

COMMISSION DECISION

of 25 February 1986

on the implementation of the reform of agricultural structure in 1985 in the
Federal Republic of Germany pursuant to Council Regulation (EEC) No 797/85

(Only the German text is authentic)

(86/106/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 797/85 of
12 March 1985 on improving the efficiency of agricultural
structures⁽¹⁾, and in particular Article 25 (3) thereof,

Whereas, pursuant to Article 24 (4) of Regulation (EEC)
No 797/85, the Government of the Federal Republic of
Germany has provided notification of the following laws,
regulations and administrative provisions :

— Principles governing aid for agricultural holdings in
less-favoured areas, of 29 April 1985 ;

Whereas, pursuant to Article 24 (4) of Regulation (EEC)
No 797/85, the Government of the Federal Republic of
Germany has also provided notification of the following
laws, regulations and administrative provisions adopted by
the Länder concerned :

— SCHLESWIG-HOLSTEIN

Rules governing aid for agricultural holdings in less-
favoured areas under the Land/Federal Government
Scheme for 'Improvement of agricultural structure and
coastal protection', of 9 July 1985,

— HAMBURG

Aid for agricultural holdings in less-favoured areas
(draft), of 14 June 1985,

— LOWER SAXONY

Rules on the granting of aid for agricultural holdings
in less-favoured areas of Lower Saxony (compensatory
allowances), of 10 July 1985, as amended by decree of
25 October 1985,

— BREMEN

Rules on aid for agricultural holdings in less-favoured
areas, of 9 January 1985,

— NORTH RHINE-WESTPHALIA

Rules on the granting of aid for agricultural holdings
in mountainous areas and certain less-favoured areas

of North Rhine-Westphalia (compensatory allow-
ances), of 25 June 1985,

— HESSE

Rules on aid for agricultural holdings in less-favoured
areas (rules on hill farming), of 17 July 1985,

— RHINELAND-PALATINATE

Aid for investment by individual agricultural holdings
(item 8, compensatory allowances), of 2 April 1975,

— BADEN-WÜRTTEMBERG

Rules issued by the Ministry of Food, Agriculture, the
Environment and Forestry on aid for agricultural
holdings in mountainous areas and certain less-
favoured areas (compensatory allowances), of 24
October 1985,

— BAVARIA

Rules issued by the Bavarian State Ministry of Food,
Agriculture and Forestry on the granting of compen-
satory allowances in mountainous areas in less-
favoured agricultural regions, of 4 April 1985 (in
version of 25 June 1985),

— SAARLAND

Rules issued by the Minister for Economic Affairs on
the granting of compensatory allowances to agricul-
tural holdings in certain less-favoured areas, of 20
June 1985,

— BERLIN

Conditions governing the granting of compensatory
allowances in accordance with the principles
governing aid for agricultural holdings in less-favoured
areas under the relevant plan provided for in the Land
Federal Government Scheme for 'Improvement of
agricultural structure and coastal protection' (draft), of
18 June 1985 ;

Whereas, pursuant to Article 25 (3) of Regulation (EEC)
No 797/85, the Commission must decide whether the
laws, regulations and administrative provisions notified are
compatible with that Regulation and whether, in the light
of the objectives of the said Regulation and the need for a
connection between the various measures, the conditions
for financial participation by the Community in 1985 are
satisfied ;

(¹) OJ No L 93, 30. 3. 1985, p. 1.

Whereas the above laws, regulations and administrative provisions are consistent with the objectives of Regulation (EEC) No 797/85;

Whereas, however, the fixing of the level of the annual compensatory allowance on the basis of the reference quantity of milk, as provided for in the laws, regulations and administrative provisions notified for the Federal Länder of Schleswig-Holstein, Rhineland-Palatinate and Saarland can only exceptionally be tolerated as the sole criterion for determining the magnitude of the permanent natural handicaps affecting agricultural activity and as the parameter for fixing the prosperity threshold, owing to the considerable temporary administrative difficulties confronting the authorities of the said Länder as a result of the extension of compensatory payments to all less-favoured areas within the meaning of Article 3 of Council Regulation 75/268/EEC⁽¹⁾;

Whereas the Committee for the European Agricultural Guidance and Guarantee Fund has been consulted on the financial aspects;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

Article 1

The compensatory allowance granted in the Federal Republic of Germany within the meaning of Article 13 of Regulation (EEC) No 797/85 satisfies the conditions for Community financial participation in the common measure referred to in Article 1 of Regulation (EEC) No 797/85.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 25 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 128, 19. 5. 1975, p. 1.