COMMISSION REGULATION (EEC) No 1539/90

of 7 June 1990

amending Regulation (EEC) No 1813/84 laying down detailed rules applying the differential amounts for colza, rape and sunflower seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats [1], as last amended by Regulation (EEC) No 2902/89 [2],

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed [3], as last amended by Regulation (EEC) No 2216/88 [4], and in particular Article 7 thereof,

Whereas Article 1 (1) (b) of Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds [5], as last amended by Regulation (EEC) No 1321/90 [6], lays down that the subsidy referred to in Article 27 of Regulation No 136/66/EEC is also granted for sunflower seed processed in the Community for incorporation into animal feedingstuffs; whereas Commission Regulation (EEC) No 1813/84 [7], as last amended by Regulation (EEC) No 431/89 [8], should therefore be adjusted;

Whereas Commission Regulation (EEC) No 2823/87 of 18 September 1987 on the documents to be used for the purpose of implementing Community measures entailing verification of the use and/or destination of goods [9] repeals Commission Regulation (EEC) No 223/77 [10] as regards the control copy T 5; whereas references in Regulation (EEC) No 1813/84 to Regulation (EEC) No 223/77 should therefore be replaced by references to Regulation (EEC) No 2823/87;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1813/84 is hereby amended as follows:

1. Article 9 is replaced by the following:

'*Article 9*

For the purposes of the granting of the final subsidies or refunds, the authority which verified the destination of seed which was the subject of intra-Community trade shall send a recto verso copy or photocopy of the T 5 form referred to in Article 1 of Commission Regulation (EEC) No 2823/87 (*) to the agency responsible for levying or granting these amounts.

(*) OJ No L 270, 23. 9. 1987, p. 1.'

2. Article 10 is replaced by the following:

'*Article 10*

1. Where seed harvested in the Community, other than seed:

— recognized by the law of the Member State of origin as being seed for sowing, or

— subject to denaturing according to Community rules,

is traded between Member States, there shall be drawn up in the Member State where the seed was harvested, after the seed has been weighed, a control copy T 5, issued and utilized in accordance with Regulation (EEC) No 2823/87 and this Article.

2. The following sections of the control copy shall be completed:

(a) box 103;

(b) box 104: by putting an X next to "other" and inserting one of the following:

— Destinado a ser transformado para la producción de aceite o para su incorporación a los alimentos para animales, o a ser puesto en condiciones de no poder beneficiarse de la ayuda a que se refiere el articulo 30 del Reglamento (CEE) nº 2681/83

— Bestemt til forarbejdning med henblik på fremstilling af olie eller med henblik på disses iblanding i foderstoffer, eller bestemt til at behandles således, at der ikke kan opnås støtte efter artikel 30 i forordning (EØF) nr. 2681/83

(1) OJ No 172, 30. 9. 1966, p. 3025/66.
(2) OJ No L 280, 29. 9. 1989, p. 2.
(3) OJ No L 167, 25. 7. 1972, p. 9.
(4) OJ No L 197, 26. 7. 1988, p. 10.
(5) OJ No L 163, 22. 6. 1983, p. 44.
(6) OJ No L 132, 23. 5. 1990, p. 15.
(7) OJ No L 170, 29. 6. 1984, p. 41.
(8) OJ No L 50, 22. 2. 1989, p. 7.
(9) OJ No L 270, 23. 9. 1987, p. 1.
(10) OJ No L 38, 9. 2. 1977, p. 20.

— Dazu bestimmt, entweder zur Gewinnung von Öl verarbeitet oder Futtermitteln beigemischt zu werden, oder in den Zustand versetzt zu werden, daß die Beihilfe im Sinne von Artikel 30 der Verordnung (EWG) Nr. 2681/83 nicht mehr beansprucht werden kann

— Προκειμένου να μεταποιηθεί για την παραγωγή ελαίου ή, για την ενσωμάτωσή τους σε ζωοτροφές, να τεθεί σε κατάσταση που δεν επιτρέπει να επωφελείται από την ενίσχυση κατά την έννοια του άρθρου 30 του κανονισμού (ΕΟΚ) αριθ. 2681/83

— Intended either to be processed for the production of oil or for incorporation into animal feedingstuffs; or to be rendered ineligible for subsidy within the meaning of Article 30 of Regulation (EEC) No 2681/83

— Destiné soit à être transformé en vue de la production d'huile ou en vue de leur incorporation dans les aliments pour animaux, soit à être mis en condition de ne pas pouvoir bénéficier de l'aide au sens de l'article 30 du règlement (CEE) n° 2681/83

— Destinato ad essere trasformato per la produzione di olio o per l'incorporazione negli alimenti per animali oppure destinato ad essere messo in condizione di non poter beneficiare dell'integrazione ai sensi dell'articolo 30 del regolamento (CEE) n° 2681/83

— Bestemd ofwel om met het oog op de olieproduktie of met het oog op de bijmenging in diervoeder te worden verwerkt ofwel om in een zodanige staat te worden gebracht dat zij niet meer voor de steun in aanmerking komen in de zin van artikel 30 van Verordening (EEG) nr. 2681/83

— Destinado a ser transformado para produção de azeite ou, com vista à sua incorporação em alimentos para animais, ou a ser colocado em condições de não poder beneficiar da ajuda nos termos do artigo 30º do Regulamento (CEE) nº 2681/83

(c) box 106: by inserting one of the following:
— Semillas consechadas en ....
— Frø høstet i ...
— Ölsaaten geerntet in ...
— Σπόροι συγκομισθέντες εις ...
— Seed harvested in ...
— Graines récoltées en ...
— Semi raccolti in ...
— Zaden geoogst in ...
— Sementes produzidas em ...

(d) box 107: by referring to Regulation (EEC) No 1813/84.

In addition to an indication that the products received the destination stated on the front, box J on the back of the original of the T 5 control copy must also mention, under "Remarks", the net weight of the inspected product.'

3. In Article 11 (1) and the second sentence of Article 12, 'control copy referred to in Article 10 of Regulation (EEC) No 223/77' is replaced by 'control copy T 5 referred to in Article 1 of Regulation (EEC) No 2823/87'.

4. In Article 14 'section' is replaced by 'box'.

Article 2

This Regulation shall enter into force on the day of 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 June 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission