COMMISSION REGULATION (EC) No 1755/95

of 19 July 1995

amending Regulation (EEC) No 220/91 laying down detailed rules for the application of Council Regulation (EEC) No 1360/78 on producer groups and associations thereof

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1360/78 of 19 June 1978 on producer groups and associations thereof [1], as last amended by the Act of Accession of Austria, Finland and Sweden and in particular the second and third indents of Article 6 (3) thereof,

Whereas Title V, sub-title C, point 2 (a) of Annex I to the Act of Accession of Austria, Finland and Sweden extends the scope of application of Regulation (EEC) No 1360/78 to cover the entire territory of Austria;

Whereas Commission Regulation (EEC) No 220/91 [2], as last amended by Regulation (EC) No 880/95 [3] lays down the detailed rules of application concerning the economic activity of producer groups and associations thereof; whereas these rules need to be supplemented following the extension of the scope of application of Regulation (EEC) No 1360/78 to include Austria;

Whereas minimum thresholds should be set for production and a minimum number of members per producer group should be determined in order to achieve a sufficient concentration of supply; whereas in order to ensure that associations of producer groups are of appropriate economic weight, it seems desirable to set a minimum number of members of which they should be made up as well as to determine a minimum geographical area to be covered by such associations;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Agricultural Structures and Rural Development,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 220/91 is hereby amended as follows:

1. The following paragraph is added to Article 2:

'3. By way of derogation from Article 1, producer groups in Austria must represent, in addition to the limits set in Annex VIII to this Regulation:

— in the case of live bovine animals and meat of bovine animals, at least 10 % of regional production volume or 3 % of natural production volume,

— in the case of live swine and the meat of swine, 20 % of regional production volume or 3 % of national production volume.

The volume of national production and of the production of each region referred to in the paragraph above:

— shall be carried out on the basis of the Member State statistics for the years 1992, 1993 and 1994,

— shall be updated every five years.'

2. The following subparagraph is added to Article 3 (2):

'(h) in the case of Austria, associations must comply with the minimum requirements as regards area cultivated, turnover, share of national production and number of recognized producer groups as laid down in Table VIII of the Annex. For products not listed in the Annex, associations must consist of at least three recognized producer groups. Associations must cover at least the area of one Land.'

3. In the Annex, table VIII of this Regulation is inserted before the footnotes following Table VII.

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities.*

[1] OJ No L 166, 23. 6. 1978, p. 1.
[2] OJ No L 26, 31. 1. 1991, p. 15.
[3] OJ No L 91, 22. 4. 1995, p. 5.

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

Done at Brussels, 19 July 1995.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

'VIII. Producer groups and associations thereof in Austria

		Producer groups		Associations			
CN code	Product	Volume of production or turnover	Minimum membership	Minimum area or equivalent	Turnover (ECU million)	Share of national production (%)	Minimum membership
0102 ex 0201 ex 0202	Live bovine animals quarters of bovine animals, fresh, chilled or frozen (8)	5 000 head	100	50 000 head	40	7	3
0103 ex 0203	Live swine half-carcases of swine, fresh, chilled or frozen (8)	20 000 head	100	1 000 000 head	60	20	3
0104 ex 0204	Live sheep or goats carcases of sheep or goats, fresh, chilled or frozen (1) (8)	8 000 head	100	80 000 head	5	20	3
0105 0207	Live domestic fowls of the species *gallus domesticus*, ducks, geese, turkeys and guinea fowls (2) meat and edible offal, of the poultry of heading No 0105, fresh, chilled or frozen	10 000 000 head	100	—	—	—	—
0106 00 10 0208 10 11 0208 10 19	Live domestic rabbits meat and edible offal ; fresh or chilled, frozen (2)	80 000 head	20	240 000 head	1,5	60	3
0407	Birds' eggs in shell, fresh, preserved or cooked and hatching eggs (2)	100 000 layers	30	300 000 layers	5	3	3
1207 1209 11 00 ex 1209 19 00 1211	Other oilseeds and oleaginous fruits (whether or not broken) Sugar beet seed Fodder beet seed Plants, parts of plants, of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh or dried, whether or not cut, crushed or powdered (4)	500 000 ECU	50	—	—	—	—
2401	Raw or unmanufactured tobacco ; tobacco refuse	250 000 ECU	50	—	—	—	—
0701	Potatoes, fresh or chilled	1 000 000 ECU	30	—	—	—	—'