COMMISSION DECISION

of 28 July 1978

amending Decisions 76/141/EEC and 76/147/EEC concerning the discharge of the accounts presented by the Federal Republic of Germany in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1971 and 1972

(Only the German text is authentic)

(78/710/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

After consulting the Fund Committee,

Whereas under Article 5 (2) (b) of Regulation (EEC) No 729/70 the Commission, on the basis of the annual accounts presented by the Member States, shall discharge the accounts of the authorities and bodies referred to in Article 4 thereof;

Whereas by Commission Decisions 76/141/EEC (2) and 76/147/EEC (3) of 2 December 1975 concerning the discharge of the accounts presented by the Federal Republic of Germany in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1971 and 1972, part of the expenditure declared in respect of cereals, covering secondary transport costs incurred by reason of the termination of leases, amounting to DM 307 833·81, was not financed on the grounds that such transport operations did not satisfy the conditions, particularly as regards their necessity, laid down in Article 4 (1) (g) of Regulation (EEC) No 787/69;

Whereas the Commission authorized the transport operations in question by its Decision of 29 June 1978, having regard to the judgment of the Court of Justice of 4 May 1976 in Case 47/75 (4); whereas, consequently, the corresponding expenditure effected by the Federal Republic of Germany in respect of the 1971 and 1972 financial years should be financed by and charged against the EAGGF, Guarantee Section,

HAS ADOPTED THIS DECISION:

Article 1

1. The Annex to Decision 76/141/EEC is hereby replaced by Annex 1 hereto.

2. The Annex to Decision 76/147/EEC is hereby replaced by Annex 2 hereto.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 28 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 94, 28. 4. 1970, p. 13.
(2) OJ No L 27, 2. 2. 1976, p. 3.
(3) OJ No L 27, 2. 2. 1976, p. 15.

(4) [1976] ECR, 569.

ANNEX 1

Discharge of the accounts of the authorities and bodies empowered in the Federal Republic of Germany to pay the expenses financed by the EAGGF, Guarantee Section, for 1971

1. Funds available after discharge of the accounts for 1971		—		—
2. Advances received for 1971	DM	1 478 607 000·00	i.e.	403 990 983·61 u.a.
3. Total available to cover expenditure for 1971	DM	1 478 607 000·00	i.e.	403 990 983·61 u.a.
4. Expenditure incurred in 1971 and charged against the EAGGF, Guarantee Section				
— Bundeskasse Hamburg-Jonas	DM	627 597 497·06 (1)	i.e.	171 474 725·97 u.a.
— Einfuhr- und Vorratsstelle für Getreide	DM	123 849 898·76	i.e.	33 838 770·15 u.a.
— Einfuhr- und Vorratsstelle für Fette	DM	186 284 714·46	i.e.	50 897 462·97 u.a.
— Einfuhr- und Vorratsstelle für Zucker	DM	49 200 926·30 (2)	i.e.	13 442 876·04 u.a.
— Einfuhr- und Vorratsstelle für Schlachtvieh	DM	3 538 178·25	i.e.	966 715·37 u.a.
— Bundesamt für Ernährung und Forsten	DM	403 638 365·20	i.e.	110 283 706·34 u.a.
Total	DM	1 394 109 580·03	i.e.	380 904 256·84 u.a.
5. Funds available after discharge of the accounts for 1971	DM	84 497 419·97	i.e.	23 086 726·77 u.a.

(1) Including DM 1 113 890·20 paid by the GAWI at Frankfurt for export refunds concerning food aid.
(2) Not including the credit balance of the single account as provided for under Article 3 (2) of Regulation (EEC) No 787/69 to be carried over to the single account of the following year (DM 1 744 697·15).

ANNEX 2

Discharge of the accounts of the authorities and bodies empowered in the Federal Republic of Germany to pay the expenses financed by the EAGGF, Guarantee Section, for 1972

1. Funds available after discharge of the accounts for 1971	DM	84 497 419·97	i.e.	23 086 726·77 u.a.
2. Advances received for 1972	DM	1 808 040 000·00	i.e.	494 000 000·00 u.a.
3. Total available to cover expenditure for 1972	DM	1 892 537 419·97	i.e.	517 086 726·77 u.a.
4. Expenditure incurred in 1972 and charged against the EAGGF, Guarantee Section				
— Bundeskasse Hamburg-Jonas	DM	803 452 714·52 (1)	i.e.	219 522 599·60 u.a.
— Einfuhr- und Vorratsstelle für Getreide	DM	186 743 411·04	i.e.	51 022 789·90 u.a.
— Einfuhr- und Vorratsstelle für Fette	DM	321 024 216·02	i.e.	87 711 534·43 u.a.
— Einfuhr- und Vorratsstelle für Zucker	DM	94 344 570·08 (2)	i.e.	25 777 204·94 u.a.
— Einfuhr- und Vorratsstelle Schlachtvieh	DM	144 107·93	i.e.	31 177·03 u.a.
— Bundesamt für Ernährung und Forsten	DM	381 278 594·94	i.e.	104 174 479·49 u.a.
Total	DM	1 786 957 614·53	i.e.	488 239 785·39 u.a.
5. Funds available after discharge of the accounts for 1972	DM	105 579 805·44	i.e.	28 846 941·38 u.a.

(1) Including DM 1 684 262·48 paid by the GAWI at Frankfurt for export refunds concerning food aid.
(2) Not including the credit balance of the single account as provided for under Article 3 (2) of Regulation (EEC) No 787/69 to be carried to the single account of the following year (DM 1 590 818·16).