

Proposal for a Council Regulation amending Regulation (EC) No 1868/94 establishing a quota system in relation to the production of potato starch

(2002/C 51 E/26)

COM(2001) 677 final — 2001/0273(CNS)

(Submitted by the Commission on 16 November 2001)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Articles 36 and 37 thereof,

Article 1

Having regard to the proposal from the Commission,

Regulation (EC) No 1868/94 is hereby amended as follows:

Having regard to the opinion of the European Parliament,

1. Article 2 is replaced by the following:

Having regard to the opinion of the Economic and Social Committee,

'Article 2

Whereas:

1. The following potato starch producer Member States are hereby allocated the following quotas for the 2002/03, 2003/04 and 2004/05 marketing years:

(1) Article 2(3) of Regulation (EC) No 1868/94 ⁽¹⁾ fixes the potato starch quotas for producer Member States for the 2000/01 and 2001/02 marketing years.

Denmark: 168 215 tonnes

Germany: 656 298 tonnes

Spain: 1 943 tonnes

(2) Under Article 3(2) of Regulation (EC) No 1868/94 the quota must be allocated between producer Member States at three-yearly intervals on the basis of the report from the Commission to the Council. The quotas currently fixed for the 2001/02 marketing year should therefore be extended for three years.

France: 265 354 tonnes

Netherlands: 507 403 tonnes

Austria: 47 691 tonnes

Finland: 53 178 tonnes

Sweden: 62 066 tonnes

(3) The Commission reserves the right to make other appropriate proposals for the potato starch quota system in the light of the report from the Court of Auditors on the starch sector and the ongoing evaluation study.

Total: 1 762 148 tonnes

(4) Producer Member States should allocate their quotas for a period of three years between all potato starch manufacturers on the basis of the quotas for the 2001/02 marketing year.

2. Each producer Member State shall allocate the quota referred to in paragraph 1 between potato starch manufacturers for use in the 2002/03, 2003/04 and 2004/05 marketing years in proportion to the sub-quotas available to each manufacturer for the 2001/02 marketing year before application of a possible correction under Article 6(2).

(5) Quantities used in excess of the sub-quotas available in the 2001/02 marketing year must be deducted in the 2002/03 marketing year in accordance with Article 6(2) of Regulation (EC) No 1868/94.

The sub-quotas available for each manufacturer for the 2002/03 marketing year shall be adjusted to take account of any amount used in excess of quota during the 2001/02 marketing year in accordance with Article 6(2).'

(6) The amendment of Council Regulation (EEC) No 1766/92 ⁽²⁾ by Regulation (EC) No 1253/1999 ⁽³⁾ involved changes to the payment terminology in Article 8. This Regulation should therefore be brought into line with that terminology,

2. Article 3 is replaced by the following:

'Article 3

1. On or before 30 September 2004, and thereafter at three-yearly intervals, the Commission shall present to the Council a report on the allocation of quotas within the Community, accompanied by appropriate proposals. This report shall take account of possible changes in the payments to potato producers and of developments on the potato starch and cereal starch markets.

⁽¹⁾ OJ L 197, 30.7.1994, p. 4. Regulation as last amended by Regulation (EC) No 1252/1999 (OJ L 160, 26.6.1999, p. 15).

⁽²⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1666/2000 (OJ L 193, 29.7.2000, p. 1).

⁽³⁾ OJ L 160, 26.6.1999, p. 18.

2. On or before 31 December 2004, and thereafter at three-yearly intervals, the Council, acting on the basis of Article 37 of the Treaty, shall allocate the quota between Member States on the basis of the report referred to in paragraph 1, for use in the following three marketing years.

3. On or before 31 January 2005, and thereafter at three-yearly intervals, Member States shall notify those concerned of the details of quota allocations for the following three marketing years.'

3. Article 7 is replaced by the following:

'Article 7

The provisions of this Regulation shall not cover production of potato starch by undertakings which neither purchase

potatoes which have benefited from the payment referred to in Article 8 of Regulation (EEC) No 1766/92 nor benefit from the refund referred to in Article 7 of that Regulation.'

Article 2

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

It shall apply from 1 July 2002.

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