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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1257/76

of 31 May 1976

on the detailed rules with respect to aid for durum wheat during the 1976/77 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals (1), as last amended by Regulation (EEC) No 1143/76 (2), and in particular Article 10 (5) thereof,

Whereas Council Regulation (EEC) No 1147/76 of 17 May 1976 (3), laid down general rules with respect to aid for durum wheat; whereas the Commission should lay down the detailed rules for their application;

Whereas, since the time of harvest for durum wheat is approaching in some Member States provision should be made as soon as possible for administrative measures in respect of granting this aid while limiting them to practical possibilities during the 1976/77 marketing year; whereas, further, the experiments needed to define quality and technical characteristics and to establish a list of seed varieties according to these characteristics are still under way; whereas, therefore, such definition should be deferred to a later date;

Whereas pursuant to Article 4 of Regulation (EEC) No 1147/76 Member States are to institute an administrative control system to ensure that the product for which aid is requested meets the conditions laid down for the granting thereof; whereas in view of the special situation of the 1976/77 marketing year a statement concerning the area sown must be coupled with a statement regarding the area harvested and submitted together with the application for aid by the producer; whereas this application must contain a minimum number of particulars to enable Member States to make the necessary checks; whereas Article 5 of Regulation (EEC) No 1147/76 provides for a spot check of the accuracy of statements; whereas to be effective a sufficiently representative number of applications for aid should be checked; whereas pursuant to Article 4 (2) of Council Regulation (EEC) No 1134/68 of 30 July 1968 laying down rules for the implementation of Regulation (EEC) No 653/68 on conditions for alterations to the value of the unit of account used for the common agricultural policy (4), the amount of the aid is converted into national currency at the rate prevailing on the date the transaction or part transaction is carried out; whereas under Article 6 thereof the time when a transaction is carried out is considered as being the date of the event giving entitlement; whereas the event giving entitlement to aid for durum wheat occurs on harvest; whereas, faced with the difficulty of determining the exact date of harvest in each case, the first day of the marketing year for which there is entitlement to aid should be considered as the representative date of harvest;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1976/77 marketing year the aid referred to in Article 10 of Regulation (EEC) No 2727/75 shall be granted for durum wheat produced in the Community in accordance with the conditions set out in the following Articles.

(1) OJ No L 281, 1. 11. 1975, p. 1.
(2) OJ No L 130, 19. 5. 1976, p. 1.
(3) OJ No L 130, 19. 5. 1976, p. 11.
(4) OJ No L 188, 1. 8. 1968, p. 1.

Article 2

In order to be eligible for the aid the durum wheat shall be of a certain quality and have certain technical characteristics or shall have been produced from the seed of certain varieties. These qualities and characteristics and the list of these varieties shall be fixed before 15 June 1976.

Article 3

The aid shall be granted only for areas :

(a) within :

— the regions laid down in the Annex to Regulation (EEC) No 1144/76,

— less-favoured agricultural areas within the meaning of Council Directive 75/268/EEC on mountain and hill farming and farming in certain less-favoured areas, considered as such on 1 August 1976 ;

(b) which were fully sown and harvested and which have been normally farmed ;

(c) for which an application has been submitted in accordance with Article 4. This application shall be equivalent to a declaration of the areas sown and the areas harvested.

Article 4

1. All producers of durum wheat concerned shall submit an application for aid after the harvest to the competent agency in each Member State before a date to be fixed for each Member State and by 30 September 1976 at the latest.

2. The application for aid shall include at least the following particulars :

— the name, forenames and address of the applicant,

— the areas harvested in hectares and in ares, the cadastral reference of such areas or an indication recognized as equivalent by the agency responsible for checking the areas,

— the variety of seed used.

Article 5

The check provided for in Article 5 of Regulation (EEC) No 1147/76 shall cover at least a representative proportion of the applications submitted, taking into account the geographical distribution of the areas concerned.

Article 6

1. The Member State shall pay the amount of the aid for durum wheat by 31 July 1977 at the latest.

2. Within the meaning of Article 6 of Regulation (EEC) No 1134/68, the date of the event giving entitlement shall be considered to be 1 August 1976.

Article 7

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 Brussels, 31 May 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission