COMMISSION REGULATION (EEC) No 823/76

of 7 April 1976

on detailed rules for supplementary aid to certain silkworm rearers

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 708/76 of 25 March 1976 on the granting of supplementary aid in the silkworm sector for the 1976/77 marketing year (1), and in particular Article 5 thereof,

Whereas, under Article 3 (2) thereof, supplementary aid is granted solely for boxes that satisfy certain conditions; whereas the same conditions should be fixed as those fixed for the granting of the aid referred to in Article 2 of Regulation (EEC) No 845/72 of 24 April 1972 laying down special measures to encourage silkworm rearing (2);

Whereas Article 4 of Regulation (EEC) No 708/76 states that Member States shall introduce administration checks to ensure that the product in respect of which aid has been applied for satisfies the necessary conditions for the granting thereof; whereas applications for aid submitted must therefore include a minimum of information necessary for this check;

Whereas, for the same purpose, producer groups must keep accounts containing the necessary information for checking the accuracy of the application for aid;

Whereas uniform conditions for the payment of the amount of the aid should be laid down;

Whereas 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 for the value of the unit of account used for the common agricultural policy (3), provides that for transactions carried out pursuant to provisions on the common agricultural policy the sums owed by a Member State or a duly authorized body, expressed in national currency and representing amounts fixed in units of account, are to be paid on the basis of the relationship between the unit of account and the national currency which obtained at the time when the transaction or part transaction was carried out;

Whereas Article 6 of Regulation (EEC) No 1134/68 provides that the time when a transaction is carried out is to be considered to be the date on which occurs the event, as defined by Community rules or, in the absence of and pending adoption of such rules, by the rules of the Member State concerned, in which the amount involved in the transaction becomes due and payable;

Whereas the event in which the supplementary aid for certain silkworm rearers becomes due and payable is when the silkworm cocoons are delivered to a recognized group; whereas the date of delivery is very close to the date on which the application for aid referred to in Article 2 of Regulation (EEC) No 845/72 is submitted; whereas this date is to be considered to be the date on which aid becomes due and payable; whereas, in order to ensure uniform operation of the two systems of aids for silkworms, the conversion rate to be used to calculate the amount of the supplementary aid in national currency should be the rate applicable on the date on which the application for aid is submitted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The supplementary aid referred to in Article 1 of Regulation (EEC) No 708/76 shall be granted under the conditions laid down in the following Articles.

Article 2

The supplementary aid shall be granted only

— if the boxes satisfy the conditions referred to in Article 2 of Commission Regulation (EEC) No 1054/73 of 18 April 1973 on detailed rules for aid in respect of silkworms (4), as amended by Regulation (EEC) No 683/74 (5), and,

— the cocoons coming from these boxes have been delivered to the producer group during the period in which it is recognized.

(1) OJ No L 84, 31. 3. 1976, p. 3.
(2) OJ No L 100, 27. 4. 1972, p. 1.
(3) OJ No L 188, 1. 8. 1968, p. 1.
(4) OJ No L 105, 20. 4. 1973, p. 4.
(5) OJ No L 83, 28. 3. 1974, p. 13.

Article 3

1. Applications for supplementary aid shall be submitted not later than 30 November 1976 by:

— recognized groups,

— or groups whose application for recognition is pending in the Member States concerned.

2. A producer group may submit only one application on behalf of all its members.

3. The Member State shall pay the amount of the aid to the producer group within the four months following the month in which the application was submitted, provided that the group has obtained recognition.

Article 4

1. The application for supplementary aid shall include at least:

— the name and address of the producer group,

— the signature of authorized person or persons,

— the names, forenames and addresses of the members of the group on behalf of whom the aid is applied for,

— the quantity of cocoons produced during the 1976/77 marketing year and delivered to the producer group and the date or dates on which they were delivered,

— where applicable, the authorization granted under the first indent of Article 1 (b) of Regulation (EEC) No 707/76 [1].

2. The application for supplementary aid must be accompanied by copies of the application for aid referred to in Article 3 of Regulation (EEC) No 845/71 and of the other documents submitted by each of the members referred to in the preceding paragraph in order to obtain such aid.

Article 5

1. Producer groups shall keep accounts that specify at least:

— the quantity of cocoons received, with the name of the rearer supplying them and the date of receipt,

— the quantity of cocoons sold, with the name of the purchaser and the date of dispatch, where applicable, the quantity of cocoons in stock,

— where applicable, the quantity of cocoons processed indicating the quantity of products processed, delivered or stocked.

2. Member States shall cause producer groups to undergo an administrative check to ensure that entries in the relevant account agree with those in the application for supplementary aid.

Article 6

The event, within the meaning of Article 6 of Regulation (EEC) No 1134/68, in which the supplementary aid for certain silkworm rearers becomes due and payable shall be considered to have occurred on the date on which the application for aid is submitted.

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, 7 April 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

[1] OJ No L 84, 31. 3. 1976, p. 1.