



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 03.06.2005
COM(2005)235 final

2005/0105(CNS)

Proposal of

COUNCIL REGULATION

**amending Regulation (EEC) No 2075/92
on the common organisation of the market in raw tobacco**

(presented by the Commission)

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EXPLANATORY MEMORANDUM

Council Regulation (EEC) No 2075/92 on the common organisation of the market (COM) in raw tobacco provides for a premium and a production limitation system in Titles I and II respectively thereof. Within a maximum overall guarantee threshold of raw leaf tobacco per harvest for the Community, the Council lays down guarantee thresholds for each variety group for three consecutive harvests and further allocates the quantity available for each variety group between producer Member States. The Council also fixes premiums by group of varieties. The premium is granted to raw tobacco produced and delivered on a contract basis to first processors within a national guarantee threshold by group of varieties. This support scheme continues up to the 2005 harvest.

Under the second package of the CAP reform agreed in April 2004, the premium and production limitation systems are to be discontinued and a new support scheme is introduced: Article 152 of Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers provides for the deletion of Titles I and II of Regulation (EEC) No 2075/92, as of 1 January 2005. However, the provisions laid down under those titles will continue to apply to applications for direct payments in respect of the 2005 harvest.

As a result of the abolition of the premium and production limitation systems and of the transfer of the contents some Articles and the Annex to the foreseen detailed rules for raw tobacco, a number of Articles and the Annex of Regulation (EEC) No 2075/92 will become obsolete and should be deleted, for reasons of legal clarity and transparency. In particular, it is no longer necessary to maintain the provision for the quota buy-back programme in respect of the 2005 harvest. Therefore, it is necessary to amend Council Regulation (EC) No 2075/92 accordingly. From 2010, the elements constituting the common organisation of the market in raw tobacco could be incorporated in a simplified COM.

Proposal of

COUNCIL REGULATION

amending Regulation (EEC) No 2075/92 on the common organisation of the market in raw tobacco

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 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 European Economic and Social Committee³,

Whereas:

- (1) Titles I and II of Council Regulation (EEC) No 2075/92⁴ establish a premium as well as a production limitation system for tobacco production.
- (2) Article 152 of Council Regulation (EC) No 1782/2003⁵, which has established common rules for direct support schemes under the common agricultural policy and certain support schemes for farmers, provides for the deletion of Titles I and II of Regulation (EEC) No 2075/92 as of 1 January 2005 but specifies that they shall continue to apply in respect of the 2005 harvest. The premium and production limitation schemes provided for in Regulation (EEC) No 2075/92 expire as from the end of the 2005 harvest.
- (3) Consequently a number of Articles of Regulation (EEC) No 2075/92 become obsolete and should be deleted for reasons of legal clarity and transparency.
- (4) It is therefore necessary to amend Regulation (EEC) No 2075/92 accordingly,

¹ OJ C [...], [...], p. [...].

² OJ C [...], [...], p. [...].

³ OJ C [...], [...], p. [...].

⁴ OJ L 215, 30.7.1992, p. 70. Regulation as last amended by Regulation (EC) No 1782/2003, as amended by Regulation (CE) No 864/2004 (JO L 161, 30.4.2004, p. 48).

⁵ OJ L 270, 21.10.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 118/2005 (OJ L 24, 27.1.2005, p. 15).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2075/92 is amended as follows:

(1) Article 1 is replaced by the following:

“Article 1

The common organisation of the market in raw tobacco shall cover raw or unmanufactured tobacco and tobacco refuse falling within CN heading 2401.”

(2) Articles 2, 12, 19, 25, 26 and 27 and the Annex are deleted.

(3) In Article 13(2), point (b) is replaced by the following.

“(b) specific measures to help tobacco growers to switch to other crops or other economic activities that create employment and studies of the possibilities for tobacco growers to do so.”

(4) Article 14 is deleted.

(5) Article 14a is replaced by the following:

“Article 14a

Detailed rules for the application of Article 13 shall be adopted in accordance with the procedure referred to in Article 23.”

(6) Article 17 is replaced by the following:

“Article 17

1. Member States shall take all the necessary action to ensure and verify compliance with Community provisions concerning raw tobacco.
2. Rules for the application of this Title shall be adopted in accordance with the procedure referred to in Article 23.”

Article 2

This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Union*.

Article 1(1), (2) and (6) shall apply from 1 January 2006.

However, the provisions necessary for the management and control of the premium system shall continue to apply in respect of the 2005 harvest.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Council
The President*

FICHE FINANCIERE			
1. LIGNE BUDGETAIRE: 05 02 10		CREDITS: 928,8 Mio €	
2. INTITULE DE LA MESURE: Proposition de règlement du Conseil modifiant le règlement (CEE) n° 2075/92 portant organisation commune de marché dans le secteur du tabac brut			
3. BASE JURIDIQUE: Article 37 du traité			
4. OBJECTIFS DE LA MESURE: Mettre à jour le règlement (CEE) n° 2075/92			
5. INCIDENCES FINANCIERES		PERIODE DE 12 MOIS (Mio EUR)	EXERCICE EN COURS 2005 (Mio EUR)
5.0 DEPENSES A LA CHARGE – DU BUDGET DES CE (RESTITUTIONS/INTERVENTIONS) – DES BUDGETS NATIONAUX – D'AUTRES SECTEURS		–	–
5.1 RECETTES – RESSOURCES PROPRES DES CE (PRELEVEMENTS/DROITS DE DOUANE) – SUR LE PLAN NATIONAL		–	–
5.0.1 PREVISIONS DES DEPENSES 5.1.1 PREVISIONS DES RECETTES		2007	2008
		–	–
5.2 MODE DE CALCUL: –		2009	2010
5.0.1 PREVISIONS DES DEPENSES 5.1.1 PREVISIONS DES RECETTES		–	–
6.0 FINANCEMENT POSSIBLE PAR CREDITS INSCRITS AU CHAPITRE CONCERNE DU BUDGET EN COURS D'EXECUTION			OUI-NON
6.1 FINANCEMENT POSSIBLE PAR VIREMENT ENTRE CHAPITRES DU BUDGET EN COURS D'EXECUTION			OUI-NON
6.2 NECESSITE D'UN BUDGET SUPPLEMENTAIRE			OUI-NON
6.3 CREDITS A INSCRIRE DANS LES BUDGETS FUTURS			OUI-NON
OBSERVATIONS:			