

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 494 final

Brussels, 27 July 1982

Proposal for a

COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 1724/80 adopting general rules concerning special measures for soya beans harvested in 1980

(submitted to the Council by the Commission)

COM(82) 494 final

EXPLANATORY MEMORANDUM

The purpose of this Regulation is to extend for a further year the general rules applicable to soya beans harvested in 1980 and make a number of amendments to improve their effectiveness, as follows.

1. The Commission has sent the Council a proposal for a Regulation applying the Community arrangements for soya to the French overseas departments. The administrative arrangements in these departments will be simpler than in the rest of the Community.
These provisions are to enter into force on 1 October. For this to be possible the Commission must have its proposals for general rules ready before the Council adopts the Regulation already sent.
2. In order to encourage purchasers of soya beans to purchase Community production it will be made possible for first purchasers to receive part of the aid in advance provided they lodge adequate security.

Proposal for
COUNCIL REGULATION No

amending Regulation (EEC) No 1724/80 adopting general rules concerning
special measures for soya beans harvested in 1980

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1614/79 of 24 July 1979 laying
down special measures in respect of soyabeans (1), as last amended by
Regulation (EEC) No 1782(2), and in particular Article 2(4) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 1724/80 (3), as last amended by
Regulation (EEC) No 1781/81 (4), adopted general rules on the granting
of aid for soya beans for the 1980/81 and 1981/82 marketing years; whereas the
experience acquired during these marketing years has not proved sufficient to permit a
proper assessment of the measures; whereas the said Regulation should therefore
apply for a further marketing year, subject to certain amendments;

Whereas to enable the aid scheme provided for in Article 2(1) of Regulation (EEC)
No 1614/79 to operate more efficiently it should be made possible for an advance payment
to be made of part of the aid, provided that adequate security is lodged;

Whereas Article 2a of Regulation (EEC) No 1614/79 provides that by way of
exception to the rule introduced for the rest of the Community aid is to be
granted to producers in the French overseas departments on the basis of a
representative yield applied to the areas sown and harvested;

Whereas the representative yield should be determined for each harvest on the
basis of the location of the areas of soya sown in these departments and of the
method of cultivation used;

Whereas if this arrangement is to operate properly a system of control is required
that will guarantee that the aid is granted only for the production for which it
is intended; whereas this control should be achieved by the use of declarations of
surfaces sown and harvested,

HAS ADOPTED THIS REGULATION :

(1) OJ No L 190, 28.7.1979, p. 8

(2) OJ No L

(3) OJ No L 170, 3.7.1980, p. 1

(4) OJ No L 176, 1.7.1981, p. 8

Article 1

Regulation (EEC) No 1724/80 is hereby amended as follows:

1. In the title the words "harvested in 1980" are deleted.
2. In Article 2(b) the words "before 15 September 1981" are replaced by "before a date to be determined".
3. The following paragraph is added to Article 2:
"However, at the first purchaser's request he shall, on submission of the declaration of the quantity delivered, be granted an advance payment of part of the aid, provided that adequate security is lodged."
4. The following Article 5a is inserted:

"Article 5a

1. By way of derogation from Articles 2 to 5, in the French overseas departments the aid shall be granted on application to any producer of soya beans harvested in those departments on the basis of a production figure established by applying a representative yield to the areas sown and harvested.
2. The representative yield shall be established for each harvest for soya beans of standard quality. It may be differentiated according to the method of cultivation used and to the yields recorded in the different French overseas departments.
3. In its overseas departments France shall introduce an arrangement for checking the correlation between the areas for which applications for aid for soya bean production have been made and the areas which have been sown and harvested.

For the purpose of checking this correlation France shall introduce an arrangement for the declaration of areas sown and harvested."

5. The second paragraph of Article 8 is replaced by the following:
"It shall apply only to beans harvested in 1980, 1981 and 1982. However, Article 5a shall apply only to beans harvested in 1982."

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

For the Council

