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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.

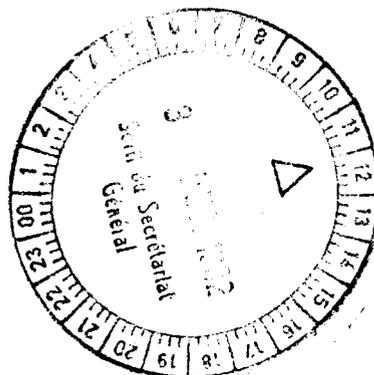
In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 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(82) 786 final

Brussels, 2 December 1982

Proposal for a
COUNCIL REGULATION (EEC)
amending Regulation (EEC) No 1431/82 laying down special measures for
peas and field beans



(submitted to the Council by the Commission)

COM(82) 786 final

EXPLANATORY MEMORANDUM

By Regulation (EEC) No 1431/82 the Council decided that with effect from 1 August 1982 peas and field beans harvested in the Community would qualify for a system of aid when used for both animal feed and human consumption.

As far as peas and field beans used for animal feed are concerned, the above-mentioned Regulation lays down that the aid is to be calculated on the basis of the difference between the activating price for soya cake and the world price for soya cake.

Such aid is indeed justified as far as peas and field beans incorporated into animal feed are concerned, for in this case the products in question are in direct competition with the other proteins available on the market, and in particular soya cake. On the other hand, such aid is not justified in the case of Community products for consumption unprocessed by certain animals. Competition for these products comes from the same products imported from other countries.

In the current market situation the aid granted for the products in question is higher than it need be.

Proposal for a
COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 1431/82 laying down special measures for peas and field beans

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission¹,

Having regard to the Opinion of the European Parliament²,

Whereas Council Regulation (EEC) No 1431/82³ provides for a system of aid for peas and field beans, whether used for human consumption or animal feed;

Whereas, as regards peas and field beans for animal feed, the above-mentioned Regulation lays down that the aid is to be calculated from the difference between the activating price for soya cake and the world price for that product;

Whereas the aid is also granted for Community products to be fed unprocessed to certain animals; whereas the said products are not in direct competition with soya cake; whereas, on the contrary, they are in direct competition with identical products imported from third countries; whereas this situation should therefore be remedied by calculating the aid on the basis of the difference between the guide price fixed for peas and field beans and the price recorded on the world market for the same products,

HAS ADOPTED THIS REGULATION :

¹ OJ No C

² OJ No C

³ OJ No L 162, 12.6.1982, p. 28

Article 1

Regulation (EEC) No 1431/82 is hereby amended as follows :

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

"1. Before 1 August each year, for the marketing year beginning the following
" calendar year, the following prices shall be fixed for the Community in accor-
" dance with the procedure laid down in Article 43(2) of the Treaty :
" (a) an activating price for aid, hereinafter termed 'activating price' where
" the products referred to in Article 1 are used for the manufacture of animal
" feed;
" (b) a guide price where these products are used for human consumption or animal
" feed other than the use provided for under (a)."

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

"2. When the average world market price for the products referred to in Article 1,
" as determined in accordance with Article 4(2), is lower than the guide price
" laid down for the marketing year, aid equal to the difference between these
" two prices shall be granted for products which are harvested in the Community
" and used for human consumption or animal feed other than the use provided for
" in paragraph 1."

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 to products placed under supervision on or after 1 July 1983 for which an aid application has not been lodged prior to the entry into force of this Regulation.

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

Done at

For the Council

FINANCIAL STATEMENT

Date : 10.11.1982

1. BUDGET HEADING : B 1310

APPROPRIATIONS : 1982 : 46 Mio ECU
1983 : 48 Mio ECU

2. TITLE : Draft Council Regulation amending Regulation (EEC) No 1431/82 laying down special measures for peas and field beans.

3. LEGAL BASIS : Art. 43 of the Treaty

4. AIMS OF PROJECT : To reduce the amount of aid for products intended for certain special uses.

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR (83)	FOLLOWING FINANCIAL YEAR (1984)
5.0 EXPENDITURE			
- CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)	- 1.25 Mio ECU	- 1.25 Mio ECU	- 1.25 Mio ECU
- NATIONAL ADMINISTRATION			
- OTHER			
5.1 RECEIPTS			
- OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)			
- NATIONAL			
	1985		

5.0.1 ESTIMATED EXPENDITURE	- 1.25		
5.1.1 ESTIMATED RECEIPTS	Mio ECU		

5.2 METHOD OF CALCULATION

Estimated reduction in the amount of the aid : 50 ECU/t
 Estimated quantity for the special uses : 25 000 t
 Estimated reduction in expenditure : 1.25 million ECU

6.0	CAPITAL EXPENDITURE	000000
6.1	MANAGEMENT EXPENDITURE	000000
6.2	OPERATIONAL EXPENDITURE	000000
6.3	UNALLOCATED BUDGET APPROPRIATIONS	000000

OBSERVATIONS : The aid to be granted for these special uses (e.g. pigeons and other birds) would be about 50 % of the aid currently granted.