



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 29.11.1999
COM(1999) 631 final

1999/0254 (CNS)

Proposal for a

COUNCIL REGULATION

**amending Regulation (EC) No 1255/1999 on the common
organisation of the market in milk and milk products**

(presented by the Commission)

EXPLANATORY MEMORANDUM

Council Regulation (EC) No 1255/1999 of 17 May 1999 provides for refunds on certain milk products when they are exported as products listed in Annex II to the Regulation. To make the most efficient use of available resources, additional management options should be created so as better to identify those goods qualifying for the refunds. This proposal for a Regulation confers on the Commission responsibility for amending the list of goods by including in it the milk products qualifying for export refunds.

This responsibility has already been conferred on the Commission in various agricultural sectors: Article 13(11) of Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals, as last amended by Regulation (EC) No 1253/1999, Article 18(15) of Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the market in sugar, Article 13(15) of Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice, as last amended by Regulation (EC) No 2072/98, Article 9(3) of Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs, as last amended by Regulation (EC) No 1516/96.

Proposal for a

COUNCIL REGULATION

**amending Regulation (EC) No 1255/1999 on the common
organisation 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 Articles 36 and 37 thereof,

Having regard to the proposal from the Commission¹,

Having regard to the opinion of the European Parliament²,

Having regard to the opinion of the Economic and Social Committee³,

Having regard to the opinion of the Committee of the Regions⁴,

Whereas:

- (1) Article 31 of Regulation (EC) No 1255/1999⁵ provides for refunds on certain products covered by the Regulation if they are exported as goods listed in Annex II thereto, based on the prices for those products in world trade and the difference between those prices and the prices in the Community, within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (2) In several agricultural sectors, notably cereals, sugar, rice and eggs, the Commission has been given responsibility for identifying the goods that can qualify for export refunds, including goods not falling within Annex I of the Treaty, in order to ensure the flexibility needed to make the most efficient use possible of the resources available. It is therefore appropriate to give the Commission the same responsibility for identifying the goods eligible for refunds in the milk products sector.

HAS ADOPTED THIS REGULATION:

¹ OJ C ... , ..., p.

² OJ C ... , ..., p.

³ OJ C ... , ..., p.

⁴ OJ C ... , ..., p.

⁵ OJ L 160, 26.6.1999, p. 48.

Article 1

Article 31(14) of Regulation (EC) No 1255/1999, is replaced by the following:

"14. Detailed rules for the application of this Article, including the arrangements for redistributing unallocated or unused exportable quantities, and any amendments to Annex II shall be adopted by the Commission in accordance with the procedure laid down in Article 42. However, the detailed rules on the application of paragraphs 8, 10, 11 and 12 for products referred to in Article 1 and exported in the form of goods listed in Annex II to this Regulation shall be adopted in accordance with the procedure laid down in Article 16 of Regulation (EC) No 3448/93."

Article 2

This Regulation shall enter into force on the seventh 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
The President

FINANCIAL STATEMENT

1. BUDGET HEADING: B1-3012 and B1-3013	APPROPRIATIONS: EUR 186 million and EUR 69 million
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2. TITLE:
 Proposal for a Council Regulation amending Regulation (EC) No 1255/99 on the common organisation of the market in milk and milk products.

3. LEGAL BASIS: Articles 36 and 37 of the Treaty

4. AIMS:
 To give the Commission responsibility for amending the list of milk products exported as goods not falling within Annex I of the Treaty but qualifying for an export refund, the aim being to make the best possible use of available resources.

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS (EUR million)	CURRENT FINANCIAL YEAR [2000] (EUR million)	FOLLOWING FINANCIAL YEAR [2001] (EUR million)
5.0 EXPENDITURE	-	-	-
- CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTION)			
- NATIONAL AUTHORITIES			
- OTHER			
5.1 REVENUE	-	-	-
- OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)			
- NATIONAL			
	2002	2003	2004
5.0.1 ESTIMATED EXPENDITURE			
5.1.1 PREVISIONS DES RECETTES			

5.2 METHOD OF CALCULATION:

6.0 CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET?	YES / NO
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6.1 CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET?	YES / NO
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6.2 WILL A SUPPLEMENTARY BUDGET BE NECESSARY?	YES / NO
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6.3 WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY?	YES / NO
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OBSERVATIONS:

The measure has no financial impact.