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(Acts whose publication is obligatory)

REGULATION (EEC) No 1192/74 OF THE COUNCIL
of 13 May 1974
on aid for dehydrated fodder

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1067/74 [1] of 30 April 1974 on the common organization of the market for dehydrated fodder, and in particular Article 3 (4) and Article 4 (4) thereof;

Having regard to the proposal from the Commission;

Whereas criteria relative to the minimum quality of dehydrated fodder entitled to aid, based essentially on commercial usage, should be determined;

Whereas drying plants should fulfil the necessary conditions to establish entitlement to aid; whereas it is therefore laid down that these plants should keep account including the details necessary for verification of entitlement to aid and should furnish any other necessary proof;

Whereas, where there are no contracts between the producers and the drying plants, other information should be furnished by the latter for the purpose of verification of entitlement to aid;

Whereas the contracts should, on the one hand, promote regular supplies for the drying plants and, on the other likewise permit the producers to benefit from the aid; whereas, to this end, it should be laid down that the contracts include certain information and in particular the price;

Whereas the efficient management of the aid system requires verification to ensure that the aid is granted only for those products which are entitled to it;

Whereas, in view of the delay to the starting date of the 1974/75 marketing year, the implementation at that date of the system provided for in this Regulation could meet with certain difficulties; whereas, to overcome those problems, the Member States should be authorized to take, for a limited period, measures derogating from those provided for in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid shall be granted only for dehydrated fodder from drying plants fulfilling the following conditions:

(a) maximum moisture content of between 11 and 14 % which may be varied according to the form of presentation of the product;

(b) minimum crude protein content in dry matter of between 14 and 16 %.

However, additional conditions, in particular as regards crude fibre and carotene content may be adopted in accordance with the procedure provided for in Article 12 of Regulation (EEC) No 1067/74.

Article 2

The aid shall be granted only to those drying plants which:

(a) keep accounts which include at least details:

— of the quantities of fodder to be dehydrated, or failing this, estimated on the basis of the areas,

— of the quantities of dehydrated fodder produced as well as of the amount and quality of the dehydrated fodder leaving the drying plant;

(b) supply, where appropriate, other documentary evidence required to verify entitlement to aid.

Article 3

Without prejudice to Article 2, plants processing their own production or that of their members shall submit each year, to the authority designated by the Member State, by a date to be determined, a declaration of the

[1] OJ No L 120, 1. 5. 1974, p. 2.

areas the fodder harvest of which is destined for dehydration.

Article 4

1. The contracts referred to in Article 3 (2), third indent, of Regulation (EEC) No 1067/74 shall cover :

(a) purchase by drying plants of fodder to be dehydrated which has been produced in the course of one or more marketing years ; or

(b) supply of the above products to these plants with a view to the production of dehydrated fodder on behalf of farmers.

2. The contracts shall state at least :

(a) the price agreed, taking into account the amount of the aid :

— in the case referred to in paragraph 1 (a), with the farmer concerned,

— in the case referred to in paragraph 1 (b), with the drying plant concerned ;

(b) the estimated quantities of fodder to be supplied, or the areas the harvest of which, destined for dehydration, is covered by the contract in question ;

(c) conditions of supply and payment.

Article 5

1. The Member States shall set up a supervisory system in order to verify, for each plant, whether :

— the conditions set out in the above Articles have been complied with,

— the output from the plant of dehydrated fodder meeting the minimum quality requirement corresponds to the quantity for which aid has been requested.

2. The weight of the dehydrated fodder shall be determined and samples of the product taken as it leaves the drying plant.

Article 6

1. If at the start of the 1974/75 marketing year the implementation of the system provided for in the above Articles meets with serious difficulties, Member States may, for the period from 15 May to 30 June 1974, derogate from the measures provided for in Articles 2 to 5 of this Regulation, with the object of ensuring that only those products that qualify for aid benefit from it.

2. When paragraph 1 is applied, the Member States in question shall forthwith inform the Commission of the measures taken by them.

Article 7

This Regulation shall enter into force on 15 May 1974.

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

Done at Brussels, 13 May 1974.

For the Council

The President

J. ERTL