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(Acts whose publication is obligatory)

REGULATION (EEC) No 2809/73 OF THE COUNCIL

of 15 October 1973

on aid from the European Agricultural Guidance and Guarantee Fund, guidance section for 1973

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas it is appropriate to apportion the credits of the European Agricultural Guidance and Guarantee Fund, Guidance Section, available for 1973 so as, on the one hand, to finance the various measures provided for by Community regulations while taking account of the increased requirements of agriculture within the enlarged Community, in particular as regards projects within the meaning of Council Regulation No 17/64/EEC [1] 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 2591/70 [2] and, on the other hand, to provide for part of these credits to be set aside to finance common measures within the meaning of Council Regulation (EEC) No 729/70 [3] of 21 April 1970 on the financing of the common agricultural policy, as last amended by Regulation (EEC) No 2788/72 [4];

Whereas it is desirable to increase to 45 % the maximum possible aid from the Fund for 1973 to projects relating to production structures; whereas, however, the present difficulties on the markets in certain agricultural products justify aid in excess of 25 % of the amount of investments for some products only;

Whereas for 1973, as for 1971 and 1972, provision should be made for different financial contributions from the beneficiary according to whether projects relate to the structures of production or of marketing,

HAS ADOPTED THIS REGULATION:

Article 1

The credits of the European Agricultural Guidance and Guarantee Fund, Guidance Section available for 1973, equal to 325 million units of account, shall be apportioned as follows:

1. A portion is to be used to finance measures under the following provisions:

   (a) Article 36 (2) of Council Regulation (EEC) No 1035/72 [5] of 18 May 1972 on the common organization of the market in fruit and vegetables, as last amended by Regulation (EEC) No 2745/72 [6];

   (b) Article 12 (1) of Council Regulation (EEC) No 1975/69 [7] of 6 October 1969 introducing a system of premiums for slaughtering cows and for withholding milk and milk products from the market, as last amended by Regulation (EEC) No 1386/70 [8];

   (c) Article 7 (1) of Council Regulation (EEC) No 2517/69 [9] of 9 December 1969 laying down certain measures for reorganizing Community fruit production, as last amended by Regulation (EEC) No 2456/72 [10];

(1) OJ No 34, 27. 2. 1964, p. 586/64.
(2) OJ No L 280, 26. 12. 1970, p. 63.
(3) OJ No L 94, 28. 4. 1970, p. 13.
(4) OJ No L 295, 30. 12. 1972, p. 1.
(5) OJ No L 118, 20. 5. 1972, p. 1.
(6) OJ No L 291, 28. 12. 1972, p. 147.
(7) OJ No L 252, 18. 10. 1969, p. 1.
(8) OJ No L 155, 16. 7. 1970, p. 2.
(9) OJ No L 318, 18. 12. 1969, p. 15.
(10) OJ No L 266, 25. 11. 1972, p. 9.

(d) Article 5 (2) of Council Regulation (EEC) No 2511/69 [1] of 9 December 1969 laying down special measures for improving the production and marketing of Community citrus fruit, as last amended by Regulation (EEC) No 175/73 [2];

(e) Article 22 (2) of Council Regulation (EEC) No 2142/70 [3] of 20 October 1970 on the common organization of the market in fishery products, as last amended by Regulation (EEC) No 220/73 [4].

2. A portion equal to 170 million units of account is to be used to finance projects under Article 13 of Regulation No 17/64/EEC.

3. The remaining portion is to be used to finance measures financed by the Community and constituting common measures within the meaning of Article 6 of Regulation (EEC) No 729/70.

Article 2

In derogation from the first indent of the first subparagraph of Article 18 (1) of Regulation No 17/64/EEC, aid from the European Agricultural Guidance and Guarantee Fund, Guidance Section may equal 45 % of the amount of the investment for certain projects submitted for 1973 which meet the conditions of Article 11 (1) (a) and (b) of the same Regulation without prejudice to the third indent of the first subparagraph of Article 18 (1) of that Regulation, as amended in Article 3 of this Regulation.

Article 3

The third indent of the first subparagraph of Article 18 (1) of Regulation No 17/64/EEC shall be replaced by the following:

'— however, for projects submitted for 1971, 1972 and 1973 the financial contribution of the party benefiting from the improvement must be at least:

— 20 % for projects relating to production structures, and

— 38 % for projects relating to marketing structures.'

Article 4

This Regulation shall enter into force on the third 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 Luxembourg, 15 October 1973.

For the Council

The President

I. NØRGAARD

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[1] OJ No L 318, 18. 12. 1969, p. 1.
[2] OJ No L 25, 30. 1. 1973, p. 2.
[3] OJ No L 236, 27. 10. 1970, p. 5.
[4] OJ No L 27, 1. 2. 1973, p. 1.