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REGULATION (EEC) No 942/70 OF THE COMMISSION

of 25 May 1970

authorising France to impose certain additional conditions for the grant of premiums for grubbing pear trees and peach trees

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 reorganising Community fruit production, and in particular Article 5 thereof;

Whereas, in application of Article 5 of Regulation (EEC) No 2517/69, the French Government has requested authorisation to restrict, under certain conditions, the granting of the premium for grubbing trees to pear trees of the Dr. Jules Guyot variety and to peach trees of the May Flower and Elberta varieties, it being understood however that in certain cases the premium will be granted for grubbing trees of other varieties; whereas the varieties covered by this request are varieties which have either caused disturbances on the market and led to products being withdrawn in pursuance of Article 6 of Regulation No 159/66/EEC or are some of the least highly-valued varieties and as such are likely to cause such disturbances; whereas, since the measures in question make it possible to remedy the quantitative and qualitative imbalance of production, the French Government should be authorised to adopt these measures;

Whereas the Management Committee for Fruit and Vegetables has not issued an Opinion within the time limit set by its Chairman;

HAS ADOPTED THIS REGULATION:

Article 1

1. As far as pear trees and peach trees are concerned, the French Government is hereby authorised to restrict the granting of the grubbing premium referred to in Article 1 of Council Regulation (EEC) No 2517/69 and granted in accordance with the conditions laid down in Commission Regulation (EEC) No 2637/69[2] to trees producing the following varieties of fruit:

— for pear trees, the Dr. Jules Guyot variety, and

— for peach trees, the May Flower and Elberta varieties.

2. However, the premium must be granted for grubbing trees of varieties excluded therefrom by paragraph 1:

(a) where they are planted either in alternate lines or in alternation in a line of pear trees of the Dr. Jules Guyot variety or of peach trees of the May Flower and Elberta varieties and provided they represent less than 50% of the trees on the area to be grubbed; and

(b) where, in an orchard of an area less than 5 ha,

— they represent less than 50% of the total area of the apple, pear and peach orchard, and

— they are grubbed at the same time as all apple, pear and peach trees in that orchard.

Article 2

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

[1] OJ No L 318, 18.12.1969, p. 15.
[2] OJ No L 327, 30.12.1969, p. 21.

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

Done at Brussels, 25 May 1970.

For the Commission

The President

Jean REY