II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 12 March 1973

on the refund by the Guidance Section of the European Guidance and Guarantee Fund of premiums for grubbing apple, pear and peach trees paid by the Government of Belgium in 1970 and 1971

(Only the French and the Dutch texts are authentic)

(73/72/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 2476/70 (2) ;

Having regard to Council Regulation (EEC) No 2093/70 of 20 October 1970 laying down general rules for applying Article 6 and Article 7 (1) of Regulation (EEC) No 2517/69 (3), and in particular Article 2 (2) ;

Whereas the Commission on 18 July 1972 took an interim decision on premiums for grubbing fruit trees paid by the Kingdom of Belgium in 1970 ;

Whereas this decision was conditional upon payment in 1972 of the balance of these premiums which were to be brought up to 800 units of account per grubbed hectare ;

Whereas as regards the 1970 expenses the balance bringing the partly paid premiums up to 800 units of account was paid to the beneficiary in 1972 and will be refunded by the European Agricultural Guidance and Guarantee Fund under the heading of expenses for that calendar year ;

Whereas the grant by the Fund in respect of 1970 expenses should be finalized ;

Whereas the Kingdom of Belgium has requested a refund of all expenses incurred in 1971 for premiums granted ;

Whereas this request is in conformity with Commission Regulation (EEC) No 1096/71 (4) of 27 May 1971 on request of refunds of premiums granted by Member States for grubbing apple, pear and peach trees ;

Whereas the information received in respect of 1971 reveals that the total amount of premiums paid amounted to 1 710 879 units of account, of which 1 377 808 units of account were for premiums amounting to 800 units of account per hectare, and 333 071 units of account were in respect of partial payments for grubbing done in 1970 ;

Whereas such partial payment of premiums arose from the anxiety to avoid discriminating between beneficiaries, who having grubbed trees in 1970 have received their premiums in different years, that is in 1970 or 1971 ;

(1) OJ No L 318, 18. 12. 1969, p. 15.
(2) OJ No L 266, 9. 12. 1970, p. 2.
(3) OJ No L 232, 21. 10. 1970, p. 5.
(4) OJ No L 116, 28. 5. 1971, p. 35.

Whereas the balance was, however, paid in 1972 as for the 1970 expenses ;

Whereas — subject to what precedes — payment of 1 710 879 units of account in 1971 was made in accordance with Regulation (EEC) No 2517/69 and its detailed rules of application ;

Whereas the Guidance Section of the European Agricultural Guidance and Guarantee Fund should, therefore, reimburse 50 % of this amount, namely 855 439 units of account ;

Whereas the Committee of the Fund has been consulted on the financial aspects and in particular on the finances available ;

HAS ADOPTED THIS DECISION :

Article 1

The contribution of the Guidance Section of the European Agricultural Guidance and Guarantee Fund to the expenses incurred by the Kingdom of Belgium in 1970 by way of premiums for grubbing apple, pear and peach trees is fixed at the final figure of 1 206 266 units of account.

Article 2

The contribution of the Guidance Section of the European Agricultural Guidance and Guarantee Fund to the expenses incurred by the Kingdom of Belgium in 1971 by way of premiums for grubbing apple, pear and peach trees shall be 855 439 units of account.

Article 3

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 12 March 1973.

For the Commission

The President

François-Xavier ORTOLI