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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(83) 313 final

Brussels, 31 May 1983

Proposal for a
COUNCIL REGULATION (EEC)
amending Regulation (EEC) No 2036/82 adopting general rules
concerning special measures for peas and field beans

(submitted to the Council by the Commission)

COM 313

EXPLANATORY MEMORANDUM

On 16 May 1983 the Council amended Regulation (EEC) No 1431/82 laying down special measures for peas and field beans in order to adjust the aid payable in certain cases where the peas and field beans are used as animal feed without further processing.

This proposal is designed to amend Regulation (EEC) No 2036/83 accordingly. It is proposed that at the same time the requirement whereby the production declaration must be countersigned by the producer should be dispensed with since it has led to difficulties of an administrative nature in the Member States.

Since the proposal is a natural follow-up to the amendment to Regulation (EEC) No 1431/82 which the Council has already adopted and which will lead to an estimated reduction in expenditure of 1,25 million ECU per year, no new financial implications are involved.

Proposal for a
COUNCIL REGULATION (EEC)
amending Regulation (EEC) No 2036/82 adopting general
rules concerning special measures for peas and field beans

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas and field beans (1), as amended by Regulation (EEC) No 1225 /83 (2), and in particular Article 3(5) and Article 4 thereof,

Having regard to the proposal from the Commission,

Whereas Article 4(1) of Council Regulation (EEC) No 2036/82 (3) lays down that in cases where the products are sold by the producer the first purchaser must lodge with the agency appointed by the Member State a declaration countersigned by the producer certifying the quantity actually delivered by the latter; whereas experience has shown that some agencies are experiencing difficulties on account of the requirement that the declarations be countersigned by the producer; whereas that requirement should therefore be dispensed with;

Whereas under Article 4(2) the agency appointed by the Member State is required to verify that the producer has obtained at least the minimum price; whereas, in the interests of sound management and in order to avoid any misunderstanding, the date to be used for calculating the minimum price should be specified;

Whereas Regulation (EEC) No 1225/83 amends the conditions for entitlement to Community aid; whereas Regulation (EEC) No 2036/82 should be amended accordingly,

(1) OJ No L 162, 12.6.1982, p. 28. (3) OJ No L 219, 28.7.82, p. 1.
(2) OJ No L 131, 20.5.1983, p. 1.

HAD ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 2036/82 is hereby amended as follows :

1. Article 4 is replaced by the following :

"Article 4

1. In cases where the products are sold by the producer, the first purchaser shall lodge the contract made with the producer with the agency appointed by the Member State in which the product is harvested.

He shall also lodge a declaration certifying the quantity actually delivered by the producer.

2. The agency appointed by the Member State, after verifying the content of the contract and the declaration, shall deliver to the first buyer a certificate confirming that the producer has obtained at least the minimum price for the quantity he has delivered. The minimum price shall be that applicable on the day the contract is concluded."

2. Article 5(2) is replaced by the following :

"2. For the purposes of this Article, a product shall have actually been used if it has been :

(a) milled and incorporated into animal feed;

or

(b) marketed after having been put up for consumption unprocessed;

or

(c) processed for the manufacture of protein concentrates;

or

(d) processed for use in foodstuffs.

Additional conditions may be specified in accordance with the procedure laid down in Article 12 of Regulation (EEC) No 1117/78."

3. Article 6(2) is replaced by the following :

"2. The aid to be paid shall be :

(a) for the products referred to in Article 5(2)(a) and (c), the amount fixed in Article 3(1) of Regulation (EEC) No 1431/82;

(b) for the products referred to in Article 5(2)(b) and (d), the amount fixed in Article 3(2) of Regulation (EEC) No 1431/82."

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 Brussels,

For the Council