

English edition

Information and Notices

Contents

I *Information*

Commission

ECU.....	1
Administrative Commission of the European Communities on social security for migrant workers — Rates for conversion of currencies in pursuance of Council Regulation (EEC) No 2615/79	2
Communication of decisions under sundry tendering procedures in agriculture	3
Notice pursuant to Article 19 (3) of Council Regulation No 17 concerning a request for application of Article 85 (3) of the EEC Treaty (IV/30.810 — Synthetic fibres) .	3

II *Preparatory Acts*

Commission

Proposal for a Council Regulation

I. amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products	5
II. laying down general rules applying to the milk sector levy specified in Article 5c of Regulation (EEC) No 804/68	7
III. laying down general rules applying to the milk sector levy specified in Article 5d of Regulation (EEC) No 804/68	9
Proposal for a Council Regulation amending Regulation (EEC) No 1078/77 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds	9

NOTICE TO READERS

Owing to increases in the costs of production and postage it is unfortunately necessary to increase the subscription prices of the *Official Journal of the European Communities* and its Supplement for the year 1984 as follows:

Official Journal of the European Communities — Series L and C:

	Bfrs	£	£ Irl	US dollar
paper edition	9 600	121,25	152,00	181,00
microfiche	8 700	110,00	137,50	164,00

Supplement to the Official Journal of the European Communities:

	Bfrs	£	£ Irl	US dollar
	4 300	54,25	68,00	81,00

Further information may be obtained from the European Communities sales offices listed on the back cover of this publication.

I

(Information)

COMMISSION

ECU ⁽¹⁾

18 November 1983

Currency amount for one unit:

Belgian and Luxembourg franc con.	46,0177	United States dollar	0,839874
Belgian and Luxembourg franc fin.	46,2938	Swiss franc	1,83134
German mark	2,26472	Spanish peseta	130,138
Dutch guilder	2,53726	Swedish krona	6,66524
Pound sterling	0,568519	Norwegian krone	6,28267
Danish krone	8,16147	Canadian dollar	1,03926
French franc	6,88906	Portuguese escudo	107,605
Italian lira	1371,51	Austrian schilling	15,9324
Irish pound	0,727478	Finnish markka	4,84355
Greek drachma	81,1066	Japanese yen	198,084
		Australian dollar	0,915094
		New Zealand dollar	1,27447

The Commission has installed a telex with an automatic answering device which gives the conversion rates in a number of currencies. This service is available every day from 3.30 p.m. until 1 p.m. the following day.

Users of the service should do as follows:

- call telex number Brussels 23789;
- give their own telex code;
- type the code 'cccc' which puts the automatic system into operation resulting in the transmission of the conversion rates of the EUA;
- the transmission should not be interrupted until the end of the message, which is marked by the code 'ffff'.

Note: The Commission also has an automatic telex answering service (No 21791) providing daily data on calculation of monetary compensatory amounts for the purposes of the common agricultural policy.

⁽¹⁾ Council Regulation (EEC) No 3180/78 of 18 December 1978 (OJ No L 379, 30. 12. 1978, p. 1).
Council Decision 80/1184/EEC of 18 December 1980 (Convention of Lomé) (OJ No L 349, 23. 12. 1980, p. 34).

Commission Decision No 3334/80/ECSC of 19 December 1980 (OJ No L 349, 23. 12. 1980, p. 27).
Financial Regulation of 16 December 1980 concerning the general budget of the European Communities (OJ No L 345, 20. 12. 1980, p. 23).

Council Regulation (EEC) No 3308/80 of 16 December 1980 (OJ No L 345, 20. 12. 1980, p. 1).
Decision of the Council of Governors of the European Investment Bank of 13 May 1981 (OJ No L 311, 30. 10. 1981, p. 1).

ADMINISTRATIVE COMMISSION OF THE EUROPEAN COMMUNITIES
ON SOCIAL SECURITY FOR MIGRANT WORKERS

Rates for conversion of currencies in pursuance of Council Regulation (EEC) No 2615/79

Article 107 (1), (2), (3) and (4) of Regulation (EEC) No 574/72

Reference period: October 1983

Application period: first quarter 1984

	Brussels (Bfrs)	Frankfurt (DM)	Amsterdam (Fl)	London (£)	Copenhagen (Dkr)	Paris (FF)	Milan/Rome (Lit)	Dublin (£ Irl)	Athens (Dr)
Bfrs 100	—	4,90867	5,50764	1,25969	17,7602	14,9989	2 984,36	1,58259	175,208
DM 100	2 037,21	—	112,202	25,6626	361,813	305,56	60 797,8	32,2406	3 569,36
Fl 100	1 815,66	89,1247	—	22,8717	322,465	272,329	54 185,9	28,7343	3 181,18
£ 1	79,3845	3,89672	4,37221	—	14,0988	11,9068	2 369,12	1,25633	139,088
Dkr 100	563,057	27,6386	31,0112	7,09278	—	84,4524	16 803,7	8,91085	986,52
FF 100	666,715	32,7268	36,7203	8,39855	118,41	—	19 897,2	10,5513	1 168,14
Lit 1 000	33,508	1,6448	1,8455	0,422097	5,95108	5,02583	—	0,530292	58,7086
£ Irl 1	63,1877	3,10168	3,48016	0,795971	11,2223	9,47748	1 885,75	—	110,71
Dr 100	57,075	2,80162	3,14349	0,718969	10,1366	8,56064	1 703,33	0,903261	—

1. Regulation (EEC) No 2615/79 determines that the rate of conversion into a national currency of amounts shown in another national currency shall be the rate calculated by the Commission and based on the monthly average, during the reference period defined in paragraph 2, of the exchange rates of those currencies, which are notified to the Commission for the purposes of the European Monetary System.

2. The reference period shall be:

- the month of January for rates of conversion applicable from 1 April following,
- the month of April for rates of conversion applicable from 1 July following,
- the month of July for rates of conversion applicable from 1 October following,
- the month of October for rates of conversion applicable from 1 January following.

The rates of conversion to be applied during the second quarter of 1984 will be published in February 1984 in the *Official Journal of the European Communities*.

Communication of decisions under sundry tendering procedures in agriculture

(See notice in OJ No L 360, 21. 12. 1982, p. 43)

Standing invitation to tender	Weekly invitation to tender	
	Date of Commission Decision	Maximum refund
Commission Regulation (EEC) No 1256/83 of 20 May 1983 opening an invitation to tender for the levy and/or refund for the export of common wheat to countries of Zone IV c) and d) (OJ No L 133, 21. 5. 1983, p. 36)	—	No tender received
Commission Regulation (EEC) No 1257/83 of 20 May 1983 opening an invitation to tender for the levy and/or refund for the export of common wheat to countries of Zones I, IIa, III, IV a) and b), V, VI, VII, the German Democratic Republic and the Iberian Peninsula (OJ No L 133, 21. 5. 1983, p. 39)	17. 11. 1983	47,99 ECU/t
Commission Regulation (EEC) No 1521/83 of 8 June 1983 opening an invitation to tender for the levy and/or refund for the export of barley to countries of Zones I, IIa, III, IV, V, VI, VIIa, VIIc, the German Democratic Republic and the Iberian Peninsula (OJ No L 153, 11. 6. 1983, p. 27)	17. 11. 1983	Tenders rejected

Notice pursuant to Article 19 (3) of Council Regulation No 17 ⁽¹⁾ concerning a request for application of Article 85 (3) of the EEC Treaty (IV/30.810 — Synthetic fibres)

On 10 November 1982 the companies:

Anicfibre SpA (Italy);
 Bayer AG (Federal Republic of Germany);
 Courtaulds PLC (United Kingdom);
 Enka AG (Federal Republic of Germany);
 Enka BV (Netherlands);
 Hoechst AG (Federal Republic of Germany);
 Imperial Chemical Industries PLC (United Kingdom);
 Montefibre SpA (Italy);
 Rhône Poulenc SA (France); and
 Snia Fibre SpA (Italy),

requested the Commission to take a decision applying Article 85 (3) of the EEC Treaty to the agreement that they had signed on 21 October 1982.

In its revised version dated 19 July 1983, the agreement provides for a total reduction of the order of 365 000 tonnes in the signatories' production capacities for synthetic fibres (polyamide textile yarn, polyamide carpet yarn, polyester yarn, polyamide staple, polyester staple and acrylic staple). The prolonged recession has led to a serious imbalance between potential supply and actual demand in this sector, causing the signatories to suffer substantial losses and giving rise to the need for capacity reductions.

The parties have undertaken in the agreement to take out certain amounts (on average, 18 %) of their production capacity by certain dates determined by the party concerned.

They have agreed to supply full details of their capacity cuts to a trustee body and to allow independent experts onto their premises to check that these are being implemented.

⁽¹⁾ OJ No 13, 21. 2. 1962, p. 204/62.

In the event of major developments, such as changes in the behaviour of non-signatory European producers on the European market or in imports from outside Europe or a collapse of export markets, the parties will consult with one another to work out appropriate solutions.

The parties have also undertaken not to sell any of the plant they have agreed to take out to other persons in western Europe or to increase during the currency of the agreement their capacity beyond the level they have determined. Should any party sell any of the capacity fixed under the agreement, he will do his best to get the purchaser, even if not a member, to abide by the general principles of the agreement, except where the capacities are transferred outside western Europe.

All the parties will endeavour to carry out restructuring operations in their plants, whilst as far as possible facilitating the retraining and redeployment of the labour affected and fulfilling their statutory and/or contractual obligations in their respective countries.

The agreement is open to accession by non-signatory companies in the EEC or other western European countries on terms to be determined in each individual case.

Finally, any party failing, except for reasons of *force majeure*, to carry out the capacity reductions to which he is committed will be required to pay the other parties compensation fixed pursuant to an arbitration procedure applicable to breaches of the agreement.

The agreement will expire on 31 December 1985.

The Commission proposes to take a favourable decision on the agreement summarized above, attaching a condition to ensure that the reporting system established under the agreement does not involve the exchange of information other than that of a purely statistical nature, such as could be the subject, the means or the consequence of horizontal collusion between the parties on output and shipments, whether within the framework of the agreement or through a trustee body or third party.

Before taking a decision, however, the Commission invites interested third parties to send their comments within one month of the publication of this notice, quoting reference IV/30.810, to:

Commission of the European Communities,
Directorate-General for Competition,
Directorate for Restrictive Practices and Abuse of
Dominant Positions,
Rue de la Loi, 200,
B-1049 Brussels.

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Regulation

- I. amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products
- II. laying down general rules applying to the milk sector levy specified in Article 5c of Regulation (EEC) No 804/68
- III. laying down general rules applying to the milk sector levy specified in Article 5d of Regulation (EEC) No 804/68

*COM(83) 548 final**(Submitted by the Commission to the Council on 14 September 1983)*

I

Proposal for a Council Regulation amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products

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,

Having regard to the opinion of the European Parliament,

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

Whereas the market in milk products in the Community is suffering from structural surpluses as a result of an imbalance between supply and demand for the products covered by Council Regulation (EEC) No 804/68 of 27 June 1968 ⁽¹⁾, as last amended by Regulation (EEC) No 1600/83 ⁽²⁾, despite the many measures in force to secure disposal of these products both within and outside the Community;

Whereas to correct this imbalance Council Regulation (EEC) No 1079/77 ⁽³⁾, as last amended by Regulation (EEC) No 1209/83 ⁽⁴⁾, introduced a uniform co-responsibility levy on all milk delivered to dairies

and on certain dairy products sold direct from the farm;

Whereas, to secure gradually a better balance between production and market requirements and to reduce the high cost to the Community of the present situation, a supplementary levy should be introduced payable by all purchasers of milk or other milk products in excess of an annual reference quantity corresponding to a guarantee threshold;

Whereas action should be taken to ensure that purchasers pass this charge on to producers, in proportion to the quantities delivered by them, in accordance with rules written into Community legislation;

Whereas the purpose of the supplementary levy and the special levy provided for in this Regulation is to stabilize the market in milk products; whereas the income from them should therefore be assigned for the financing of expenditure in the milk sector;

Whereas the present imbalance has been worsened by increased production arising from the massive use of concentrated feeds on certain dairy farms characterized by a very low ratio between fodder area and milk production; whereas, as a general rule, these intensive farms are not to be found among the smaller farms delivering not more than 60 000 kilograms of milk per year; whereas, therefore, a special levy, additional to the co-responsibility levy specified in Regulation (EEC) No 1079/77, should be introduced on milk from farms delivering more than that quantity; whereas, however, farms delivering less than 15 000 kilograms of milk per hectare of fodder area

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 56.

⁽³⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽⁴⁾ OJ No L 132, 21. 5. 1983, p. 6.

utilized cannot be considered intensive farms and must therefore be exempted from this special levy;

Whereas the fact that undertakings producing dairy products have intervention purchasing as a permanent outlet has contributed to the imbalance of the market in milk products; whereas, for the purpose of helping to restore balance on the market, it should be made possible to suspend acceptance by the intervention agencies of skimmed-milk powder at the intervention price during a period in the first marketing year lying between 10 October and 31 March; whereas, however, during the period of suspension it should be possible, if the market situation requires, to organize intervention purchasing by means of tendering procedures;

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 804/68 is hereby amended as follows.

1. The following Article 5c is hereby inserted.

'Article 5c

1. A levy shall be payable by purchasers of milk or other milk products, delivered by their producer to an undertaking treating or processing milk or other milk products, on the quantities of milk or milk equivalent delivered during the calendar year in excess of a reference quantity to be decided on by the method indicated in paragraph 4.

2. The purchaser by whom the levy is payable shall pass it on to the producer by means of the price paid, in proportion to the quantities of milk or milk products delivered by him and in accordance with the rules decided on by the method indicated in paragraph 4.

3. The levy specified in this Article shall be considered as forming part of the measures to stabilize the agricultural markets and shall be assigned for the financing of expenditure in the milk sector.

4. The Council, acting on a proposal from the Commission and using the decision procedure provided for in Article 43 (2) of the Treaty, shall fix the amount of the levy to cover in full the cost of disposing of milk produced in excess of the reference quantity and shall adopt general implementing rules pertaining to it.

5. Detailed rules for the implementation of this Article shall be adopted using the procedure provided for in Article 30.'

2. The following Article 5d is hereby inserted.

'Article 5d

1. A special levy on milk from intensive farms shall be payable by all producers of milk who deliver more than 60 000 kilograms of milk per year and produce more than 15 000 kilograms of milk per hectare of fodder area, on all quantities of milk or other milk products as specified in Article 1 (1) of Regulation (EEC) No 1079/77.

Producers of more than 60 000 kilograms of milk per year must, to be exempted from the levy, provide evidence that they produce less than 15 000 kilograms of milk per hectare of fodder area.

2. The levy specified in this Article shall be considered as forming part of the measures to stabilize the agricultural markets and shall be assigned for the financing of expenditure in the milk sector.

3. The Council, acting on a proposal from the Commission and using the decision procedure provided for in Article 43 (2) of the Treaty, shall fix the amount of the levy and adopt general implementing rules pertaining to it.

4. Detailed rules for the implementation of this Article shall be adopted using the procedure provided for in Article 30.'

3. The following subparagraphs are added to Article 7 (1).

'Purchasing by the intervention agencies may, however, be suspended by the Commission, using the procedure provided for in Article 30, when market stability can be ensured by other means.

During periods of suspension of purchasing at the intervention price it shall be possible for intervention agencies to purchase determined quantities of skimmed-milk powder by tendering procedure.'

Article 2

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

It shall be applicable from 1 January 1984.

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

II

**Proposal for a Council Regulation laying down general rules applying to the milk sector
levy specified in Article 5c of Regulation (EEC) No 804/68**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products ⁽¹⁾, as last
amended by Regulation (EEC) No 1600/83 ⁽²⁾, and
in particular Article 5c thereof,

Whereas Article 5c of Regulation (EEC) No 804/68
introduced a levy payable by every purchaser of milk
or other milk products on the quantities purchased in
excess of an annual reference quantity; whereas this
quantity should be fixed using the basis already
adopted for determining the guarantee threshold
referred to in Article 5b of Regulation (EEC) No
804/68 for the year 1983; whereas Article 2 of Regu-
lation (EEC) No 1205/83 ⁽³⁾ fixed the guarantee
threshold at the level of the quantity of milk supplied
to undertakings treating or processing milk in the
calendar year 1981 increased by 1 %;

Whereas the levy due on the excess quantities must be
set at an amount that will fully cover the cost of
disposing of these quantities; whereas this cost is at
present estimated at 75 % of the target price;

Whereas, in view of the absolute necessity of curbing
the increase in milk production and the imperative
requirement of rigorous control, there should be no
exemption from the levy;

Whereas cream and milk should be counted as butter
for the purposes of the levy;

Whereas measures should be taken to ensure that any
purchaser by whom the levy is payable passes on the
amounts he has to pay only to those producers whose
deliveries exceed those made during the reference
period used to fix the purchaser's reference quantity;

Whereas the fixing of reference quantities should
allow market balance to be restored gradually
without hindering changes in production and
processing structures; whereas in this connection
provisions should in particular be laid down relating
to the changes that have occurred in the structure of
the dairy industry,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the levy specified in Article 5c of
Regulation (EEC) No 804/68 shall be 75 % of the
target price of milk. It shall be payable by purchasers
who, during the calendar year in question, purchase a
quantity of milk or milk equivalent greater than an
annual reference quantity equal to 101 % of the
quantity purchased in the calendar year 1981.

2. The target price for milk to be used

— for calculation of the monthly payments on
account provided for in Article 3 (1) (a) shall be
the target price in force on 1 January of the year
in question,

— for the final account provided for in Article
3 (1) (b) shall be the target price in force on
31 December of the year in question.

Article 2

For the purposes of this Regulation the following
meanings shall apply:

(a) *milk*: the product of the milking of one or more
cows that is untreated or has at most been partly
skimmed or had cream added;

(b) *other milk products*: cream and butter;

(c) *purchaser*: an undertaking or grouping which
purchases milk or other milk products:

— to treat or process them,

— or to sell them to one or more undertakings
treating or processing milk or other milk
products;

(d) *undertaking treating or processing milk or other
milk products*: an undertaking treating or
processing milk or other milk products or an
undertaking or grouping the activities of which

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 56.

⁽³⁾ OJ No L 132, 21. 5. 1983, p. 1.

are restricted to collection, packaging, storage and chilling or to one of these operations;

- (e) *delivery*: any delivery of milk or other milk products where the transport operation is carried out by a producer, a purchaser, an undertaking processing or treating these products or a third party.

Article 3

1. The levy shall be collected:
 - (a) by means of monthly payments on account calculated on the quantities of milk or milk equivalent bought by the purchaser during the month in question in excess of a monthly reference quantity equal to 101 % of the quantities purchased during the corresponding month of the calendar year 1981;
 - (b) by a final account calculated after the end of the calendar year concerned on the actual quantity purchased during that year in excess of the annual reference quantity specified in Article 1.
2. For the implementation of paragraph 1 the Commission shall:
 - (a) determine the amount of the levy, in accordance with the provisions of Article 1;
 - (b) determine, by the procedure provided for in Article 30 of Regulation (EEC) No 804/68, the equivalence between milk and milk fat to be used for implementation of this Regulation and in particular for calculation of the levy applicable on other milk products;
 - (c) adopt if necessary, using the procedure referred to at (b), specific provisions covering special situations.

Article 4

1. The annual reference quantity for a purchaser who has commenced his activities after 1 January 1981 and before 31 December 1983 shall be the quantity purchased during his first year of activity.
2. Where a purchaser wholly or partly replaces one or more other purchasers, his annual reference quantity shall be determined using the reference quantities of the purchasers whom he replaces.

Article 5

1. A purchaser who has to pay the levy shall recover it by means of prices paid to his producers for the month concerned that take account of the quantity of milk or milk equivalent the producer delivered during that month in excess of a monthly reference quantity equal to 101 % of the quantity he delivered during the same month of the calendar year 1981.

2. After the end of the calendar year concerned the purchaser shall, using the final account referred to in Article 3 (1) (b), make any necessary adjustments on the basis of the quantity of milk or milk equivalent delivered by the producer during the year in question in excess of an annual reference quantity equal to 101 % of the quantity he delivered during the calendar year 1981.

Article 6

1. When measures as provided for in paragraph 2 are taken in order to take account of the circumstances of certain producers, the reference quantities of milk or other milk products in question shall be calculated from the quantities made available by the cessation of or reduction in, deliveries by other producers to the same purchaser.

2. The Member States shall adopt the measures necessary to resolve the special cases of establishment of the reference quantities of certain producers, in particular new-producers, young farmers and farmers who are the victims of epidemic disease, in accordance with criteria fixed by the Commission in accordance with the procedure provided for in Article 30 of Regulation (EEC) No 804/68.

Article 7

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

It shall be applicable from 1 January 1984.

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

III

**Proposal for a Council Regulation laying down general rules applying to the milk sector
levy specified in Article 5d of Regulation (EEC) No 804/68**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products ⁽¹⁾, as last
amended by Regulation (EEC) No 1600/83 ⁽²⁾, and
in particular Article 5d thereof,

Having regard to the proposal from the Commission,

Whereas Article 5d of Regulation (EEC) No 804/68
introduced a special levy payable by all producers of
milk who deliver more than 60 000 kilograms of milk
per year and produce more than 15 000 kilograms of
milk per year per hectare of fodder area;

Whereas the special levy, by reducing the price paid
to the producer, will secure the result desired if it is
high enough to have an effect on the additional
income producers gain from intensive farming,
whereas a rate of 4 % of the target price, the effects
of which will be additional to those of the normal
levy, appears to be sufficient to secure the dissuasive
import desired;

Whereas, in order to secure uniform implementation
of the measures laid down it is necessary to define
the term 'fodder area',

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 56.

HAS ADOPTED THIS REGULATION:

Article 1

The levy specified in Article 5d of Regulation (EEC)
No 804/68 shall be 4 % of the target price for milk.

Article 2

1. The provisions of Article 3 of Regulation (EEC)
No 1079/77 shall be applicable.

2. Where, however, a producer undertakes
annually not to produce more than 15 000 kilograms
of milk per year per hectare of utilized fodder area he
shall not be obliged to make monthly levy payments
as specified in Article 3 of that Regulation.

3. If a producer fails to honour the undertaking
provided for in paragraph 2 he shall within three
months of the end of the year in question pay the
levy due plus interest charges at a flat rate determined
using the procedure specified in Article 5.

Article 3

For the purposes of this Regulation, 'utilized fodder
area' shall mean areas used to grow fodder crops,
areas of temporary pasture and areas of permanent
pasture.

Article 4

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.

**Proposal for a Council Regulation amending Regulation (EEC) No 1078/77 introducing
a system of premiums for the non-marketing of milk and milk products and for the
conversion of dairy herds**

COM(83) 644 final

(Submitted by the Commission to the Council on 7 November 1983)

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,

Having regard to the opinion of the European Par-
liament,

Whereas Council Regulation (EEC) No 1078/77 ⁽¹⁾, as last amended by Regulation (EEC) No 1365/80 ⁽²⁾, introduced a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds;

Whereas the non-marketing and conversion premiums are granted subject to an undertaking that, during the non-marketing or conversion period, neither milk nor milk products from the holding will be disposed of, whether for a consideration or free of charge; whereas experience as regards the application of this provision has shown that the premium should not be fully forfeit but reduced in cases where only a small quantity of milk was delivered during the first four months of the non-marketing or conversion period;

Whereas experience as regards the application of the undertaking specified in Article 3 (3) of Regulation (EEC) No 1078/77 concerning the type of herd has shown that there should be a reduced premium in the case of a minor failure to meet the said undertaking;

Whereas provision should also be made for a reduced premium in cases where the producer retains a dairy cow to meet his own holding's requirements, provided there are fewer than five cows on the holding;

Whereas all the producers concerned who submitted an application for a premium as from the entry into force of Regulation (EEC) No 1078/77 should be entitled to the benefit of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The following Article is hereby inserted in Regulation (EEC) No 1078/77

'Article 7a

1. The Commission shall, in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68, adopt provisions for granting:

- (a) a reduced non-marketing or conversion premium to producers who, notwithstanding the undertakings specified in Article 2 (2) (a) and Article 3 (2) (a), disposed of, whether for a consideration or free of charge, milk or milk products from their holdings after the beginning of the non-marketing or conversion period, provided such deliveries accounted for not more than 5 % of their production and were completed before the end of the fourth month following the beginning of the non-marketing or conversion period;
- (b) a reduced conversion premium to producers who, notwithstanding the provisions of Article 3 (3), so husbanded their herds that, at the latest at the end of the third year after the date of approval of the application:
 - less than 80 % but more than 70 % of the cows or in-calf heifers on the holding possess the characteristics required under the said paragraph 3,
 - or
 - retain a dairy cow to meet their own holding's requirements, provided that fewer than five cows or in-calf heifers are present on the holding.

2. The provisions referred to in paragraph 1 shall be applied without prejudice to measures taken by the Member States in respect of cases where the beneficiary is not in a position, as a result of a case of *force majeure*, to comply with an obligation under the system of premiums concerned.'

Article 2

The provisions adopted pursuant to this Regulation shall, at the request of the party concerned, to be submitted not later than 31 March 1984, apply to any application for aid submitted in connection with the system introduced by Regulation (EEC) No 1078/77.

Article 3

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.

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽²⁾ OJ No L 140, 5. 6. 1980, p. 18.

TWELFTH REPORT ON COMPETITION POLICY

The Report on Competition Policy is published annually by the Commission of the European Communities in response to the request of the European Parliament made by a resolution of 7 June 1971. This Report, which is published in conjunction with the General Report on the Activities of the Communities, is designed to give a general view of the competition policy followed during the past year. Part One covers the application of this policy to enterprises. Part Two deals with State aids, adjustment of State monopolies of a commercial character and public undertakings. Part Three is concerned with the development of concentration in the Community.

Published in : Danish, Dutch, English, French, German, Greek, Italian.

ISBN 92-825-3549-5

Catalogue number: CB-36-82-491-EN-C

Price (excluding VAT) in Luxembourg: ECU 12,22 BFR 550 IRL 8,50
UKL 7,60 USD 11,50.

OFFICE FOR OFFICIAL PUBLICATIONS OF THE EUROPEAN COMMUNITIES
L-2985 Luxembourg

REGISTER OF CURRENT COMMUNITY LEGAL INSTRUMENTS

Fourth edition

Community legislation applies directly to all the citizens of its 10 Member States. Knowledge of it is as essential as knowledge of national legislation — and not only for the Community citizen, but for many others who may have commercial or other connections with European Community countries.

Constant growth, constant change, ever-widening scope — these are the characteristics of the legislation of the Community, as of national legislation. Every day the *Official Journal of the European Communities* publishes new Regulations, Decisions, Directives and other instruments to supplement, repeal, amend, consolidate or otherwise effect established laws. To those who legislate, as well as to those whose duty it is to apply and obey the law, correctly to identify the current state of the legislation on any point is a constant preoccupation.

The Register of current Community legal instruments is the key to the solution of their problems.

Published by the institutions of the European Community themselves, with its contents derived from Celex — the institutions own computerized documentation system for Community law, the Register is revised and reissued every year.

The fourth edition identifies and indexes all the legal instruments in force on 1 January 1983, with amendments introduced up to 1 April 1983.

To maintain its value during its 12-month life, a supplement updated to 1 July 1983 will be supplied free of further charge to purchasers of the fourth edition.

The legislation covered by the Register includes:

- (i) binding legislation derived from the Treaties establishing the European Communities (Regulations, Decisions, Directives);
- (ii) supplementary acts (internal agreements, etc.);
- (iii) agreements concluded by the Communities with non-member countries.

The Register is offered at a special privilege price to subscribers to the *Official Journal of the European Communities*, and subscribers to Celex.

The *REGISTER OF CURRENT COMMUNITY LEGAL INSTRUMENTS* is in two volumes, which are not sold separately:

- Vol. I: Information for readers,
Analytical register;
Vol. II: Chronological index,
Alphabetical index to the analytical structure.

Available in Danish, Dutch, English, French, German, Greek, Italian.

Price (excluding VAT) in Luxembourg: ECU 49,30 BFR 2 200 IRL 35,10 UKL 30,50 USD 46.

Cut off and mail

Please write in capital letters or use a typewriter.

Special offer to all subscribers of the *Official Journal of the European Communities*.

Please send me _____ copy(ies) in _____ (language) of the fourth edition of the

Register of current Community legal instruments

at the special price of:

ECU 31,37 BFR 1 400 IRL 22,40 UKL 19,40 USD 29,50.

Name or firm: _____

Address: _____

Telephone: _____

Date: _____ Signature: _____

OFFICE FOR OFFICIAL PUBLICATIONS OF THE EUROPEAN COMMUNITIES
L-2985 Luxembourg

