COMMISSION DECISION

of 20 December 1977

on aid from the Guidance Section of the EAGGF towards the expenditure of the Federal Republic of Germany on refunds on exports to non-member countries and intervention on the internal market in respect of the 1968/69 accounting period

(Only the German text is authentic)

(78/228/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 17/64/EEC of 5 February 1964 on the conditions for granting aid from the European Agricultural Guidance and Guarantee Fund (1), as last amended by Regulation (EEC) No 3171/75 (2), and in particular Article 10 (5) (b) thereof,

Having regard to the application for reimbursement from the Federal Republic of Germany,

After consultation with the Committee of the EAGGF,

Whereas Article 10 (5) (b) of Regulation No 17/64/EEC provides that the Commission is to decide before 31 December 1974 on aid from the Fund on the basis of the applications for reimbursement of expenditure on refunds on exports to non-member countries and intervention on the internal market submitted by the Member States in respect of the 1968/69 accounting period; whereas, however, as a result of the considerable delays in submitting and verifying these applications it has not been possible to take a decision on this aid before December 1977;

Whereas Article 7 (1) of Council Regulation No 130/66/EEC of 26 July 1966 on the financing of the common agricultural policy (3) provides that the contribution from the Fund is to cover all the expenditure eligible under Article 3 (1) (a), (b) and (c) of Council Regulation No 25 of 4 April 1962 on the financing of the common agricultural policy (4), except in the milk and milk products sector where the sum of 70 975 000 units of account is to be borne by the Member State in accordance with Article 16 of Council Regulation (EEC) No 2306/70 of 10 November 1970 on the financing of intervention expenditure in respect of the domestic market in milk and milk products (5); whereas the inspections carried out show that a part of the expenditure declared amounting to DM 12 404 330·39 or 3 101 082·60 units of account does not satisfy the above requirements as to eligibility and therefore cannot be reimbursed for this period; whereas the Member State has been fully informed of these deductions and has been able to give its views thereon;

Whereas the Commission, in its Decisions of 27 June 1969 (6), 22 December 1969 (7) and 23 October 1970 (8), fixed at 260 395 407 units of account the total of the advances to be set against aid from the Fund towards the expenditure of the Federal Republic of Germany reimbursable by the Guarantee Section in respect of the 1968/69 accounting period; whereas this should be taken into account when establishing the amount to be reimbursed by way of such aid,

HAS ADOPTED THIS DECISION:

Article 1

1. Aid from the European Agricultural Guidance and Guarantee Fund, Guarantee Section, towards the eligible expenditure of the Federal Republic of Germany on refunds on exports to non-member countries and intervention on the internal market in respect of the 1968/69 accounting period is fixed at a total of DM 1 186 925 380·04 (296 731 345·01 units of account).

2. The sum to be reimbursed by the Fund as aid, after deduction of the advances, totalling 260 395 407 units

(1) OJ No 34, 27. 2. 1964, p. 586/64.
(2) OJ No L 315, 5. 12. 1975, p. 1.
(3) OJ No 165, 21. 9. 1966, p. 2965/66.
(4) OJ No 30, 20. 4. 1962, p. 991/62.
(5) OJ No L 249, 17. 11. 1970, p. 4.
(6) OJ No L 173, 15. 7. 1969.
(7) OJ No L 13, 19. 1. 1970.
(8) OJ No L 244, 7. 11. 1970.

of account, approved on 27 June 1969, 22 December 1969 and 23 October 1970 is fixed at 36 335 938·01 units of account.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 20 December 1977.

For the Commission

Finn GUNDELACH

Vice-President