

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(88) 727 final

Brussels, 8 December 1988

REPORT TO THE COUNCIL ON THE SYSTEM FOR EXTENDING THE RULES IN THE FRUIT AND VEGETABLES SECTOR

Proposal for a
COUNCIL REGULATION (EEC)
amending Regulation (EEC) No 3285/83 laying down general rules for the
extension of certain rules issued by producers' organizations in
the fruit and vegetable sector

(presented by the Commission)

REPORT TO THE COUNCIL ON THE SYSTEM FOR
EXTENDING THE RULES IN THE FRUIT AND VEGETABLES SECTOR

1. A feature of the market for fruit and vegetables is the major role devolving upon producers' organizations, which involves an obligation on the members to comply with certain rules, in particular as regards production and marketing, with a view to achieving the common organization of the market.
2. In 1983, following discussions on the Community regulations on fruit and vegetables, the Council adopted certain provisions the aim of which was to back up the work of the producers' organizations, in particular as regards the operation of the markets, by permitting the Member States, at the request of the organizations and under certain conditions, to extend to all non-member producers certain rules applying to its members (Article 15b(1) of Regulation (EEC) No 1035/72).
3. These provisions were adopted in order to back up the work of such producers' organizations and thus achieve greater stability on the market. The Member States are allowed to extend, under certain conditions, the rules, in particular as regards production and placing on the market, adopted by the producers' organization in the region concerned and applying to its members.
4. The operation of such arrangements for extending rules will enable the producers to act in unison, whether or not they are members of a producers' organization, with a view to pursuing the same objectives of improving the quality of products and adjusting supply to demand and to market requirements.
5. This system for extending the rules provided for in Article 15b of the abovementioned Regulation was implemented by Regulation (EEC) No 1977/85 of 16 July 1985 (OJ No L 186, 19.7.1985, p.2).

That Regulation provides that the extensions are to be applicable from:

- 1 October 1985 for apples, pears, oranges, mandarins, clementines, artichokes, cauliflowers, onions, leeks, cabbage lettuce, endives, lambs lettuce, broad-leaved chicory, and witloof chicory;
- the start of the 1986/87 marketing year for products with a fixed marketing year, other than those listed in the first indent;
- 1 January 1986 for other products.

It is also stipulated that this Article will remain in force until a Council decision is taken.

France is the only Member State which has applied these regulations from the 1985/86 marketing year.

6. This document meets the Commission's obligation laid down in Article 15b(13) of Regulation (EEC) No 1035/72 to submit, on expiry of the third year of application of the system for extending the rules, a report together, where appropriate, with proposals enabling the Council to decide whether that system should be maintained, amended or repealed.
7. The provisions summarized hereafter were adopted in order to achieve those objectives.

The following will thus be dealt with in succession:

- (1) a summary of the basic rules,
- (2) the practical application of the regulations on the extension of the rules for 1985/88,
- (3) proposals for adjustments and amendments which could be made to the arrangements for extending the rules.

1. Summary of the regulations

A. The basic regulations

8.1. Regulation (EEC) No 3284/83 of 14 November 1983 introduces Article 15b into Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables. These provisions lay down that, in cases where a producers' organization in a specific economic area is considered to be representative of production and producers in that area for a given product, the Member State concerned may, at the request of that organization and after consultation with producers, make the following rules binding on producers who do not belong to the producers' organization:

- the rules on notifying production;
- the rules on production;
- the rules on marketing;
- for the products listed in Annex II to Regulation (EEC) No 1035/72, the rules on withdrawal prices at the level of the buying-in price for those products,

on condition that they have been in force for at least one year.

9.2. An economic area is a region made up of bordering or neighbouring production zones in which production conditions are homogeneous.

Member States are to forward the list of economic areas to the Commission, which will approve the list or decide, after consultation with the Member State concerned, on the amendments which the latter must make thereto.

10.3. The marketing rules are those referred to in the second indent of Article 13(2)(b) and entail the obligation to apply, as regards marketing, the rules adopted by the producers' organization to improve the quality of the products and adjust supply to market requirements. The restricted list of marketing rules which the producers' organizations may extend to non-members is set out in the Annex to Regulation (EEC) No 3285/83. These marketing rules may be made binding only after they are approved by the Commission, which is to state a position within 45 days from the forwarding of these rules.

11.4. Furthermore, where this system is applied, the Member State concerned may decide that non-member producers must pay the organization all or part of the fees paid by member producers since they are intended to cover administrative costs resulting from the application of the system and the costs resulting from research, market research and sales promotion measures undertaken by the organization or union and benefiting all producers in the area.

B. Summary of the implementing provisions. Regulation (EEC) No 3285/83 of 14 November 1983 (OJ No L 325, 22.11.1983, p.8)

12. This Regulation provides that:

1. The producers covered by the extension of the rules are those whose production is intended basically to be marketed; products which are sold on the farm, on local markets and to small local groups are thus excluded from the provisions of this Regulation.
2. A producers' organization or union thereof is considered representative

- during the first three years of application of the system if it covers more than 50% of the producers in the economic area in which it operates and more than 50% of the production of that area;
- for following years, if it covers at least two thirds of the producers of the economic area in which it operates and at least two thirds of the production of that area.

For the first three years of application of the system, the rules may not be made binding if one third of the producers make known their opposition.

11. Practical application of the regulations on the extension of the rules for 1985-1988

(1) The list of economic areas

13. In accordance with Articles 1 and 2 of Regulation (EEC) No 2137/84 (OJ No L 196, 26.7.1984), the French authorities submitted for approval by the Commission the list of economic areas which they approved. The Commission approved the list of economic areas mentioned in Annex I. The locality of the French economic areas and their importance per product and in relation to French territory as a whole is shown on the maps in Annex II. These areas are located in and confined to regions of high production corresponding most often to several French departments.

(2) Bases for representativeness of the producers' organizations and the survey results

14. The French Government has forwarded to the Commission, for each economic area and for each product affected by the extension of the rules, information certifying that the producers' organizations representative of production and of producers in that area cover more than 50% of the producers and more than 50% of production intended for marketing (Article 3 of Regulation (EEC) No 3285/83).

Furthermore, the results of the public surveys conducted by the French authorities and forwarded to the Commission show that less than one-third of producers have made known their opposition to the system for extending the rules.

15. During the first period of application of the Regulation, the Agricultural Economic Committees (Comités Economiques Agricoles) have apparently undertaken major efforts regarding the economic organization of production. Their work involved better regulation of prices and an extension of the markets while ensuring a satisfactory level of income for producers.

However, for certain products this initial three-year period must be considered a trial period, which has proved too short to enable the French economic organization to make substantial progress and achieve representation of two thirds of producers and production.

(3) The rules extended

16. Article 13 of Regulation (EEC) No 1035/72 lays down that the rules which may be extended must contribute towards improving the quality of products and adjusting supply to market requirements.

The rules which the French authorities have extended to non-members of the representative producers' organizations are:

- (a) the rules on notifying production;
- (b) the rules on production;
- (c) the rules on marketing;
- (d) the rules on market withdrawals.

The French authorities have forwarded to the Commission the rules which they have made binding on all producers in a given economic area.

The rules referred to in (a), (b) and (d) have a term of validity of three years and could only be made binding on the expiry of a thirty-day time-limit after their notification to the Commission.

The rules on marketing referred to in (c) could only be made binding after approval by the Commission, which stated a position within 45 days of notification of those rules.

The rules referred to in (c) have a term of validity which cannot exceed one marketing year.

Before each marketing year, the Commission therefore has approved the marketing rules notified by France for each product and each economic area. Those rules may differ according to economic area and according to product.

The list of extensions of rules by product and by economic area is given in Annex I.

The "territorial" scope of the extension of those rules may be gauged by reference to the maps in Annex II.

The quantities of the products covered by the rules may be assessed by referring to Annex III.

(4) Fees

17. Article 15b(8) of Regulation (EEC) No 1035/72 provides that the Member State may decide that non-member producers are due to pay all or part of the membership fees paid by the producer members to the organization or, where appropriate, the union, in so far as these are used to cover:
- administrative costs;
 - the cost of research, market research and sales promotion measures.

For non-member producers those fees are less than or at most equal to those paid by member producers in the same economic areas.

The amount of the fees varies according to economic area.

Overall, while administrative costs for non-members are equivalent in most cases to those of members of producers' organizations, this does not hold for research, market research and sales promotion costs, where in most cases the fees payable by non-members are substantially lower than those collected from members of producers' organizations.

Fees for research, and sales promotion depend on the more or less substantial measures undertaken in this area by the producers' organizations.

(5) Disturbance of competition

18. Article 15b(6) provides that the Commission is to decide that the marketing rules may not be made binding or is to cancel the extension of the rules decided by the Member State:

- If it finds that the extension in question excludes competition in a substantial part of the Community or jeopardizes free trade, on that the objectives of Article 39 of the Treaty are endangered;
- If it finds, pursuant to Article 2 of Regulation No 26, that Article 85(1) of the Treaty is applicable to the agreement, decision or practice the extension of which is notified or decided.

During the three years of application of the system for extending the marketing rules, no facts of this nature were noted and no complaint was recorded from a Member State.

(6) Application of the withdrawal price

19. Although the existing regulations do not formally require the Member State to provide the Commission with data on the withdrawal prices which non-members of producers' organizations could obtain for unmarketed products listed in Annex II to Regulation (EEC) No 1035/72 marketed, the Commission departments asked the French authorities to provide them with information on the way the system operates and the quantities of products benefiting from the withdrawal price in order to make sure that the arrangements for the extension of the rules operate properly on the whole. The quantities of products benefiting from the withdrawal price were not forfeited by the French authorities.

For the products listed in Annex II, non-members may apply the rules adopted by the organization or union regarding market withdrawal prices. In that case the withdrawal price granted is the same as the buying-in price.

According to the French authorities, non-members have made practically no use of the possibility granted them of offering for intervention products not marketed.

It would be desirable for the authorities of the Member State to provide the Commission staff with information on such withdrawals so that the latter may have a more accurate picture of the way the arrangements for extending the rules have been applied.

III. Proposals for adjustments and amendments

20. As a result of the examination of the way the rules have operated during the first three years of application of the system for the extension of the rules and in order to ensure that it operates properly in the future, certain adjustments must be made for forthcoming years.

(1) Change in geographical areas of extension

21. The French authorities have informed the Commission that the geographical areas of extension corresponding to the areas of to which the Agricultural Economic Committees for fruit and vegetables are responsible have raised several isolated problems and request a certain number of changes in the economic areas.

As these provisions fall within the responsibility of the Commission, the latter reserves the right to examine in depth these requests for changes in the economic areas.

In accordance with paragraph 11 of that Article, the French authorities will forward the list of new economic areas thus determined to the Commission. Within one month after forwarding, the Commission will approve the list or, after consultation with the French authorities, decide on the amendments which the latter must make to it.

Together with the list of economic areas, the French authorities will forward to the Commission all information enabling the criteria laid down for the purposes of defining the economic areas to be assessed with a view to their approval.

(2) Amendment of the conditions for extending the rules and the base for representativeness

22. After 1988, in accordance with the provisions in force, the conditions for the Agricultural and Economic Committees to be considered representative will be fixed at two thirds of producers of the economic area covering two thirds of production in that area.

According to information forwarded to the Commission, the application of the criterion of control of production only would result in 28 extensions' not being renewed in accordance with the present regulations.

It would however be unfortunate to jeopardize the position of the great majority of Agricultural and Economic Committees for fruit and vegetables, which have a positive effect, and to discourage the work of producers' organizations in these areas and for these products.

However, greater success has been achieved for certain products (See Annex IV). The Commission therefore proposes:

1. to fix that representativeness at two-thirds of producers and two thirds of production marketed in accordance with Article 3 of Regulation (EEC) No 3285/83.
2. In view of the need to consolidate results in this area, and for a period limited to a maximum of three years, to renew the conditions of representativeness at present in force for producers' organizations which have not attained two-thirds representativeness but have nevertheless shown some progress.

(3) Amendment of the list of rules liable to be extended

(a) Marketing rules

23. In order not to apply such great constraints to non-members as to members of producers' organizations, the regulations provide for a restrictive list of rules which may be extended under these arrangements.

That list was extended on the basis of a criterion involving not applying to non-members of producers' organizations more severe rules than those strictly necessary to ensure the proper operation of the market and not applying to that category of producers excessive constraints in view of the fact that they are not members of producers' organizations.

(1) Rules for pomaceous and stone fruit

24. However, the regulations provide that stricter marketing rules than those originally contemplated should be extended only to pomaceous and stone fruit, and in view of the fact that for those products such rules could prove necessary when it is realized that tree crops must not be marketed before they are ripe. That is why rules in particular on compliance with harvesting dates, with a staggering of marketing, and with minimum quality and size criteria outside periods of low production may be extended.
25. As nothing new has come to light since the adoption by the Council of that restrictive list, the Commission considers that the reasons for adopting of such a list of rules which would not be too binding for the producer continue to be valid at present, and that that list should not be extended for the abovementioned reasons.

(II) Compliance with quality criteria

At all events, with a view to stepping up a policy of quality in the marketing of products and irrespective of the arrangements for extending the rules, on 25 April 1988 the Council adopted Regulation (EEC) No 1117/88 (OJ No L 107, p.1) providing for the abolition except in exceptional cases of Class III for fruit and vegetables.

For the abovementioned reasons, the Commission considers that, under the extension of the rules, provisions more restrictive than those laid down in the Community regulations currently in force should not be adopted.

(III) Rules other than marketing rules

The other rules, the rules on notifying production and the rules on production, in the Annex to Regulation (EEC) No 3285/83 should not be amended either,

(b) Compensation for unsold products not listed in Annex II to Regulation (EEC) No 1035/72

26. The Commission's attention has been drawn to the fact that the limitation of rules liable to be extended only to "market withdrawal rules" for products listed in Annex II to Regulation (EEC) No 1035/72 has not permitted the economic organization to extend to individual producers the benefit of Article 15 of Regulation (EEC) No 1035/72 (compensation for quantities of unsold products) for products not listed in Annex II (carrots, strawberries, asparagus, artichokes, plums, etc.).

The Commission has been asked to propose an extension of the system, currently applying specifically to producers who are members of producers' organizations, to producers to whom the rules are extended since the latter could contribute towards intervention funds for the products concerned.

Making provision for financing for such products cannot be contemplated. If they pay fees, enabling non-members to qualify under the provisions of Article 15 for products not bought in would take away an additional reason for their joining producers' organizations.

The only possible and moreover desirable solution is for non-members to join producers' organizations, which is the objective of this Regulation.

CONCLUSIONS

27. The main objectives of extending the rules must involve encouraging on the one hand an increasing number of producers to join producers' organizations in the region by showing what benefit there is for them to join while stimulating those who have already joined, and on the other hand the work of producers' organizations.

These producers' organizations should be made increasingly attractive for non-members, and the extension of the rules is simply one means of strengthening producers' organizations and their representativeness at regional level in the long run.

Several stages have been laid down for the extension of the rules. The first stage covers three years, owing to the need to step up the work of producers' organizations and to reinforce the economic areas.

The representativeness initially laid down for three years with an increase to two thirds after the third year of application of these arrangements has not achieved the results anticipated. The introduction of the system was slower than expected. The ambitious objective laid down by the Regulation involving two-thirds representativeness was not achieved for many products. One may legitimately wonder whether, in the present situation, that level can be achieved in the forthcoming three years, in view of the resistance of certain producers, who may find it worthwhile to sell on a market which has become more profitable as a result of efforts to regulate the supply of member producers.

Under these circumstances it is proposed:

- to increase from 50% to 66% the rules on representativeness both for producers in producers' organizations and for marketed production;

- to permit provisionally and for a three-year period the maintenance of the present representativeness for producers' organizations in the Community of Ten which have applied this system during the first three years of implementation but have not attained two-thirds representativeness, provided however that they show that they have made some progress in representativeness;
- to permit the new Member States to apply this system while benefiting for a three-year period from the rules on representativeness applicable in the Community of Ten, during the first three years of implementation of the system.

Following this three-year extension, the Commission will review the way the system operates and will assess on the basis of the situation whether to propose to the Council that the system for extending its rules should be maintained or whether it should propose that they be repealed.

ANNEX I

LIST OF EXTENSIONS BY AGRICULTURAL ECONOMIC COMMITTEES

FOR FRUIT AND VEGETABLES

AQUITAINE-LIMOUSIN-CHARENTES

- Apples
- Pears
- Plums
- Peaches
- Strawberries
- Tomatoes
- Carrots (1)
- Table grapes (1)
- Melons (1)
- Cucumbers (1)

EASTERN FRANCE

- Storage onions
- Witloof chicory
- Plums
- Cucumbers

MIDI-PYRENEES

- Apples
- Pears
- Peaches
- Plums
- Table grapes
- Melons
- Strawberries

LANGUEDOC-ROUSSILLON

- Apples
- Winter lettuce
- Apricots
- Tomatoes
- Pears
- Peaches (1)
- Asparagus (1)

Annex I (continued)

NORTHERN FRANCE

- Apples
- Pears
- Witloof chicory
- Summer cauliflowers

LOIRE REGION

- Apples
- Pears
- Winter lettuce
- Lamb's lettuce
- Tomatoes
- Cucumbers
- Early carrots

LOWER NORMANDY

- Autumn and spring cauliflowers
- Early carrots
- Leeks(1)

BRITTANY

- Leeks
- Witloof chicory
- Lettuce
- Carrots
- Strawberries
- Tomatoes
- Artichokes
- Autumn cauliflowers
- Winter and spring cauliflowers

RHÔNE-ALPES

- Apples (1)
- Pears (1)
- Blackcurrants (1)
- Peaches and nectarines (1)

(1) Products for which the economic areas exist but to which the rules have not yet been extended.

ANNEX II

EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

ADOPTED ON 27 NOVEMBER 1985

Areas in which the rules were extended for:

PLUMS

Aquitaine

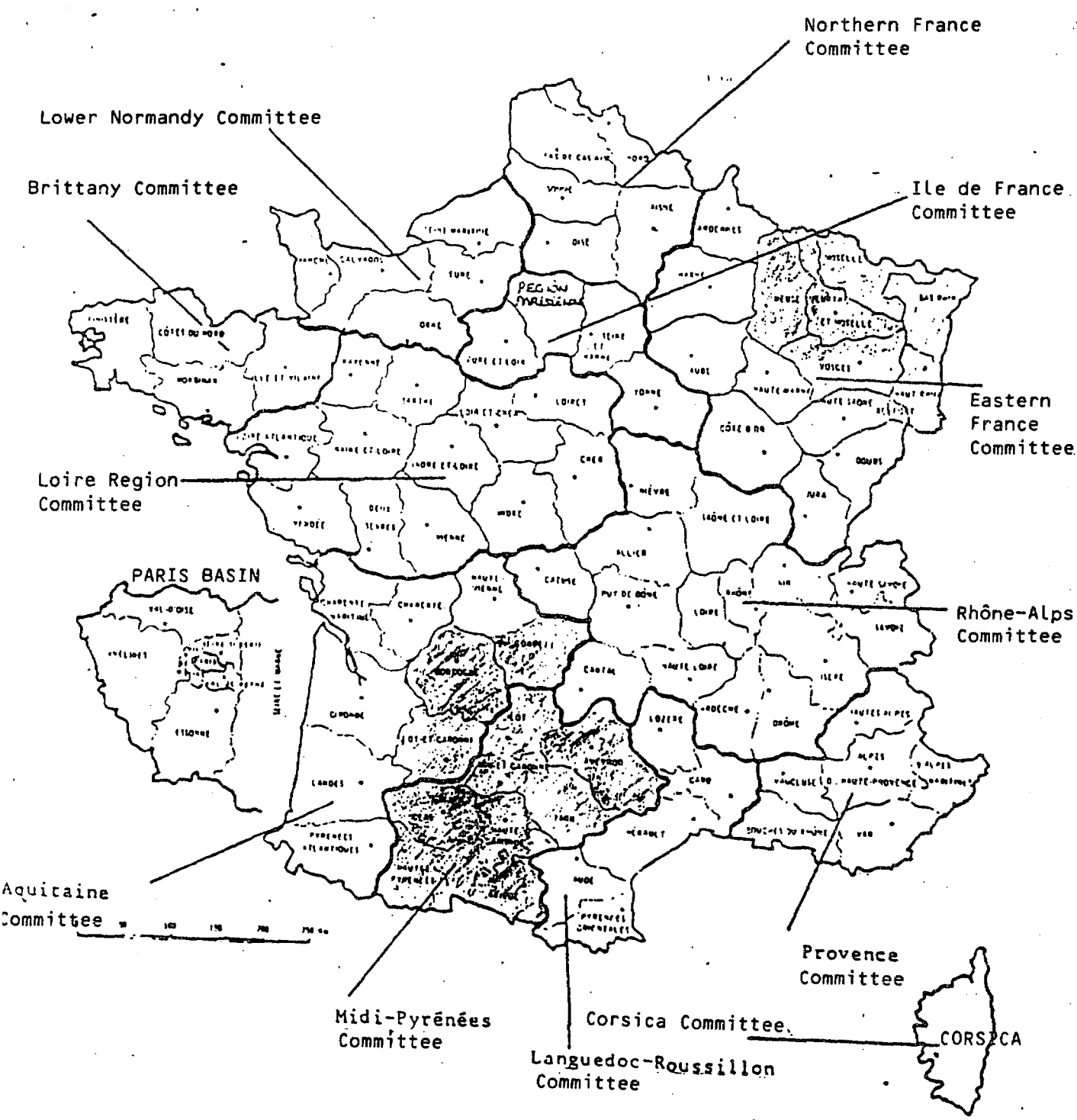
Limousin-Charentes: Corrèze, Dordogne, Lot-et-Garonne

Midi-Pyrénées: Ariège, Aveyron, Haute-Garonne, Gers, Lot,
Hautes-Pyrénées, Tarn, Tarn-et-Garonne

Eastern France and

Burgundy: Meurthe-et-Moselle, Meuse, Moselle, Bas-Rhin,
Haut-Rhin, Vosges

MAP SHOWING EXTENSIONS OF RULES FOR PLUMS



N.B. - Department capitals shown by .

EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

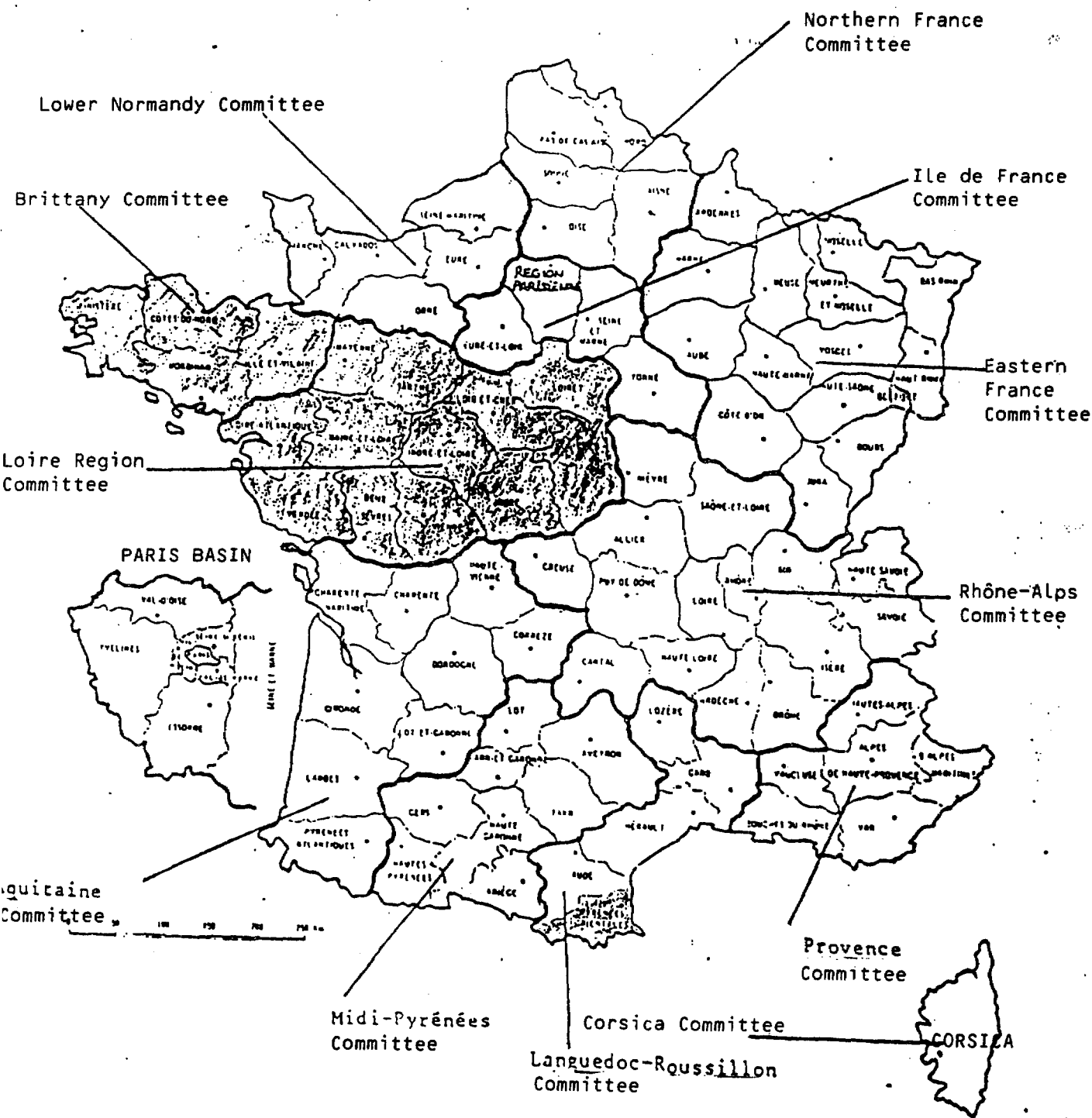
ADOPTED ON 27 NOVEMBER 1985

Areas in which the rules were extended for:

WINTER LETTUCE

<u>Brittany:</u>	Côtes-du-Nord, Finistère, Ille-et-Vilaine, Morbihan
<u>Loire Region:</u>	Cher, Indre, Indre-et-Loire, Loire-et-Cher, Loire-Atlantique, Loiret, Maine-et-Loire, Mayenne, Sarthe, Deux-Sèvres, Vendée, Vienne, Ile de Ré in Charente-Maritime
<u>Languedoc-Rousillon:</u>	Pyrénées-Orientales

MAP SHOWING EXTENSIONS OF RULES FOR WINTER LETTUCE



N.B. - Department capitals shown by .

EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

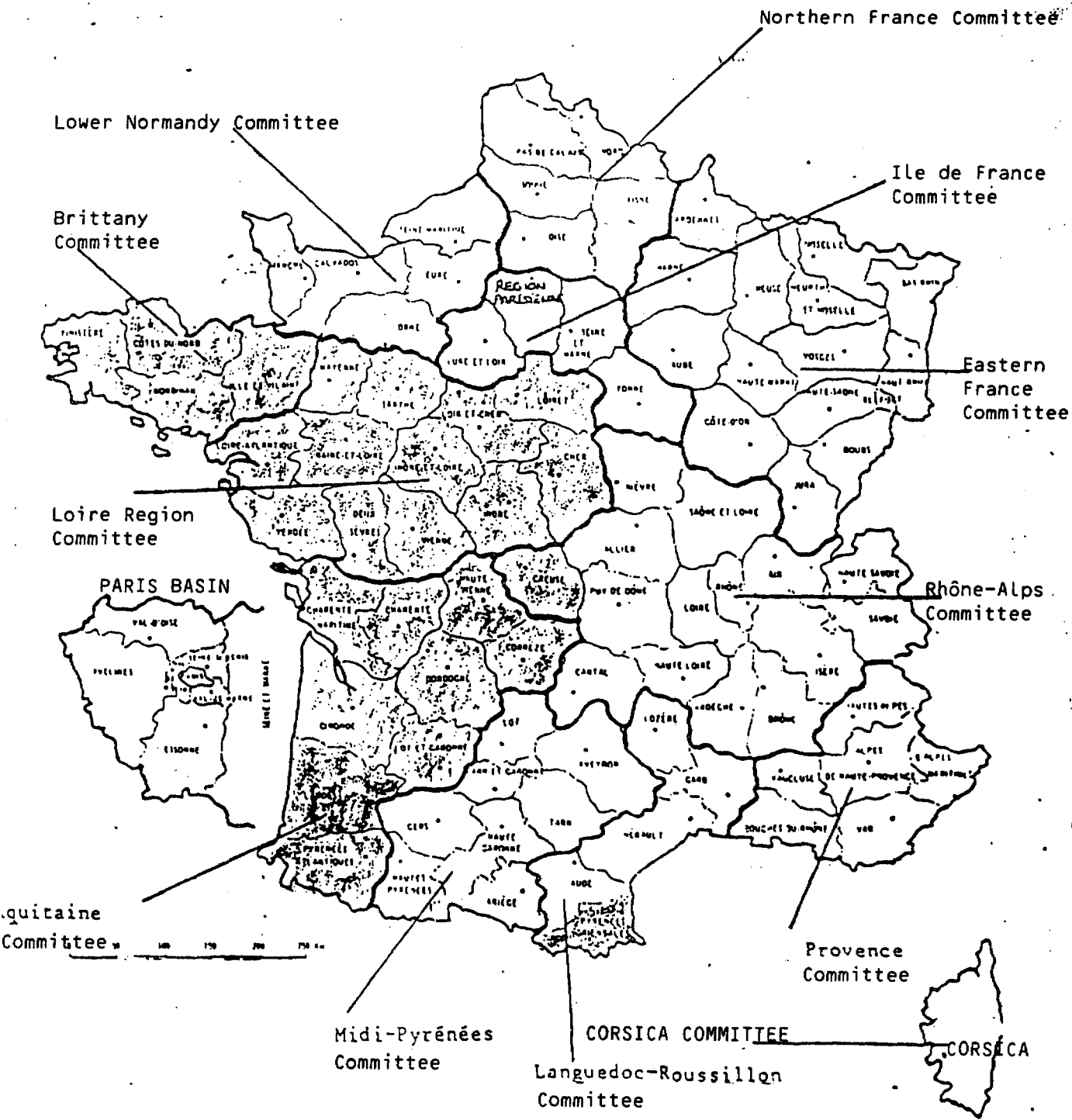
ADOPTED ON 27 NOVEMBER 1985

Areas in which the rules were extended for:

TOMATOES

<u>Brittany:</u>	Côtes-du-Nord, Finistère, Ille-et-Vilaine, Morbihan
<u>Loire Region:</u>	Cher, Indre, Indre-et-Loire, Loire-et-Cher, Loire-Atlantique, Loiret, Maine-et-Loire, Mayenne, Sarthe, Deux-Sèvres, Vendée, Vienne, Ile de Ré in Charente-Maritime
<u>Aquitaine:</u>	Charente, Charente-Maritime (with the exception of
<u>Limousin-Charentes:</u>	Ile de Ré), Corrèze, Creuse, Dordogne, Gironde, Landes, Lot-et-Garonne, Pyrénées-Atlantique, Haute-Vienne
<u>Languedoc-Roussillon:</u>	Pyrénées-Orientales

MAP SHOWING EXTENSIONS OF RULES FOR TOMATOES



N.B. - Department capitals indicated by .

EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

ADOPTED ON 27 NOVEMBER 1985

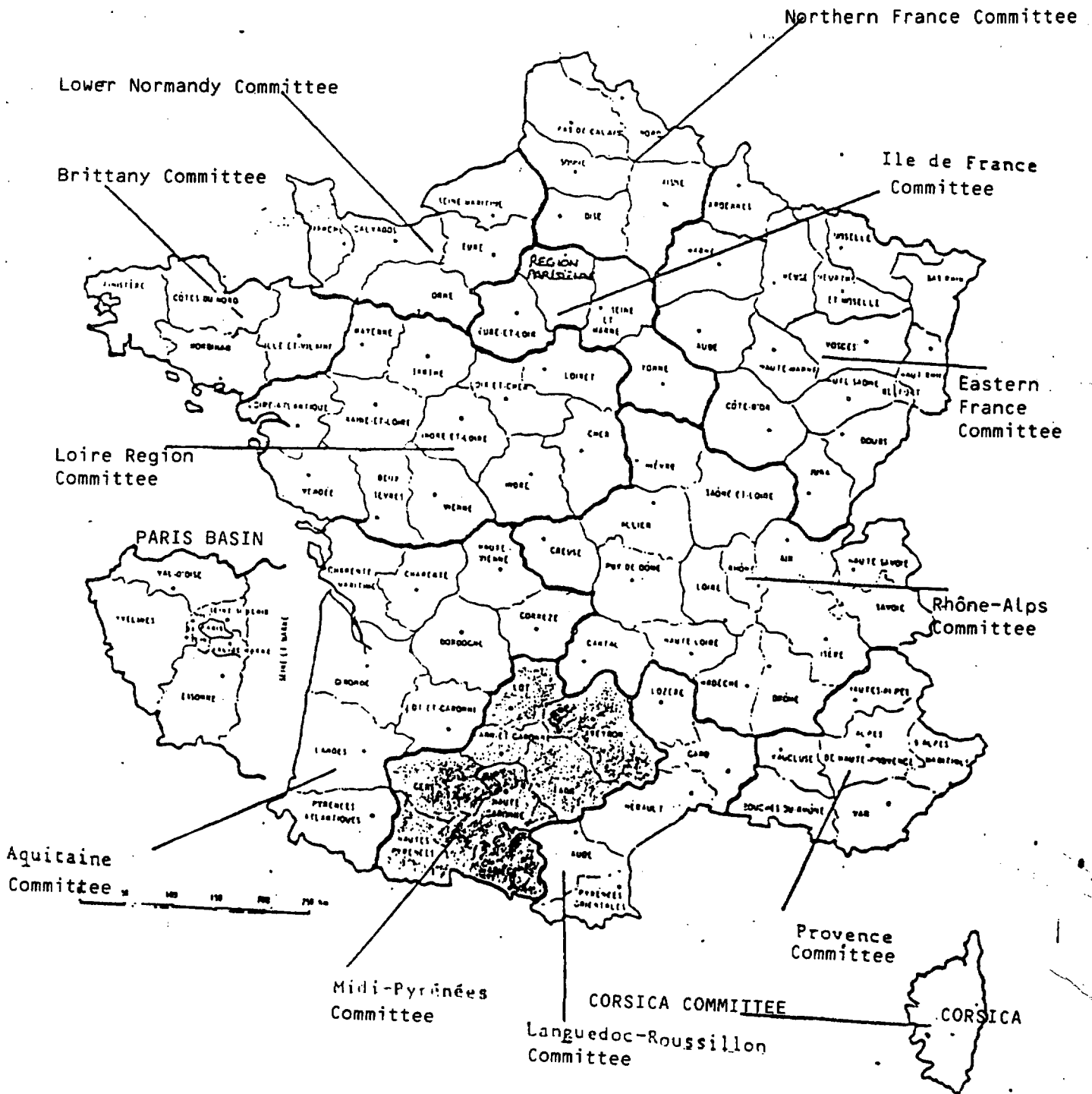
Areas in which the rules were extended for:

MELONS

Midi-Pyrénées:

Ariège, Aveyron, Haute-Garonne, Gers, Lot,
Hautes-Pyrénées, Tarn-et-Garonne

MAP SHOWING EXTENSIONS OF RULES FOR MELONS



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EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

ADOPTED ON 27 NOVEMBER 1985

Areas in which the rules were extended for:

WITLOOF CHICORY

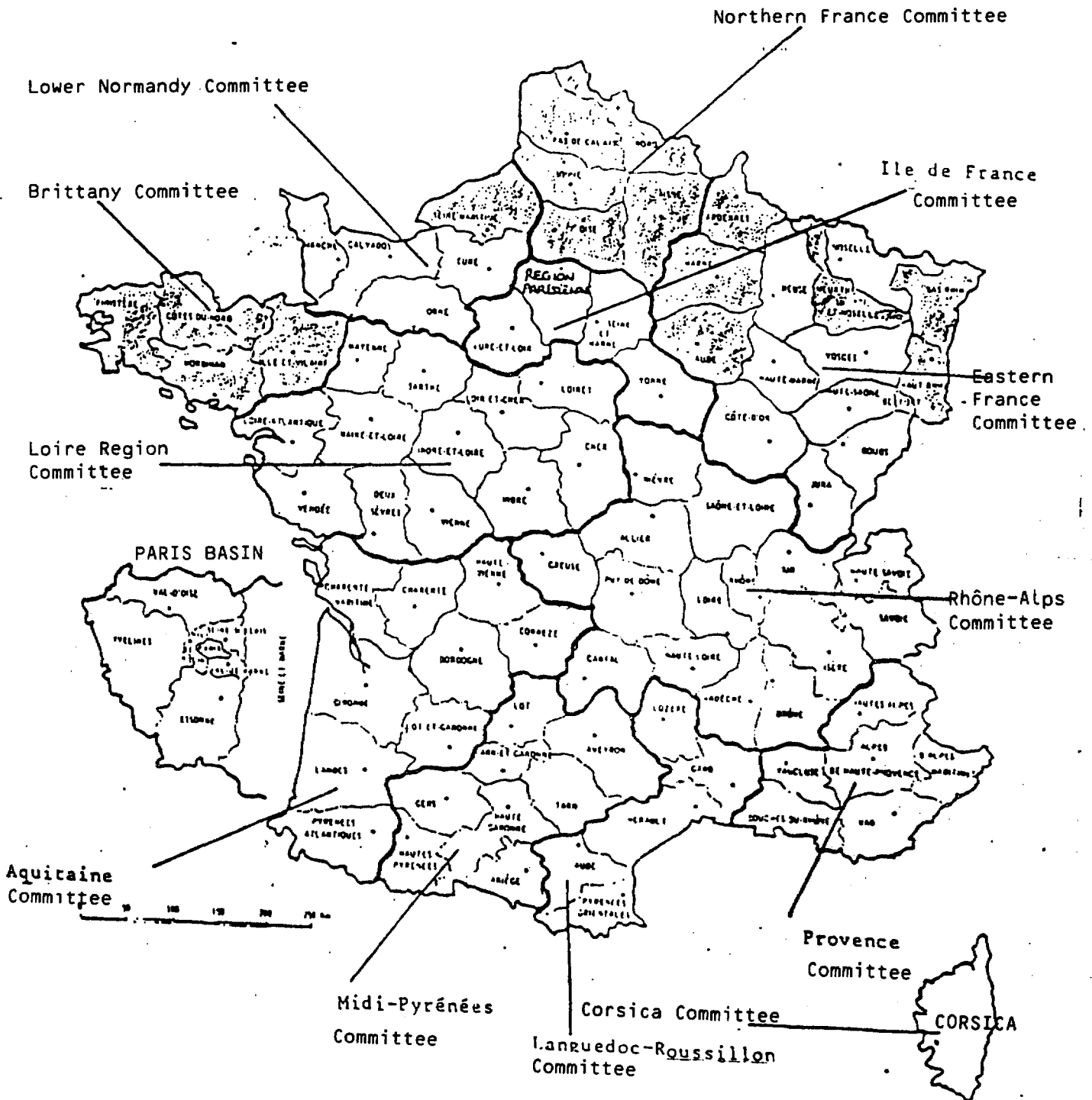
Brittany: Côtes-du-Nord, Finistère, Ille-et-Vilaine, Morbihan

Eastern France and

Burgundy: Ardennes, Aube, Marne, Meurthe-et-Moselle, Meuse,
Bas-Rhin, Haut-Rhin,

Northern France: Aisne, Nord, Oise, Pas-de-Calais, Seine-Maritime,
Somme

MAP SHOWING EXTENSION OF RULES FOR WITLOOF CHICORY



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EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

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Areas in which the rules were extended for:

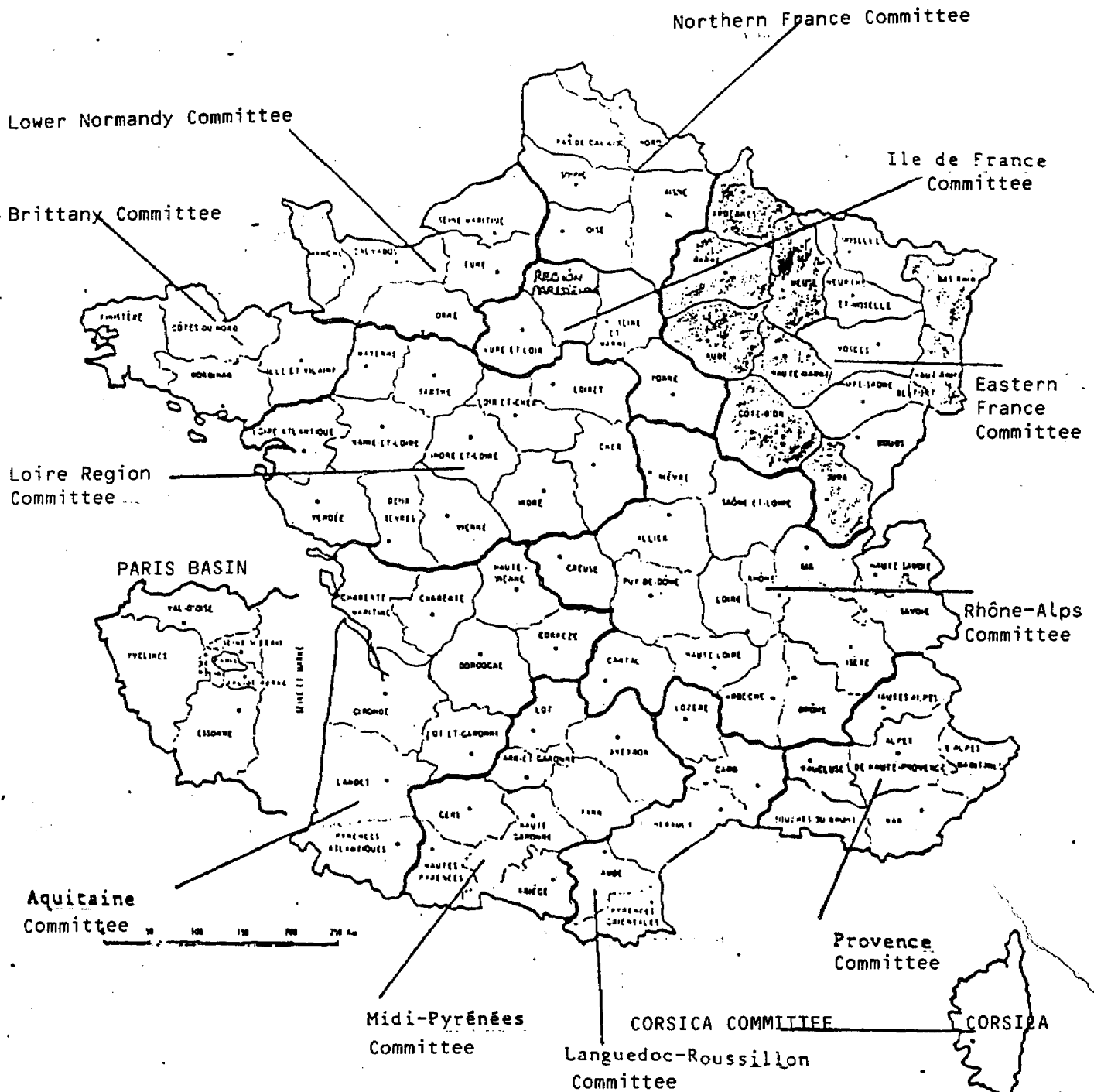
STORAGE ONIONS

Eastern France and

Burgundy:

Ardennes, Aube, Côte d'Or, Jura, Marne,
Haute-Marne, Meuse, Bas-Rhin, Haut-Rhin,

MAP SHOWING EXTENSION OF RULES FOR STORAGE ONIONS



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EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

ADOPTED ON 27 NOVEMBER 1985

Areas in which the rules were extended for:

AUTUMN AND WINTER CAULIFLOWERS

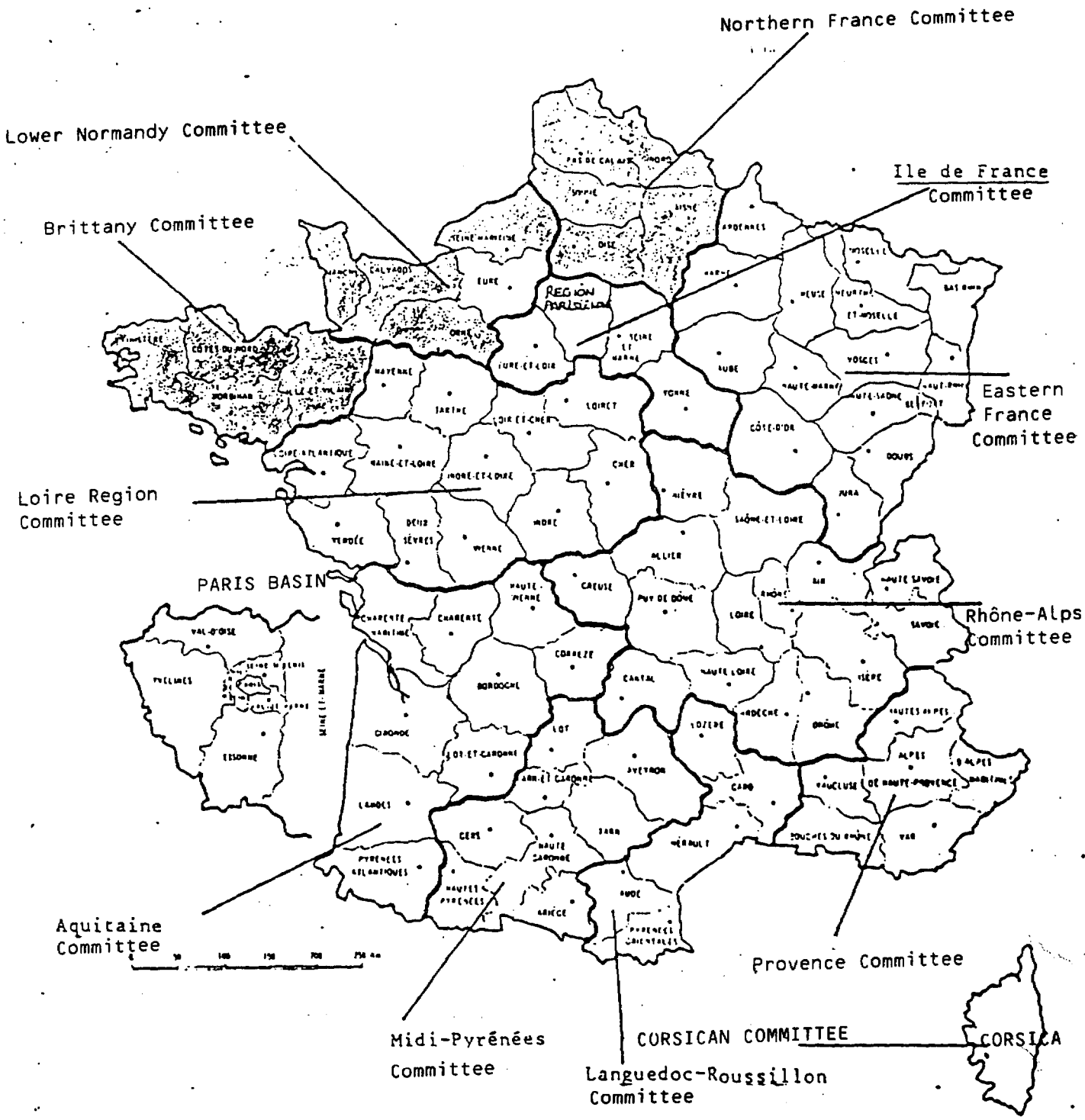
Brittany: Côtes-du-Nord, Finistère, Ille-et-Vilaine, Morbihan

Lower Normandy: Calvados, Manche, Orne

SUMMER CAULIFLOWERS

Northern France: Aisne, Nord, Oise, Pas-de-Calais, Seine-Maritime,
Somme

MAP SHOWING EXTENSIONS OF RULES FOR AUTUMN, WINTER AND SUMMER CAULIFLOWERS



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EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

ADOPTED ON 27 NOVEMBER 1985

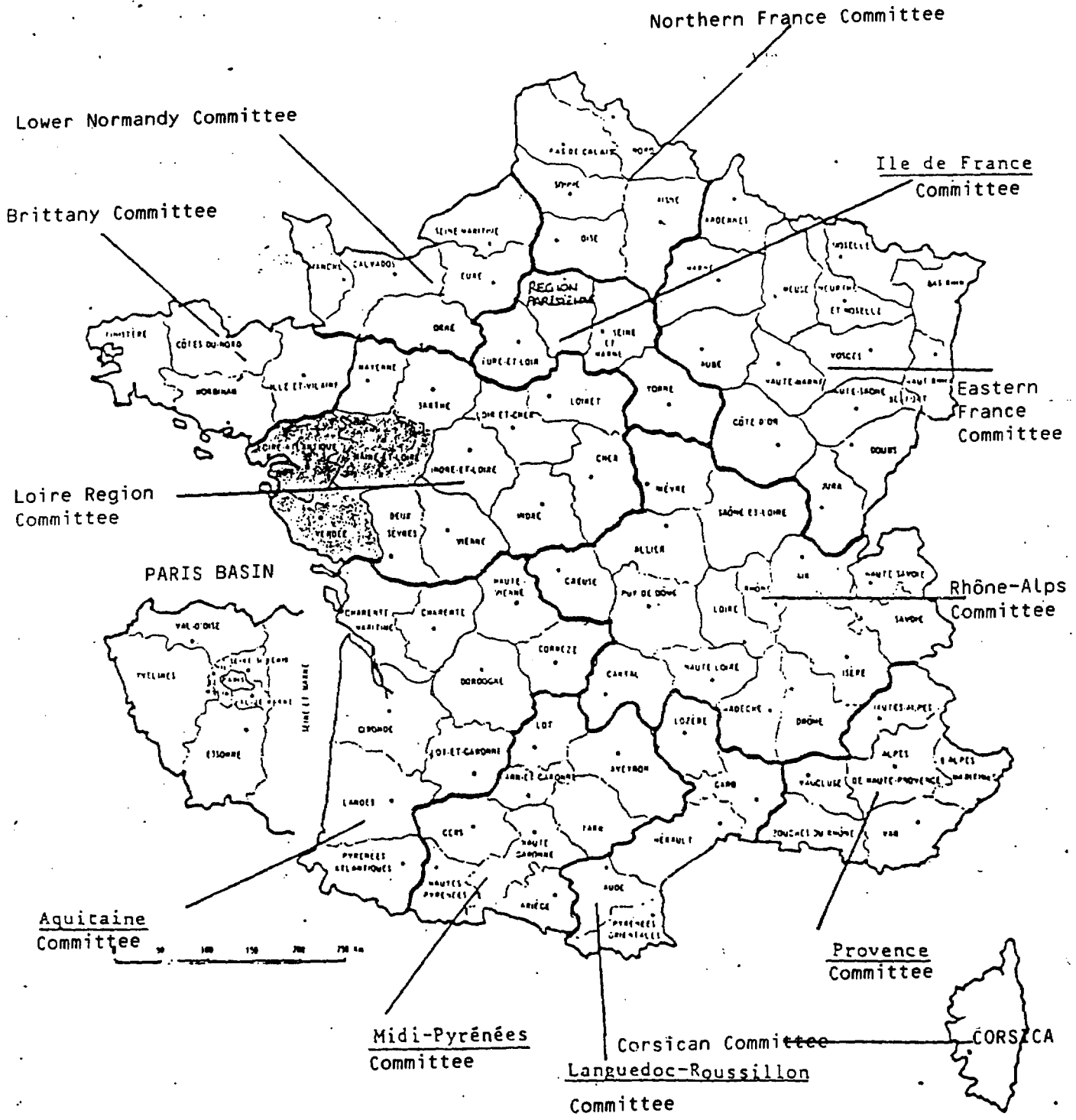
Areas in which the rules were extended for:

LAMB'S LETTUCE

Loire Region:

Loire-Atlantique, Maine-et-Loire, Vendée

MAP SHOWING EXTENSION OF RULES FOR LAMB'S LETTUCE



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EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

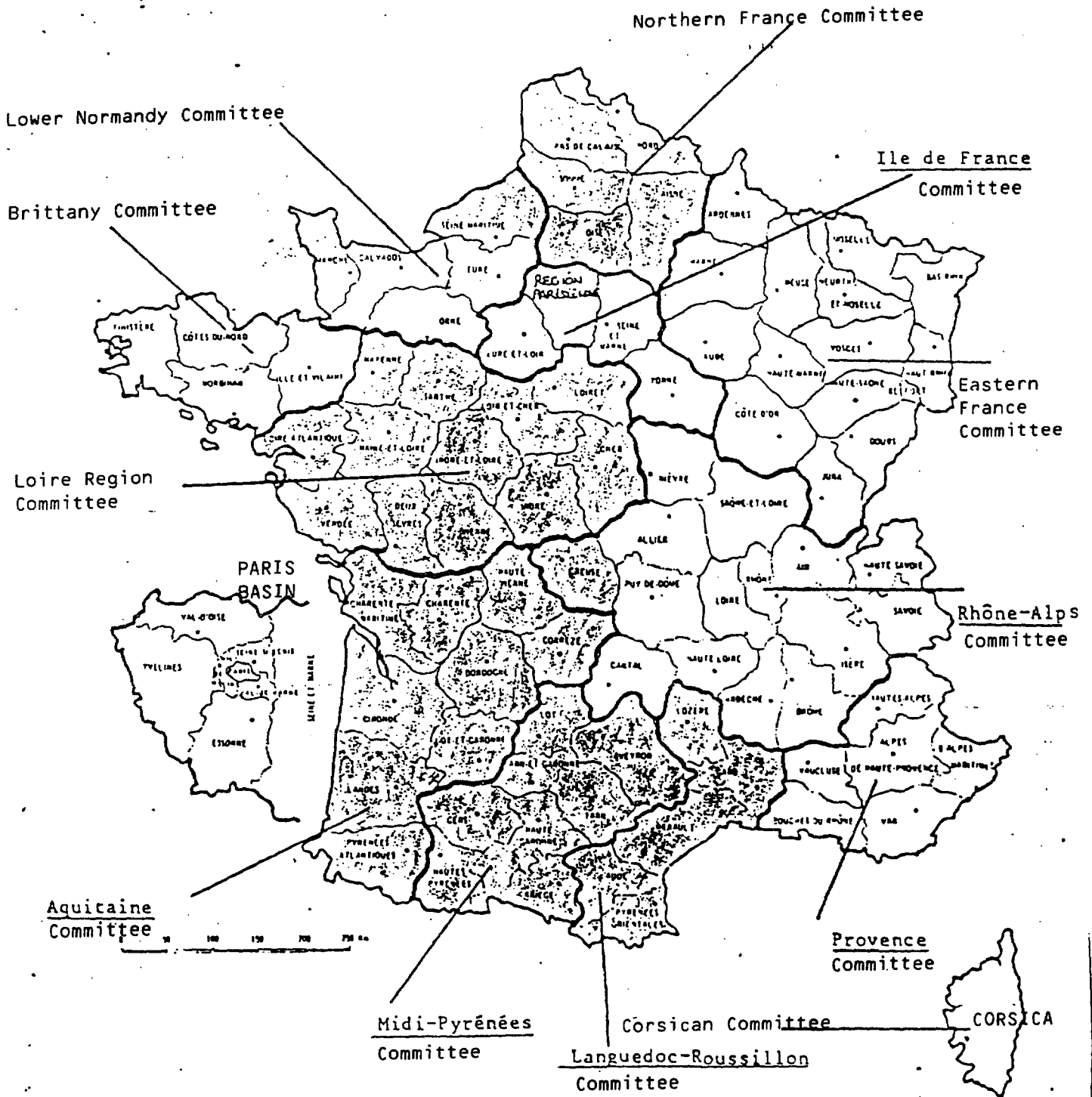
ADOPTED ON 27 NOVEMBER 1985

Areas in which the rules were extended for:

PEARS

<u>Loire Region:</u>	Cher, Indre, Indre-et-Loire, Loire-et-Cher, Loire-Atlantique, Loir-et-Cher, Maine-et-Loire, Mayenne, Sarthe, Deux-Sèvres, Vendée, Vienne
<u>Aquitaine:</u>	Charente, Charente-Maritime (with the exception of Ile de Ré), Corrèze, Creuse, Dordogne, Gironde, Landes, Lot-et-Garonne, Pyrénées-Atlantique, Haute-Vienne
<u>Midi-Pyrénées:</u>	Ariège, Aveyron, Haute-Garonne, Gers, Lot, Hautes-Pyrénées, Tarn, Tarn-et-Garonne
<u>Languedoc- Roussillon:</u>	Aude, Hérault, Gard, Lozère, Pyrénées-Orientales
<u>Northern France:</u>	Aisne, Nord, Oise, Pas-de-Calais, Seine-Maritime, Somme

MAP OF EXTENSIONS OF RULES FOR PEARS



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EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

ADOPTED ON 27 NOVEMBER 1985

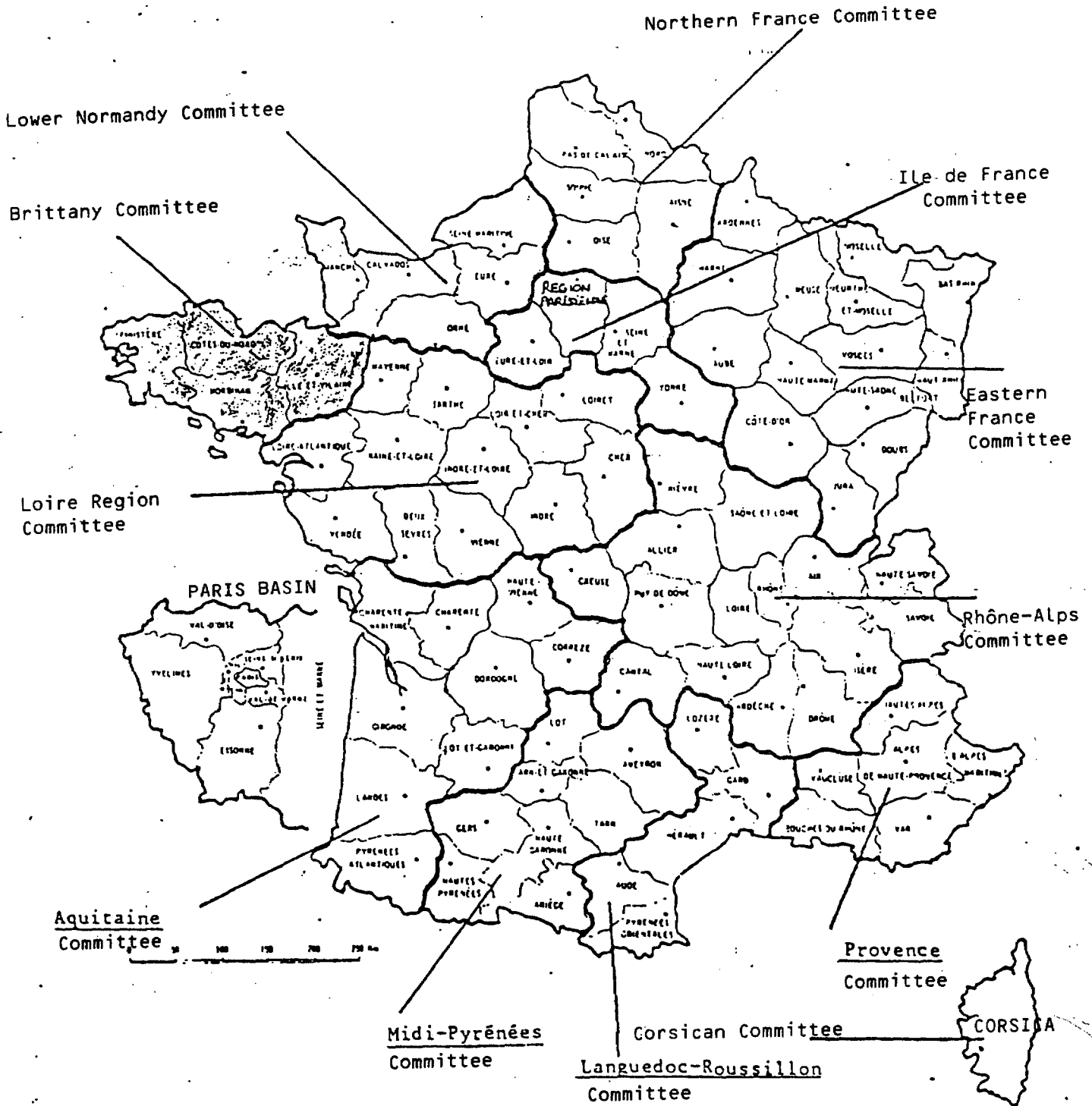
Areas in which the rules were extended for:

ARTICHOKES

Brittany:

Côtes-du-Nord, Finistère, Ille-et-Vilaine, Morbihan

MAP SHOWING EXTENSIONS OF RULES FOR ARTICHOKE



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EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

ADOPTED ON 27 NOVEMBER 1985

Areas in which the rules were extended for:

CARROTS

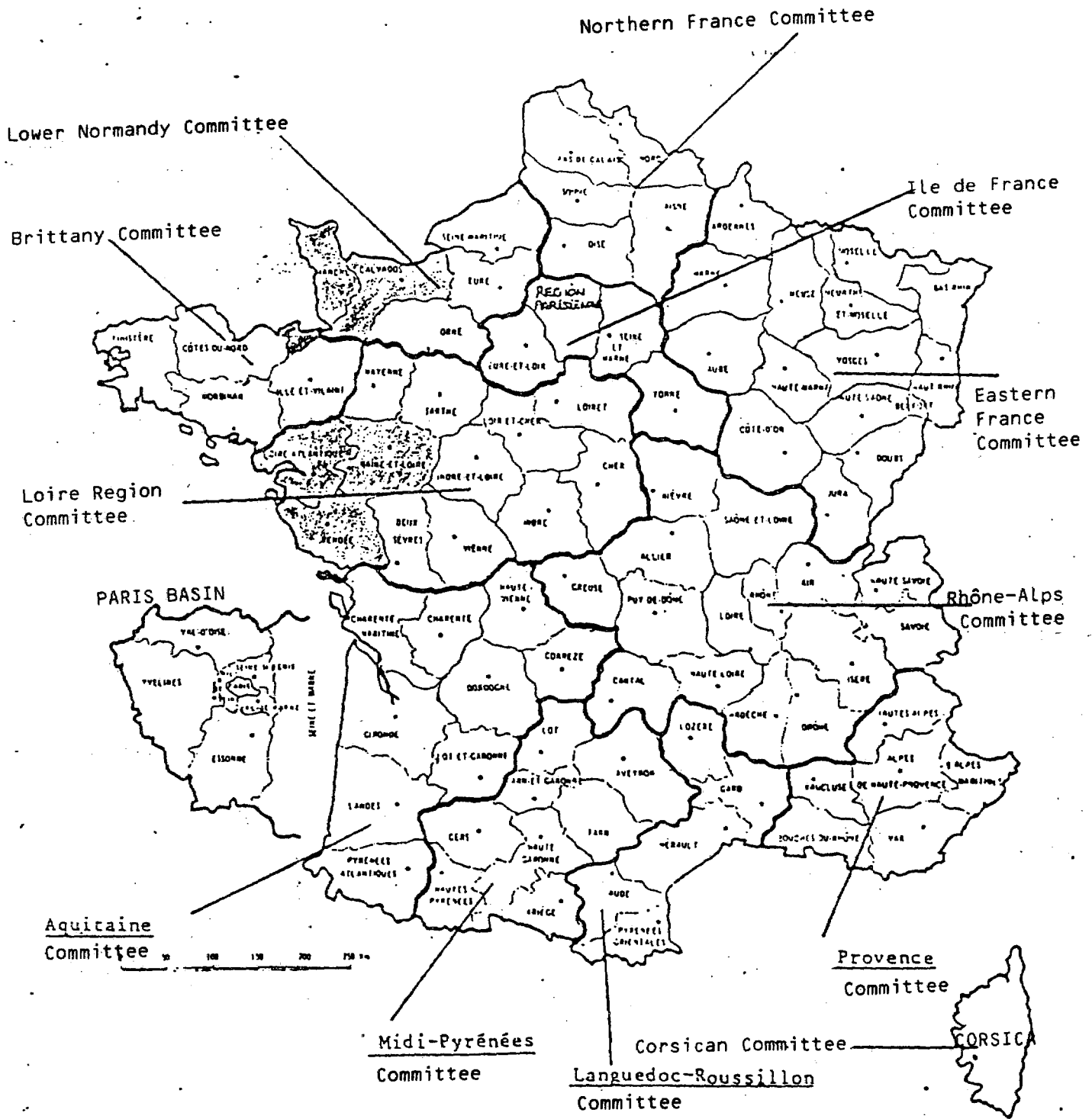
Brittany: Canton of Pleine Fougères and Commune de Cherreix
located in Ille-et-Vilaine

Lower Normandy: Calvados, Manche

EARLY CARROTS

Loire Region: Loire-Atlantique, Maine-et-Loire, Vendée

MAP SHOWING EXTENSIONS OF RULES FOR CARROTS



N.B. Department capitals shown by .

EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

ADOPTED ON 27 NOVEMBER 1985

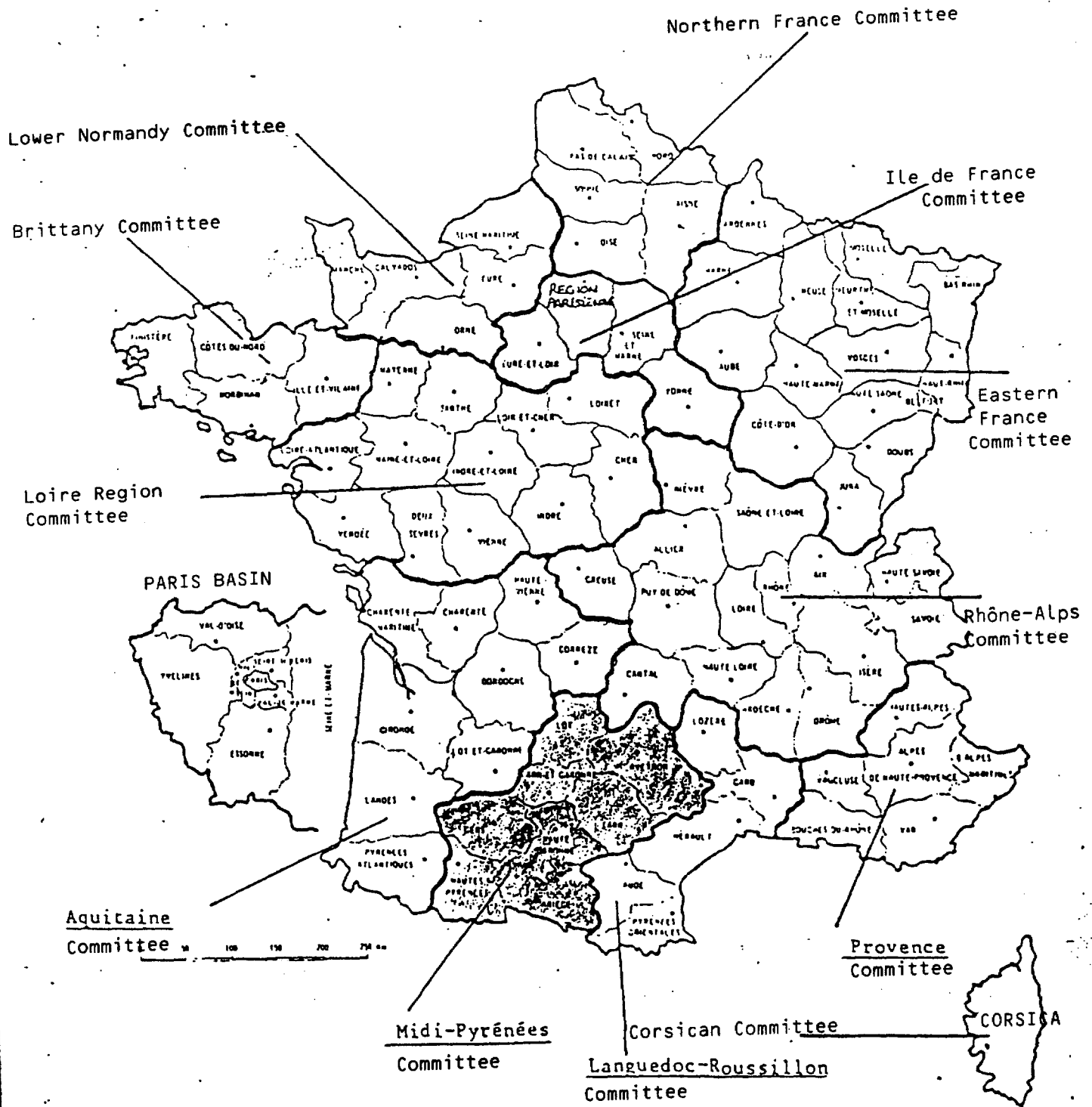
Areas in which the rules were extended for:

TABLE GRAPES

Midi-Pyrénées:

Ariège, Aveyron, Haute-Garonne, Gers, Lot,
Hautes-Pyrénées, Tarn, Tarn-et-Garonne

MAP SHOWING EXTENSIONS OF RULES FOR TABLE GRAPES



N.B. Department capitals shown by .

EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

ADOPTED ON 27 NOVEMBER 1985

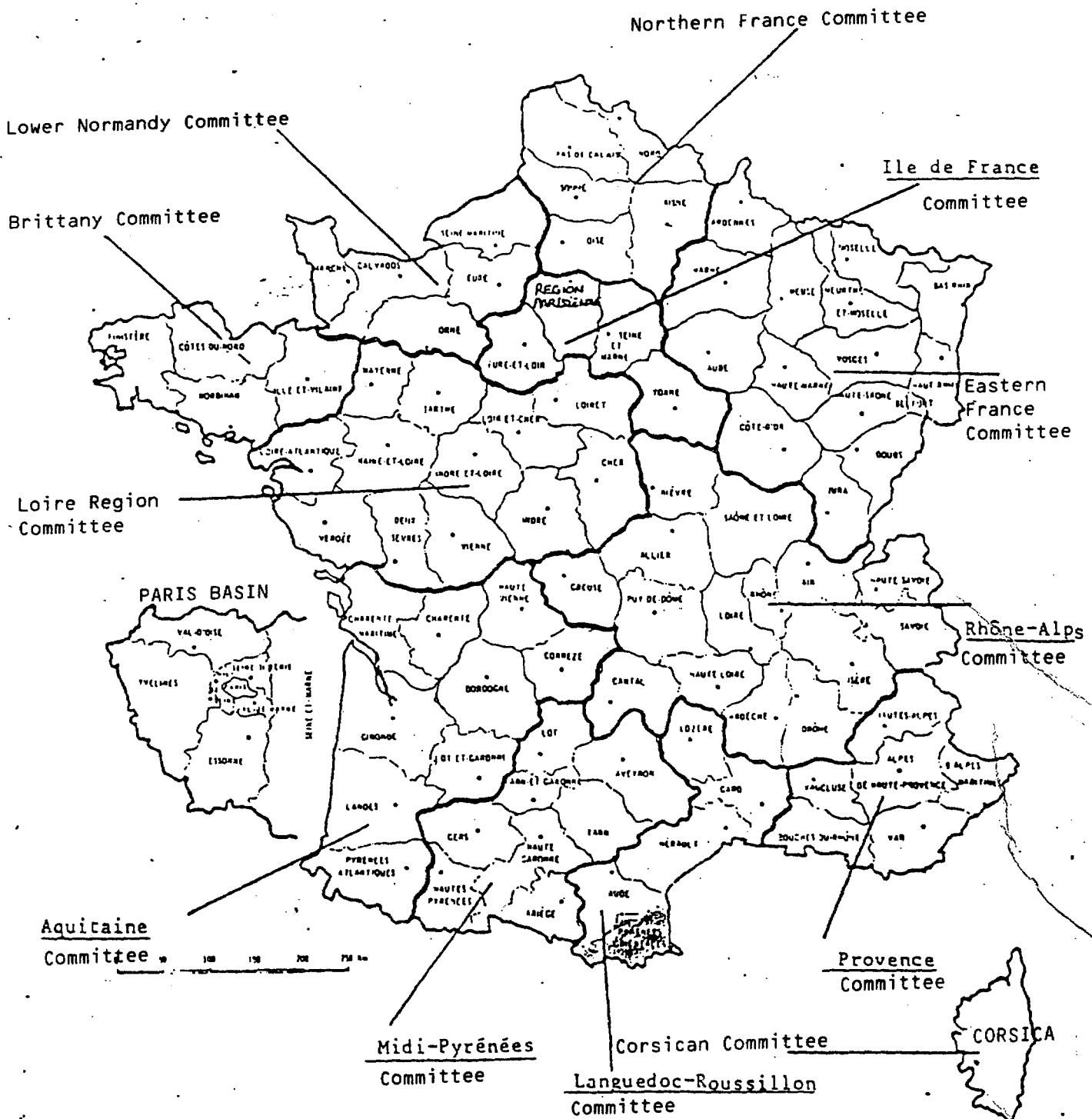
Areas in which the rules were extended for:

APRICOTS

Languedoc-Roussillon:

Pyrénées-Orientales

MAP SHOWING EXTENSIONS OF RULES FOR APRICOTS



N.B. Department capitals shown by .

EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

ADOPTED ON 27 NOVEMBER 1985

Areas in which the rules were extended for:

CUCUMBERS

Loire Region:

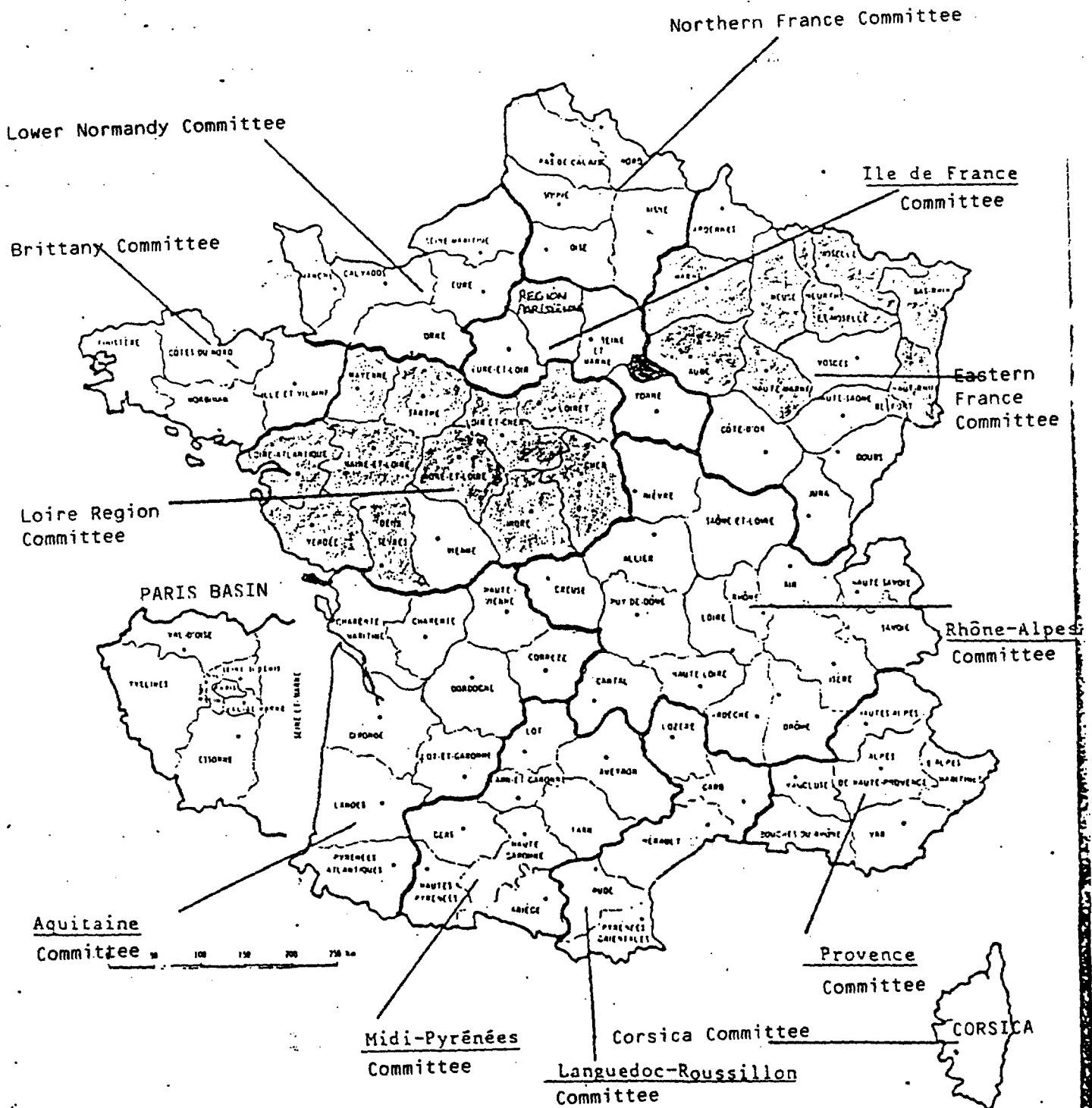
Cher, Indre, Indre-et-Loire, Loire-et-Cher,
Loire-Atlantique, Loiret, Maine-et-Loire, Mayenne,
Sarthe, Deux-Sèvres, Vendée, Vienne, Ile de Ré in
Charente-Maritime

Eastern France and

Burgundy:

Aube, Marne, Haute-Marne, Meurthe-et-Moselle,
Meuse, Moselle, Bas-Rhin, Haut-Rhin, Canton of
Villeneuve l'Archevêque in Yonne

MAPSHOWING EXTENSIONS OF RULES FOR CUCUMBERS



N.B. Department capitals shown by .

EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

ADOPTED ON 27 NOVEMBER 1985

Areas in which the rules were extended for:

PEACHES AND NECTARINES

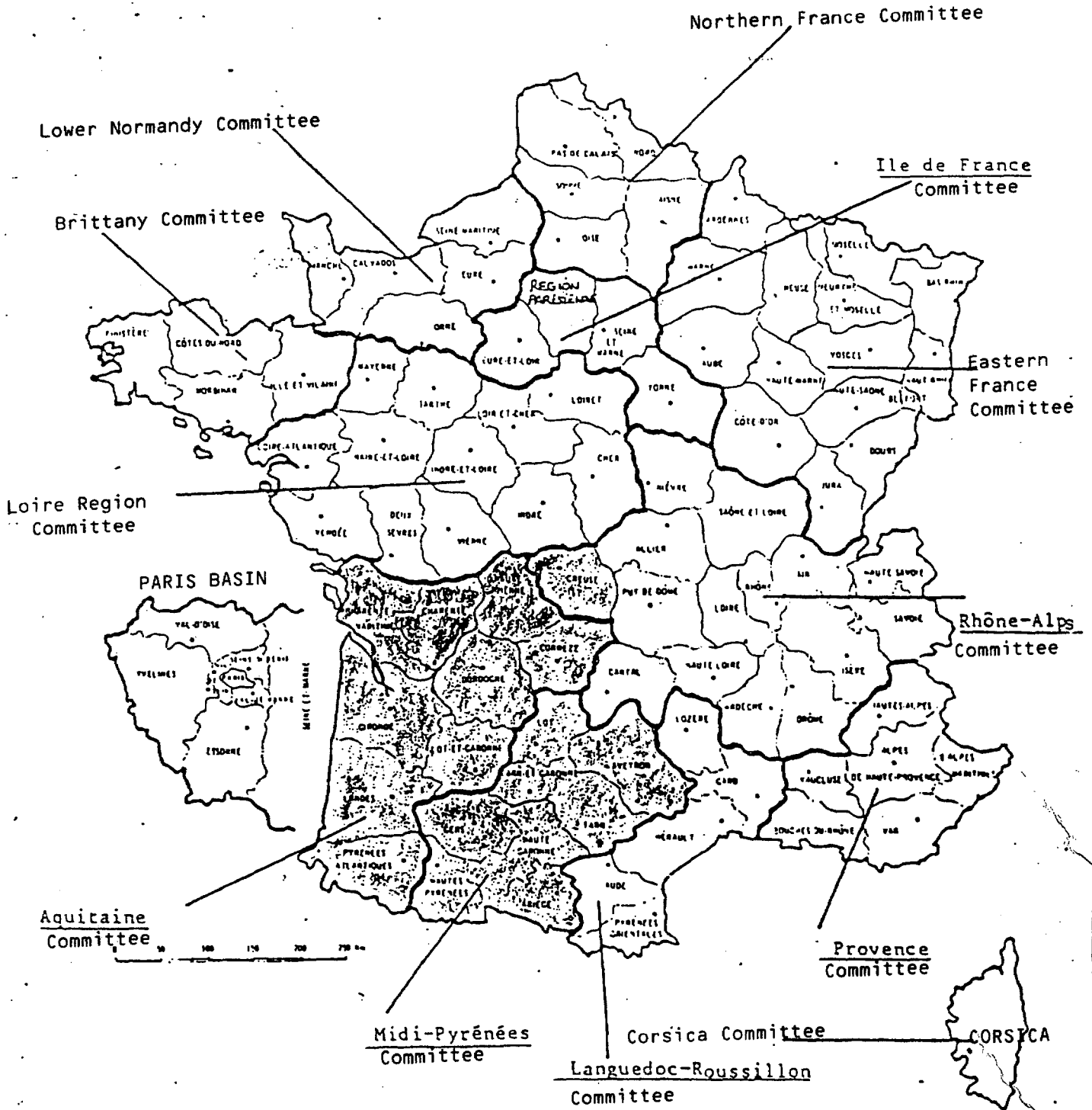
Aquitaine:

and Limousin-Charentes: Charente, Charente-Maritime (with the exception of Ile de Ré), Corrèze, Creuse, Dordogne, Gironde, Landes, Lot-et-Garonne, Pyrénées-Atlantique, Haute-Vienne

Midi-Pyrénées:

Ariège, Aveyron, Haute-Garonne, Gers, Lot, Hautes-Pyrénées, Tarn, Tarn-et-Garonne

MAP SHOWING EXTENSIONS OF RULES FOR PEACHES AND NECTARINES



N.B. Department capitals shown by .

EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

ADOPTED ON 27 NOVEMBER 1985

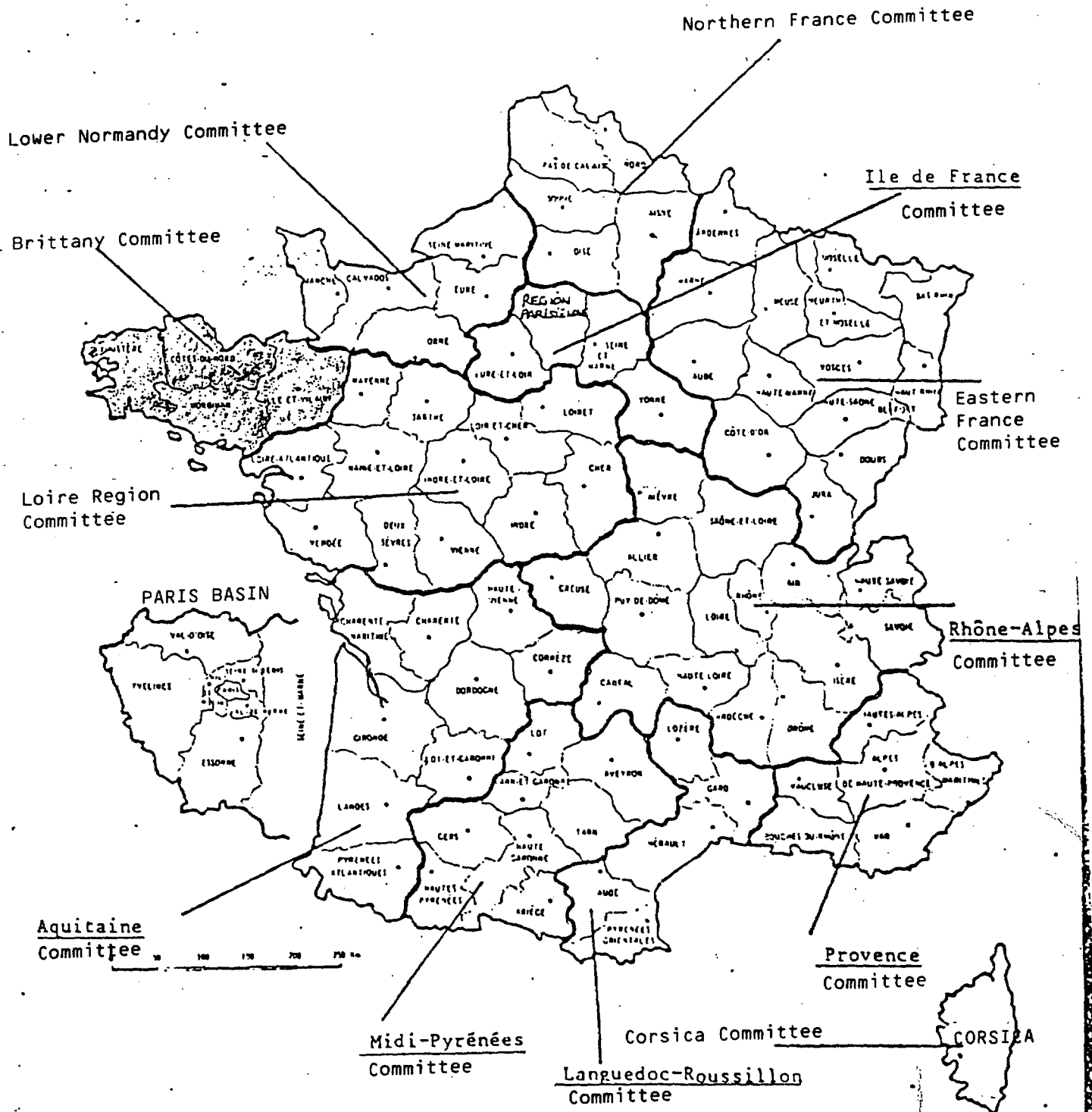
Areas in which the rules were extended for:

WINTER LEEKS

Brittany:

Côtes-du-Nord, Finistère, Ille-et-Vilaine, Morbihan

MAP SHOWING ESTENSIONS OF RULES FOR WINTER LEEKS



EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

ADOPTED ON 27 NOVEMBER 1985

Areas in which the rules were extended for:

STRAWBERRIES

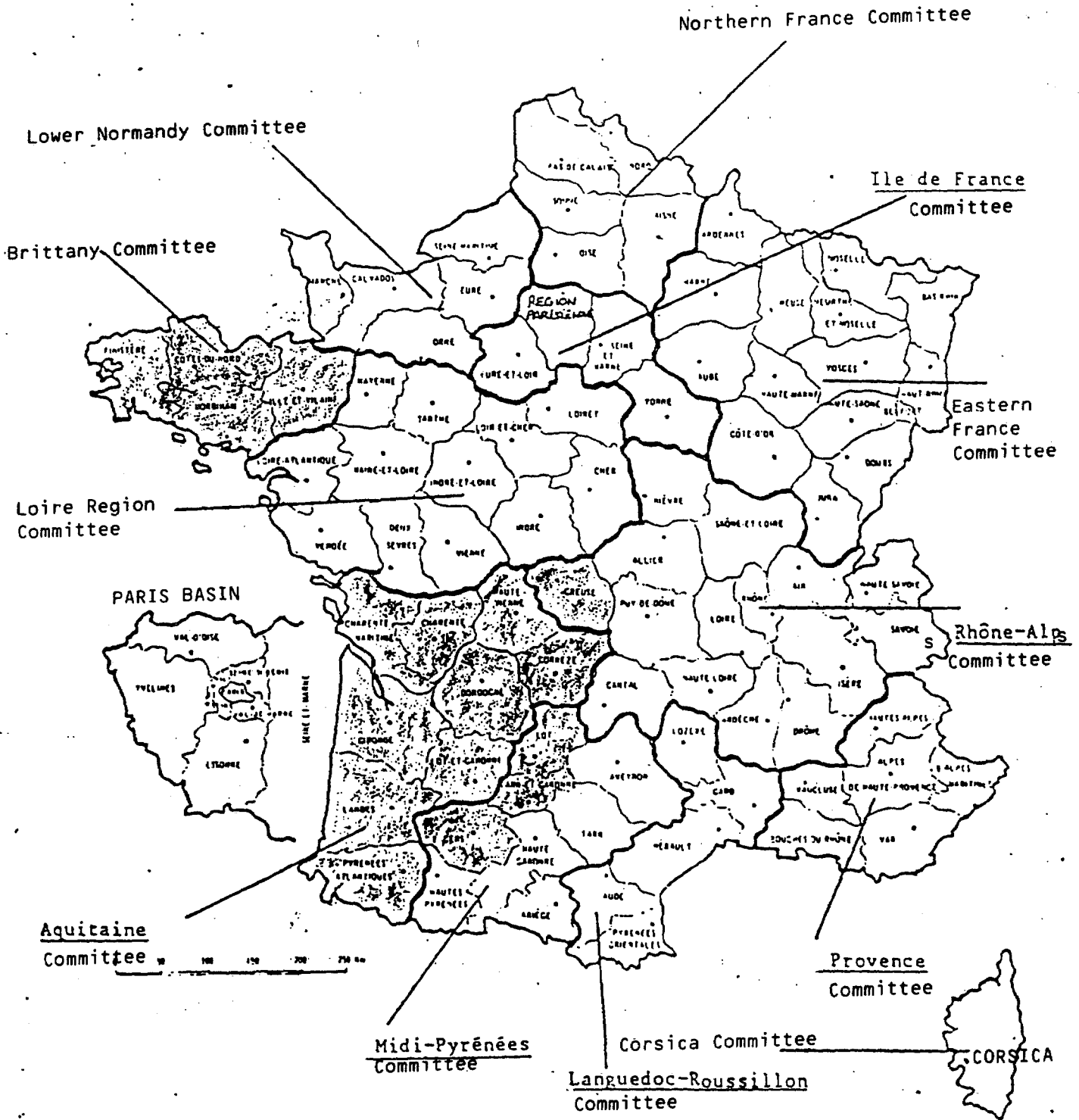
Brittany: Côtes-du-Nord, Finistère, Ille-et-Vilaine, Morbihan

Aquitaine:

and Limousin-Charentes: Charente, Charente-Maritime (with the exception of Ile de Ré), Corrèze, Creuse, Dordogne, Gironde, Landes, Lot-et-Garonne, Pyrénées-Atlantique, Haute-Vienne

Midi-Pyrénées: Gers, Lot, Tarn-et-Garonne

MAP SHOWING EXTENSIONS OF RULES FOR STRAWBERRIES



N.B. Department capitals shown by .

EXTENSIONS OF RULES ON FRUIT AND VEGETABLES

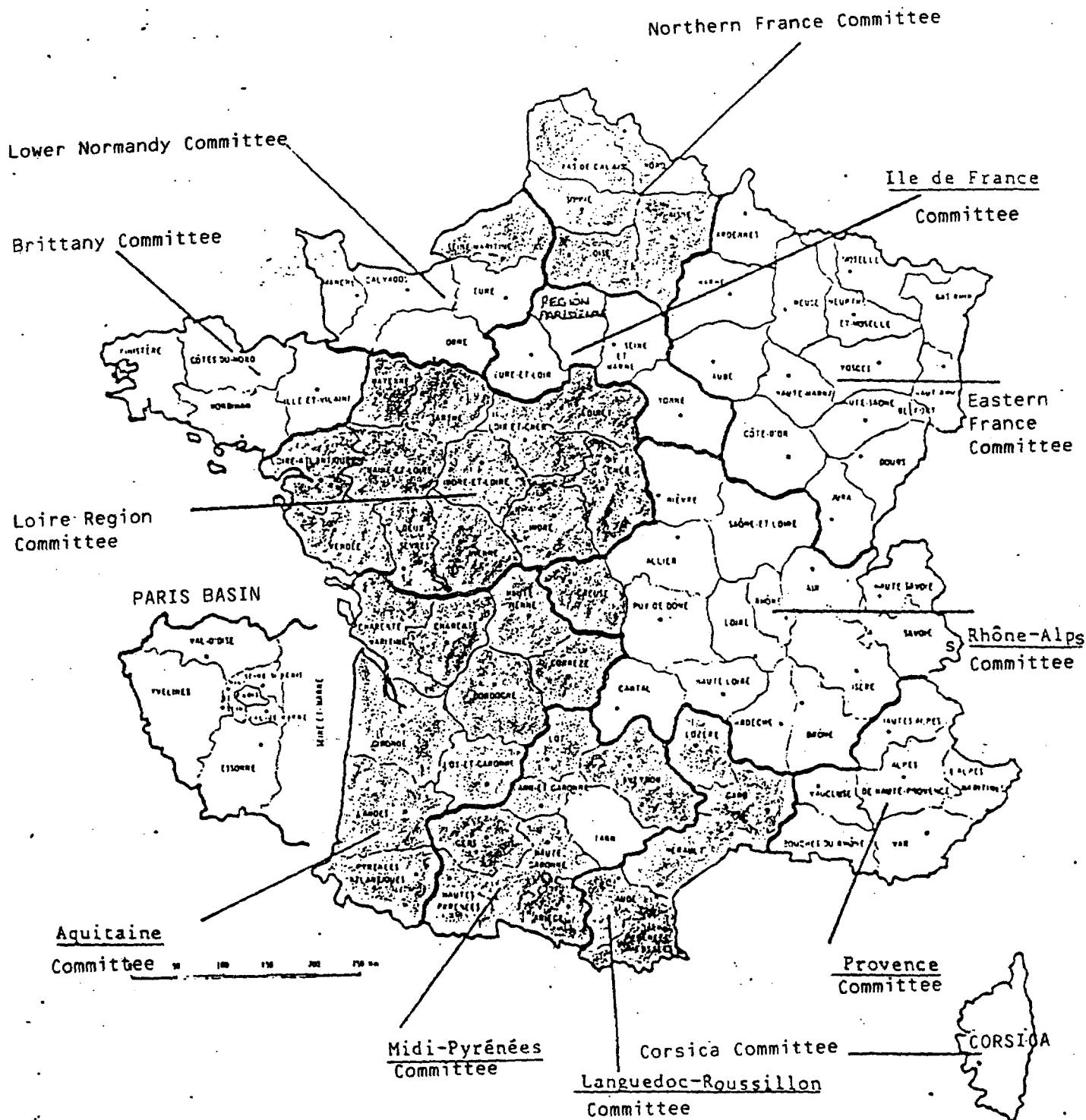
ADOPTED ON 27 NOVEMBER 1985

Areas in which the rules were extended for:

DESSERT APPLES

Loire Region:	Cher, Indre, Indre-et-Loire, Loire-et-Cher, Loire-Atlantique, Loiret, Maine-et-Loire, Mayenne, Sarthe, Deux-Sèvres, Vendée, Vienne
<u>Aquitaine:</u>	Charente, Charente-Maritime (with the exception of Ile de Ré), Corrèze, Creuse, Dordogne, Gironde, Landes, Lot-et-Garonne, Pyrénées-Atlantique, Haute-Vienne
<u>Limousin-Charentes:</u>	
<u>Midi-Pyrénées:</u>	Ariège, Aveyron, Haute-Garonne, Gers, Lot, Hautes-Pyrénées, Tarn-et-Garonne
<u>Languedoc-Roussillon:</u>	Aude, Hérault, Gard, Lozère, Pyrénées-Orientales
<u>Northern France:</u>	Aisne, Nord, Oise, Pas-de-Calais, Seine-Maritime, Somme

MAP SHOWING EXTENSIONS OF RULES FOR DESERT APPLES



N.B. Department capitals shown by .

ANNEX III

REGIONAL PRODUCTION MARKETED AND PRODUCTION COVERED BY PRODUCERS'
ORGANIZATIONS IN 1986

COMMITTEE	REGIONAL PRODUCTION MARKETED (tonnes)	PRODUCTION COVERED BY PRODUCERS' ORGANIZATIONS (tonnes)	%
<hr/>			
LOIRE VALLEY AGRICULTURAL ECONOMIC COMMITTEE			
	Apples		
	Pears		
	Winter lettuce		
	Lamb's lettuce		
	Tomatoes		
	Cucumbers		
	Early carrots		
<hr/>			
LOWER NORMANDY AGRICULTURAL ECONOMIC COMMITTEE			
	Autumn and spring cauliflowers		
	Carrots		
<hr/>			
BRITTANY AGRICULTURAL ECONOMIC COMMITTEE			
	Leeks		
	Witloof chicory		
	Winter lettuce		
	Carrots		
	Strawberries		
	Tomatoes		
	Artichokes		
	Autumn cauliflowers		
	Winter and spring cauliflowers		
<hr/>			
AQUITAINE-LIMOUSIN-CHARTES AGRICULTURAL ECONOMIC COMMITTEE			
	Apples		
	Pears		
	Plums		
	Peaches (1)		
	Strawberries		
	Tomatoes		
<hr/>			

COMMITTEE	REGIONAL PRODUCTION MARKETED (tonnes)	PRODUCTION COVERED BY PRODUCERS' ORGANIZATIONS (tonnes)	%

MIDI-PYRENEES AGRICULTURAL ECONOMIC COMMITTEE			
Apples			
Pears			
Peaches			
Plums			
Table grapes			
Melons			
Strawberries			

LANGUEDOC-ROUSSILLON AGRICULTURAL ECONOMIC COMMITTEE			
Apples			
Winter lettuce			
Apricots			
Tomatoes			
Pears			

EASTERN FRANCE AGRICULTURAL ECONOMIC COMMITTEE			
Storage onions			
Witloof chicory			
Plums			
Cucumbers			

NORTHERN FRANCE AGRICULTURAL ECONOMIC COMMITTEE			
Apples			
Pears			
Witloof chicory			
Summer cauliflowers			

(1) A request has been made for an additional investigation by the statistical staff of the Minister of Agriculture in respect of figures provided or missing for peaches for the Aquitaine-Limousin-Charentes Agricultural Economic Committee for Fruit and Vegetables and for tomatoes for the Languedoc-Roussillon Agricultural Economic Committee.

ANNEX IV

REPRESENTATIVENESS OF PRODUCERS' ORGANIZATIONS IN RESPECT OF
CAULIFLOWERS, CARROTS, ARTICHOKEs AND CORN SALAD

(tonnes and number of producers)

Economic Area	Regional production	Production marketed by PO	Total producers	Producers in PO
<u>Cauliflowers</u>				
Normandy	23.650	23.641	430	394
Brittany	114.000	113.000	6.750	6.500
North	36.200	34.200	910	780
	173.850	170.841	8.090	7.674
	98 %		95 %	
<u>Carrots</u>				
Loire Region	34.020	26.537	785	621
Normandy	156.650	127.040	2.193	1.698
Brittany	33.000	30.600	400	361
	223.670	189.177	3.378	2.680
	82 %		79,33 %	
<u>Artichokes</u>				
Brittany	55.207	55.097	2.899	2.445
	99,8 %		84,3 %	
<u>Corn salad</u>				
Loire Region	4.740	4.197	660	508
	88,5 %		76,9 %	
	Degree to which representative of production		Degree to which representative of production	

(1) The figure for producers is that given by the survey.

Proposal for a
COUNCIL REGULATION (EEC)
amending Regulation (EEC) No 3285/83 laying down general rules for the
extension of certain rules issued by producers' organizations in
the fruit and vegetable sector

EXPLANATORY MEMORANDUM

1. In 1983 the Council adopted arrangements to extend the application of certain rules concerning fruit and vegetables. The object was to strengthen the role of the producer's organizations, particularly with regard to market operation, by enabling Member States, at the request of the producer's organizations concerned and subject to certain conditions, to extend certain rules to all producers, whether members or not.

These arrangements, provided for in Article 15b of Regulation (EEC) No 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables, were brought into effect by Regulation (EEC) No 1977/85 of 16 July 1985.

2. Article 15b(13) provides that, on expiry of the third year of extended application of the rules, the Commission must submit a report, together with proposals, as appropriate, enabling the Council to decide whether to maintain, modify or revoke the system.

The attached report and proposals have been prepared accordingly.

Proposal for a
COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 3285/83 laying down general rules for the extension of certain rules issued by producers' organizations in the fruit and vegetable sector

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 (EEC) No 2238/88 (2), and in particular Article 15b(10) thereof,

Having regard to the proposal from the Commission,

Whereas Article 3 of Council Regulation (EEC) No 3285/83 provides that, during the first three years of application of the system, a producers' organization or an association of producers' organizations is considered representative if it covers more than 50% of the production in that area; whereas after the initial period a representativeness of two-thirds of the producers and two-thirds of production is required;

Whereas it has become apparent that the criterion of a higher representativeness at the end of the initial three-year period cannot be satisfied by many producers' organizations or associations of producers' organizations operating on a number of markets; whereas, however, in view of the positive contribution made by the more dynamic organizations towards regularizing supplies and expanding markets, the degree of representativeness required hitherto should be maintained for several more marketing years; whereas

(1) OJ No L 118, 20. 5.1972, p. 1.

(2) OJ No L 198, 26. 7.1988, p. 1.

(3) OJ No L 325, 22.11.1983, p. 8.

this measure should obviously be advantageous for organizations or associations which have increased their rate of representativeness since the introduction of the system and, pursuant to the system, have extended the application of certain rules to non-members;

Whereas, for an equivalent transitional period, the same derogation must be granted in Spain and Portugal in order to encourage the positive action of producers' organizations recognized since accession;

Whereas it should be provided that the rules applied by the organizations or associations which cannot attain a representativeness of two-thirds of the producers and two-thirds of the production in the economic area in which they operate may not be extended if there is significant opposition on the part of the producers in the area concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3285/83 is hereby amended as follows:

1. Article 3 is replaced by the following:

"Article 3

1. A producers' organization or association of producers' organizations shall be considered representative within the meaning of Article 15b(1) of Regulation (EEC) No 1035/72 if it covers at least two-thirds of the producers in the economic area in which it operates and at least two-thirds of the production in that area.

2. A producers' organization or association of producers' organizations not satisfying the conditions of paragraph 1 shall be considered representative for the application of this system if, for one or more products, it covers more than 50% of the producers in the economic area in which it operates and more than 50% of the production of that area, providing that:

- the rules adopted by the organization or association have been made binding for non-member producers in the economic area from the entry into force of the system provided for in Article 15b of Regulation (EEC) No 1035/72,
- the organization or association has increased its representativeness, either by the percentage of producers who are members or by the percentage of production covered in the area concerned, since the entry into force of the system provided for in Article 15b.

The rules adopted by the organization or association referred to in the first subparagraph and made binding pursuant to Article 15b of the Regulation shall be valid for a period which may not, in any circumstances, exceed the end of the marketing year beginning in 1991 for the product(s) concerned.

3. A producers' organization or association of producers' organizations established in Spain or Portugal shall be considered representative for the purposes of this system, for a period which may not exceed the end of the marketing year beginning in 1991 for the product(s) concerned, if it covers more than 50% of the producers in the economic area in which it operates and more than 50% of the production of that area.

2. Article 4 is replaced by the following:

"Article 4

In the case of producers' organizations and associations of producers' organizations considered representative pursuant to Article 3(2) and (3), the rules referred to in Article 15b of Regulation (EEC) No 1035/72 may not be binding for non-member producers established in the economic area if, after consultation of all the producers in the area, at least one-third of them have expressed opposition."

Article 2

Before 1 October 1992, the Commission shall present a report, together with proposals, as appropriate, enabling the Council to decide whether to maintain, modify or revoke the system for extending the application of the rules concerned.

Article 3

This Regulation shall enter into force on the third day following that of 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