

**REGULATION (EEC) No 1975/69 OF THE COUNCIL**

of 6 October 1969

**introducing a system of premiums for slaughtering cows and for withholding milk and milk products from the market**

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 Council Regulation (EEC) No 805 68<sup>1</sup> of 27 June 1968 on the common organization of the market in beef and veal, as amended by Regulation (EEC) No 1398/69<sup>2</sup>, and in particular Article 2 thereof;

Having regard to the Opinion of the European Parliament<sup>3</sup>;

Whereas the current situation in milk and milk products in the Community is one of large and increasing surpluses;

Whereas, however, certain categories of farms in the Community are tending to abandon milk production or the marketing of milk and milk products;

Whereas this trend may be encouraged by introducing a slaughtering premium as inducement to farmers to undertake to give up milk production entirely and to have all the dairy cows on their farms slaughtered;

Whereas the amount of the slaughtering premium should be fixed at a level at which it can be regarded as compensation for the loss of income from milk production;

Whereas the rules for granting slaughtering premiums should vary according to the number of dairy cows on the farm;

Whereas it is possible to attain the desired objective by, in addition, granting premiums to farmers who, although not abandoning production, discontinue fully and finally the marketing of milk and milk products; whereas, however, the granting of this premium should be restricted to farmers who produce a relatively large quantity of milk;

Whereas the amount of the premium for withholding

milk and milk products from the market should be fixed at a level at which it can be regarded as compensation for the loss of income from the marketing of the products;

Whereas to facilitate application of this system provision should be made for advance graduated payment of the premium for withholding milk and milk products from the market;

Whereas half the expenditure incurred by granting these premiums should be financed by the Community,

HAS ADOPTED THIS REGULATION:

TITLE I

Slaughtering premiums

*Article 1*

Farmers having at least two dairy cows may, on application, receive a slaughtering premium under the conditions laid down below.

*Article 2*

The granting of the premium shall be subject in particular to a written undertaking from the recipient:

- (a) to give up milk production entirely and
- (b) to have all the dairy cows on his farm slaughtered during a period to be determined and at the latest by 30 April 1970.

*Article 3*

1. The amount of the premium shall be 200 units of account per dairy cow slaughtered.
2. The granting of the premium shall be restricted to the number of dairy cows on the farm managed by the recipient at an appointed date to be determined by each Member State. In addition, the total amount of the premium shall not exceed 2 000 units of account per recipient.

<sup>1</sup> OJ No L 148, 28.6.1968, p. 24.

<sup>2</sup> OJ No L 179, 21.7.1969, p. 13.

<sup>3</sup> OJ No C 41, 1.4.1969, p. 20.

*Article 4*

1. For farmers having two to five dairy cows the premium shall be paid when the applicant furnishes proof that he has fulfilled the undertaking mentioned in Article 2 (b).

2. For farmers having more than five dairy cows an amount of 100 units of account per dairy cow slaughtered shall be paid when the applicant furnishes proof that he has fulfilled the undertaking mentioned in Article 2(b). The balance of 100 units of account shall be paid at the end of a period of three years from the date of furnishing this proof if the recipient satisfies the competent authority that he has ceased all production of milk during that period.

**TITLE II****Premiums for withholding milk and milk products from the market***Article 5*

Farmers having more than ten dairy cows may, on application, receive a premium for withholding milk and milk products from the market under the conditions laid down below.

*Article 6*

The granting of the premium shall be subject, in particular, to a written undertaking from the recipient to discontinue fully and finally the sale of milk and milk products.

*Article 7*

1. The amount of the premium shall be 200 units of account per dairy cow on the farm at the date of making the application.

2. The granting of the premium shall be restricted to the number of dairy cows on the farm managed by the recipient at an appointed date to be determined by each Member State. In addition, the granting of the premium shall be subject to the condition that the quantity of milk or milk products the production of which has ceased during the twelve months preceding the appointed date, shall correspond:

- either to a minimum of 22 000 litres of milk, this quantity being increased by 2 000 litres for each cow beyond the eleventh.
- or to a quantity of between 16 500 and 22 000 litres of milk, this quantity being increased by from 1 500 to 2 000 litres for each cow beyond the eleventh; in such cases the premium shall be granted at the rate of two-thirds of the amount specified in paragraph 1.

*Article 8*

1. The amount of the premium shall be paid in five instalments.

2. An amount of 100 units of account per dairy cow shall be paid in the three months following submission of the written undertaking mentioned in Article 6.

The balance shall be paid annually in four equal instalments if the recipient has satisfied the competent authority that the number of adult bovine units he holds is not less than the number of dairy cows held at the date of making the application and that the undertaking mentioned in Article 6 has been fulfilled.

**TITLE III****General provisions***Article 9*

The following shall be laid down in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68:

- (a) the time limit for making applications for the granting of premiums,
- (b) the time limit for slaughtering,
- (c) the period within which the appointed dates mentioned in Articles 3 (2) and 7 (2) must fall or, if a system of appointed dates cannot be applied, other equivalent provisions,
- (d) detailed rules for verifying the fulfilment of undertakings and for payment of the premium, and
- (e) other detailed rules for the application of the preceding Articles.

*Article 10*

Member States may be authorized in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68, to impose additional conditions for the granting of the premiums specified in Articles 1 and 5.

*Article 11*

If the undertaking specified in Articles 2 (a) and 6 is not fulfilled within a period of five years from the date of making the application for the premium, Member States shall without prejudice to possible judicial proceedings take steps to recover the premium.

*Article 12*

1. The Guidance Section of the European Agricultural Guidance and Guarantee Fund shall reimburse Member States 50% of the premiums referred to in Articles 1 and 5.

2. Detailed rules for the application of paragraph 1 and Article 11 may be adopted in accordance with the procedure laid down in Article 26 of Regulation No 17/64/EEC<sup>1</sup>.

<sup>1</sup> OJ No 34, 27.2.1964, p. 586/64.

*Article 13*

1. On the basis of information supplied to it by Member States, the Commission shall submit to the Council a monthly report on the application of the system of premiums introduced by this Regulation.

2. Amendment or abolition of the system of premiums shall be decided by the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission.

3. General rules for the application of Articles 11 and 12 (1) shall be adopted in accordance with the same procedure.

*Article 14*

This Regulation shall enter into force on the third day following 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 Luxembourg, 6 October 1969.

*For the Council*

*The President*

H. J. WITTEVEEN

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