

REGULATION (EEC) No 1195/71 OF THE COMMISSION

of 8 June 1971

laying down detailed rules on aid for flax and hemp

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1308/70¹ of 29 June 1970 on the common organisation of the market in flax and hemp, and in particular Article 4 (5) thereof;

Whereas Council Regulation (EEC) No 619/71² of 22 March 1971 laid down general rules for granting aid for flax and hemp; whereas it is for the Commission to lay down the relevant detailed rules;

Whereas, to ensure the proper working of the aid system, it is necessary to distinguish flax grown mainly for fibre from that grown mainly for seed; whereas this aim can be achieved by indicating the seeds from which these two types of flax may be produced;

Whereas, to prevent fraud, certain conditions for granting aid need to be specified;

Whereas Article 4 of Regulation (EEC) No 619/71 required Member States to ensure by administrative supervision that the product for which aid is requested qualifies for that aid; whereas, consequently, the declarations of areas sown and applications for aid to be submitted by the producers should contain the minimum information necessary for such administrative supervision;

Whereas Article 5 of Regulation (EEC) No 619/71 provides for administrative supervision of the above-mentioned declarations and applications for aid by means of spot checks; whereas, to be effective, such administrative supervision should cover a sufficiently representative number of declarations and applications;

Whereas, to simplify the application of the aid system where the first purchaser receives part of the aid, provision should be made that the payment of aid to that purchaser should be subject to presentation of a production certificate; whereas to ensure the proper application of this arrangement, the information to be given in this certificate should be specified;

Whereas, however, in view of the date of entry into force of the provisions of this Regulation, application of the production certificates arrangement may meet with difficulties in Member States which have adopted a system of registered contracts; whereas, consequently, those Member States should be authorised to maintain that system for the granting of aid to the first purchaser;

Whereas the validity of this Regulation should be restricted to the period necessary to assess its effectiveness;

Whereas the Management Committee for Flax and Hemp has not delivered an Opinion within the time limit set by its Chairman;

HAS ADOPTED THIS REGULATION:

Article 1

For the 1971/72 marketing year, the aid referred to in Article 4 of Regulation (EEC) No 1308/70 shall be granted for flax and hemp produced in the Community under the conditions defined in the following Articles.

Article 2

For the purposes of Article 3 of Council Regulation (EEC) No 619/71:

- (a) 'flax grown mainly for fibre' means: flax produced from seeds of the varieties listed in the Annex;

¹ OJ No L 146, 4.7.1970, p. 1.

² OJ No L 72, 26.3.1971, p. 2.

- (b) 'flax grown mainly for' means: flax produced from seeds of varieties other than those listed in the Annex.

Article 3

1. Aid shall be granted to the producer of flax or hemp on application, which application must be made by him after the harvest and by 31 October 1971 at the latest.
2. Aid shall be granted only for areas:
 - (a) which have been fully sown and harvested and on which normal cultivation work has been carried out;
 - (b) in respect of which a declaration of areas sown has been made in accordance with the provisions of Article 4.

Article 4

1. Every producer of flax or hemp shall submit a declaration of areas sown on the date fixed by the Member State concerned, and by 15 July 1971 at the latest.
2. The declaration shall include:
 - the name and address of the person making the declaration;
 - the botanical species and, for flax, the variety sown or, failing this, its main use;
 - the area sown in hectares and ares;
 - the land-register number, or equivalent indication, of the areas sown.

Article 5

The application for aid to be made by the producer shall include:

- the name and address of the applicant;
- a declaration of areas harvested, in hectares and ares, and the land-register number, or equivalent indication, of such areas;

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

Done at Brussels, 8 June 1971.

- the place of storage of the product harvested or, if sold and delivered, the name and address of the first purchaser.

Article 6

The administrative supervision provided for in Article 5 of Regulation (EEC) No 619/71 shall cover a representative number of declarations and applications, taking into account the dimensions and the geographical distribution of the areas in question.

Article 7

1. For the flax defined in Article 2 (a), half the amount of aid relating to the area for which the right to aid had been recognised shall be paid to the producer concerned.
2. As regards the other half, the Member State shall provide the producer with a production certificate for each hectare or part thereof for which the right to aid has been recognised.

The production certificate shall contain:

- the name and address of the producer;
- the area in question;
- the amount of aid to be paid;
- the name and address of the first purchaser;
- the signature of the producer.

3. The aid shall be paid to the first purchaser on presentation of the duly completed certificate.

Article 8

By way of derogation from Article 7 (2) and (3), a Member State in which a system of registered contracts between producers and first purchasers is provided for shall be authorised to pay aid to first purchaser on presentation of the registered contract.

Article 9

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

For the Commission

The President

Franco M. MALFATTI

ANNEX

List of varieties of flax grown mainly for fibre production

- | | |
|------------|-------------|
| — Azur | — Jade |
| — Crista | — Linda |
| — Emeraude | — Primo |
| — Fibra | — Reina |
| — Hera | — Tissandre |
| — Hilda | — Wiera |
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