

European Communities

EUROPEAN PARLIAMENT

Working Documents

1975-1976

7 October 1975

DOCUMENT 278/75

Report

drawn up on behalf of the Committee on Agriculture

on the proposals from the Commission of the European Communities to the
Council (Doc. 184/75) on consolidated texts relating to the cereals sector

Rapporteur: Mr J. de KONING

PE 41.586/fin.

By letter of 4 July 1975 the President of the Council of the European Communities requested the European Parliament pursuant to Article 43 of the EEC Treaty, to deliver an opinion on the proposals from the Commission of the European Communities to the Council on consolidated texts relating to the cereals sector.

The President of the European Parliament referred these proposals to the Committee on Agriculture as the committee responsible.

On 9 July 1975 the Committee on Agriculture appointed Mr de Koning rapporteur.

It considered the proposals at its meeting of 16 and 17 September 1975 and unanimously adopted the motion for a resolution.

Present: Mr Houdet, chairman; Mr Vetrone and Mr Laban, vice-chairmen; Mr De Koning, rapporteur; Mr Bourdellès, Mr Della Briotta, Mr Frehsee, Mr Kofoed, Mr Liogier, Mrs Orth, Lord Walston and Mr Zeller.

C O N T E N T S

	<u>Page</u>
A. MOTION FOR A RESOLUTION	5
B. EXPLANATORY STATEMENT	7

The Committee on Agriculture hereby submits to the European Parliament the following motion for a resolution, together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council on consolidated texts relating to the cereals sector

The European Parliament:

- having regard to the proposals from the Commission of the European Communities to the Council¹;
 - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 184/75) ;
 - having regard to the proposal from the Commission of the European Communities to the Council for a regulation establishing a procedure of consolidation (Doc. 203/73) ;
 - having regard to the report on this subject (Doc. 46/74) ;
 - having regard to the proposals for the consolidation of the instruments of the common agricultural policy, formulated in the memorandum from the Commission on the improvement of the common agricultural policy (Doc. 251/73) ;
 - having regard to the report on this memorandum (Doc. 337/73) ;
 - having regard to the report of the Committee on Agriculture (Doc. 278/75) ;
1. Approves the Commission's proposals while noting for the sake of clarity that this approval does not relate to the content of the provisions ;
 2. Again draws attention to the fact that the list of amendments contained in the annex does not give a clear overall picture of the consolidated texts, thus substantially hindering a proper assessment of this proposal ;
 3. Hopes that the Commission of the European Communities will in future ensure that its proposals on consolidation are accompanied by the texts of all the relevant regulations ;
 4. Urges the Commission to introduce consolidation in other sectors of the common agricultural policy and stresses the need for this work to be carried out with the greatest possible accuracy.

¹ OJ No. C 196, 27 August 1975, p.2



EXPLANATORY STATEMENT

1. The European Parliament has been consulted on proposals from the Commission of the European Communities relating to consolidation of agricultural regulations.

The series of proposals relating to the cereals sector constitutes the fourth set of Commission proposals in this field, following proposals relating to pigmeat, eggs and poultrymeat, and fruit and vegetables.

The proposals, which are now being redrafted to take account of the many changes in former regulations and the abolition of outdated ones, relate to a regulation on the common organization of the market in cereals, a regulation on aids for the production of and trade in potato starch and potatoes for starch manufacture, a regulation on the import levies on mixtures of cereals, rice and broken rice and a regulation on glucose and lactose.

2. It should first be noted that what is involved here is only a legal technicality which consists of bringing together systematically the texts of regulations relating to particular sectors of agricultural legislation, leaving their content unchanged.

The substance of the regulations and of amendments made to them is entirely unaffected being merely arranged in a more convenient form. There is, therefore, no need to discuss the content as such.

This is the principle on which the Commission has undertaken to work.

This proposal, like the previous ones, involves 'constitutive consolidation', whereby new instruments replace old ones which have become obscured by numerous amendments. The texts of the new instruments alone are then legally valid and have the advantage of improved clarity.

3. The European Parliament has always supported the Commission's efforts on consolidation, since it will clarify Community legislation and facilitate its implementation.¹

Since the Committee on Agriculture has already reported on similar proposals², only a few comments need to be made on this one.

¹See report by Mr Scott-Hopkins, Doc. 337/73

²See reports by Mr Howell, Mr Laban, and Mr Bourdellès (Doc. 468/74, Doc. 469/74 and Doc. 75/75)

4. As in previous cases, the Commission has annexed to its proposals a list of regulations amending the original regulations. It was noted in the report by Mr Laban on consolidation in the pigmeat sector, that the relevant list was far from complete and contained many errors. In the present case there is a regrettable lack of clarity. It is absolutely unclear which amendments relate to which regulations. Moreover, some of the instruments affected by the consolidation procedure appear in Official Journals other than those indicated by the Commission in its list. In the texts of the proposals themselves the numbers of some of the regulations and Official Journals are missing. These inaccuracies greatly increase the difficulty of the Committee on Agriculture's task of ascertaining whether there is formal agreement between the old and the new texts.

5. The Committee on Agriculture urges the Commission to extend consolidation of agricultural legislation to other sectors of the common agricultural policy, while again stressing the need for the greatest possible accuracy in ensuring that amendments and the numbers of regulations and Official Journals are fully and correctly indicated.

Your committee also hopes that the Commission will not simply annex a list of amended regulations, but that the texts of all instruments that have been redrafted will be submitted to the European Parliament.

6. Insofar as the rapporteur of the Committee on Agriculture has been able to ascertain, the Council's regulations and the relevant amendments have been brought together as a systematic whole, without affecting the material content.¹

7. The Committee on Agriculture can, therefore, approve the Commission's proposals, subject to the reservation already made in the report by Mr Laban, that in future a clear list of the texts of all the regulations affected by the consolidation procedure should be submitted.

For the sake of clarity, it should finally be noted that the committee's approval should not be regarded as expressing an opinion on the content of the proposals.

¹One example of just how quickly texts become out of date is the fact that the Commission has meanwhile proposed an addendum to the basic regulation on the cereals sector, Regulation No. 120/67, which, subject to approval by the Council, will be added to Article 11(1) of that regulation. This paragraph provides for production refunds to be granted for maize groats and meal used by the brewing industry in the Community in the production of beer.