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REGULATION (EEC) No 678/70 OF THE COUNCIL

of 14 April 1970

on certain methods of disposal for apples which have been the subject of intervention measures

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 159/66/EEC[1] of 25 October 1966 laying down additional provisions for the common organization of the markets in fruit and vegetables, as last amended by Regulation (EEC) No 2515/69[2], and in particular Article 14 thereof;

Having regard to Council Regulation No 17/64/EEC[3] of 5 February 1964 on the conditions for granting aid from the European Agricultural Guidance and Guarantee Fund, as last amended by Regulation (EEC) No 1892/68[4], and in particular Article 5 (2) thereof;

Having regard to the proposal from the Commission;

Whereas, in order to prevent the destruction of large quantities of apples which are the subject of intervention measures in accordance with Community regulations, the necessary measures must be taken to allow their distribution free of charge to certain social groups, either as fresh fruit or in the form of juice;

Whereas it is necessary to determine the conditions for granting aid from the European Agricultural Guidance and Guarantee Fund for Community financing of the expenditure resulting from these measures,

HAS ADOPTED THIS REGULATION:

Article 1

The producers' organizations which, either during a period of crisis within the meaning of Article 6 of Regulation No 159/66/EEC or in pursuance of Regulation (EEC) No 480/70[5], intervene in the market in apples in accordance with Article 3 of Regulation No 159/66/EEC between the date of entry into force of the present Regulation and the end of the 1969/70 marketing year shall, if they cannot, have recourse to one of the methods of disposal listed in Article 1 (1) of Commission Regulation No 165/67/EEC[6] of 26 June 1967 on methods of disposal of products which Member States have guaranteed to buy in within the framework of intervention in the market in fruit and vegetables, as amended by Regulation (EEC) No 481/70[7].

Article 2

1. When the Member State concerned cannot have recourse to the methods of disposal provided for in Article 1 (1) (b), (c), (d) and (e) of Regulation No 165/67/EEC, the products made available in accordance with Article 1 to the agencies designated by the authorities of the Member States, or bought in between the date of entry into force of this Regulation and the end of the 1969/70 marketing year in accordance with Article 7 of Regulation No 159/66/EEC, shall be disposed of as far as possible in the following manner:

- distribution free of charge to welfare organizations or charitable foundations and to persons recognized by their national legislation as entitled to public assistance because of inadequate means of subsistence,
- processing into juice and distribution free of charge to those natural or legal persons.

2. The processing operations shall be entrusted to private industry subject to conditions to be determined in accordance with the procedure provided for in Article 13 of Regulation No 23[8].

Article 3

Expenditure under Article 2 resulting from:

- transportation of the products to the processing centres,
- processing of the products into juice,

[1] OJ No 192, 27.10.1966, p. 3286/66.
[2] OJ No L 318, 18.12.1969, p. 10.
[3] OJ No 34, 27.2.1964, p. 586/64.
[4] OJ No L 289, 29.11.1968, p. 1.
[5] OJ No L 59, 14.3.1970, p. 31.
[6] OJ No 129, 28.6.1967, p. 2580/67.
[7] OJ No L 61, 17.3.1970, p. 1.
[8] OJ No 30, 20.4.1962, p. 965/62.

– storage of the products between withdrawal or buying-in and distribution,

– transportation of the fresh or processed products with a view to their distribution,

shall be eligible for reimbursement from the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.

Article 4

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 14 April 1970.

For the Council
The President
Ch. HEGER