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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.

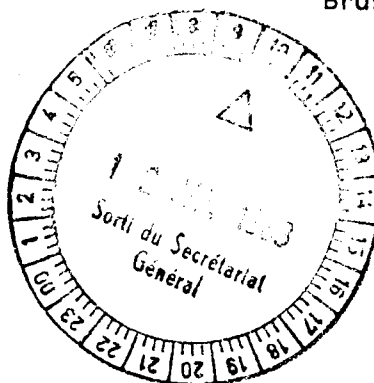
In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 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(82) 894 final

Brussels, 11 January 1983



Proposal for a
COUNCIL REGULATION (EEC)
derogating from Article 21 of Regulation (EEC) No 1035/72 on the common
organization of the market in fruit and vegetables

(submitted to the Council by the Commission)

COM(82) 894 final

EXPLANATORY MEMORANDUM

SUBJECT : Proposed Council Regulation of derogating from Article 21
of Regulation (EEC) No 1035/72 on the common organization of the
market in fruit and vegetables

On 26 November 1982, the Council adopted, by written procedure, a resolution authorizing the delivery of Community apples withdrawn from the market to charity organizations with a view to their free distribution to the Polish population.

This resolution also stipulated that the costs of the operation would be borne by the charity organizations carrying out such operations.

This proposal for a regulation is designed to give legal form to a measure which the Council has already approved at political level.

Proposal for a
COUNCIL REGULATION (EEC)

derogating from Article 21 of Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables

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 vegetables¹, as last amended by Regulation (EEC) No 1738/82², and in particular Article 35 thereof,

Having regard to the proposal from the Commission,

Whereas the Community dessert apple harvest was particularly heavy in 1982, so that very large amounts will probably have to be withdrawn from the market;

Whereas Article 21 of Regulation (EEC) No 1035/72 states what uses may be assigned to products withdrawn or brought in;

Whereas certain Member States have requested that apples withdrawn from the market should be made available for consignment to Poland through charitable organizations, to improve the supply situation for the population of that country;

./. .

¹OJ No L 118, 20.5.1972, p. 1

²OJ No L 190, 1.7.1982, p. 7

Whereas such a measure is not provided for in Article 21 of Regulation (EEC) No 1035/72; whereas, however, because of the supply difficulties the Polish population has to contend with and because of the surplus of apples in the Community, it is appropriate that, exceptionally, a measure derogating from the said Article 21 should be adopted to authorize the Member States to deliver to charitable organizations apples withdrawn from the market, with a view to their free distribution in Poland,

HAS ADOPTED THIS REGULATION :

Article 1

1. Notwithstanding Article 21 of Regulation (EEC) No 1035/72, Member States shall be authorized during the 1982/83 marketing year to place at the disposal of charity organizations approved for this purpose, dessert apples of Community origin withdrawn from the market in accordance with the Regulation referred to above, with a view to their free distribution in Poland.
2. The cost of transporting the apples referred to in paragraph 1 from the intervention locations to the places at which they are delivered to their Polish consignees shall be borne by the charitable organizations carrying out these operations.
3. Apples consigned pursuant to paragraph 1 shall not qualify for the export refunds fixed for fruit and vegetables.

Article 2

This Regulation shall enter into force on the day 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,

FINANCIAL STATEMENT

Date : 9/12/82

1. BUDGET HEADING : B 1500, B 1501

APPROPRIATIONS : 58 m ECU (1500)
1983 153 m ECU (1501)

2. TITLE : Draft Council Regulation derogating from Article 21 of Regulation No1035/72 on the common organization of the market in fruit and vegetables.

3. LEGAL BASIS : Article 35 of Council Regulation No 1035/72.

4. AIMS OF PROJECT : To place at the disposal of charity organizations apples withdrawn from the market, with a view to their free distribution to the Polish population.

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR (83)	FOLLOWING FINANCIAL YEAR (84)
5.0 EXPENDITURE			
- CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)	- (1)	- (1)	- (1)
- NATIONAL ADMINISTRATION			
- OTHER			
5.1 RECEIPTS			
- OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)			
- NATIONAL			

5.0.1 ESTIMATED EXPENDITURE			
5.1.1 ESTIMATED RECEIPTS			

5.2 METHOD OF CALCULATION

6.0 CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET ? YES/XX

6.1 ~~CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET ?~~ ~~YES/XX~~

6.2 IS A SUPPLEMENTARY BUDGET BE NECESSARY ? YES/NO

6.3 WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY ? YES/NO

OBSERVATIONS :

(1) Operations relating to the withdrawal of apples and expenditure relating thereto are not affected by this measure.