

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 364 final

Brussels, 10 June 1981

Proposal for a
COUNCIL REGULATION (EEC)
laying down special measures in respect of olive oil producer organizations
for the 1981/82 marketing year

(submitted to the Council by the Commission)

COM(81) 364 final

EXPLANATORY MEMORANDUM

This Regulation provides special measures for the 1981/82 marketing year applying to olive oil producer organizations. They are identical to those applied in the 1980/81 marketing year and are being taken, as were those for the last marketing year, pending the setting up by certain Member States of Council Regulation (EEC) No 1360/78 which concerns producers groups and associations thereof.

Proposal for a
COUNCIL REGULATION (EEC)

Laying down special measures in respect of olive oil producer organizations for the 1981/82 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Whereas Council Regulation (EEC) No 1917/80¹ amended Regulation No 136/66/EEC² by providing for associations of producer groups recognized pursuant to Regulation (EEC) No 1360/78³ to assist with the management of the production aid; whereas under this provision producers who are members of the groups forming the associations and producers who subject themselves to the checks of a producer group association receive production aid on the basis of the quantity of olive oil produced;

Whereas, as Regulation (EEC) No 1360/78 was to be implemented during the 1979/80 marketing year, Regulation (EEC) No 1917/80 provided for the arrangements described above to become operational on 1 November 1981;

Whereas because of the delays in implementing the system laid down in Regulation (EEC) No 1360/78 producer groups and associations of producer groups cannot be recognised in time for the arrangements in question to become operational on the planned date; whereas application of the arrangements instituted by Regulation (EEC) No 1917/80 should therefore be deferred until the beginning of the 1982/83 marketing year and the temporary measures applied with regard to olive oil producer organizations during the past three marketing years should be retained for the 1981/82 marketing year,

HAS ADOPTED THIS REGULATION :

¹ OJ No L 186, 19.7.1980, p. 1

² OJ No 172, 30.9.1966, p. 3025/66

³ OJ No L 166, 23.6.1978, p. 1

Article 1

In the second paragraph of Article 3 of Regulation (EEC) No 1917/80, "1 November 1981" is hereby replaced by "1 November 1982".

Article 2

1. By way of derogation from the first subparagraph of Article 5(2) of Regulation No 136/66/EEC, during the 1981/82 marketing year production aid shall also be granted, on the basis of the quantity of olive oil produced, to olive growers who are members of a producer organization set up before 1 October 1981 which meets the following conditions :

- its composition meets the requirements of Article 5(1) and (2) of Regulation (EEC) No 1360/78,
- it is capable of verifying the olive and olive oil production of its members,
- it is empowered to submit an application for production aid for all its member growers,
- it is empowered to receive the aid and allocate to each member the share due to him,
- it has a minimum number of members or obtains a minimum volume of oil production,
- it exercises no discrimination, with regard to any aspect of its activities, between producers who are potential members, and in particular on grounds of nationality or location of establishment.

2. Interested producer organizations shall, not later than 10 October 1981, submit an application to the competent authorities of the Member State concerned for verification that the conditions set out in paragraph 1 have been met.

The Member State shall :

- take a decision on the application within 45 days of its submission,
- notify the Commission and the producer organization concerned of its decision within 15 days.

3. Producer organizations set up during the 1978/79, 1979/80 and 1980/81 marketing years under Council Regulations (EEC) No 2752/78¹, (EEC) No 2377/79² and (EEC) No 2528/80³ shall continue to benefit from the aid arrangements provided for in paragraph 1.

Such producer organizations shall, by 10 October 1981 at the latest, inform the Member State concerned of any amendment to their structure which may have taken place since they were recognized.

¹ OJ No L 331, 28.11.1978, p. 8
² OJ No L 274, 31.10.1979, p. 1
³ OJ No L 254, 2.10.1980, p. 1

The Member State concerned shall :

- on the basis of this information, verify whether the conditions set out in paragraph 1 continue to be met,
- notify, no later than 31 October 1981, the Commission and the organization concerned of the outcome of these verifications.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 3

1. The producer organizations referred to in Article 2 may retain a percentage, to be determined, of the amount of the production aid paid to them. This percentage is intended to cover the costs of activities of producer organizations arising under Article 2(1).
2. Detailed rules for the application of paragraph 1 shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 4

Articles 5(3), 12(1) and 20d(2) of Regulation No 136/66/EEC shall apply to the producer organisations specified in Article 2 of this Regulation.

Article 5

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 : June 1981

1. BUDGET HEADING : **6310** APPROBATIONS : **378 MUCE**

2. TITLE : Draft proposal for a Council Regulation (EEC) No **136**/80 laying down special measures in respect of olive oil producer organizations for the 1981/82 marketing year.

3. LEGAL BASIS : Regulation No **136/66/EEC**.

4. AIMS OF PROJECT : To facilitate the carrying out of the Tasks assigned to producer organisations.

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR (81)	FOLLOWING FINANCIAL YEAR (82)
5.0 EXPENDITURE			
- CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)			
- 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

The gross amount of aid paid to producer organizations will not be affected by this measure, since the activities of these organizations are financed by a deduction from the aid paid to their members.

6.0 CAN THE PROJECT BE FINANCED FROM APPROBIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET ?

YES NO

6.1 ~~DOES THE PROJECT REQUIRE FINANCING FROM THE EC BUDGET ?~~

~~YES NO~~

6.2 ~~DOES THE PROJECT REQUIRE FINANCING FROM NATIONAL BUDGETS ?~~

~~YES NO~~

6.3 WILL FUTURE BUDGET APPROBIATIONS BE NECESSARY ?

YES NO

OBSERVATIONS :

