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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM (76) 533 final

Brussels, 8th October 1976

PROPOSAL FOR A COUNCIL REGULATION

on a coresponsibility levy and measures for expanding
markets in the milk and milk products sector.

(Submitted by the Commission to the Council)

PROPOSAL FOR A

COUNCIL REGULATION (EEC) No /76

of

on a coresponsibility levy and measures for expanding markets in the
milk and milk products sector

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⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Whereas the Community market in milk products is marked by structural surpluses arising from an imbalance between supply and demand in products governed by Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽³⁾, as last amended by Regulation (EEC) No 559/76⁽⁴⁾;

Whereas a more direct link should be established between production and outlets for milk products in order gradually to restore equilibrium between production and market requirements and to reduce the heavy burden on the Community resulting from the present situation; whereas it therefore appears necessary to introduce a uniform coresponsibility levy for several years on all milk delivered to dairies and certain farm sales of milk products;

(1) OJ No C

(2) OJ No C

(3) OJ No L 148, 28. 6.1968, p. 13

(4) OJ No L 67, 15. 3.1976, p. 9

Whereas, in order to observe the objectives of Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas⁽⁵⁾, as amended by Directive 76/400/EEC⁽⁶⁾, the mountain and hill regions listed pursuant to Article 3 (3) of that Directive should be exempted from the levy;

Whereas, in view of the control facilities, application of the levy to farm sales should be limited to the amounts of milk used on the farm in the manufacture of butter and cream and giving entitlement, under Article 2 (1) (b) of Council Regulation (EEC) No 986/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed milk powder for use as feed⁽⁷⁾, as last amended by Regulation (EEC) No 796/76⁽⁸⁾, to aid for the skimmed milk arising from this use;

Whereas, for administrative reasons, provision should be made for the levies, wherever possible, to be deducted by the dairies from their payments to producers; whereas it is also desirable to make provision for compensation if the firms or producers who should pay the levy are entitled to certain aid, provided that this compensation does not have repercussions on the accounting for the amounts concerned;

Whereas it appears desirable to envisage at the same time specific measures to encourage the expansion of markets and the disposal of surpluses on the Community and world markets and giving rise to expenditure equal to the amount of levy collected,

HAS ADOPTED THIS REGULATION:

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- (5) OJ No L 128, 19. 5.1975, p. 1
(6) OJ No L 108, 26. 4.1976, p. 21
(7) OJ No L 169, 18. 7.1968, p. 4
(8) OJ No L 67, 15. 3.1976, p. 22

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Article 1

1. During the period from 1 April 1977 to the end of the 1979/80 milk year a coresponsibility levy shall be paid by all milk producers on all milk supplied to an undertaking treating or processing milk and, in the cases defined in Article 3(2), on all milk sold by the producer in the form of other milk products.
2. This levy shall not apply to the mountain and hill regions listed pursuant to Article 3(3) of Directive 75/268/EEC.

Article 2

1. The amount of the levy shall be fixed in accordance with the procedure laid down in Article 43 (2) of the Treaty before 1 November for the following milk year.
2. The levy shall be at least 2% but not more than 4% of the target price for milk in the milk year in question.
3. For the period from 1 April 1977 to the end of the 1977/78 milk year, the levy shall be 2.5% of the target price for milk.
4. If there is a considerable change in the market situation during a milk year the Council, acting on a proposal from the Commission by a qualified majority, may alter the amount of the levy, keeping within the limits laid down in paragraph 2. However, the difference between the levy fixed under paragraph 1 and the new levy may not exceed 1% of the target price for milk.

Article 3

1. In the case of deliveries to a firm treating or processing milk, the levy shall be deducted by the firm buying the milk from the payment made to the producer and transferred monthly for the preceding month to the competent agency set up for this purpose in each Member State.

2. If a milk producer sells in the form of other milk products, the levy shall be paid to the competent agency by the producer in respect of the quantities of milk used in the manufacture on the farm of butter and cream qualifying for aid under Article 2(1)(b) of Regulation (EEC) No 986/68.

Article 4

Provisions may be made for the levy to qualify on payment for compensatory aid under Articles 10 and 26 of Regulation (EEC) No 804/68.

Article 5

1. Measures to expand outlets for milk products on the Community and world markets shall be taken in accordance with the procedure referred to in Article 7, so far as they do not entail for the Community expenditure exceeding the income from the levies payable under this Regulation.
2. The measures provided for in paragraph 1 shall be the measures concerning:
 - (a) the expansion of markets within the Community by:
 - increasing the aid granted to supplementary quantities of skimmed milk returned by the dairies to the farmers,
 - the sale of milk at reduced prices in schools,
 - specific measures increasing the use of butterfats;
 - (b) the expansion of markets outside the Community by, inter alia:
 - the granting of contributions to programmes encouraging the supply of milk products to developing countries;
 - (c) the search for new outlets and improved products, the investigation of new markets and other measures to encourage the use of milk products.

Article 6

1. With regard to the financing of the common agricultural policy, the coresponsibility levies and the measures listed in Article 5 shall be considered as part of the measures to regularize agricultural markets.
2. By way of derogation from Article 3 (1) of Regulation (EEC) No 729/70, the financing of the measures listed in Article 5 may be limited to a portion of the expenditure concerned.
3. Rules for the application of paragraph 1 may be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 7

Rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

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

Done at Brussels,

For the Council

Financial implications of the corresponsibility levy and measures for expanding markets in the milk products sector

1. As noted in section 38 of the 1977-80 action programme for progressively bringing the milk market back into balance, the Commission considers the proceeds of the corresponsibility levy should come under the intervention arrangements in connection with the organization of the milk and milk products markets.

The Commission accordingly proposes in Article 6 of the attached that the corresponsibility levies should be considered as financially part of the market regularization measures.

2. From the forecasts of milk production up to 31 December 1977, having regard to the measures proposed, the quantity of milk so leviable from 1 April to 31 December 1977 works out at 62 million tonnes.

Calculated at the proposed 2.5%, payable month by month, and given the present target price for milk of 167.60 u.a. per tonne, the proceeds of the levy for the budget year 1977 work out as follows:

62 million tonnes x 2.5% x 8/9 x 167.60 u.a./tonne = 230 million u.a.

For the milk year 1977/78 the quantity leviable may be estimated at 79.5 million tonnes, giving a proceeds figure of 79.5 million tonnes x 2.5 x 167.60 u.a./tonne = 333 million u.a.

3. The standard financial annex with the usual particulars is attached.

FINANCIAL ANNEX

Date: 30.9.76

- 1. Relevant budget line: Chapter 62, Article 629
- 2. Title of measure: Proposal for a Council Regulation on a coresponsibility levy and measures for expanding markets in the milk and milk products sectors
- 3. Legal basis: Article 43 of the Treaty
- 4. Purpose of measure: To introduce a coresponsibility levy forming part of the 1977-80 action programme for progressively bringing the milk market back into balance (COM(76)300 final)

5. Financial implications	During farm year	Current financial year (76)	Next financial year (77)
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5.0 Expenditure

- chargeable to Cty Budget (intervention) ¹	333 mua	- ²	230 ²
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5.0.1	Year 78	Year 79	Year 80
Expenditure multiannual schedule	103		

5.2 Mode of calculation

Budget year 1977: Quantity leviable, 62 million tonnes, less approx. 3 million tonnes from hill farming

Calculation: 62m. tonnes x 2.5% x 8/9 (payment period) x 167.60 u.a./tonne = 230 mua

Milk year 1977/78: quantity, 79.5m. tonnes

Calculation: 79.5m. tonnes x 2.5% x 167.60 u.a./tonne = 333 mua

¹These figures do not allow for the effect of the double rate, which amounts to -42 mua for the year 1977/78 and -29 mua for the year 1977.

²Measure begins 1 April 1977

³Minus levies to be fixed for following farm years, percentage for which has still to be decided. According as chosen within bracket of 2.5-4%, proceeds per year would work out at between 333 and 533 mua.