

English edition

## Information and Notices

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## II

(Preparatory Acts)

## COMMISSION

COMMISSION PROPOSALS ON THE PRICES FOR AGRICULTURAL PRODUCTS AND ON RELATED MEASURES (1996/97) — VOLUME III  
(LEGAL INSTRUMENTS)

COM(96) 44 final — Vol.III

(Submitted by the Commission on 1 March 1996)

Proposal for a

COUNCIL REGULATION (EC) No ...

of ...

amending Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops and repealing Regulation (EEC) No 1541/93

(96/C 125/01)

96/0056 (CNS)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the European Parliament,

Whereas, in order to qualify for the compensatory payments for arable crops introduced by Regulation (EEC) No 1765/92 <sup>(1)</sup>, as last amended by Regulation (EC) No 2989/95 <sup>(2)</sup>, farmers must set aside a percentage

of their land; whereas, so as to prevent this compulsory set-aside only being carried out on a farm's marginal land, it is laid down that the set-aside must be rotational; whereas it is also laid down that the set-aside may be other than rotational provided that the percentage of land set aside is increased;

Whereas experience has shown that farmers have a marked preference for other than rotational set-aside, because of the simplification that this can involve for the management of their cultivation plan; whereas, furthermore, a single rate of set-aside is more appropriate for set-aside used as a tool for the management of the markets for arable crops; whereas it should therefore no longer be required to carry out set-aside on a rotational basis and a single rate of set-aside should be set; whereas the abolition of compulsory rotation must not be allowed to weaken the reform of the common agricultural policy

<sup>(1)</sup> OJ No L 181 , 1. 7. 1992, p. 12.

<sup>(2)</sup> OJ No L 312 , 23. 12. 1995, p. 5.

with regard to the control of production of arable crops; whereas account must be taken of this when setting the single rate of compulsory set-aside;

Whereas the setting of a single rate of set-aside requires the repeal of Council Regulation (EEC) No 1541/93 of 14 June 1993 fixing the non-rotational set-aside rate referred to in Article 7 of Regulation (EEC) No 1765/92 <sup>(1)</sup>,

Whereas, furthermore, with the setting of a single rate of set-aside, the compulsory rate of set-aside becomes the same throughout the Community; whereas the additional percentage of land to be set aside where set-aside obligations are transferred between farmers should therefore be standardized,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 1765/92 is hereby amended as follows:

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

Done at ...

1. In Article 7:

(a) the second and third subparagraphs of paragraph 1 are replaced by the following:

‘The set-aside requirement shall be 18 %’;

(b) the final two sentences of the second indent of the first subparagraph of paragraph 7 are replaced by the following:

‘The set-aside rate referred to in paragraph 1 shall be increased by three percentage points’.

2. In the eighth indent of Article 12, the words ‘forms of set-aside other than rotational’ are deleted.

*Article 2*

Regulation (EEC) No 1541/93 is hereby repealed.

*Article 3*

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

It shall apply from the 1997/98 marketing year.

*For the Council*

...

<sup>(1)</sup> OJ No L 154 , 25. 6. 1993, p. 1.

**Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...**

**fixing the monthly price increases for cereals for the 1996/97 marketing year**

(96/C 125/02)

96/0057(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 Article 3 of Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EC) No 1863/95 <sup>(2)</sup>, fixes the monthly increases in the intervention prices;

Whereas, when the amounts and the number of the monthly increases are fixed and the first month in which they are to apply is determined, account should be taken of the storage costs and financing charges for storing cereals in the Community and of the need to ensure that the disposal of stocks of cereals is in line with market requirements;

Whereas, under the reform of the common agricultural policy, provision was made for the fixing of a single intervention price for all cereals; whereas this price has been fixed at a substantially reduced level, the reduction carried out in stages; whereas this fact should be taken into account in the fixing of the size of the monthly increases;

Whereas the intervention price for maize and sorghum applicable in July, August and September is to be the price valid in May of the previous marketing year, in accordance with Article 3 (3) of Regulation (EEC) No 1766/92,

HAS ADOPTED THIS REGULATION:

*Article 1*

Without prejudice to the last subparagraph of Article 3 (3) of Regulation (EEC) No 1766/92, for the 1996/97 marketing year, the monthly increases to be applied to the intervention price applicable for the first month of the marketing year, shall be as follows:

	(ECU/t)
	Monthly increase in the intervention price
July 1996	—
August 1996	—
September 1996	—
October 1996	—
November 1996	1,1
December 1996	2,2
January 1997	3,3
February 1997	4,4
March 1997	5,5
April 1997	6,6
May 1997	7,7
June 1997	7,7

*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 apply from the 1996/97 marketing year.

<sup>(1)</sup> OJ No L 181 , 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 179 , 29. 7. 1995, p. 1.

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

Done at . . .

*For the Council*

...

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**Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...  
introducing a specific measure in respect of certain grain legumes**

(96/C 125/03)

96/0058(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

extension of areas under such crops should be avoided; whereas that can be achieved by fixing a maximum guaranteed area of 400 000 hectares,

Having regard to the treaty establishing the European Community, and in particular Articles 42 and 43 thereof,

HAS ADOPTED THIS REGULATION:

Having regard to the proposal from the Commission,

*Article 1*

Having regard to the opinion of the European Parliament,

Aid shall be granted for the production of the following grain legumes:

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

— lentils covered by CN code 0713 40 90 (other),

— chick peas covered by CN code 0713 20 90 (other),

Whereas Council Regulation (EEC) No 762/89 <sup>(1)</sup>, as amended by Regulation (EEC) No 2064/92 <sup>(2)</sup>, introduces a specific measure for certain grain legumes; whereas this measure expires on 30 June 1996;

— vetches of the species *Vicia sativa L.* and *Vicia ervilla Willd.* covered by CN code ex 0713 90 90 (other).

*Article 2*

Whereas maintaining the cultivation of grain legumes such as lentils, chick peas and vetches is of economic importance to the Community,

1. The aid shall be granted by marketing year for the production of the grain legumes covered by Article 1. The marketing year shall run from 1 July to 30 June.

Whereas the objective of maintaining such crops may be achieved by granting aid per hectare; whereas the aid must be fixed at a rate enabling the abovementioned objective to be achieved; whereas the current rate of aid of ECU 181 per hectare is satisfactory;

No aid shall be payable on any area subject to financing under Article 1 (2) or (3) of Regulation (EEC) No 729/70 <sup>(5)</sup>, as last amended by Regulation (EEC) No 2048/88 <sup>(6)</sup>.

Whereas Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops <sup>(3)</sup>, as last amended by Regulation (EC) No ... <sup>(4)</sup>, lays down constraints on areas on which the compensatory aid is payable, in particular in respect of oilseeds; whereas the cultivation of such grain legumes provides a viable alternative and prevents imbalance on the Community market; whereas, however, too great an

2. Without prejudice to Article 3, the aid per hectare of area sown and harvested shall be ECU 181/ha.

*Article 3*

Where the areas sown to the grain legumes covered by Article 1 exceed a maximum guaranteed area of 400 000

<sup>(1)</sup> OJ No L 80 , 23. 3. 1989, p. 76.

<sup>(2)</sup> OJ No L 215 , 30. 7. 1992, p. 47.

<sup>(3)</sup> OJ No L 181 , 1. 7. 1992, p. 12.

<sup>(4)</sup> See page 1 of this Official Journal.

<sup>(5)</sup> OJ No L 94 , 28. 4. 1970, p. 13.

<sup>(6)</sup> OJ No L 185 , 15. 7. 1988, p. 1.



hectares, the aid in respect of the current marketing year shall be reduced proportionately.

#### Article 4

The production aid introduced by this Regulation shall be deemed intervention intended to stabilize agricultural markets within the meaning of Article 3 (3) of Regulation (EEC) No 729/70.

#### Article 5

1. The Member States shall notify the Commission by no later than 15 September of each marketing year of the areas covered by aid applications.

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

Done at ...

2. The Member States shall notify the Commission by no later than 1 November of each marketing year of the areas in respect of which the aid is payable.

#### Article 6

The Commission shall lay down detailed rules of application in accordance with the procedure provided for in Article 17 of Regulation (EC) No 603/95 <sup>(1)</sup>. In accordance with that procedure, the Commission shall determine the overrun in the maximum guaranteed area and shall fix the definitive aid by no later than 15 November of the marketing year in question.

#### 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 apply from 1 July 1996.

*For the Council*

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<sup>(1)</sup> OJ No L 63 , 21. 3. 1995, p. 1.

**Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...  
fixing the monthly price increases for paddy rice for the 1996/97 marketing year  
(96/C 125/04)  
96/0059(CNS)**

THE COUNCIL OF THE EUROPEAN UNION,

the financing charges for storing rice in the Community, and on the other hand of the need to ensure that the disposal of stocks of rice is in line with market requirements,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

HAS ADOPTED THIS REGULATION:

Having regard to the proposal from the Commission,

*Article 1*

Having regard to the opinion of the European Parliament,

For the 1996/97 marketing year, the monthly increases provided for in Article 3 (2) of Regulation (EC) No 3072/95 shall be ECU 2,06/t for the intervention price.

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

*Article 2*

Whereas Article 3 of Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice <sup>(1)</sup>, fixes the monthly increases in the intervention prices; whereas, when the amounts of the monthly increases are fixed, account should be taken on the one hand of the storage costs and

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

It shall apply from 1 September 1996.

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

Done at ...

*For the Council*

...

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<sup>(1)</sup> OJ No L 329 , 30. 12. 1995, p. 18.

**Proposal for a**  
**COUNCIL REGULATION (EC) No ...**  
**of ...**  
**fixing certain sugar prices and the standard quality of beet for the 1996/97 marketing year**  
(96/C 125/05)  
96/0060(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EC) No 1101/95<sup>(2)</sup>, and in particular Articles 2 (3), 3 (4) and 4 (3) 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, when sugar prices are fixed, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are, in particular, to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas, in order to attain these objectives, the target price for sugar must be fixed at a level which, taking into account, in particular, the resultant level of the intervention price, ensures a fair remuneration for beet and sugar cane producers while at the same time respecting consumers' interest, and which is likely to maintain the balance between the prices of the principal agricultural products;

Whereas, as a result of the characteristics of the sugar market, the risks involved in this trade are relatively slight; whereas, consequently, when the intervention price for sugar is fixed, the difference between the target price and the intervention price may be fixed at a relatively low level;

Whereas the basic price for beet must take account of the intervention price, revenue to undertakings as a result of the sale of molasses, which can be valued at ECU 7,61/100 kg, that amount being derived from the molasses price referred to in Article 14 (2) of Regulation (EEC) No 1785/81, the latter being valued at ECU 8,21/100 kg, and of the costs of processing and delivering the beet to factories and be based on an estimated Community yield of 130 kilograms of white sugar per tonne of beet with a 16 % sugar content,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The target price for white sugar shall be ECU 66,50/100 kg.
2. The intervention price for white sugar shall be ECU 63,19/100 kg for the non-deficit areas of the Community.

*Article 2*

The basic price for beet applicable in the Community shall be ECU 47,67/t delivered at the collection centre.

*Article 3*

Standard quality beet shall:

- (a) be of sound and fair merchantable quality;
- (b) have a sugar content of 16 % at the reception point.

*Article 4*

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

It shall apply for the 1996/97 marketing year.

<sup>(1)</sup> OJ No L 177 , 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 110 , 17. 5. 1995, p. 1.

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

Done at ...

*For the Council*

...

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Proposal for a  
COUNCIL REGULATION (EC) No ...

of ...

fixing the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet and the amount of compensation for storage costs for the 1996/97 marketing year

(96/C 125/06)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EC) No 1101/95<sup>(2)</sup>, and in particular Articles 3 (5), 5 (5) and 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EC) No ... of ... fixing certain sugar prices and the standard quality of beet for the 1996/97 marketing year<sup>(3)</sup>, fixes the intervention price for white sugar at ECU 63,19/100 kg for non-deficit areas;

Whereas Article 3 (1) of Regulation (EEC) No 1785/81 provides that derived intervention prices for white sugar are to be fixed for each deficit area; whereas, when these prices are fixed, account should be taken of the regional variations which, given a normal harvest and free movement of sugar, might be expected to occur in the price of sugar under natural conditions of price formation on the market;

Whereas a short supply situation is to be foreseen in the areas of production in Italy, Ireland, the United Kingdom, Spain, Portugal and Finland;

Whereas Article 3 (5) of Regulation (EEC) No 1785/81 provides that an intervention price for raw sugar is to be fixed; whereas that price should be determined using the intervention price for white sugar as a basis;

Whereas Regulation (EC) No ... fixes the basic price for beet at ECU 47,67/t; whereas Article 5 (2) of Regulation (EEC) No 1785/81 provides that the minimum price to be fixed for A beet is to be 98 % of the basic price for beet and the minimum price to be fixed for B beet is in principle to be 68 % of the said basic price notwithstanding Article 28 (5) of that Regulation;

Whereas Article 5 of Council Regulation (EEC) No 1358/77 of 20 June 1977 laying down general rules for offsetting storage costs for sugar and repealing Regulation (EEC) No 750/68<sup>(4)</sup>, as last amended by Regulation (EEC) No 3042/78<sup>(5)</sup>, provides that the repayment in the context of the compensation for storage costs is to be fixed per month and per unit of weight, taking account of financing costs, insurance and specific storage costs; whereas, for financing costs, account should be taken of a 6 % interest rate,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the deficit areas of the Community, the derived intervention price for white sugar shall be:

- (a) ECU 64,65/100 kg for all the areas in the United Kingdom;
- (b) ECU 64,65/100 kg for all the areas in Ireland;
- (c) ECU 64,65/100 kg for all the areas in Portugal;
- (d) ECU 64,65/100 kg for all the areas in Finland;
- (e) ECU 64,88/100 kg for all the areas in Spain;
- (f) ECU 65,53/100 kg for all the areas in Italy.

<sup>(1)</sup> OJ N<sup>o</sup> L 177 , 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ N<sup>o</sup> L 110 , 17. 5. 1995, p. 1.

<sup>(3)</sup> See page 8 of this Official Journal.

<sup>(4)</sup> OJ N<sup>o</sup> L 156 , 25. 6. 1977, p. 4.

<sup>(5)</sup> OJ N<sup>o</sup> L 361 , 23. 12. 1978, p. 8.

*Article 2*

The intervention price for raw sugar shall be ECU 52,37/100 kg.

*Article 3*

1. The minimum price for A beet applicable in the Community shall be ECU 46,72/t.
2. Except where Article 28 (5) of Regulation (EEC) No 1785/81 is applied, the minimum price for B beet applicable in the Community shall be ECU 32,42/t.

*Article 4*

The reimbursement referred to in Article 8 of Regulation (EEC) No 1785/81 shall be ECU 0,41/100 kg white sugar per month.

*Article 5*

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

It shall apply for the 1996/97 marketing year.

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

Done at ...

*For the Council*

...

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Proposal for a  
COUNCIL REGULATION (EC) No ...

of ...

amending Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats

(96/C 125/07)

96/0061(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

production refunds for the manufacture of tinned oil be maintained,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

HAS ADOPTED THIS REGULATION:

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

*Article 1*

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

Regulation No 136/66/EEC is hereby amended as follows:

Whereas Regulation No 136/66/EEC <sup>(1)</sup>, as last amended by Regulation (EC) No 3290/94 <sup>(2)</sup>, lays down in Article 2a that common customs tariff rates are to be applied to products, including olive oil, subject to a common market organization, and in Article 11 that aid for the consumption of olive oil is to be granted only in respect of oil produced in the Community;

1. The existing text of Article 2a becomes paragraph 1 and the following paragraph 2 is added:

'2. Paragraph 1 notwithstanding, should the market price for olive oil in the Community appreciably exceed the intervention price during a period of at least three months, to ensure the Community market is adequately supplied with olive oil through imports from non-member countries, the Commission may, in accordance with the procedure laid down in Article 38:

Whereas, as a result of the implementation of the agreements concluded under the Uruguay Round of multilateral trade negotiations, the system of variable agricultural levies has been replaced by fixed common custom duties; whereas a feature of the olive oil sector are naturally fluctuating harvests that result in erratic olive oil production in the Community; whereas experience has shown that, to ensure supplies to the market and to prevent significant price fluctuations, the option of allowing imports at a reduced rate of duty should be provided for;

— partially or fully suspend the application of common customs duties to olive oil, and establish the detailed arrangements for any such suspension,

— open an import quota for olive oil at a reduced rate of common customs duties and establish the detailed arrangements for managing any such quota.

Whereas, in view of the fact that the abovementioned rate of common customs duty takes account of the security lodged earlier for quantities of olive oil released for free circulation, entitlement to the consumption aid in respect of olive oil should not be limited to oil produced in the Community, nor should a difference in the level of

These measures shall apply for the minimum period strictly required, which period in any event may not exceed the end of the marketing year in question.'

2. Article 11 (1) is replaced by the following:

'1. Where the production target price, less production aid, is greater than the representative market price for olive oil, a consumption aid shall be granted for olive oil placed on the Community

<sup>(1)</sup> OJ No 172, 30. 9. 1966, p. 3025/66.

<sup>(2)</sup> OJ No L 349, 31. 12. 1994, p. 105.

market. This aid shall be equal to the difference between these two amounts.'

to the consumption aid applicable on the day on which the refund was applied.'

3. The second paragraph of Article 20a (2) is replaced by the following:

*Article 2*

'The refund shall be equal to the amount referred to in the preceding subparagraph, plus an amount equal

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 ...

*For the Council*

...

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Proposal for  
COUNCIL REGULATION (EC) No ...  
of ...  
amending Regulation (EEC) No 3089/78 laying down general rules in respect of aid for the  
consumption of olive oil

(96/C 125/08)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats <sup>(1)</sup>, as last amended by Regulation (EC) No ... <sup>(2)</sup>, and in particular Article 11 (7) thereof,

Having regard to the proposal from the Commission,

Whereas, since it was last amended by Regulation (EC) No ..., Article 11 of Regulation No 136/66/EEC no longer provides that olive oil must be of Community origin in order to be eligible for consumption aid; whereas, therefore, it is no longer necessary to provide for checks on the Community origin of the product or to retain the system of securities in respect of the placing in free circulation of olive oil imported from third countries; whereas, however, the placing in free circulation of olive oil originating in Tunisia and imported within a quota under special arrangements must continue to be subject to the lodging of a security, since the reduced duty applicable to such oil is determined with no account being taken of the security lodged previously in respect of all the quantities of olive oil placed in free circulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 3089/78 <sup>(3)</sup>, as last amended by Regulation (EEC) No 3461/87 <sup>(4)</sup>, is hereby amended as follows:

<sup>(1)</sup> OJ No 172, 30. 9. 1966, p. 3025/66.

<sup>(2)</sup> See page 12 of this Official Journal.

<sup>(3)</sup> OJ No L 369, 29. 12. 1978, p. 12.

<sup>(4)</sup> OJ No L 329, 20. 11. 1987, p. 1.

1. In the introductory lines of Article 4 (1) the words 'produced in the Community' are deleted.
2. In Article 7 (a) and (b) the words 'of Community origin' are deleted.
3. Article 9 is replaced by the following:

*'Article 9*

The placing in free circulation in the Community of olive oil falling within CN code 1509 10 originating in Tunisia and imported under special arrangements within a quantity ceiling shall be subject to the lodging of a security. The amount of this security shall be equal to the part of the consumption aid which is paid to the packaging plants for the same quantity of olive oil and which obtains when the customs formalities for placing the oil in free circulation are completed.

However, in the event of a decision entailing a substantial alteration in the consumption aid, the Commission may adjust, as from the date of that decision, the amount of the security to take account of the alteration in question.

The security shall be released as soon as the party concerned provides proof that the olive oil in question has been made ineligible for consumption aid and for the production refund referred to in Article 20a of Regulation No 136/66/EEC.'

*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 apply from 1 July 1996.

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

Done at ...

*For the Council*

...

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**Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...**

**fixing, for the 1996/97 marketing year, the prices, aids and percentages of aid to be retained in  
the olive oil sector**

(96/C 125/09)

96/0062(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats <sup>(1)</sup>, as last amended by Regulation (EC) No ... <sup>(2)</sup>, and in particular Articles 4 (4), 5 (1) and 11 (6) 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 target price for olive oil production must be fixed in accordance with the criteria laid down in Articles 4 and 6 of Regulation No 136/66/EEC;

Whereas the intervention price must be fixed in accordance with the criteria laid down in Article 8 of Regulation No 136/66/EEC;

Whereas the representative market price must be fixed according to the criteria laid down in Article 7 of Regulation No 136/66/EEC;

Whereas, if producers are to receive a fair income, production aid must be fixed in the light of the impact which the consumption aid has on part only of production;

Whereas, in accordance with Articles 5 (4) and 20d (1) of Regulation No 136/66/EEC, the percentages of production aid to be allocated to finance measures to

improve the quality of olive oil production and to finance expenditure incurred in the work done by recognized producer organizations or associations thereof in administering and controlling olive oil production aid, should be determined;

Whereas, pursuant to Article 11 (5) and (6) of Regulation No 136/66/EEC, a certain percentage of the consumption aid during each olive oil marketing year is to be used, on the one hand, to finance measures by the recognized trade organizations referred to in paragraph 3 of the abovementioned Article and, on the other hand, to finance measures to promote olive oil consumption in the Community; whereas the said percentages for the 1996/97 marketing year should be fixed; whereas having regard to the financing already laid down for the promotion actions referred to in the abovementioned Article 11 (6), the percentage relating thereto is set at zero for the marketing year 1996/97,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For the 1996/97 marketing year, the production target price and the intervention price for olive oil shall be as follows:

- |                              |                    |
|------------------------------|--------------------|
| (a) production target price: | ECU 383,77/100 kg; |
| (b) intervention price:      | ECU 186,17/100 kg. |

2. The prices fixed in paragraph 1 shall be for ordinary virgin olive oil with a free fatty-acid content, expressed as oleic acid, of 3,3 g/100 g.

*Article 2*

For the 1996/97 marketing year, the representative market price for olive oil shall be ECU 229,50/100 kg.

<sup>(1)</sup> OJ No 172, 30. 9. 1966, p. 3025/66.

<sup>(2)</sup> See page 12 of this Official Journal.

*Article 3*

For the 1996/97 marketing year, the production aid shall be as follows:

- (a) production aid: ECU 142,20/100 kg;
- (b) production aid for growers whose average production is less than 500 kg of olive oil per marketing year: ECU 151,48/100 kg.

*Article 4*

1. For the 1996/97 marketing year, 1,4 % of the production aid earmarked for olive-oil producers shall be allocated to the financing of specific measures to improve the quality of olive oil in each producer Member State.
2. For the 1996/97 marketing year, the percentage of the production aid which may be withheld pursuant to Article 20d (1) of Regulation No 136/66/EEC for organizations of olive-oil producers or associations

thereof recognized under the said Regulation shall be 0,8 %.

*Article 5*

1. For the 1996/97 marketing year, the percentage of consumption aid referred to in Article 11 (5) of Regulation No 136/66/EEC shall be 5,5 %.
2. For the 1996/97 marketing year, the percentage of consumption aid to be allocated to the measures referred to in Article 11 (6) of Regulation No 136/66/EEC shall be zero.

*Article 6*

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

It shall apply from 1 November 1996.

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

Done at ...

*For the Council*

...

Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...  
amending Regulation (EC) No 1554/95 laying down the general rules for the system of aid for  
cotton and repealing Regulation (EEC) No 2169/81  
(96/C 125/10)

THE COUNCIL OF THE EUROPEAN UNION,

reduced further by an amount determined by reference to the likely level of the aid, provided that the latter is set so as to include an adequate safety margin,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

Having regard to the Act of Accession of Greece, and in particular Protocol No 4 on cotton, as last amended by Regulation (EC) No 1553/95 <sup>(1)</sup>,

*Article 1*

Article 5 of Regulation (EC) No 1554/95 is hereby amended as follows:

Having regard to the proposal from the Commission,

1. The second subparagraph of paragraph 2 is deleted.

2. Paragraph 3 is replaced by the following:

Whereas the second subparagraph of Article 5 (2) of Regulation (EC) No 1554/95 <sup>(2)</sup> provides in particular for the possibility of lodging an application for aid before the application for supervised storage; whereas use of this provision has caused distortions of competition between operators; whereas, therefore, the provision should be withdrawn;

‘3. Entitlement to the aid shall be acquired when the cotton is ginned. However, aid may be paid in advance from 16 October following the start of the marketing year when the unginned cotton enters the cotton ginning undertaking, provided that an adequate security has been lodged. The amount of the advance shall be calculated using the procedure laid down in Article 11 (1). The level of the advance shall be equal to the guide price minus the world price and reduced further by an amount calculated using the method provided for in Article 6, but replacing actual production by the estimated production of unginned cotton plus 15 %. Any aid balance outstanding shall be paid once the actual quantity produced has been determined and any adjustments to the aid as referred to in Article 2 (3) and (4) of Council Regulation (EEC) No 1964/87 <sup>(3)</sup>, as last amended by Regulation (EC) No 1553/95, have been made. It shall be paid before the end of the marketing year, at the latest.

Whereas Article 5 (3) of Regulation (EC) No 1554/95 provides in particular that aid may be paid in advance from 16 October following the start of the marketing year in which the unginned cotton enters the cotton-ginning undertaking; whereas the level of this advance, which is a set percentage of the guide price, is based on both the estimated production of unginned cotton and the likely amount of the aid; whereas, as a result, the level of the advance does not fluctuate during the marketing year in line with the world-market price; whereas, consequently, a drop in the world price causing an increase in the aid widens the gap between the level of the aid and the level of the advance to the detriment of operators; whereas such a situation is also likely to disturb commercial dealings between producers and ginning undertakings; whereas, to offset these disadvantages, it is proposed that advances be equal to the guide price minus the world price and

<sup>(3)</sup> OJ No L 184 , 3. 7. 1987, p. 14.’

*Article 2*

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

<sup>(1)</sup> OJ No L 148 , 30. 6. 1995, p. 45.

<sup>(2)</sup> OJ No L 148 , 30. 6. 1995, p. 48.

It shall apply from the 1996/97 marketing year.

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

Done at . . .

*For the Council*

...

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Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...  
amending Regulation (EEC) No 1308/70 on the common organization of the market in flax  
and hemp  
(96/C 125/11)  
96/0063(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 final subparagraph of Article 4 (2) of Regulation (EEC) No 1308/70<sup>(1)</sup>, as last amended by Regulation (EC) No 3290/94<sup>(2)</sup>, lays down that the aid for flax is to be differentiated by the application of coefficients of reduction and increase established on the basis of the average seed yield recorded in the homogeneous production areas for the different harvesting methods used; whereas, in view of new cultivation and harvesting methods now in use, particularly in certain regions where flax has previously either not been grown or only grown in small quantities, the current coefficients should be abolished and a flat-rate reduction provided for where the harvesting method used does not involve pulling the whole plant; whereas that objective can be attained by a reduction in the aid where harvesting methods other than the pulling of the plant are used;

Whereas, in recent years, there have been sudden, large fluctuations in the market price of fibre and, consequently, of Community areas sown to flax; whereas, in order to promote market stability and to prevent too great an increase in budget expenditure, a maximum guaranteed area should be introduced with a reduction in the level of aid in proportion to any overrun of that area;

whereas, given the need for the farmers concerned to adjust to the new system, it should be introduced from the 1997/98 marketing year;

Whereas, in the light of experience, further amendments to the system might appear necessary; whereas provision should therefore be made for the Council to assess the system on the basis of a Commission report to be presented before the beginning of the 1999/2000 marketing year,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 1308/70 is hereby amended as follows:

1. The third subparagraph of Article 4 (2) is replaced by the following:

‘The amount of aid for flax harvested other than by pulling the stems, reduced, where appropriate, by the amount referred to in Article 2 (3) and reduced, where appropriate, in accordance with paragraph 2a, shall be reduced by a flat-rate amount established by taking account of the differences in production costs between that method of harvest and harvest by pulling the stems, and reduced by the difference in value of the fibres produced. This flat-rate amount shall be set before the beginning of the marketing year in accordance with the procedure laid down in Article 12.’

2. The following paragraph is added to Article 4:

‘2a The aid for flax referred to in paragraph 1 shall be granted for a maximum guaranteed area. That area shall be 81 500 hectares for each marketing year. Where, in a given marketing year, the areas actually sown and harvested exceed the maximum guaranteed area, the aid for that marketing year, where

<sup>(1)</sup> OJ No L 146, 4. 7. 1970, p. 1.

<sup>(2)</sup> OJ No L 349, 31. 12. 1994, p. 105.

appropriate reduced by the amount referred to in Article 2 (3), shall be reduced in each Member State by the percentage of the overrun. The reduction to be applied shall be set in accordance with the procedure laid down in Article 12.'

3. Article 16 is replaced by the following:

*'Article 16*

Should transitional measures be necessary to facilitate implementation of the amendments to the system to be introduced from the 1997/98 marketing year, such measures shall be adopted in accordance with the procedure laid down in Article 12. They shall apply until the end of the 1997/98 marketing year at the latest.'

4. The following Article is inserted:

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

Done at . . .

*'Article 16a*

Before the start of the 1999/2000 marketing year at the latest, the Commission shall send the Council a report on the operation of the system of aid for flax and hemp. Should the report show the need for adjustments, the Council, acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament, shall decide on such adjustments to the system in the light of experience of the operation of that system and of the system of aid for arable crops and cotton.'

*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 apply from 1 August 1997 with the exception of Article 1 (3), which shall apply from the entry into force of this Regulation.

*For the Council*

. . .

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**Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...**

**fixing the aid for fibre flax and hemp and the amount withheld to finance measures to promote  
the use of flax fibre for the 1996/97 marketing year**

(96/C 125/12)

96/0064(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1308/70 of June 1970 on the common organization of the market in flax and hemp <sup>(1)</sup>, as last amended by Regulation (EC) No ... <sup>(2)</sup>, and in particular Articles 2 (3) and 4 (3) 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 Article 4 of Regulation (EEC) No 1308/70 provides that the amounts of aid for flax grown mainly for fibre and for hemp grown in the Community are to be fixed each year;

Whereas Article 4 (2) of the said Regulation provides that the amount is to be so fixed per hectare of area sown and harvested as to ensure an even balance between the volume of production required in the Community and the amount that can be marketed; whereas it is to be fixed taking into account the price for flax and hemp fibres and seed on the world market;

Whereas Article 2 (3) of Regulation (EEC) No 1308/70 provides that the portion of aid for financing Community measures to encourage the use of flax fibre is to be fixed at the time when the aid is fixed for the marketing year

in question in accordance with the criteria referred to in the said paragraph; whereas it is to be fixed in the light of trends on the market in flax, the amount of the aid for flax and the cost of the measures to be introduced;

Whereas application of the abovementioned criteria entails fixing the amount of aid and the portion of the aid to be used for financing measures to promote the use of flax fibre at the levels set out below,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1996/97 marketing year, the aid provided for in Article 4 of Regulation (EEC) No 1308/70 shall be:

- a) as regards flax: ECU 935,65/ha;
- b) as regards hemp: ECU 774,79/ha.

*Article 2*

For the 1996/97 marketing year, the amount of the aid for flax to be used to finance the measures to promote the use of flax fibre referred to in Article 2 of Regulation (EEC) No 1308/70 shall be: ECU 53,64/ha.

*Article 3*

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

<sup>(1)</sup> OJ No L 146 , 4. 7. 1970, p. 1.

<sup>(2)</sup> See page 20 of this Official Journal

It shall apply from 1 August 1996.

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

Done at . . .

*For the Council*

. . .

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Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...

fixing the aid in respect of silkworms for the 1996/97 rearing year

(96/C 125/13)

96/0065(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 845/72 of 24 April 1972 laying down special measures to encourage silkworm rearing<sup>(1)</sup>, as last amended by Regulation (EC) No 2059/92<sup>(2)</sup>, and in particular Article 2 (3) 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 Article 2 of Regulation (EEC) No 845/72 provides that the aid for silkworms reared within the Community must be fixed each year in such a way as to help ensure a fair income for silkworm rearers, taking

into account the state of the market in cocoons and raw silk, of foreseeable trends on that market and of import policy;

Whereas application of the abovementioned criteria entails fixing the aid at the level indicated below,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1996/97 rearing year, the aid in respect of silkworms as referred to in Article 2 of Regulation (EEC) No 845/72 shall be fixed per box of silkworm eggs used at ECU 133,32.

*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 apply from 1 April 1996.

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

Done at ...

*For the Council*

...

<sup>(1)</sup> OJ No L 100 , 27. 4. 1972, p. 1.

<sup>(2)</sup> OJ No L 215 , 30. 7. 1992, p. 19.

**Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...**

**amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products**

(96/C 125/14)

96/0066(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

*Article 1*

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

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

Having regard to the proposal from the Commission,

1. Article 2 is replaced by the following:

Having regard to the opinion of the European Parliament,

*'Article 2*

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

1. Except where a derogation is decided by the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty, the milk year for all products listed in Article 1 shall begin on 1 July and end on 30 June of the following year.'

Whereas Article 2 of Regulation (EEC) No 804/68 <sup>(1)</sup>, as last amended by Regulation (EC) No 2931/95 <sup>(2)</sup>, provides that the milk year begins on 1 April and ends on 31 March of the following year; whereas since 1992 the target price for milk and the intervention prices for butter and skimmed milk powder have been fixed for periods running from 1 July to 30 June, taking account of the link between those prices and those in other sectors whose marketing year covers the same period; whereas that link should be maintained in the future and, in the interests of coherence, the milk year should be aligned with the same period; whereas the deadline for fixing the target price provided for in Article 3 of that Regulation should therefore be changed;

2. Article 3 (1) is replaced by the following:

'1. Each year a target price for milk shall be fixed for the Community.'

Whereas certain agreements concluded between the Community and third countries allow the Community to participate in the management of quotas of milk products imported from the Community into third countries; whereas in order to make full of those opportunities, a specific procedure should be laid down for adopting appropriate management methods,

3. In Article 13 (2), 'Articles 16 and 17' is replaced 'Articles 16, 16a and 17'.

4. The following Article is inserted:

*'Article 16a*

1. Where an agreement concluded in accordance with Article 228 of the Treaty provides for the total or partial management of a tariff quota opened by a third country for the products referred to in Article 1, the management method to be applied and detailed rules relating to that method shall be adopted in accordance with the procedure provided for in Article 30.

2. Quotas may be managed using one of the following methods or a combination thereof:

— order in which applications are submitted ('first come, first served' basis),

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 307, 20. 12. 1995, p. 10.

- allocation in proportion to quantities requested when applications are submitted ('simultaneous examination' method),
- traditional trade flows ('traditional importers/new arrivals' method).

They must avoid any discrimination between the operators concerned.'

*Article 2*

Other appropriate measures may be adopted, in particular ones which guarantee the full use of the possibilities available under the quota concerned.

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 . . .

*For the Council*

. . .

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**Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...**

**fixing the target price for milk and the intervention prices for butter and skimmed-milk powder  
for the period from 1 July 1996 to 30 June 1997**

(96/C 125/15)

96/0067(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

milk market, allowing for external trade in milk and milk products;

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Whereas the intervention prices for butter and for skimmed-milk powder are intended to contribute to the achievement of the target price for milk; whereas it is necessary to determine price levels in the light of the overall supply and demand situation on the Community market in milk and the opportunities for disposal of butter and skimmed-milk powder on the Community and world markets,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

HAS ADOPTED THIS REGULATION:

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

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 <sup>(1)</sup>, as last amended by Regulation (EC) No ... <sup>(2)</sup>, and in particular Articles 3 (4) and 5 thereof,

*Article 1*

For the period from 1 July 1996 to 30 June 1997, the target price for milk and the intervention prices for milk products shall be as follows:

Whereas, when fixing the common agricultural prices each year, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are in particular to secure a fair standard of living for the agricultural community and to ensure that supplies are available and that they reach the consumers at reasonable prices;

	<i>(ECU/100 kg)</i>
(a) Target price for milk	30,98
(b) Intervention prices	
— butter	328,20
— skimmed-milk powder	205,52

Whereas the target price for milk should bear a balanced relationship to the prices for other agricultural products and in particular to the prices for beef and veal, and be consistent with the desired general pattern of cattle farming; whereas it is also necessary, in fixing that price, to take account of the Community's efforts to establish a long term balance between supply and demand on the

*Article 2*

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

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> See page 25 of this Official Journal.

It shall apply from 1 July 1996.

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

Done at . . .

*For the Council*

. . .

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**Proposal for a**  
**COUNCIL REGULATION (EC) No ...**  
**of ...**  
**amending Regulation (EEC) No 805/68 on the common organization of the market in beef and veal**  
  
 (96/C 125/16)  
 96/0068(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 Article 4 of Regulation (EEC) No 805/68 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 2417/95 <sup>(2)</sup>, sets the beginning of the marketing year as the first Monday in April; whereas experience has shown that it would be preferable for the marketing year to commence on 1 July of each year and end on 30 June of the following year;

Whereas, in accordance with Articles 4c (3) and 4k (3) of Regulation (EEC) No 805/68 on the common organization of the market in beef and veal, the Commission has prepared a report for the Council on the situation in the beef and veal sector and in particular on the operation of certain measures introduced by the new premium arrangements instituted by the reform; whereas, on the basis of the findings of the report, the Regulation should be amended accordingly;

Whereas, in accordance with Article 4b (2) of Regulation (EEC) No 805/68, the special premium may be granted a second time after an animal has reached the age of 22 months; whereas this encourages certain producers to continue fattening uncastrated male bovine animals for the sole purpose of obtaining a second premium; whereas outlets for the heavy carcasses arising from this practice are somewhat limited and lead to an undesirable increase in the quantity of beef produced; whereas the special premium for uncastrated male bovine animals should be granted no more than once therefore in the life of those

animals before they reach the age of 22 months; whereas, in addition to this measure, the amount of the single premium should be raised so as to prevent the producers in question suffering economic penalties;

Whereas, as a result of the deseasonalization premium referred to in Article 4c of Regulation (EEC) No 805/68, the number of castrated male bovine animals slaughtered outside the annual 'off-grass' period has risen appreciably; whereas, on account of their environmental conditions and structure of production, Ireland, and to a lesser extent Northern Ireland, are the regions most affected by the seasonal nature of slaughtering; whereas because of this the fact that the premium is granted in one part of the island of Ireland and not in another is disturbing their markets and can lead to exchanges of animals which are undesirable on health grounds; whereas, however, where the threshold required in order to qualify for the premium is not reached, it should be possible for Member States affected by seasonalization to continue to grant the premium, to be borne in such case, however, by their own production sector by means of a simultaneous reduction in the amount envisaged for the second tranche of the special premium; whereas, lastly, it can be inferred from the present Regulation that in order to qualify for the premium an animal must be slaughtered in the year following that in which the special premium is granted; whereas since this is undesirable the reference to the following year should be deleted; whereas it seems appropriate to maintain the deseasonalization premium and to improve certain aspects of it;

Whereas the process of establishing structures for the production of beef in the new German Länder has developed to such an extent that specific measures are no longer necessary; whereas certain adjustment measures should be laid down, however;

Whereas transitional measures to facilitate a smooth switchover from the former provisions to those contained in this Regulation may be needed, including before the implementation of the latter,

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 248, 14. 10. 1995, p. 39.



HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 805/68 is hereby amended as follows:

1. Article 4 is replaced by the following:

*'Article 4*

Subject to a derogation adopted by the Council, acting by a qualified majority on a proposal from the Commission, the marketing year shall begin on 1 July and end on 30 June of the following year for all products referred to in Article 1.'

2. Article 4b (2) is replaced by the following:

'2. The premium shall be granted no more than:

- (a) once in the life of each uncastrated male bovine animal aged from 10 to 21 months; or
- (b) twice in the life of each castrated male bovine animal:
- the first time at the age of 10 months,
  - the second time after the age of 22 months.

To qualify for the premium, any animal for which an application has been made must be kept for fattening by the producer for a given period.'

3. The first sentence of Article 4b (6) is replaced by the following:

'The amount of the premium per eligible animal shall be:

- ECU 108,7 per castrated male bovine animal,
- ECU 123,9 per uncastrated male bovine animal.'

4. Article 4c (1) is replaced by the following:

'1. Where, in a Member State, the number of castrated male bovine animals slaughtered during the period 1 September to 30 November in a given year exceeds 38 % of total annual slaughterings of castrated male bovine animals, producers may qualify, on application, for an additional premium to the special premium granted pursuant to Article 4b (deseasonalization premium).

In order to establish whether the 38 % has been exceeded, account shall be taken of slaughterings carried out during the last year but one before that of the slaughter of the animal qualifying for the premium.

For the purposes of applying this Article, Ireland and Northern Ireland shall be regarded as one entity for the purposes of calculating the number of animals slaughtered referred to in the first subparagraph above and consequently for qualification for the premium.'

5. In Article 4c (2) the words 'of the following year' are replaced by 'in a given year'.

6. Article 4c (3) is replaced by the following:

'3. Where the rate referred to in paragraph 1 is not achieved, Member States whose producers have previously received the deseasonalization premium and in which the number of castrated male bovine animals produced exceeds 60 % of all male bovine animals produced may decide to grant this premium at the rate of 60 % of the amounts set in paragraph 2.

In such case, the amount of the second tranche of the special premium applicable to castrated male bovine animals granted in that Member State pursuant to Article 4b shall be reduced in so far as is necessary for the measure to be financially neutral in respect of the same budget year. The reduction shall be determined in accordance with the procedure laid down in Article 27 before final payment of the second tranche of the premium.

For the purposes of applying this measure, Ireland and Northern Ireland shall be regarded as one entity for the calculation of the number of male bovine animals produced and consequently for qualification for the premium.'

7. Article 4k is hereby replaced by the following:

*'Article 4k*

For the territory of the new German Länder:

1. From 1 January 1997 all the provisions concerning the premium arrangements applicable in the rest of the Community shall apply to that territory subject to the provisions of this Article.
2. Germany shall determine for each producer the individual ceiling applied to his rights to the suckler cow premium referred to in Article 4d (2)

on the basis of the number of animals for which that producer received a suckler cow premium in 1996 and notify him thereof.

Where, as a result of natural circumstances, no premium or a reduced premium is paid in 1996, the number corresponding to the payments made in 1995 may be used.

Where, as a result of the application of penalties provided for to that end, no premium or a reduced premium is paid in 1996, the number established during the inspection giving rise to those penalties shall be used.

3. Following the introduction of individual ceilings, where the sum of the rights allocated to producers whose holdings are situated in the new German Länder is less than the regional ceiling set previously for that territory, the balance of the rights shall be abolished, with the exception of a number of rights from among the surplus which shall be added by Germany to the national reserve referred to in Article 4f (1), up to 3 % of the total of the ceilings allocated to those producers. The new reserve thus established shall concern the whole of the territory of Germany. The sum of the rights allocated to producers situated in the

new German Länder plus the 3 % intended for the reserve shall not under any circumstances exceed the regional ceiling allocated to that territory at that point in time.

4. The Commission shall adopt, where necessary, detailed rules for the application of this Article in accordance with the procedure laid down in Article 27.

#### *Article 2*

The Commission shall adopt, where necessary, measures to facilitate the switchover from the existing arrangements to the new provisions referred to in this Regulation in accordance with the procedure laid down in Article 27.

#### *Article 3*

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

It shall apply from 1 January 1997, with the exception of:

- point 1 of Article 1, which shall apply from 1 July 1996, and
- Article 2 of this Regulation which shall apply from the date of its entry into force.

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

Done at ...

*For the Council*

...

Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...

fixing, for the 1996/97 marketing year, the intervention price for adult bovine animals

(96/C 125/17)

96/0067(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

adult bovine animals<sup>(3)</sup>, as amended to take account of the agrimonetary aspects by Commission Regulations (EC) No 456/94<sup>(4)</sup> and (EC) No 2417/95<sup>(5)</sup>,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(1)</sup>, as last amended by Regulation (EC) No ...<sup>(2)</sup>, and in particular the second subparagraph of Article 6 (2) thereof,

*Article 1*

For the 1996/97 marketing year the intervention price for carcasses of male animals in category R3 of the Community scale for the classification of carcasses of adult bovine animals laid down in Regulation (EEC) No 1208/81<sup>(6)</sup>, as last amended by Regulation (EEC) No 1026/91<sup>(7)</sup>, shall be ECU 347,5/100 kg deadweight.

Having regard to the proposal from the Commission,

*Article 2*

Whereas it is desirable to retain for the 1996/97 marketing year the intervention price fixed for the period 1 July 1995 to 30 June 1996 by Council Regulation (EEC) No 2068/92 of 30 June 1992 fixing, for the period 1 July 1993 to 30 June 1996, the intervention prices for

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 ...

*For the Council*

...

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> See page 29 of this Official Journal.

<sup>(3)</sup> OJ No L 215, 30. 7. 1992, p. 58.

<sup>(4)</sup> OJ No L 57, 1. 3. 1994, p. 50.

<sup>(5)</sup> OJ No L 248, 14. 10. 1995, p. 39.

<sup>(6)</sup> OJ No L 123, 7. 5. 1981, p. 3.

<sup>(7)</sup> OJ No L 106, 26. 4. 1991, p. 2.

**Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...  
amending Regulation (EEC) No 3013/89 on the common organization of the market in  
sheepmeat and goatmeat  
(96/C 125/18)  
96/0069(CNS)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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, in accordance with Article 5c (3) of Council Regulation (EEC) No 3013/89 on the common organization of the market in sheepmeat and goatmeat of 25 September 1983 <sup>(1)</sup>, as last amended by Regulation (EC) No 1265/95 <sup>(2)</sup>, the Commission has submitted a report to the Council with proposals for the application in the territories of the new German Länder of the individual producer limits applicable in the rest of the Community; whereas, in this report, it is concluded that the restructuring process in the sheep sector in the new German Länder is not yet completed; whereas it is therefore necessary to redefine the conditions under which special provisions may be adopted by Germany in order to take account of the specific problems which remain in the new Länder;

Whereas, in order to effect a smooth passage from the current provisions in the territories of the new German Länder to the premium regime applicable in the rest of the Community, certain temporary measures may be found to be necessary;

Whereas Article 7 (2) of Regulation (EEC) No 3013/89 provides that where certain market price criteria are met the decision to grant private storage aid may be taken only in the context of a tendering procedure; whereas experience has shown that, even where the

abovementioned price criteria are met, private storage aid could be made more effective in certain cases if the amount of the aid was fixed in advance; whereas it is therefore necessary to authorize advance fixing of the aid, regardless of the market price level, provided that the general conditions for the grant of private storage aid are met;

Whereas it is necessary to amend Regulation (EEC) No 3013/89,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 3013/89 is hereby amended as follows:

1. Article 5c is replaced by the following:

*'Article 5c*

1. By way of derogation from Article 5a (1), for the new Länder of Germany:
  - (a) a regional ceiling of 1 million eligible animals shall be fixed;
  - (b) Germany shall determine the conditions for the distribution of this ceiling and its regional breakdown.

2. In the territories of the new German Länder, not later than the marketing year 2000, Germany shall apply the provisions on individual limits applicable in the rest of the Community, subject to the provisions of this Article.

Germany shall notify producers of their individual limit per producer, in respect of the granting of the premium provided for in Article 5. The individual producer limit shall be determined on the basis of the

<sup>(1)</sup> OJ No L 289, 7. 10. 1989, p. 1.

<sup>(2)</sup> OJ No L 123, 3. 6. 1995, p. 1.

number of ewes for which premium was paid in the marketing year preceding the year in which notification to producers of their individual limits was made.

3. In the case of natural circumstances which led to a non-payment or to a reduced payment for the reference year, the number of animals corresponding to the payments made during the most recent marketing year shall be used. In the case of non-payment of the premium or of reduced payment for the reference year, as a result of the imposition of penalties provided for to that end, the number recorded during the check which gave rise to those penalties shall be used.

4. In the event that the sum of the individual limits of producers whose holdings are situated in the new German Länder does not exceed the regional ceiling fixed for this territory, the remaining rights shall be cancelled except for a proportion of rights, calculated as a maximum of 3 % of the sum of the individual limits, which are to be added to the German national reserve, referred to in Article 5b (1). The new reserve thus constituted shall be applicable in the entire German territory. However, under no circumstances

shall the sum of the individual limits allocated to producers in the new German Länder plus the extra allocation of rights to the German national reserve exceed 1 million rights.

5. The Commission shall lay down, if necessary, the detailed rules for implementing this Article in accordance with the procedure provided for in Article 30.'

2. Article 7 (2) is deleted.

#### *Article 2*

The Commission shall lay down, if necessary and in accordance with the procedure provided for in Article 30, temporary measures to facilitate the transition from the existing arrangements in the new German Länder to those laid down in Article 1 (1) of this Regulation.

#### *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.

Done at ...

*For the Council*

...

**Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...**

**fixing the basic price and the seasonal adjustments to the basic price for sheepmeat for the 1997 marketing year**

(96/C 125/19)

96/0070(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat <sup>(1)</sup>, as last amended by Regulation (EC) No ... <sup>(2)</sup>, and in particular Article 3 (1) and (2) 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 basic price must be fixed in accordance with the criteria laid down in Article 3 (2) of Regulation (EEC) No 3013/89;

Whereas, when the basic price for sheep carcasses is fixed, account should be taken of the objectives of the common agricultural policy; whereas the main objectives of the common agricultural policy are, in particular, to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices; whereas

these factors result in the price for the 1997 marketing year being fixed at the level laid down in this Regulation;

Whereas the weekly seasonally adjusted amounts applicable to the basic price should be fixed in the light of experience gained during the 1991, 1992, 1993, 1994 and 1995 marketing years concerning private storage,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1997 marketing year, the basic price for sheepmeat is hereby fixed at ECU 504,07/100 kg carcase weight.

*Article 2*

The basic price referred to in Article 1 is hereby seasonally adjusted in accordance with the table set out in the Annex hereto.

*Article 3*

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

It shall apply from the beginning of the 1997 marketing year.

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

Done at ...

*For the Council*

...

<sup>(1)</sup> OJ No L 289, 7. 10. 1989, p. 1.

<sup>(2)</sup> See page 33 of this Official Journal.

## ANNEX

## 1997 MARKETING YEAR

*(ECU/100 kg carcase weight)*

Week beginning	Week	Basic price
6 January 1997	1	515,06
13 January 1997	2	518,58
20 January 1997	3	522,67
27 January 1997	4	525,59
3 February 1997	5	528,51
10 February 1997	6	531,42
17 February 1997	7	534,35
24 February 1997	8	537,27
3 March 1997	9	539,61
10 March 1997	10	541,94
17 March 1997	11	543,11
24 March 1997	12	543,11
31 March 1997	13	541,94
7 April 1997	14	540,30
14 April 1997	15	538,09
21 April 1997	16	534,94
28 April 1997	17	532,60
5 May 1997	18	529,09
12 May 1997	19	525,59
19 May 1997	20	520,92
26 May 1997	21	515,08
2 June 1997	22	509,23
9 June 1997	23	502,24
16 June 1997	24	496,39
23 June 1997	25	491,72
30 June 1997	26	487,05
7 July 1997	27	483,55
14 July 1997	28	481,20
21 July 1997	29	480,01
28 July 1997	30	479,45
4 August 1997	31	478,83
11 August 1997	32	478,83
18 August 1997	33	478,83
25 August 1997	34	478,83
1 September 1997	35	478,83
8 September 1997	36	478,83
15 September 1997	37	478,83
22 September 1997	38	478,83
29 September 1997	39	478,86
6 October 1997	40	478,98
13 October 1997	41	479,10
20 October 1997	42	479,20
27 October 1997	43	479,30
3 November 1997	44	480,00
10 November 1997	45	480,95
17 November 1997	46	482,00
24 November 1997	47	483,20
1 December 1997	48	486,10
8 December 1997	49	490,75
15 December 1997	50	496,60
22 December 1997	51	503,85
29 December 1997	52	511,50

**Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...**

**fixing the basic price and defining the standard quality for pig carcasses for the period 1 July  
1996 to 30 June 1997**

(96/C 125/20)

96/0071(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat <sup>(1)</sup>, as last amended by Regulation (EC) No 3290/94 <sup>(2)</sup>, and in particular Article 4 (4) 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, when the basic price for pig carcasses is fixed, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are, in particular, to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas the basic price must be fixed in accordance with the criteria laid down in Article 4 (1) of Regulation (EEC) No 2759/75 for a standard quality defined by reference to Council Regulation (EEC) No 3220/84 of 13

November 1984 determining the Community scale for grading pig carcasses <sup>(3)</sup>, as last amended by Regulation (EC) No 3513/93 <sup>(4)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the period 1 July 1996 to 30 June 1997 the basic price for pig carcasses of the standard quality shall be ECU 1509,39/t.

*Article 2*

The standard quality shall be defined in terms of carcase weight and lean meat content, determined as laid down in Article 2 (2) and (3) of Regulation (EEC) No 3220/84, as follows:

- (a) carcasses weighing not less than 60 but less than 120 kilograms: grade 'E';
- (b) carcasses weighing from 120 to 180 kilograms: grade 'R'.

*Article 3*

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

It shall apply from 1 July 1996.

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

Done at ...

*For the Council*

...

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(3)</sup> OJ No L 301, 20. 11. 1984, p. 1.

<sup>(4)</sup> OJ No L 320, 22. 12. 1993, p. 5.



**Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...**

**fixing the basic prices and buying-in prices applicable in the fruit and vegetables sector for the  
1996/97 marketing year**

(96/C 125/21)

96/0072(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

— for oranges, from 1 October to 15 July;

Having regard to the Treaty establishing the European Community,

Whereas, however, pursuant to the third subparagraph of Article 16 (1) of Regulation (EEC) No 1035/72, no basic price or buying-in price need be fixed for the slack marketing periods at the beginning and at the end of the marketing year;

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables <sup>(1)</sup>, as last amended by Regulation (EC) No 1363/95 <sup>(2)</sup>, and in particular Article 16 (1) thereof,

Whereas, when the basic and buying-in prices for fruit and vegetables are fixed, account has to be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are, in particular, to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices;

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the basic prices must be fixed by reference to the trend in the average prices recorded during the three previous years on the most representative producer markets within the Community for a product of defined commercial characteristics, such as variety or type, quality class, size and packaging; whereas the buying-in prices must be fixed by reference to the basic price in accordance with Article 16 (3) of Regulation (EEC) No 1035/72,

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

Whereas, pursuant to Article 16 (1) of Regulation (EEC) No 1035/72, a basic price and a buying-in price are to be fixed for each marketing year for each of the products listed in Annex II to the said Regulation; whereas, in accordance with Article 1 (3) of the above Regulation, the marketing years for the products in question are as follows:

- for tomatoes and aubergines, from 1 January to 31 December,
- for apricots, from 1 May to 31 August,
- for peaches and nectarines, from 1 May to 31 October,
- for cauliflowers and table grapes, from 1 May to 30 April,
- for lemons and pears, from 1 June to 31 May,
- for apples, from 1 July to 30 June,
- for mandarins, satsumas and clementines, from 1 October to 15 May,

HAS ADOPTED THIS REGULATION:

*Article 1*

The basic and buying-in prices for fruit and vegetables for the 1996/97 marketing year, the periods during which they apply and the standard qualities to which they refer shall be as set out in the Annex hereto.

*Article 2*

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

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 132, 16. 6. 1995, p. 8.

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

Done at ...

*For the Council*

...

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## ANNEX

## BASIC PRICES AND BUYING-IN PRICES

## CAULIFLOWERS

For the period from 1 May 1996 to 30 April 1997

*(ECU/100 kg net)*

	Basic price	Buying-in price
May	36,90	16,06
June	29,67	12,86
July	26,30	11,33
August	26,30	11,33
September	28,44	12,10
October	29,51	12,55
November	35,59	15,40
December	35,59	15,40
January	35,59	15,40
February	33,17	14,31
March	34,91	14,96
April	35,34	15,40

These prices refer to packed 'trimmed' cauliflowers of Quality Class I.

## TOMATOES

For the period from 11 June to 30 November 1996

*(ECU/100 kg net)*

	Basic price	Buying-in price
June (from 11 to 20)	33,92	12,90
(from 21 to 30)	30,85	11,98
July	27,80	10,31
August	24,89	9,24
September	26,42	9,84
October	28,03	10,32
November	33,76	13,52

These prices refer to packed 'round' and 'ribbed' tomatoes of Quality Class I, size 57 to 67 mm.

## AUBERGINES

For the period from 1 July to 31 October 1996

*(ECU/100 kg net)*

	Basic price	Buying-in price
July to October	21,13	8,48

These prices refer to the following packed products:

- elongated aubergines of Quality Class I, size over 40 mm,
- globus aubergines of Quality Class I, size over 70 mm.

## PEACHES

For the period from 1 June to 30 September 1996

*(ECU/100 kg net)*

	Basic price	Buying-in price
June	54,04	30,02
July to September	51,15	28,65

These prices refer to packed peaches of the Amsden, Cardinal, Charles Ingouf, Dixired, Jeronimo, J. H. Hale, Merril Gemfree, Michelini, Red Haven, San Lorenzo, Springcrest and Springtime varieties of Quality Class I, size 61 to 67 mm.

## NECTARINES

For the period from 1 June to 31 August 1996

*(ECU/100 kg net)*

	Basic price	Buying-in price
June	70,46	33,81
July and August	65,17	31,27

These prices refer to packed nectarines of the Armking, Crimsongold, Early sun grand, Fantasia, Independence, May Grand, Nectared, Snow Queen and Stark red gold varieties of Quality Class I, size 61 to 67 mm.

## APRICOTS

For the period from 1 June to 31 July 1996

*(ECU/100 kg net)*

	Basic price	Buying-in price
June und July	49,68	28,29

These prices refer to packed apricots of Quality Class I of a size over 30 mm.

## LEMONS

For the period from 1 June 1996 to 31 May 1997

*(ECU/100 kg net)*

	Basic price	Buying-in price
June	50,69	29,78
July	51,91	30,54
August	51,39	30,38
September	46,10	28,69
October	43,48	28,26
November	42,26	24,71
December	41,50	24,40
January	42,72	25,02
February	41,20	24,26
March	43,47	25,02
April	44,87	26,24
May	45,93	26,86

These prices refer to packed lemons of Quality Class I, size 53 to 62 mm.

## PEARS

(other than perry pears)

For the period from 1 July 1996 to 30 April 1997

*(ECU/100 kg net)*

	Basic price	Buying-in price
July	34,14	17,56
August	31,84	17,09
September	30,45	16,34
October	31,69	16,34
November	32,16	16,64
December	32,60	17,09
January to April	32,90	17,40

These prices refer to the following packed products:

- pears of the Beurré Hardy, Bon Chrétien Williams, Conférence, Coscia (Ercolini), Crystallis (Beurré Napoléon, Blanquilla, Tsakonika), Dr Jules Guyot (Limonera) and Rocha varieties, Quality Class I, size 60 mm or more;
- pears of the Empereur Alexandre (Kaiser Alexandre Bosc) variety, Quality Class I, size 70 mm or more.

## TABLE GRAPES

For the period from 1 August to 20 November 1996

*(ECU/100 kg net)*

	Basic price	Buying-in price
August	43,25	27,82
September, October and November (from 1 to 20)	38,66	23,68

These prices refer to packed table grapes of the Regina dei Vigneti, Sultanine, Regina (Mennavacca bianca, Rosaki, Dattier de Beyrouth), Italia, Aledo, Ohanes (Almeria) and D. Maria varieties, Quality Class I.

## APPLES

(other than cider apples)

For the period from 1 August 1996 to 31 May 1997

(ECU/100 kg net)

	Basic price	Buying-in price
August	31,49	16,05
September	31,49	16,05
October	31,49	16,19
November	32,35	16,71
December	35,24	18,05
January to May	38,13	19,38

These prices refer to the following packed products:

- apples of the Reine des Reinettes and Verde Doncella varieties, Quality Class I, size 65 mm or more,
- apples of the Delicious Pilafa, Golden Delicious, James Grieve, Red Delicious, Reinette grise du Canada and Starking Delicious varieties, Quality Class I, size 70 mm or more.

## MANDARINS

For the period from 16 November 1996 to 28 February 1997

(ECU/100 kg net)

	Basic price	Buying-in price
November (from 16 to 30)	44,05	28,18
December	43,59	27,57
January	42,99	26,65
February	40,98	26,03

These prices refer to packed mandarins of Quality Class I, size 54 to 69 mm.

## SATSUMAS

For the period from 16 October 1996 to 15 January 1997

(ECU/100 kg net)

	Basic price	Buying-in price
October (from 16 to 31)	34,26	16,36
November	30,34	13,66
December	32,95	14,83
January (from 1 to 15)	31,65	14,39

These prices refer to packed satsumas Unshiu (owari) of Quality Class I, size 54 to 69 mm.

## CLEMENTINES

For the period from 1 December 1996 to 15 February 1997

(ECU/100 kg net)

	Basic price	Buying-in price
December	40,34	22,22
January	37,70	20,76
February (from 1 to 15)	43,45	21,66

These prices refer to packed clementines (*citrus reticulata*, *Blanco*) of Quality Class I, size 43 to 60 mm.

## SWEET ORANGES

For the period from 1 December 1996 to 31 May 1997

(ECU/100 kg net)

	Basic price	Buying-in price
December	41,08	25,96
January	36,79	23,82
February	37,54	24,40
March	39,85	24,74
April and May	40,61	25,04

These prices refer to packed oranges of the Moro, Navel, Navellina, Salustiana, Sanguinello and Valencia late varieties, Quality Class I, size 67 to 80 mm.

*Note:*

The prices given in this Annex do not include the cost of the packaging in which the product is presented.

**Proposal for a**  
**COUNCIL REGULATION (EC) No ...**  
**of ...**  
**amending Regulation (EEC) No 822/87 on the common organization of the market in wine**  
(96/C 125/22)  
96/0073(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

wine year; whereas they should be continued for one wine year so that their effectiveness may be assessed;

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Whereas Articles 39 (12) and 65 (5) of Regulation (EEC) No 822/87 provide that, during the 1995/96 wine year, the Commission is to submit to the Council reports on the effects of the structural measures and their link with compulsory distillation, and on maximum sulphur dioxide levels in wine and any proposals arising therefrom; whereas the reports on wine-growing zones and on the effects of the structural measures and their link with compulsory distillation are no longer necessary because of new policies in the sector; whereas the Commission has just submitted its report on enrichment; whereas, therefore, those reports no longer need to be referred to;

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 all new planting of vines is prohibited until 31 August 1996; whereas, however, in view of the situation on the wine sector market, the existing ban should be extended by one wine year pending Council decisions on reforming the sector;

Whereas the significance for the sector of the sulphur dioxide problem calls for proposals taking account of all data available, in particular the work of the International Vine and Wine Office (I. W. O.); whereas that time limit must therefore be deferred by one wine year,

Whereas, to take account of the special conditions in which table wines are produced in Spain, temporary derogations concerning blending and the total acidity of certain table wines produced in that Member State should be laid down; whereas the derogation concerning total acidity should also be extended to table wines produced in Portugal;

HAS ADOPTED THIS REGULATION:

*Article 1*

Whereas Article 17 (3) of Regulation (EEC) No 822/87 <sup>(1)</sup>, as last amended by Regulation (EC) No 1544/95 <sup>(2)</sup>, provides that one particular form of deacidification is permitted on a transitional basis only; whereas so that a final decision can be taken regarding that technique, current practice should be continued until the end of the 1996/97 wine year;

Regulation (EEC) No 822/87 is hereby amended as follows:

1. In Article 6 (1), '31 August 1996' is replaced by '31 August 1997'.
2. In the third subparagraph of Article 16 (5), 'between 1 January and 31 August 1996' is replaced by 'between 1 January 1996 and 31 August 1997'.
3. In Article 17 (3), '31 August 1996' is replaced by '31 August 1997'.
4. In Article 18 (3), the second subparagraph is deleted.

Whereas Article 46 (4) of Regulation (EEC) No 822/87 provides that campaigns to promote the consumption of grape juice may only be conducted until the 1995/96

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 1.

<sup>(2)</sup> OJ No L 148, 30. 6. 1995, p. 31.



## 5. In Article 39:

- (a) in the third subparagraph of paragraph 3, 'until the end of the 1995/96 wine year' is replaced by 'until the end of the 1996/97 wine year';
- (b) in the fourth subparagraph of paragraph 3, 'from the 1996/97 wine year onwards' is replaced by 'from the 1997/98 wine year onwards';
- (c) in paragraph 10, '1995/96' is replaced by '1996/97';
- (d) in paragraph 11, '1995/96' is replaced by '1996/97';
- (e) paragraph 12 is deleted.

## 6. In Article 46 (4), '1995/96' is replaced by '1996/97'.

## 7. In Article 65:

- (a) in paragraph 2, the following indent is added at the end of letter (b):

— white quality wines psr originating in the United Kingdom described and presented in accordance with British legislation by the

term "botrytis", or other equivalent terms, such as "noble harvest", "noble late harvested" or "special late harvested";

- (b) in paragraph 5, '1 April 1996' is replaced by '1 April 1997' and '1 September 1996' is replaced by '1 September 1997'.

## 8. In Annex I, point 13, the last subparagraph is replaced by:

'For the 1996/97 wine year, table wine produced in Portugal and in the Spanish areas of winegrowing zone C other than the Regions of Asturias, the Balearic Islands, Cantabria and Galicia and the provinces of Guipúzcoa and Vizcaya, and released to the Portuguese market and to the Spanish market respectively, may have a total acidity content expressed as tartaric acid, of not less than 3,5 g/l.'

*Article 2*

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 ...

*For the Council*

...

**Proposal for a**  
**COUNCIL REGULATION (EC) No ...**  
**of ...**  
**fixing the guide prices for wine for the 1996/96 wine year**  
 (96/C 125/23)  
 96/0074(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine <sup>(1)</sup>, as last amended by Regulation (EC) No ... <sup>(2)</sup>, and in particular Article 27 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, when the guide prices for the various types of table wine are fixed, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are, in particular, to guarantee a fair standard of living for the farming community and to ensure that supplies are available and reach consumers at reasonable prices;

Whereas if these objectives are to be achieved, it is absolutely essential that the gap between production and demand should not be opened further; whereas to that end, the guide prices for 1996/97 wine year should be set at the same levels as the previous year;

Whereas the guide prices must be fixed for each type of table wine representative of Community production as defined in Annex III to Regulation (EEC) No 822/87,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1996/97 wine year, the guide prices for table wine shall be as follows:

Type of wine	Guide price
R I	ECU 3,828/% vol/hl
R II	ECU 3,828/% vol/hl
R III	ECU 62,15/hl
A I	ECU 3,828/% vol/hl
A II	ECU 82,81/hl
A III	ECU 94,57/hl

*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 apply from 1 September 1996.

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

Done at ...

*For the Council*

...

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 1.

<sup>(2)</sup> See page 45 of this Official Journal.

Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...  
amending Regulation (EEC) No 2332/92 as regards sparkling wines produced in the  
Community and Regulation (EEC) No 4252/88 on the preparation and marketing of liqueur  
wines produced in the Community

(96/C 125/24)

96/0075(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

*Article 1*

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Regulation (EEC) No 2332/92 is hereby amended as follows:

Having regard to the proposal from the Commission,

1. In Article 11 (3) '1 April 1996' and '1 September 1996' are replaced respectively by '1 April 1997' and '1 September 1997'.

Having regard to the opinion of the European Parliament,

2. In Article 16 (3), '1 April 1996' and '1 September 1996' are replaced respectively by '1 April 1997' and '1 September 1997'.

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

*Article 2*

Regulation (EEC) No 4252/88 is hereby amended as follows:

Whereas Articles 11 and 16 of Regulation (EEC) No 2332/92 <sup>(1)</sup> and Article 6 (2) of Regulation (EEC) No 4252/88 <sup>(2)</sup>, as last amended by Regulation (EC) No 1547/95 <sup>(3)</sup>, fix the maximum sulphur dioxide content of sparkling wines and of liqueur wines; whereas those Articles provide for the presentation by 1 April 1996 of a report from the Commission to the Council on those contents, together, where appropriate, with proposals; whereas the measures proposed should be consistent with others that the Commission is required to draft; whereas the abovementioned deadline should be postponed to that end; whereas the same is true for the deadlines laid down in Article 4 (2) of Regulation (EEC) No 4252/88,

1. In Article 4 (2), '1 April 1995' and '1 September 1995' are replaced respectively by '1 April 1997' and '1 September 1997'.

2. In Article 6 (2) '1 April 1996' and '1 September 1996' are replaced respectively by '1 April 1997' and '1 September 1997'.

*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.

Done at ...

*For the Council*

...

<sup>(1)</sup> OJ No L 231, 13. 8. 1992, p. 1.

<sup>(2)</sup> OJ No L 373, 31. 12. 1988, p. 59.

<sup>(3)</sup> OJ No L 148, 30. 6. 1995, p. 35.

**Proposal for a  
COUNCIL REGULATION (EC) No ...**

of ...

**amending Regulation (EEC) No 1442/88 on the granting, for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums in respect of wine-growing areas**

(96/C 125/25)

96/0076(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

*Article 1*

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Regulation (EEC) No 1442/88 is hereby amended as follows:

Having regard to the proposal from the Commission,

1. The title of the Regulation is replaced by the following:

Having regard to the opinion of the European Parliament,

‘on the granting, for the 1988/89 to 1996/97 wine years, of permanent abandonment premiums in respect of wine-growing areas’.

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

2. In Article 1 (1), the phrase ‘during the 1988/89 to 1995/96 wine years’ is replaced by ‘during the 1988/89 to 1996/97 wine years’.

Whereas the measure encouraging the abandonment of wine-growing areas by means of the grant of premiums, as provided for in Regulation (EEC) No 1442/88 <sup>(1)</sup>, as last amended by Regulation (EC) No 1548/95 <sup>(2)</sup>, has helped to rationalize the wine-growing sector; whereas, however, certain marginal wine-growing areas still exist whose abandonment should be encouraged;

3. In Article 11, the phrase ‘before the end of the 1993/94 wine year’ is replaced by the phrase ‘at the earliest by 31 July 1997 and at the latest by 31 December 1998’.

4. In the third paragraph of Article 17a, the date 31 December 1995 is replaced by 15 May 1997.

5. In Article 20, the following indent is added:

Whereas, pending adoption of the reform of the common market organization in the wine sector, the current system of premiums for the permanent abandonment of wine-growing areas should be extended;

— Article 3 (e), in particular with regard to the criterion for financing and the period during which it was granted, and which may not be less than 15 years’.

*Article 2*

Whereas certain detailed rules should be laid down so as to exclude from eligibility for permanent abandonment premiums those areas having previously received aid for the restructuring of vineyards,

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 ...

*For the Council*

...

<sup>(1)</sup> OJ No L 132, 28. 5. 1988, p. 3.

<sup>(2)</sup> OJ No L 148, 30. 6. 1995, p. 36.

**Proposal for a**  
**COUNCIL REGULATION (EC) No ...**  
**of ...**  
**amending Regulation (EEC) No 2392/86 establishing a Community vineyard register**  
**(96/C 125/26)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2392/86 of 24 July 1986 establishing a Community vineyard register <sup>(1)</sup>, as last amended by Regulation (EC) No 1549/95 <sup>(2)</sup>, and in particular Article 4 thereof,

Having regard to the proposal from the Commission,

Whereas the measures provided for in this Regulation must be sufficiently flexible to allow them to be adjusted to developments in the common organization of the market in wine; whereas the technical difficulties

encountered by some Member States to establish a vineyard register make it necessary to extend the time limit laid down in Article 4 of Regulation (EEC) No 2392/86,

HAS ADOPTED THIS REGULATION:

*Article 1*

In the first subparagraph of Article 4 (4) of Regulation (EEC) No 2392/86 '31 December 1996' is replaced by '31 December 1998'.

*Article 2*

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 ...

*For the Council*

...

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<sup>(1)</sup> OJ No L 208, 31. 7. 1986, p. 1.

<sup>(2)</sup> OJ No L 148, 30. 6. 1995, p. 37.

Proposal for a  
COUNCIL REGULATION (EC) No ...  
of ...

fixing, for the 1996 harvest, the premiums for leaf tobacco by group of tobacco varieties

(96/C 125/27)

96/0077(CNS)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organization of the market in raw tobacco <sup>(1)</sup>, as last amended by Regulation (EC) No 711/95 <sup>(2)</sup>, and in particular Article 4 (1) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas, when the premiums for raw tobacco are fixed, account should be taken of the objectives of the common agricultural policy; whereas the common agricultural policy aims in particular to guarantee a fair standard of

living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices; whereas the premium must take account in particular of past and foreseeable possibilities of disposal of the various tobaccos under normal conditions of competition,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1996 harvest, the premium referred to in Article 4 of Regulation (EEC) No 2075/92 for each group of raw tobacco varieties, and the supplementary amounts, shall be as set out in the Annex hereto.

*Article 2*

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 ...

*For the Council*

...

<sup>(1)</sup> OJ No L 215, 30. 7. 1992, p. 70.

<sup>(2)</sup> OJ No L 73, 1. 4. 1995, p. 13.

## ANNEX

## PREMIUMS FOR LEAF TOBACCO FROM THE 1996 HARVEST

	I Flue-cured	II Light air-cured	III Dark air-cured	IV Fire-cured	V Sun-cured	VI Basmas	VII Katerini	VIII Kaba Koulak
ECU/kg	2,70965	2,16748	2,16748	2,38362	2,16748	3,75415	3,18541	2,27615

## SUPPLEMENTARY AMOUNTS

Variety	ECU/kg
Badischer Geudertheimer, Pereg, Korso	0,4238
Badischer Burley E and hybrids thereof	0,6786
Virgin D and hybrids thereof, Virginia and hybrids thereof	0,3876
Paraguay and hybrids thereof, Dragon vert and hybrids thereof, Philippin, Petit Grammont (Flobecq), Semois, Appelterre	0,3163
Nijkerk	0,1847
Misionero and hybrids thereof, Rio Grande and hybrids thereof	0,2016