristics of the sugar market, the risks involved in this trade are relatively slight; whereas, consequently, when the intervention price for sugar is fixed, the difference between the target price and the intervention price may be fixed at a relatively low level;

Whereas the basic price for beet must take account of the intervention price and of the costs of processing and delivering the beet to factories and be based on an estimated Community yield of 130 kilograms of white sugar per tonne of beet with a 16% sugar content,

HAS ADOPTED THIS REGULATION:

Article 1

1. The target price for white sugar shall be ECU 55,07/100 kg.
2. The intervention price for white sugar shall be ECU 52,33/100 kg for the non-deficit areas of the Community.

Article 2

The basic price for beet applicable in the Community shall be ECU 39,48/t delivered at the collection centre.

Article 3

Standard quality beet shall:

- (a) be of sound and fair merchantable quality;
- (b) have a sugar content of 16% at the reception point.

Article 4

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

It shall apply for the 1994/95 marketing year.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of

fixing the derived intervention prices for white sugar,
the intervention price for raw sugar, the minimum prices for A and B beet,
the threshold prices and the amount of compensation for storage costs
for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 133/94⁽²⁾, and in particular Articles 3(5), 5(5), 8(4) and 14(5) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EC) No of fixing certain sugar prices and the standard quality of beet for the 1994/95 marketing year⁽³⁾, fixes the intervention price for white sugar at ECU 52,33/100 kg for non-deficit areas;

Whereas Article 3(1) of Regulation (EEC) No 1785/81 provides that derived intervention prices for white sugar are to be fixed for each deficit area; whereas, when these prices are fixed, account should be 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 on the market;

Whereas a short supply situation is to be foreseen in the areas of production in Ireland, Italy, the United Kingdom, Spain and Portugal;

(1) OJ No L 177, 1.7.1981, p. 4.

(2) OJ No L 22, 27. 1.1994, p. 7

(3) See page of this Official Journal.

Whereas Article 3(5) of Regulation (EEC) No 1785/81 provides that an intervention price for raw sugar is to be fixed; whereas that price should be determined using the intervention price for white sugar as a basis;

Whereas Regulation (EC) No fixes the basic price for beet at ECU 39,48/t; whereas Article 5(2) of Regulation (EEC) No 1785/81 provides that the minimum price to be fixed for A beet is to be 98% of the basic price for beet and the minimum price to be fixed for B beet is in principle to be 68% of the said basic price notwithstanding Article 28(5) of that Regulation;

Whereas Article 14(2) of Regulation (EEC) No 1785/81 provides that the threshold price for white sugar is to be equal to the target price, plus the costs, calculated at a flat rate, of transport from the Community area having the largest surplus to the most distant deficit area of consumption in the Community, plus a flat-rate amount which takes into account the storage levy; whereas, given the state of supplies within the Community, account should be taken of transport charges between the departments of northern France and Palermo;

Whereas the threshold price for raw sugar is to be derived from the threshold price for white sugar account being taken of flat-rate amounts for processing and a standard yield;

Whereas the threshold price for molasses must be fixed in such a way that the receipts from sales of molasses may reach the level of receipts of undertakings taken into account when the basic price for beet is fixed;

Whereas Article 5 of Council Regulation (EEC) No 1358/77 of 20 June 1977 laying down general rules for offsetting storage costs for sugar and repealing Regulation (EEC) No 750/68⁽⁴⁾, as last amended by Regulation (EEC) No 3042/78⁽⁵⁾, provides that the repayment in the context of the compensation for storage costs is to be fixed per month and per unit of weight, taking account of financing costs, insurance and specific storage costs; whereas, for financing costs, account should be taken of a 6,25% interest rate,

(4) OJ No L 156, 25.6.1977, p. 4.

(5) OJ No L 361, 23.12.1978, p. 8.

HAS ADOPTED THIS REGULATION:

Article 1

For the deficit areas of the Community, the derived intervention price for white sugar shall be:

- (a) ECU 53,54/100 kg for all the areas in the United Kingdom;
- (b) ECU 53,54/100 kg for all the areas in Ireland;
- (c) ECU 53,54/100 kg for all the areas in Portugal;
- (d) ECU 53,73/100 kg for all the areas in Spain;
- (e) ECU 54,27/100 kg for all the areas in Italy.

Article 2

The intervention price for raw sugar shall be ECU 43,37/100 kg.

Article 3

1. The minimum price for A beet applicable in the Community shall be ECU 38,69/t.
2. Except where Article 28(5) of Regulation (EEC) No 1785/81 is applied, the minimum price for B beet applicable in the Community shall be ECU 26,85/t.

Article 4

The threshold price shall be:

- (a) ECU 63,18/100 kg of white sugar;
- (b) ECU 53,99/100 kg of raw sugar;
- (c) ECU 6,80/100 kg of molasses.

Article 5

The reimbursement referred to in Article 8 of Regulation (EEC) No 1785/81 shall be ECU 0,35/100 kg white sugar per month.

Article 6

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

It shall apply for the 1994/95 marketing year.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
amending Regulation No 136/66/EEC on the establishment of a
common organization of the market in oils and fats

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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, given the changing situation on the olive oil market, a single aid scheme is necessary; whereas experience has shown that the abolition of consumption aid would not adversely affect the level of olive oil consumption in the Community and would make verification procedures simpler and more effective; whereas the consumption aid scheme should accordingly be abolished;

Whereas abolition of consumption aid will result in abolition of the representative market price and require new rules determining the threshold price to be drawn up;

Whereas, following abolition of consumption aid, provision should be made for special measures to promote olive oil consumption;

Whereas such measures are intended to introduce better balance on the olive oil market; whereas expenditure incurred as a result of such measures should therefore be considered intervention within the meaning of Article 3 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2048/88⁽²⁾;

Whereas Council Regulation No 136/66/EEC⁽³⁾, as last amended by Regulation (EEC) No 3179/93⁽⁴⁾, should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation No 136/66/EEC is hereby amended as follows:

1. The first subparagraph of Article 4(1) is replaced by the following:

" A production target price, an intervention price and a threshold price for olive oil shall be fixed each year for the Community."

2. The first sentence of the fourth subparagraph of Article 5(1) is deleted.

3. Article 7 is deleted.

(1) OJ No L 94, 28.4.1970, p. 13.

(2) OJ No L 185, 15.7.1988, p. 1.

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

(4) OJ No L 285, 20.11.1993, p. 9.

4. Article 9 is replaced by the following:

"Article 9

The threshold price shall be fixed in such a way that the selling price for the imported product at a Community crossing point shall be the same as production target price less the production aid. The frontier crossing point shall be determined in accordance with the procedure laid down in Article 38."

5. Article 11 is replaced by the following:

"Article 11

1. The Community shall set in motion, directly or indirectly, information measures and other measures to promote the consumption of olive oil produced in the Community.
2. Expenditure incurred as a result of measures referred to in paragraph 1 shall be considered intervention within the meaning of Article 3 of Regulation (EEC) No 729/70.
3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38 of this Regulation."

6. Article 11a is replaced by the following:

"Article 11a

Member States shall, insofar as they are concerned, take the necessary measures to provide for penalties in the event of infringements of the aid arrangements laid down in Article 5. They shall notify the Commission of the measures as soon as they are adopted."

Article 2

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

It shall apply from 1 November 1994.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing, for the 1994/95 marketing year, the prices, production aid
and percentages of aid to be retained in the olive oil sector
and the maximum guaranteed quantity

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89(1) and (2) and 234(2) and (3) thereof,

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 fats⁽¹⁾, as last amended by Regulation (EC) No (2), and in particular Articles 4(4) and 5(1) 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 target price for olive oil production must be fixed in accordance with the criteria laid down in Articles 4 and 6 of Regulation No 136/66/EEC;

Whereas the intervention price must be fixed in accordance with the criteria laid down in Article 8 of Regulation No 136/66/EEC;

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

(2) See page of this Official Journal.

Whereas the threshold price must be fixed in such a way that the selling price for the imported product at the frontier crossing point determined in accordance with Article 9 of Regulation No 136/66/EEC is the same as the producer target price, less the production aid;

Whereas Articles 95 and 293 of the Act of Accession make provision for Community aid for the production of olive oil in Spain and Portugal; whereas Articles 79 and 246 of that Act provide for the progressive alignment of the Community aid in Spain and Portugal on the common aid at the beginning of each marketing year; whereas, in the light of the increase in production aid following the abolition of consumption aid, application of the rules on that alignment would have the effect of increasing the difference between the level of aid in Spain and Portugal and the level applicable in the Community as constituted at 31 December 1985; whereas, to avoid this inequitable effect, the rules should be amended so as to maintain the rate of alignment provided for in the Act of Accession;

Whereas, in accordance with Articles 5(4) and 20d(1) of Regulation No 136/66/EEC, the percentages of production aid to be allocated to finance measures to improve the quality of olive oil production and to finance expenditure incurred in the work done by recognized producer organizations or associations thereof in administering and controlling olive oil production aid, should be determined;

Whereas Article 5(1) of Regulation No 136/66/EEC fixes, for a specified period, the maximum quantity in respect of which the unit amount of production aid fixed for each of the marketing years in question is to be payable; whereas, in compliance with the terms laid down therein, the maximum quantity for each of those marketing years should be maintained, in respect of the 1994/95, 1995/96 and 1996/97 marketing years, at the level specified hereafter,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1994/95 marketing year, the production target price and the intervention price for olive oil shall be as follows:
 - (a) production target price: ECU 317,82/100 kg;
 - (b) intervention price: ECU 152,60/100 kg.
2. The prices fixed in paragraph 1 shall be for ordinary virgin olive oil with a free fatty-acid content, expressed as oleic acid, of 3.3 g/100 g.

Article 2

For the 1994/95 marketing year, the threshold price for olive oil shall be ECU 186,64/100 kg,

Article 3

For the 1994/95 marketing year, the production aid shall be as follows:

(a) production aid:

- for Spain : ECU 116,64/100 kg,
- for Portugal : ECU 116,64/100 kg,
- for the Community of Ten: ECU 127,56/100 kg;

(b) production aid for growers whose average production is less than 500 kg of olive oil per marketing year:

- for Spain : ECU 123,91/100 kg,
- for Portugal : ECU 123,91/100 kg,
- for the Community of Ten: ECU 135,25/100 kg.

Article 4

1. For the 1994/95 marketing year, 1,4% of the production aid earmarked for olive-oil producers shall be allocated to the financing of specific measures to improve the quality of olive oil in each producer Member State.
2. For the 1994/95 marketing year, the percentage of the production aid which may be withheld pursuant to Article 20d(1) of Regulation No 136/66/EEC for organizations of olive-oil producers or associations thereof recognized under the said Regulation shall be 0,8%.

Article 5

For the 1994/95, 1995/96 and 1996/97 marketing years, the maximum production of olive oil referred to in Article 5(1) of Regulation No 136/66/EEC shall be 1 350 000 tonnes for each of those marketing years.

Article 6

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

It shall apply from 1 November 1994.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
amending Regulation (EEC) No 2169/81
laying down the general rules for the system of aid for cotton

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraph 9 of Protocol 4 on cotton, as last amended by Regulation (EEC) No 1553/93⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas Article 5(5) of Council Regulation (EEC) No 2169/81⁽²⁾, as last amended by Regulation (EEC) No 1554/93⁽³⁾, lays down that the aid shall be paid for the quantity of unginned cotton which enters the cotton ginning undertaking, where appropriate adjusted on the basis of the moisture content and impurities recorded; whereas, in order to limit the risk of the aid being granted for quantities in excess of those which enter the cotton ginning undertaking, provision should be made whereby the aid is granted only where the proportion between the quantity of unginned cotton which enters the cotton ginning undertaking and the quantity of ginned cotton which leaves it is considered acceptable,

HAS ADOPTED THIS REGULATION:

(1) OJ No L 154, 25.6.1993, p. 21.
(2) OJ No L 211, 31.7.1981, p. 2.
(3) OJ No L 154, 25.6.1993, p. 23.

Article 1

Regulation (EEC) No 2169/81 is hereby amended as follows:

1. The following subparagraph is added to Article 5(5):

"However, if the quantity of ginned cotton is less than 32% of the quantity of unginned cotton entering the cotton ginning undertaking and determined in accordance with the preceding subparagraph, the aid shall be paid in respect of the quantity of ginned cotton multiplied by 100 and divided by 32."

2. The following is inserted as the third indent of Article 10:

"- ascertain the quantity of ginned cotton obtained in each cotton ginning undertaking from the quantity of unginned cotton which has entered it."

Article 2

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

It shall apply from the 1994/95 marketing year.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing the guide price for unginnd cotton for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraph 8 of Protocol 4 on cotton, as last amended by Regulation (EEC) No 1553/93 (1),

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 paragraph 8 of Protocol 4 states that the guide price for unginnd cotton is to be fixed annually by reference to the criteria laid down in paragraph 2 of that Protocol;

Whereas reference to the abovementioned criteria gives the guide price indicated below,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1994/95 marketing year the guide price for unginnd cotton shall be ECU 101,46/100 kg.

(1) OJ No L 154, 25.6.1993, p. 21.

2. The price referred to in paragraph 1 shall be for cotton:

- of sound, fair and merchantable quality,
- containing 10% moisture and 3% impurities,
- with the characteristics required to yield, after ginning 54% seed and 32% fibres of grade No 5 (white middling) with a length of 28 mm (1-3/32").

Article 2

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

It shall apply from 1 September 1994.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing the minimum price for unginmed cotton
for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular Protocol 4 on cotton, as last amended by Regulation (EEC) No 1553/93⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton⁽²⁾, as last amended by Regulation (EC) No (3), and in particular Article 9(1) thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 9(2) of Regulation (EEC) No 2169/81, the Council is to fix a minimum price for unginmed cotton each year at a level enabling producers to sell at a price as close as possible to the guide price; whereas that price must take account of market fluctuations and the cost of transporting the unginmed cotton from the production areas to the ginning areas; whereas that price must be fixed for the quality to which the guide price relates and must apply at the farm gate;

Whereas the application of the abovementioned criteria results in fixing of the minimum price at the level given below,

(1) OJ No L 154, 25.6.1993, p. 21.

(2) OJ No L 211, 31.7.1981, p. 2.

(3) See page of this Official Journal.

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year, the minimum price for unginned cotton provided for in Article 9(1) of Regulation (EEC) No 2169/81 shall be ECU 96,39/100 kg. That price shall apply to goods at the farm gate.

Article 2

The price fixed in Article 1 shall be for unginned cotton meeting the quality indicated in Article 1(2) of Council Regulation (EC) No fixing the guide price for unginned cotton for the 1994/95 marketing year⁽⁴⁾.

Article 3

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

It shall apply from 1 September 1994.

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

Done at

For the Council

(4) See page of this Official Journal.

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing the aid for fibre flax and hemp and the amount
withheld to finance measures to promote the use of flax
fibre for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp (1), as last amended by Regulation (EEC) No 1557/93 (2), and in particular Articles 2(3) and 4(3) 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 Article 4 of Regulation (EEC) No 1308/70 provides that the amounts of aid for flax grown mainly for fibre and for hemp grown in the Community are to be fixed each year;

Whereas Article 4(2) of the said Regulation provides that the amount is to be so fixed per hectare of area sown and harvested as to ensure an even balance between the volume of production required in the Community and the amount that can be marketed; whereas it is to be fixed taking into account the price for flax and hemp fibres and seed on the world market;

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

(2) OJ No L 154, 25.6.1993, p. 26.

Whereas Article 2(3) of Regulation (EEC) No 1308/70 provides that the portion of aid for financing Community measures to encourage the use of flax fibre is to be fixed at the time when the aid is fixed for the marketing year in question in accordance with the criteria referred to in the said paragraph; whereas it is to be fixed in the light of trends on the market in flax, the amount of the aid for flax and the cost of the measures to be introduced;

Whereas application of the abovementioned criteria entails fixing the amount of aid and the portion of the aid to be used for financing measures to promote the use of flax fibre at the levels set out below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year, the aid provided for in Article 4 of Regulation (EEC) No 1308/70 shall be:

- (a) as regards flax: ECU 774,86/ha;
- (b) as regards hemp: ECU 641,60/ha.

Article 2

For the 1994/95 marketing year, the amount of the aid for flax to be used to finance the measures to promote the use of flax fibre referred to in Article 2 of Regulation (EEC) No 1308/70 shall be: ECU 44,42/ha.

Article 3

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

It shall apply from 1 August 1994.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing the aid in respect of silkworms for the
1994/95 rearing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 845/72 of 24 April 1972 laying down special measures to encourage silkworm rearing (1), as last amended by Regulation (EEC) No 2059/92 (2), and particular Article 2(3) 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 Article 2 of Regulation (EEC) No 845/72 provides that the aid for silkworms reared within the Community must be fixed each year in such a way as to help ensure a fair income for silkworm rearers, taking into account the state of the market in cocoons and raw silk, of foreseeable trends on that market and of import policy;

Whereas application of the abovementioned criteria entails fixing the aid at the level indicated below,

(1) OJ No L 100, 27.4.1972, p. 1.

(2) OJ No L 215, 30.7.1992, p. 19.

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 rearing year, the aid in respect of silkworms as referred to in Article 2 of Regulation (EEC) No 845/72 shall be fixed per box of silkworm eggs used at ECU 110,41.

Article 2

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

It shall apply from 1 April 1994.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
setting the compensatory payment for linseed for the
1994/95 and subsequent marketing years

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 Article 6a(3) of Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops⁽¹⁾, as last amended by Regulation (EEC) No 1552/93⁽²⁾, provides that a compensatory payment for linseed is to be set for the marketing years subsequent to the 1993/94 marketing year; whereas that compensatory amount must be set at a level which takes account of both the specific characteristics of the product and of the aid granted to similar products,

HAS ADOPTED THIS REGULATION:

(1) OJ No L 181, 1.7.1992, p. 12.

(2) OJ No L 154, 25.6.1993, p. 19.

Article 1

For the 1994/95 and subsequent marketing years, the amount of the compensatory payment per hectare for linseed referred to in Article 6a (3) of Regulation (EEC) No 1765/92 shall be ECU 78,00 multiplied by the regional yield for cereals, excluding maize yields in those regions where a separate yield is applied for maize.

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

Proposal for a
COUNCIL REGULATION (EC) No
of
amending Regulation (EEC) No 1117/78 on the common organization
of the market in dried fodder and Regulation (EEC) No 1417/78
on the aid system for dried fodder

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 Council Regulation (EEC) No 1117/78⁽¹⁾, as last amended by Regulation (EC) No 3496/93⁽²⁾, and Council Regulation (EEC) No 1417/78⁽³⁾, as last amended by Regulation (EEC) No 1110/89⁽⁴⁾, provide under certain conditions for the payment of aid to processors in respect of the production of dried fodder; whereas the calculation of that aid should be simplified to reflect the level of the costs incurred in drying the product in question; whereas to enhance a quality policy the minimum protein content in dry matter should be increased to 17%; whereas it is not possible to introduce a flat-rate aid scheme until 1 April 1995;

Whereas it would be inequitable to pay aid in respect of dried fodder produced on land already taken into account under the Community aid schemes referred to in Article 1(1) of Council Regulation (EEC) No 3508/92, of 27 November 1992,

(1) OJ No L 142, 30.5.1978, p. 1.

(2) OJ No L 319, 21.12.1993, p. 17.

(3) OJ No L 171, 28.6.1978, p. 1.

(4) OJ No L 118, 29.4.1989, p. 1.

establishing an integrated administration and control system for certain Community aid schemes (integrated system)⁽⁵⁾, as amended by Regulation (EC) No 165/94⁽⁶⁾; whereas, in order to attain a sufficient level of control, it is appropriate to make use of certain elements of the integrated system for the management of agricultural plots,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1117/78 is hereby amended as follows:

1. Article 2(2) is replaced by the following:

"2. For the products referred to in Article 1(b) and (c)

- the 1994/95 marketing year shall begin on 1 May 1994 and end on 31 March 1995,

- thereafter the marketing year shall begin on 1 April each year and end on 31 March of the following year."

2. Article 4 is deleted.

3. Article 5 is replaced by the following:

"Article 5

1. Aid shall be granted for the products referred to in Article 1(b) and (c), which takes into account the energy cost of dehydrating a green crop produced from fodder plants harvested in the Community.

2. The aid shall be fixed at ECU 40/t for the products referred to in the first and third indents of Article 1(b) and the products referred to in Article 1(c).

3. The aid shall be fixed at ECU 20/t for the products referred to in the second and fourth indents of Article 1(b)."

(5) OJ No L 355, 5.12.1992, p. 1.

(6) OJ No L 24, 29.1.1994, p. 6.

4. The following Article is inserted:

"Article 5a

Without prejudice to Article 5, no aid shall be granted:

- (a) If the products in question are not of a sound and merchantable quality;
- (b) If the raw materials used for the manufacture of the products in question were produced on land during a period when it was taken into account by any of the aid schemes to which Article 1(1) of Regulation (EEC) No 3508/92 refers."

5. Article 6(2) is deleted.

6. The following Article is inserted:

"Article 13a

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 12, and in particular those relating to:

- the granting of the aid referred to in Article 5,
- the checking and establishment of entitlement to the aid, including any necessary control measures, which may make use of certain elements provided for in the integrated system,
- the criteria for determining minimum quality,
- the conditions to be fulfilled for the undertakings referred to in the second indent of Article 6(1)c,
- the criteria to be fulfilled in concluding the contracts referred to in Article 6(1) and the information which must be contained within them."

7. The second and third paragraphs of Article 17 are deleted.

Article 2

Regulation (EEC) No 1417/78 is hereby amended as follows:

1. In Article 5(b), first indent, "15%" is replaced by "17%".
2. Articles 1, 3, 4, 9, 10, 11 and 12 are deleted.

Article 3

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

Article 1(1) and (4) shall apply from 1 May 1994 and Article 1(2), (3), (5), (6) and (7) and Article 2 from 1 April 1995.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
extending the 1993/94 milk year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 (EC) No (2), and in particular Article 2 thereof,

Having regard to the proposal from the Commission,

Whereas the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana Padano and Parmigiano Reggiano cheeses were fixed under the reform of the common agricultural policy by Regulation (EEC) No 2072/92(3), as amended by Regulation (EEC) No 1561/93(4), for the period 1 July 1993 to 30 June 1995; whereas the 1993/94 milk year should therefore be extended until 30 June 1994,

HAS ADOPTED THIS REGULATION:

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

(2) OJ No L

(3) OJ No L 215, 30.7.1992, p. 65.

(4) OJ No L 154, 25.6.1993, p. 33.

Article 1

The 1993/94 milk year shall end on 30 June 1994 and the 1994/95 milk year shall begin on 1 July 1994.

Article 2

This Regulation shall enter into force on 1 April 1994.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
amending Regulation (EEC) No 804/68 on the common organization
of the market in milk and milk products

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 Article 6 of Council Regulation (EEC) No 804/68⁽¹⁾, as last amended by Regulation (EC) No ⁽²⁾, provides for an intervention system for butter; whereas this system must be implemented, in particular, in such a way as to maintain the competitive position of butter on the market and provide for the most efficient possible storage; whereas the quality requirements to be observed in respect of butter constitute a determining factor for the attainment of these objectives;

Whereas Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream⁽³⁾, as last amended by Regulation (EEC) No 2045/91⁽⁴⁾, provides for control measures when butter enters into storage and after a certain storage period; whereas technical advances, both at international level and in the Community, have resulted in methods for determining the quality of butter; whereas it is appropriate, therefore, to recognize such methods and, for the purposes of implementing the intervention system more efficiently and simplifying the rules, to lay down a single definition for butter covered by the intervention system; whereas the adoption of such a definition, as referred to in Article 27 of Regulation (EEC) No 804/68, will accordingly enable the measure in question to be repealed;

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

(2) OJ No L

(3) OJ No L 169, 18.7.1968, p. 1.

(4) OJ No L 187, 13.7.1991, p. 1.

Whereas it is not appropriate to deviate from the specification for butter stipulated hitherto under the intervention system; whereas, in particular, in the case of the private storage aid referred to in Article 6(2) of Regulation (EEC) No 804/68, the derogation in respect of salted butter provided for in the second subparagraph of Article 8(4) of Regulation (EEC) No 985/68 should continue to apply;

Whereas, in the interests of simplification and clarification, the other general rules laid down in Regulation (EEC) No 985/68 should be incorporated in Article 6 of Regulation (EEC) No 804/68 and Regulation (EEC) No 985/68 repealed accordingly;

Whereas Article 8 of Regulation (EEC) No 804/68 provides for an intervention system for certain types of cheeses; whereas experience has shown that the buying-in of such cheeses is not an appropriate means of stabilizing the market, given their limited preservation time and the absence of disposal opportunities; whereas, however, market stabilization may be achieved through private storage aid for such cheeses;

Whereas account should be taken also of trends in the milk products market and of changes in the intervention systems in force for several years for butter and skimmed-milk powder; whereas the system of buying-in in respect of Grana Padano and Parmigiano Reggiano cheeses should therefore be abolished; whereas general rules concerning the granting of private storage aid should, moreover, be incorporated in Article 8 of Regulation (EEC) No 804/68;

Whereas it is therefore necessary to amend Article 5 of Regulation (EEC) No 804/68 and to repeal Council Regulation (EEC) No 971/68 of 15 July 1968 laying down general rules for intervention on the market in Grana Padano and Parmigiano Reggiano cheeses⁽⁵⁾, as last amended by Regulation (EEC) No 473/75⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

(5) OJ No L 166, 17.7.1968, p. 8.

(6) OJ No L 52, 28.2.1975, p. 23.

Article 1

Regulation (EEC) No 804/68 is hereby amended as follows:

1. Article 5 is replaced by the following:

"Article 5

Each year at the same time as the target price for milk, and in accordance with the same procedure, an intervention price for butter and for skimmed-milk powder shall be fixed."

2. Article 6 is replaced by the following:

"Article 6

1. Under conditions to be determined, the intervention agency designated by each Member State shall buy in at the intervention price natural butter produced in the Community directly and exclusively from cream of cows' milk, of a minimum fat content of 82%, which is offered to it and which meets certain requirements.

The aforementioned intervention price shall be that in force on the day of manufacture of the butter and shall apply to butter delivered to the cold store designated by the intervention agency and situated at a maximum distance to be determined from the place where the butter was in store.

2. Aid for the private storage of cream of cows' milk produced in the Community and of butter referred to in paragraph 1 shall be granted by the intervention agency of the Member State on whose territory the cream or butter in receipt of the aid are stored. However, aid may also be paid in respect of butter of a minimum fat content and a maximum salt content, by weight, of 80% and 2% respectively.

The amount of aid shall be fixed taking into account storage costs and the likely trend of the price of fresh butter and storage butter. If, at the time of removal from storage, the market has altered adversely in a way which was unforeseeable at the time of entry into storage, the amount of aid may be increased.

The private storage aid shall be subject to the drawing-up of a storage contract concluded under conditions to be determined. If the market situation so requires, the Commission may decide, in accordance with the procedure laid down in Article 30, on the remarketing of some or all of the cream or butter under private storage contract.

3. Disposal of the butter bought in by the intervention agencies shall be effected at a minimum price and under conditions to be determined in such a way as to avoid disturbing the balance of the market and to ensure purchasers equal treatment and access to the butter for sale. Where the butter offered for sale is intended for export, special conditions may be laid down in order to ensure that the product is not diverted from its destination and to take account of requirements specific to such sales.

Where the butter purchased by the intervention agencies cannot be marketed during a milk year under normal conditions, the Commission shall examine the situation and adopt appropriate measures in accordance with the procedure laid down in Article 30. Insofar as may be warranted by the nature of such measures, special measures shall also be taken with a view to maintaining marketing opportunities for products in receipt of the private storage aid referred to in paragraph 2.

4. The intervention system shall be so applied that:

- the competitive position of butter on the market is maintained,
- the initial quality of butter is so far as possible preserved,
- stocks are held on the most rational possible basis.

5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 30."

3. Article 8 is replaced by the following:

"Article 8

1. Under conditions to be determined, aid shall be granted for the private storage of:

- (a) Grana Padano cheese at least nine months old,
- (b) Parmigiano Reggiano cheese at least fifteen months old,
- (c) Provolone cheese at least three months old,

If these cheeses reach certain standards.

2. The amount of private storage aid shall be fixed taking account of storage costs and the likely trend of market prices.
3. The intervention agency designated by the Member State in which the said cheeses are produced and qualify to bear the designation of origin shall implement the measures taken pursuant to paragraph 1.

The granting of private storage aid shall be subject to the conclusion of a storage contract with the intervention agency. The contract shall be drawn up under conditions to be determined.

Where the market situation so requires, the Commission may decide, in accordance with the procedure laid down in Article 30, that the intervention agency shall remarket some or all of the cheese stored.

4. Detailed rules for the application of this Article, and in particular the amount of aid and the provisions concerning the storage contract and inspection of storage operations, shall be adopted in accordance with the procedure laid down in Article 30."

4. Article 27 is hereby repealed.

Article 2

Regulation (EEC) No 971/68 is hereby repealed. However, it shall continue to apply in respect of the marketing of quantities purchased prior to the entry into force of this Regulation.

Regulation (EEC) No 985/68 shall be repealed with effect from 1 January 1995. However, it shall continue to apply to ensure fulfilment of obligations contracted prior to the aforementioned date.

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

For the Council

Proposal for a
COUNCIL REGULATION (EC) No

of

amending Regulation (EEC) No 2072/92 fixing the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana Padano and Parmigiano Reggiano cheeses for two annual periods from 1 July 1993 to 30 June 1995

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 market situation for milk and milk products continues to be precarious; whereas the persistent decline in butter consumption in the Community causes continuing problems on the butter market; whereas the constant rise in the fat content of milk further aggravates the situation; whereas, in view of the decrease in dairy production costs consequent upon the fall in the prices of cereals and concentrated feed, the reduction in the intervention price for butter should be marked by an additional 3% reduction in order to improve the competitive position of butter and milk fats, encourage their consumption and alter the upward trend in the fat content of milk; whereas it is necessary to fix accordingly the target price for milk and amend Council Regulation (EEC) No 2072/92⁽¹⁾, as amended by Regulation (EEC) No 1561/93⁽²⁾;

Whereas Council Regulation (EC) No of amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products⁽³⁾ abolishes buying-in in respect of Grana Padano and Parmigiano Reggiano cheeses; whereas the intervention prices for those cheeses should accordingly be rescinded,

(1) OJ No L 215, 30.7.1992, p. 65.

(2) OJ No L 154, 25.6.1993, p. 33.

(3) See page of this Official Journal.

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 of Regulation (EEC) No 2072/92, point 2 is replaced by the following:

"2. For the period from 1 July 1994 to 30 June 1995:

	(ECU/100 kg)
(a) Target price for milk	: 25,41
(b) Intervention price for:	:
- butter	: 266,31
- skimmed-milk powder	: 170,20
	: _____".

Article 2

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

It shall apply from 1 July 1994.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing the threshold prices for certain milk products
for the 1994/95 milk year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 (EC) 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 and 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,

HAS ADOPTED THIS REGULATION:

Article 1

1. The threshold prices for the 1994/95 milk year shall be as follows:

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

(2) See page of this Official Journal.

Pilot product of the group of products	ECU/100 kg
1	55,90
2	191,61
3	257,27
4	97,10
5	127,59
6	299,29
7	362,06
8	305,47
9	580,62
10	328,81
11	303,72
12	92,93

2. The pilot products referred to in paragraph 1 are those specified in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 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 3798/91⁽⁴⁾.

Article 2

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

It shall apply from 1 July 1994.

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

Done at

For the Council

(3) OJ No L 329, 24.12.1979, p. 1.

(4) OJ No L 357, 28.12.1991, p. 3.

Proposal for a
COUNCIL REGULATION (EC) No
of
extending the 1993/94 marketing year in the
beef and veal sector

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No (2), and in particular Article 4 thereof,

Having regard to the proposal from the Commission,

Whereas the intervention prices fixed in the context of the reform of the common agricultural policy for the beef and veal sector under Article 1 of Council Regulation (EEC) No 2068/92 of 30 June 1992 fixing, for the period 1 July 1993 to 30 June 1996, the intervention prices for adult bovine animals⁽³⁾, will apply only from 1 July 1994 for the period 1 July 1994 to 30 June 1995; whereas the current marketing year should be extended therefore until 30 June 1994 in order to maintain the guide and intervention prices at their existing level until the new price system is applied,

HAS ADOPTED THIS REGULATION:

(1) OJ No L 148, 28.6.1968, p. 24.

(2) OJ No L

(3) OJ No L 215, 30.7.1992, p. 58.

Article 1

Notwithstanding Article 4 of Regulation (EEC) No 805/68, the 1993/94 marketing year in the beef and veal sector shall end on 30 June 1994 and the 1994/95 marketing year shall begin on 1 July 1994.

Article 2

This Regulation shall enter into force on 4 April 1994.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
amending Regulation (EEC) No 805/68 on the common organization
of the market in beef and veal

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 implementation of the new premium scheme introduced under the reform of the common agricultural policy has created certain additional problems with regard to the granting of the special premium for producers holding male bovine animals; whereas Council Regulation (EEC) No 805/68⁽¹⁾, as last amended by Regulation (EC) No (2), should be amended accordingly;

Whereas, under Article 4b(2) of Regulation (EEC) No 805/68, the special premium may be granted a second time after the animal has reached the age of 22 months; whereas this possibility may encourage certain producers to carry on with fattening their uncastrated male bovine animals with the sole intention of obtaining the second premium; whereas it has been found that, for the heavy carcasses resulting therefrom, the markets are somewhat restricted and the result is an unwanted increase in the quantity of beef produced; whereas the special premium for uncastrated male bovine animals should therefore be granted only once in the life of those animals and before they have reached the age of 22 months;

(1) OJ No L 148, 28.6.1968, p. 24.

(2) OJ No L

Whereas the choice of 1992 as one of the years which may be chosen as reference year for the setting of the regional ceiling has resulted, in certain parts of the Community, in a considerable unexpected increase in premium applications compared with previous years; whereas the application in future years of exaggeratedly high regional ceilings could jeopardize efforts to control production, this being one of the prime objectives of the reform; whereas it is therefore inappropriate to adopt 1992 as the reference year, in place of which 1989 should be the reference year adopted,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 805/68 is hereby amended as follows:

1. Article 4b(2) is replaced by the following:

"2. The premium shall be granted no more than:

(a) once in the life of each uncastrated male bovine animal of between 10 and 21 months of age,

(b) twice in the life of each castrated male bovine animal,

- the first time at the age of 10 months,

- the second time after it has reached the age of 22 months.

To qualify for the premium, any animal for which an application has been made must be held for fattening by the producer for a given period."

2. In the third subparagraph of Article 4b(3), (b) is replaced by the following:

"(b) "regional ceiling": the number of animals within a region and under a reference year which have qualified for the special premium; the Member States may choose 1989, 1990 or 1991 as the reference year for their entire territory. The Member States shall inform the Commission, by 31 July 1994, of the reference year of their choice."

Article 2

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

It shall apply from 1 January 1995.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing the guide price for adult bovine animals
for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No (2), and in particular Article 3(3) thereof,

Having regard to the proposal from the Commission,

Whereas, when the guide price for adult bovine animals is fixed, account should be taken of the objectives of the common agricultural policy; whereas the common agricultural policy aims inter alia at guaranteeing a fair standard of living for the farming community, and to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas the guide price must be fixed in accordance with the criteria laid down in Article 3(2) of Regulation (EEC) No 805/68,

HAS ADOPTED THIS REGULATION:

(1) OJ No L 148, 28.6.1968, p. 24.

(2) See page of this Official Journal.

Article 1

For the 1994/95 marketing year, the guide price for adult bovine animals shall be ECU 197,42/100 kg liveweight.

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

Proposal for a
COUNCIL REGULATION (EC) No
of
amending Regulation (EEC) No 3013/89 on the common organization
of the market in sheepmeat and goatmeat

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 Article 7(2) and (3) of Council Regulation (EEC) No 3013/89⁽¹⁾, as last amended by Regulation (EEC) No 363/93⁽²⁾, stipulates certain conditions to be fulfilled prior to the opening of private storage within the framework of a tendering procedure; whereas experience has shown that the price condition established in Article 7(2) is inappropriate; whereas it is therefore necessary to reduce the price ratio at which the condition for the opening of a private storage tendering procedure is fulfilled; whereas the activation of private storage measures provided for in Article 7(3) should be deleted,

HAS ADOPTED THIS REGULATION:

(1) OJ No L 289, 7.10.1989, p. 1.

(2) OJ No L 42, 19.2.1993, p. 1.

Article 1

Article 7 of Regulation (EEC) No 3013/89 is hereby amended as follows:

- in paragraph 2 "85 %" is replaced by "70 %".
- paragraph 3 is deleted.

Article 2

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

It shall apply from the 1995 marketing year.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing the basic price and the seasonal adjustments to the basic price
for sheepmeat for the 1995 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No (2), and in particular Article 3(1) and (2) 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 basic price must be fixed in accordance with the criteria laid down in Article 3(2) of Regulation (EEC) No 3013/89;

Whereas, when the basic price for sheep carcasses is fixed, account should be taken of the objectives of the common agricultural policy; whereas the main objectives of the common agricultural policy are, in particular, to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices; whereas these factors result in the price for the 1995 marketing year being fixed at the level laid down in this Regulation;

(1) OJ No L 289, 7.10.1989, p. 1.

(2) See page of this Official Journal.

Whereas the weekly seasonally adjusted amounts applicable to the basic price should be fixed in the light of experience gained during the 1991, 1992 and 1993 marketing years concerning private storage,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1995 marketing year, the basic price for sheepmeat is hereby fixed at ECU 417,45/100 kg carcase weight.

Article 2

The basic price referred to in Article 1 is hereby seasonally adjusted in accordance with the table set out in the Annex hereto.

Article 3

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

It shall apply from the beginning of the 1995 marketing year.

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

Done at

For the Council

ANNEX

1995 MARKETING YEAR

(ECU/100 kg carcase weight)

Week beginning	Week	Basic price
2 January 1995	1	426,55
9 January 1995	2	429,46
16 January 1995	3	432,85
23 January 1995	4	435,27
30 January 1995	5	437,69
6 February 1995	6	440,10
13 February 1995	7	442,52
20 February 1995	8	444,94
27 February 1995	9	446,88
6 March 1995	10	448,81
13 March 1995	11	449,78
20 March 1995	12	449,78
27 March 1995	13	448,81
3 April 1995	14	447,45
10 April 1995	15	445,62
17 April 1995	16	443,01
24 April 1995	17	441,07
1 May 1995	18	438,17
8 May 1995	19	435,27
15 May 1995	20	431,40
22 May 1995	21	426,56
29 May 1995	22	421,72
5 June 1995	23	415,93
12 June 1995	24	411,09
19 June 1995	25	407,22
26 June 1995	26	403,35

ANNEX (continued)

1995 MARKETING YEAR

Week beginning	Week	Basic price
3 July 1995	27	400,45
10 July 1995	28	398,51
17 July 1995	29	397,54
24 July 1995	30	397,06
31 July 1995	31	396,55
7 August 1995	32	396,55
14 August 1995	33	396,55
21 August 1995	34	396,55
28 August 1995	35	396,55
4 September 1995	36	396,55
11 September 1995	37	396,55
18 September 1995	38	396,55
25 September 1995	39	396,58
2 October 1995	40	396,68
9 October 1995	41	396,77
16 October 1995	42	396,86
23 October 1995	43	396,96
30 October 1995	44	397,54
6 November 1995	45	398,32
13 November 1995	46	399,19
20 November 1995	47	400,16
27 November 1995	48	402,57
4 December 1995	49	406,44
11 December 1995	50	411,28
18 December 1995	51	417,28
25 December 1995	52	423,63

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing the basic price and defining the standard quality for
pig carcasses for the period 1 July 1994 to 30 June 1995

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1249/89⁽²⁾, and in particular Article 4(4) 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, when the basic price for pig carcasses is fixed, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are, in particular, to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices;

(1) OJ No L 282, 1.11.1975, p. 1.

(2) OJ No L 129, 11.5.1989, p. 12.

Whereas the basic price must be fixed in accordance with the criteria laid down in Article 4(1) of Regulation (EEC) No 2759/75 for a standard quality defined by reference to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses⁽³⁾, as last amended by Regulation (EC) No 3513/93⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 July 1994 to 30 June 1995 the basic price for pig carcasses of the standard quality shall be ECU 1 300/t.

Article 2

The standard quality shall be defined in terms of carcase weight and lean meat content, determined as laid down in Article 2(2) and (3) of Regulation (EEC) No 3220/84, as follows:

- (a) carcasses weighing not less than 60 but less than 120 kilograms: grade "U";
- (b) carcasses weighing from 120 to 180 kilograms: grade "R".

Article 3

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

It shall apply from 1 July 1994.

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

Done at

For the Council

(3) OJ No L 301, 20.11.1984, p. 1.

(4) OJ No L 320, 22.12.1993, p. 5.

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing the basic prices and buying-in prices applicable in the
fruit and vegetables sector for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 3669/93⁽²⁾, and in particular Article 16(1) 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,

(1) OJ No L 118, 20.5.1972, p. 1.

(2) OJ No L 338, 31.12.1993, p. 26.

Whereas, pursuant to Article 16(1) of Regulation (EEC) No 1035/72, a basic price and a buying-in price are to be fixed for each marketing year for each of the products listed in Annex II to the said Regulation; whereas, in accordance with Article 1(3) of the above Regulation, the marketing years for the products in question are as follows:

- for tomatoes and aubergines, from 1 January to 31 December,
- for apricots, from 1 May to 31 August,
- for peaches and nectarines, from 1 May to 31 October,
- for cauliflowers and table grapes, from 1 May to 30 April,
- for lemons and pears, from 1 June to 31 May,
- for apples, from 1 July to 30 June,
- for mandarins, satsumas and clementines, from 1 October to 15 May,
- for oranges, from 1 October to 15 July;

Whereas, however, pursuant to the third subparagraph of Article 16(1) of Regulation (EEC) No 1035/72, no basic price or buying-in price need be fixed for the slack marketing periods at the beginning and at the end of the marketing year;

Whereas, when the basic and buying-in prices for fruit and vegetables are fixed, account has to be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are, in particular, to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas the basic prices must be fixed by reference to the trend in the average prices recorded during the three previous years on the most representative producer markets within the Community for a product of defined commercial characteristics, such as variety or type, quality class, size and packaging; whereas the buying-in prices must be fixed by reference to the basic price in accordance with Article 16(3) of Regulation (EEC) No 1035/72,

HAS ADOPTED THIS REGULATION:

Article 1

The basic and buying-in prices for fruit and vegetables for the 1994/95 marketing year, the periods during which they apply and the standard qualities to which they refer shall be as set out in the Annex hereto.

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

ANNEX

BASIC PRICES AND BUYING-IN PRICES

CAULIFLOWERS

For the period from 1 May 1994 to 30 April 1995

(ECU/100 kg net)

	Basic price	Buying-in price
May	30,57	13,30
June	24,58	10,65
July	21,79	9,38
August	21,79	9,38
September	23,56	10,02
October	24,45	10,39
November	29,48	12,75
December	29,48	12,75
January	29,48	12,75
February	27,48	11,85
March	28,92	12,39
April	29,28	12,75

These prices refer to packed "trimmed" cauliflowers of Quality Class I.

TOMATOES

For the period from 11 June to 30 November 1994

(ECU/100 kg net)

	Basic price	Buying-in price
June (from 11 to 20)	28,15	10,70
(from 21 to 30)	25,61	9,94
July	23,08	8,56
August	20,67	7,67
September	21,94	8,17
October	23,27	8,57
November	28,02	11,22

These prices refer to packed "round" and "ribbed" tomatoes of Quality Class I, size 57/67 mm.

AUBERGINES

For the period from 1 July to 31 October 1994

(ECU/100 kg net)

	Basic price	Buying-in price
July to October	17,55	7,04

These prices refer to the following packed products:

- elongated aubergines of Quality Class I, size over 40 mm,
- globus aubergines of Quality Class I, size over 70 mm.

PEACHES

For the period from 1 June to 30 September 1994

(ECU/100 kg net)

	Basic price	Buying-in price
June	44,77	24,87
July to September	42,38	23,74

These prices refer to packed peaches of the Amsden, Cardinal, Charles Ingouf, Dixired, Jeronimo, J.H. Hale, Merrill Gemfree, Michelini, Red Haven, San Lorenzo, Springcrest and Springtime varieties of Quality Class I, size 61/67 mm.

NECTARINES

For the period from 1 June to 31 August 1994

(ECU/100 kg net)

	Basic price	Buying-in price
June	58,37	28,01
July and August	53,99	25,91

These prices refer to packed nectarines of the Armking, Crimsongold, Early sun grand, Fantasia, Independence, May Grand, Nectared, Snow Queen and Stark red gold varieties of Quality Class I, size 61/67 mm.

APRICOTS

For the period from 1 June to 31 July 1994

(ECU/100 kg net)

	Basic price	Buying-in price
June and July	41,16	23,44

These prices refer to packed apricots of Quality Class I of a size over 30 mm.

LEMONS

For the period from 1 June 1994 to 31 May 1995

(ECU/100 kg net)

	Basic price	Buying-in price
June	41,98	24,66
July	42,99	25,29
August	42,56	25,16
September	38,18	23,76
October	36,01	23,41
November	35,00	20,46
December	34,37	20,21
January	35,38	20,72
February	34,12	20,09
March	36,00	20,72
April	37,16	21,73
May	38,04	22,24

These prices refer to packed lemons of Quality Class I, size 53/62 mm.

PEARS
(other than perry pears)

For the period from 1 July 1994 to 30 April 1995

(ECU/100 kg net)

	Basic price	Buying-in price
July	28,27	14,54
August	26,37	14,15
September	25,22	13,53
October	26,24	13,53
November	26,63	13,78
December	27,00	14,15
January to April	27,25	14,41

These prices refer to the following packed products:

- pears of the Beurré Hardy, Bon Chrétien Williams, Conférence, Coscia (Ercolini), Crystallis (Beurré Napoléon, Blanquilla, Tsakonika), Dr. Jules Guyot (Limonera) and Rocha varieties, Quality Class I, size 60mm or more;
- pears of the Empereur Alexandre (Kaiser Alexandre Bosc) variety, Quality Class I, size 70mm or more.

TABLE GRAPES

For the period from 1 August to 20 November 1994

(ECU/100 kg net)

	Basic price	Buying-in price
August	35,83	23,05
September, October and November (from 1 to 20)	32,03	19,62

These prices refer to packed table grapes of the Regina dei Vigneti, Sultanine, Regina (Mennavacca bianca, Rosaki, Dattier de Beyrouth), Italia, Aledo, Ohanes (Almeria) and D. Maria varieties, Quality Class I.

APPLES
(other than cider apples)

For the period from 1 August 1994 to 31 May 1995

(ECU/100 kg net)

	Basic price	Buying-in price
August	26,08	13,29
September	26,08	13,29
October	26,08	13,41
November	26,79	13,84
December	29,18	14,95
January to May	31,58	16,05

These prices refer to the following packed products:

- apples of the Reine des reinettes and Verde Doncella varieties, Quality Class I, size 65 mm or more;
- apples of the Delicious Pilafa, Golden Delicious, James Grieve, Red Delicious, Reinette grise du Canada and Starking Delicious varieties, Quality Class I, size 70 mm or more.

MANDARINS

For the period from 16 November 1994 to 28 February 1995

(ECU/100 kg net)

	Basic price	Buying-in price
November (from 16 to 30)	36,48	23,34
December	36,10	22,83
January	35,60	22,07
February	33,94	21,56

These prices refer to packed mandarins of Quality Class I, size 54/69 mm.

SATSUMAS

For the period from 16 October 1994 to 15 January 1995

(ECU/100 kg net)

	Basic price	Buying-in price
October (from 16 to 31)	28,37	13,55
November	25,13	11,31
December	27,29	12,28
January (from 1 to 15)	26,21	11,92

These prices refer to packed satsumas Unshiu (owari) of Quality Class I, size 54/69 mm.

CLEMENTINES

For the period from 1 December 1994 to 15 February 1995

(ECU/100 kg net)

	Basic price	Buying-in price
December	33,41	18,40
January	31,22	17,19
February (from 1 to 15)	35,98	17,94

These prices refer to packed clementines (citrus reticulata, Blanco) of Quality Class I, size 43/60 mm.

SWEET ORANGES

For the period from 1 December 1994 to 31 May 1995

(ECU/100 kg net)

	Basic price	Buying-in price
December	34,02	21,50
January	30,47	19,73
February	31,09	20,21
March	33,00	20,49
April and May	33,63	20,74

These prices refer to packed oranges of the Moro, Navel, Navellina, Salustiana, Sanguinello and Valencia late varieties, Quality Class I, size 67/80 mm.

Note:

The prices given in this Annex do not include the cost of the packaging in which the product is presented.

Proposal for a
COUNCIL REGULATION (EC) No
of
amending Regulation (EEC) No 822/87 on the common organization of the
market in wine

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 Article 17(3) of Council Regulation (EEC) No 822/87⁽¹⁾, as last amended by Regulation (EEC) No 1566/93⁽²⁾, provides that one particular form of deacidification is permitted on a transitional basis only; whereas so that a final decision can be taken regarding that technique, current practice should be continued at least until the end of the 1994/95 wine year;

Whereas Article 46(4) of Regulation (EEC) No 822/87 provides that campaigns to promote the consumption of grape juice may only be conducted until the 1993/94 wine year and whereas they should be continued for one wine year so that their effectiveness may be assessed;

(1) OJ No L 84, 27.3.1987, p. 1.

(2) OJ No L 154, 25.6.1993, p. 39.

Whereas Articles 18(3), 20(2), 39(12) and 65(5) of Regulation (EEC) No 822/87 provide that, during the 1993/94 wine year, the Commission is to submit to the Council reports on wine-growing zones, enrichment, the effects of the structural measures and their link with compulsory distillation, maximum sulphur dioxide levels in wine and any proposals arising therefrom; whereas the drafting of some of those reports has required the organization of studies entailing the participation of independent experts which have not yet been completed;

Whereas the significance for the sector of the abovementioned problems calls for the highest degree of consistency between the solutions to be proposed; whereas, when achieving such consistency, the requisite proposals must be drawn up when all data are available and accordingly certain time limits must be deferred by one wine year,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 822/87 is hereby amended as follows:

1. In Article 17(3), "31 August 1994" is replaced by "31 August 1995".
2. The second subparagraph of Article 18(3) is replaced by the following:

"Before the end of the 1994/95 wine year, the Commission shall submit to the European Parliament and to the Council a report on the demarcation of wine-growing zones in the Community. The Council, acting in accordance with the procedure laid down in Article 43(2) of the Treaty, shall decide on the demarcation of the wine-growing zones for the Community as a whole, such provisions applying from the 1995/96 wine year."

3. Article 20(2) is replaced by the following:

"2. Before 1 September 1994, the Commission shall submit to the European Parliament and to the Council a report on the conclusions of the study provided for in paragraph 1, together with any suitable proposals. During 1995, the Council, acting in accordance with the procedure laid down in Article 43(2) of the Treaty, shall decide on the measures to be taken with regard to the increase of the natural alcoholic strength by volume of the products referred to in Article 18(1)."

4. In Article 39:

- the third and fourth subparagraphs of paragraph 3 are replaced by the following:

"Until the end of the 1994/95 wine year:

- the uniform percentage shall be 85;
- the consecutive reference years shall be 1981/82, 1982/83 and 1983/84.

From the 1995/96 wine year onwards, the uniform percentage and consecutive reference years shall be determined by the Commission, which shall fix:

- the uniform percentage on the basis of the quantities that must be distilled in accordance with paragraph 2 in order to eliminate the production surplus for the year in question,
 - the consecutive reference years on the basis of the trend of production, and, in particular, the effects of the grubbing policy.";
- paragraph 10 is replaced by the following:

"10. Notwithstanding this Article, for the 1985/86 to 1994/95 wine years, compulsory distillation in Greece may be implemented in accordance with special provisions taking account of the difficulties encountered in that country in particular as regards knowledge of yield per hectare. These provisions shall be adopted in accordance with the procedure laid down in Article 83.";

- the first subparagraph of paragraph 11 is replaced by the following:

"If, during the 1987/88 to 1994/95 wine years, difficulties likely to jeopardize the execution or balanced application of the compulsory distillation operation referred to in paragraph 1 occur, the measures necessary in order to ensure effective application of the distillation scheme shall be adopted in accordance with the procedure laid down in Article 83.";

- paragraph 12 is replaced by the following:

"12. Before the end of the 1994/95 wine year, the Commission shall submit to the European Parliament and to the Council a report outlining, in particular, the effect of the structural measures applicable in the wine sector and, where appropriate, proposals to repeal or replace the provisions of this Article by other measures designed to maintain balance on the wine market."

- 5. Article 46(4) is replaced by the following:

"4. During the 1985/86 to 1994/95 wine years, a part to be determined of the aid provided for in the first indent of paragraph 1 shall be set aside for the organization of campaigns to promote the consumption of grape juice. The aid may, for the purposes of organizing such campaigns, be fixed at a higher level than that resulting from the application of paragraph 3."

- 6. Article 65(5) is replaced by the following:

"5. The Commission shall submit to the European Parliament and to the Council before 1 April 1995, in the light of experience gained, a report on the maximum sulphur dioxide levels of wine, accompanied, where appropriate, by proposals on which the Council shall act in accordance with the procedure laid down in Article 43(2) of the Treaty before 1 September 1995."

Article 2

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

It shall apply from 1 September 1994.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing the guide prices for wine for the 1994/95 wine year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EC) No (2), and in particular Article 27 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, when the guide prices for the various types of table wine are fixed, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are, in particular, to guarantee a fair standard of living for the farming community and to ensure that supplies are available and reach consumers at reasonable prices;

Whereas if these objectives are to be achieved, it is absolutely essential that the gap between production and demand should not be opened further; whereas to that end, the guide prices for the 1994/95 wine year should be set at the same levels as the previous year;

(1) OJ No L 84, 27.3.1987, p. 1.

(2) See page of this Official Journal.

Whereas the guide prices must be fixed for each type of table wine representative of Community production as defined in Annex III to Regulation (EEC) No 822/87,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 wine year, the guide prices for table wine shall be as follows:

Type of wine	Guide price
R I	ECU 3,17/% vol/hl
R II	ECU 3,17/% vol/hl
R III	ECU 51,47/hl
A I	ECU 3,17/% vol/hl
A II	ECU 68,58/hl
A III	ECU 78,32/hl

Article 2

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

It shall apply from 1 September 1994.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
amending Regulation (EEC) No 2046/89 laying down general
rules for distillation operations involving wine
and the by-products of wine-making

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EC) No ⁽²⁾, and in particular Articles 35(7), 36(5), 38(4), 39(8), 41(8), 42(4) and 79(2) thereof,

Having regard to the proposal from the Commission,

Whereas Article 2(3) of Council Regulation (EEC) No 2046/89⁽³⁾, as last amended by Regulation (EEC) No 1567/93⁽⁴⁾, provides that Member States may regard associations of wine-growers as producers for the purposes of the compulsory distillation; whereas paragraph 4 of that Article provides for the submission of a report in that regard; whereas the proposed measures should be consistent with others which the Commission is to draw up in the near future; whereas, for that purpose, the deadline laid down in abovementioned paragraph 4 should be put back,

HAS ADOPTED THIS REGULATION:

(1) OJ No L 84, 27.3.1987, p. 1.

(2) See page of this Official Journal.

(3) OJ No L 202, 14.7.1989, p. 14.

(4) OJ No L 154, 25.6.1993, p. 41.

Article 1

Article 2(4) of Regulation (EEC) No 2046/89 is hereby replaced by the following:

"4. Paragraph 3 shall apply until 31 August 1995.

Before 31 March 1995, the Commission shall submit to the Council a report on application of the said paragraph, accompanied, if necessary, by an appropriate proposal. The Council shall act on any measures to apply as from 1 September 1995."

Article 2

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

It shall apply from 1 September 1994.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
amending Regulation (EEC) No 2332/92 as regards sparkling wines
produced in the Community and Regulation (EEC) No 4252/88 on the
preparation and marketing of liqueur wines produced in the Community

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 Articles 11 and 16 of Council Regulation (EEC) No 2332/92⁽¹⁾ and Article 6(2) of Council Regulation (EEC) No 4252/88⁽²⁾, as last amended by Regulation (EEC) No 1568/93⁽³⁾, fix the maximum sulphur dioxide content of sparkling wines and of liqueur wines; whereas those Articles provide for the presentation by 1 April 1994 of a report from the Commission to the Council on those contents, together, where appropriate, with proposals; whereas the measures proposed should be consistent with others that the Commission is required to draft in the near future; whereas the abovementioned deadline should be postponed to that end; whereas the same is true for the deadline of 1 September 1994 laid down in Article 17(3) of Regulation (EEC) No 2332/92,

HAS ADOPTED THIS REGULATION :

(1) OJ No L 231, 13.8.1992, p. 1.

(2) OJ No L 373, 31.12.1988, p. 59.

(3) OJ No L 154, 25.6.1993, p. 42.

Article 1

Regulation (EEC) No 2332/92 is hereby amended as follows:

1. In Article 11(3), "1 April 1994" and "1 September 1994" are replaced respectively by "1 April 1995" and "1 September 1995".
2. In Article 16(3), "1 April 1994" and "1 September 1994" are replaced respectively by "1 April 1995" and "1 September 1995".
3. In Article 17(3), "1 September 1994" is replaced by "1 September 1995".

Article 2

Regulation (EEC) No 4252/88 is hereby amended as follows:

In Article 6(2), "1 April 1994" and "1 September 1994" are replaced respectively by "1 April 1995" and "1 September 1995".

Article 3

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

It shall apply from 1 September 1994.

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

Done at

For the Council

Proposal for a
COUNCIL REGULATION (EC) No
of
fixing, for the 1994 harvest, the premiums for
leaf tobacco by tobacco group

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organization of the market in raw tobacco⁽¹⁾, and in particular Article 4(1),

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas, when the premiums for raw tobacco are fixed, account should be taken of the objectives of the common agricultural policy; whereas the common agricultural policy aims in particular to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices; whereas the premiums must take account in particular of past and foreseeable possibilities of disposal of the various tobaccos under normal conditions of competition,

HAS ADOPTED THIS REGULATION:

(1) OJ No L 215, 30.7.1992, p. 70.

Article 1

For the 1994 harvest, the premium referred to in Article 4 of Regulation (EEC) No 2075/92 for each group of raw tobacco varieties, and the supplementary amounts, shall be as set out in the Annex hereto.

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

A N N E X

PREMIUMS FOR LEAF TOBACCO FROM THE 1994 HARVEST

	I	II	III	IV	V	VI	VII	VIII
	Flue-cured	Light air-cured	Dark air-cured	Fire-cured	Sun-cured	Basmas	Katerini	Kaba Koulak
ECU/kg	2,244	1,795	1,795	1,974	1,795	2,961	2,512	1,795

SUPPLEMENTARY AMOUNTS

Variety	ECU/kg
Badischer Geuderthelmer, Pereg, Korso	0,351
Badischer Burley E and hybrids thereof	0,562
Virgin D and hybrids thereof, Virginia and hybrids thereof	0,321
Paraguay and hybrids thereof, Dragon vert and hybrids thereof, Philippin, Petit Grammont (Flobecq), Semois, Appel terre	0,262
Nijkerk	0,153
Misionero and hybrids thereof, Rio Grande and hybrids thereof	0,167

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