COMMISSION DECISION

of 12 October 1979

concerning the clearance of the accounts presented by the Federal Republic of Germany in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1973

(Only the German text is authentic)

(79/895/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), as last amended by Regulation (EEC) No 929/79 (2), 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 clear the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas the Federal Republic of Germany has transmitted to the Commission the documents required to clear the accounts for 1973; whereas the latter has carried out the on-the-spot inspections provided for in Article 9 (2) of Regulation (EEC) No 729/70; whereas, however, it has not been possible for the Commission to ascertain that separate accounts have been kept for expenditure from the Fund, Guarantee Section;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts for the European Agricultural Guidance and Guarantee Fund, Guarantee Section (3), provides that the decision to clear the accounts shall include the determination of the amount of expenditure incurred in each Member State during the year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available to each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to non-member countries and intervention intended to stabilize agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organization of agricultural markets, may be financed; whereas the inspections carried out show that a part of the expenditure declared amounting to DM 9 192 762·41 does not satisfy the requirements of these provisions and therefore cannot be financed; whereas the Member State has been fully informed of this deduction and has been able to give its views thereon,

HAS ADOPTED THIS DECISION:

Article 1

1. The total expenditure of the Federal Republic of Germany recognized as chargeable to the European Agricultural Guidance and Guarantee Fund, Guarantee Section, in respect of the 1973 financial year is DM 2 470 986 346·80.

2. The accounts of the authorities and bodies empowered by the Federal Republic of Germany to pay the expenditure financed by the Fund, Guarantee Section, during the 1973 financial year shall be cleared as indicated in the Annex.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 12 October 1979.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 94, 28. 4. 1970, p. 13.
(2) OJ No L 117, 12. 5. 1979, p. 4.
(3) OJ No L 186, 16. 8. 1972, p. 1.

ANNEX

Clearance of the accounts of the departments and agencies authorized in the Federal Republic of Germany to pay the expenses financed by the EAGGF, Guarantee Section, for 1973

1. Funds available after clearance of the accounts for 1972 (1)	DM	105 579 805·44
2. Advances received for 1973	DM	2 393 274 000·00
3. Total available to cover expenditure for 1973	DM	2 498 853 805·44
4. Expenditure incurred in 1973 and charged against the EAGGF, Guarantee Section :		
— Bundeskasse Hamburg-Jonas	DM	564 005 039·09
— Einfuhr- und Vorratsstelle für Getreide	DM	320 591 503·59
— Einfuhr- und Vorratsstelle für Fette	DM	975 845 426·14
— Einfuhr- und Vorratsstelle für Zucker	DM	73 841 112·35
— Einfuhr- und Vorratsstelle für Schlachtvieh	DM	43 700 217·89
— Bundesamt für Ernährung und Forsten	DM	493 003 047·74
Total	DM	2 470 986 346·80
5. Funds available after clearance of the accounts for 1973	DM	27 867 458·64

(1) Taking account of Decision 78/710/EEC of 28 July 1978.