

COMMISSION DECISION

of 30 November 1994

amending Decision 93/659/EC on the clearance of the accounts presented by Greece, Spain and Italy in respect of the expenditure for 1990 of the EAGGF, Guarantee Section

(Only the Spanish, Greek and Italian texts are authentic)

(94/1077/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 2048/88 ⁽²⁾, and in particular Article 5 ⁽²⁾ thereof,

After consulting the Fund Committee,

Whereas, by Commission Decision 93/659/EC ⁽³⁾, amounts relating to the additional levy totalling Dr 369 593 980, Pta 29 492 159 232 and Lit 526 309 029 147 for Greece, Spain and Italy respectively, which should have been paid in the milk and milk products sector, were disallowed; whereas the said amounts were charged to Greece, Spain and Italy under the Decision in question; whereas the information available to the Commission at the time did not enable it to calculate exactly the aforementioned disallowed sums; whereas it reserved the option of amending the disallowed sums under a subsequent clearance of accounts decision;

Whereas, in their joint conclusions of 21 October 1994, the Commission and the Council agreed that the proceedings pending before the European Court of Justice relating to that clearance decision should be withdrawn; whereas the Commission will revise those clearance decisions for 1990 which the Court of Justice has been asked to annul in such a way that the financial corrections for the States concerned will be based on the guaranteed quantities allocated at the time and on the most reliable statistical data; whereas the additional costs to be borne by the States affected by the increase in the financial corrections for 1990 should be recovered in four equal annual instalments from 1995 until the end of 1998;

Whereas the amounts of the corrections thus established are unlikely to change, with the result that those corrections become definitive;

Whereas the Annex to Decision 93/659/EC should therefore be amended in respect of Greece, Spain and Italy,

HAS ADOPTED THIS DECISION:

Article 1

The parts of the Annex to Decision 93/659/EC relating to Greece, Spain and Italy are replaced by the Annex hereto.

Article 2

The amounts of Dr 452 309 736 payable by Greece, Pta 28 191 034 558 payable by Spain and Lit 403 466 188 800 payable by Italy shall be taken into account as part of the expenditure referred to in Article 3 of Commission Regulation (EEC) No 2776/88 ⁽⁴⁾ in accordance with the following timetable:

First fortnight of October	Greece	Spain	Italy
1995	113 077 434	7 047 758 640	100 866 547 200
1996	113 077 434	7 047 758 640	100 866 547 200
1997	113 077 434	7 047 758 639	100 866 547 200
1998	113 077 434	7 047 758 639	100 866 547 200

Article 3

This Decision is addressed to the Hellenic Republic, the Kingdom of Spain and the Italian Republic.

Done at Brussels, 30 November 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 185, 15. 7. 1988, p. 1.

⁽³⁾ OJ No L 301, 8. 12. 1993, p. 13.

⁽⁴⁾ OJ No L 249, 8. 9. 1988, p. 9.

ANNEX

'GREECE

EAGGF Guarantee Section expenditure — Financial year: 1990	Greek drachmas
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	375 713 512 722
(b) Expenditure declared during the preceding year but excluded from that clearance	106 070 896 520
(c) Expenditure declared, excluded from the present clearance	-343 019 260
(d) Expenditure declared, coming under the present clearance (a + b + c)	481 441 389 982
(e) Expenditure disallowed	-5 520 386 836
(f) Total expenditure recognized (d + e)	475 921 003 146
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	376 000 997 503
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	106 070 896 520
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	-343 019 260
(d) Total expenditure charged, coming under the present clearance	481 728 874 763
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d-1f)	5 807 871 617

‘SPAIN

EAGGF Guarantee Section expenditure — Financial year: 1990	Spanish pesetas
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	277 982 315 185
(b) Expenditure declared during the preceding year but excluded from that clearance	1 766 026 057
(c) Expenditure declared, excluded from the present clearance	0
(d) Expenditure declared, coming under the present clearance (a + b + c)	279 748 341 242
(e) Expenditure disallowed	-57 415 104 531
(f) Total expenditure recognized (d + e)	222 333 236 711
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	277 910 254 332
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	1 766 026 057
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0
(d) Total expenditure charged, coming under the present clearance	279 676 280 389
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d–1f)	57 343 043 678

ITALY

EAGGF Guarantee Section expenditure — Financial year: 1990	Italian lira
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	6 370 613 428 380
(b) Expenditure declared during the preceding year but excluded from that clearance	103 600 591 415
(c) Expenditure declared, excluded from the present clearance	0
(d) Expenditure declared, coming under the present clearance (a + b + c)	6 474 214 019 795
(e) Expenditure disallowed	-989 595 404 341
(f) Total expenditure recognized (d + e)	5 484 618 615 454
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	6 394 446 710 610
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	103 600 591 415
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0
(d) Total expenditure charged, coming under the present clearance	6 498 047 302 025
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d-1f)	1 013 428 686 571 '