

COMMISSION DECISION

of 21 December 1973

on the reimbursement by the Guidance Section of the EAGGF for premiums paid during 1970 and 1971 for grubbing apple trees, pear trees and peach trees to the Kingdom of the Netherlands

(Only the Dutch text is authentic)

(74/118/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 2517/69⁽¹⁾ of 9 December 1969 laying down certain measures for reorganizing Community fruit production, as last amended by Regulation (EEC) No 2456/72⁽²⁾;

Having regard to Council Regulation (EEC) No 2093/70⁽³⁾ of 20 October 1970 adopting general rules for the application of Articles 6 and 7 (1) of Regulation (EEC) No 2517/69 and in particular Article 2 (2) thereof;

Whereas for premiums paid in 1970 the Commission has statuated provisionally by Decision of 22 December 1972 that this grant was subordinated to the payment of the balance of these premiums which should be brought up to 800 units of account per grubbed hectare;

Whereas for the expenditures of 1970 the balance necessary to bring up to 800 units of account the premiums per grubbed hectare has been paid in 1971 (1 084 710 units of account) and 1972 (139 340 units of account); the payments made during 1971 and 1972 are being reimbursed by the EAGGF for these civil years;

Whereas the number of grubbed hectares in 1970 to be considered for the payment of the premium is, however, less high than initially indicated, so that the amount of the premiums paid in 1970 under the conditions laid down in Regulation (EEC) No 2517/69 and its rules of application is 2 233 184 units of account instead of 2 313 627 units of account; whereas the Guidance Section of the European Agricultural Guidance and Guarantee Fund should therefore reimburse on expenditure of 1970, 50 % of 2 233 184 units of account i.e. 1 116 592 units of account;

Whereas for the premiums paid in 1971 the Kingdom of the Netherlands has made an application for the

reimbursement, in accordance with the provisions of Commission Regulation (EEC) No 1096/71 of 27 May 1971, on applications for the reimbursement of premiums granted by the Member States for grubbing apple trees, pear trees and peach trees⁽⁴⁾;

Whereas the submitted information shows that premiums have been paid for a total amount of 4 151 592 units of account; this amount includes:

- 2 741 445 units of account concerning new grubbing operations done in 1971 for which the premium was 800 units of account per grubbed hectare;
- 1 084 710 units of account concerning the amount of complementary payments which were necessary to bring the premiums paid in 1970 per grubbed hectare partially up to 800 units of account;
- 325 437 units of account concerning the amount of new part payments relating to grubbing operations done in 1970;

Whereas the part payment of these premiums shown in the third indent above is justified to avoid discrimination of the beneficiaries who even for grubbing in 1970 have obtained the first payment during two different years, which is to say 1970 or 1971; however, the balance has been paid in 1971 and in 1972, in the same way as for the expenditures of 1970;

Whereas, with reserve to what is mentioned above, the payment of 4 151 592 units of account in 1971 has been made under the conditions laid down in Regulation (EEC) No 2517/69 and its rules of application; whereas the Guidance Section of the European Agricultural Guidance and Guarantee Fund should therefore reimburse 50 % of that account, i.e. 2 075 796 units of account;

Whereas however the balance allowed for in the exercise for the financial year 1972 for reimbursing the payments under consideration and carried over with the Council's authority to the 1973 exercise, as the total grant cannot be made at the present time; consequently a provisional sum should be decided upon so that the necessary amount of assistance will

⁽¹⁾ OJ No L 318, 18. 12. 1969, p. 15.

⁽²⁾ OJ No L 266, 25. 11. 1972, p. 9.

⁽³⁾ OJ No L 232, 21. 10. 1970, p. 5.

⁽⁴⁾ OJ No L 116, 28. 5. 1971, p. 35.

be available and to establish a definite sum as soon as the necessary funds can be made available ;

Whereas the Fund Committee has been consulted on the financial aspects and in particular on the funds available,

HAS ADOPTED THIS DECISION :

Article 1

The contribution by the Guidance Section of the European Agricultural Guidance and Guarantee Fund towards the expenditure incurred by the Kingdom of the Netherlands during 1970 in respect of premiums for grubbing apple trees, pear trees and peach trees is fixed definitely at 1 116 592 units of account.

Article 2

The contribution by the Guidance Section of the European Agricultural Guidance and Guarantee Fund

towards the expenditure incurred by the Kingdom of the Netherlands during 1971 in respect of premiums for grubbing apple trees, pear trees and peach trees is fixed provisionally at 1 339 278 units of account.

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 21 December 1973.

For the Commission

The President

François-Xavier ORTOLI
