COMMISSION REGULATION (EC) No 918/95

of 26 April 1995

deferring the final date for sowing certain arable crops in certain areas

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Austria, Finland and Sweden,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops [1], as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 12 thereof,

Whereas Article 10 (2) of Regulation (EEC) No 1765/92 requires producers, in order to qualify for compensatory payments under the arable support system, to have sown the seed and lodged an application for aid by 15 May proceding the relevant harvest at the latest;

Whereas Article 2 (1) (c) and (d) of Commission Regulation (EEC) No 2295/92 of 31 July 1992 on detailed rules for the application of the support system for producers of the protein crops referred to in Article 6 of Council Regulation (EEC) No 1765/92 [2], as last amended by Regulation (EC) No 2203/94 [3], sets 15 May as the final date that may be fixed by Member States for the sowing and submission of applications in respect of protein crops;

Whereas, in certain cases, the aforementioned date does not allow sowings of maize and sorghum to be undertaken in suitable conditions; whereas, owing to the climatic conditions in Finland and Sweden, sowings of cereals, protein crops and linseed in certain areas of those Member States take place after 15 May; whereas provision should therefore be made to extend the time limit for the sowing of such crops; whereas the extended time limits should not, however, compromise the efficiency of the support system for producers of certain arable crops, nor prejudice the controls relating to this system;

Whereas the regions in Belgium, the Netherlands and Finland listed in the Annexes correspond to the regions shown in their regionalization plans;

Whereas deferring the sowing date for certain crops in certain areas is not sufficient reason for changing the date laid down for the submission of area aid applications as referred to in Article 6 (2) of Council Regulation (EEC) No 3508/92 of 27 November 1992 establishing an integrated administration and control system for certain Community aid schemes [4], as last amended by Regulation (EC) No 3235/94 [5]; whereas, nevertheless, the procedure whereby producers confirm sowings to the competent authorities may be tacitly established with a view to simplifying matters;

Whereas, in order to ensure a regular supply throughout the year of sweetcorn from producers to the processing industry, it is therefore necessary that producers be enabled to spread their sowings over a longer period; whereas the final sowing date for sweetcorn should therefore be extended to 15 June;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. By way of derogation from Article 10 (2) of Regulation (EEC) No 1765/92, the final date for sowing maize and sorghum shall be postponed until 31 May prior to the marketing year in question in areas to be defined by the Member State but located within the regions listed in Annex I to this Regulation.

2. By way of derogation from Article 10 (2) of Regulation (EEC) No 1765/92 and Article 2 (1) (d) of Regulation (EEC) No 2295/92 the final date for sowing arable crops, other than oil seeds, in Finland and Sweden shall be postponed until 31 May prior to the marketing year in question in areas to be defined by the Member State but located within the regions listed in Annex II to this Regulation.

[1] OJ No L 181, 1. 7. 1992, p. 12.
[2] OJ No L 221, 6. 8. 1992, p. 28.
[3] OJ No L 236, 10. 9. 1994, p. 12.
[4] OJ No L 355, 5. 12. 1992, p. 1.
[5] OJ No L 338, 28. 12. 1994, p. 16.

3. By way of derogation from Article 10 (2) of Regulation (EEC) No 1765/92 and Article 2 (1) (d) of Regulation (EEC) No 2295/92 the final date for sowing arable crops, other than oil seeds, in Finland and Sweden shall be postponed until 15 June in areas to be defined by the Member States but located within the regions listed in Annex III to this Regulation.

4. By way of derogation from Article 10 (2) of Regulation (EEC) No 1765/92 the final date for sowing sweetcorn shall be postponed until 15 June prior to the marketing year in question. Member States shall adopt the necessary control measures required for the application of this paragraph.

Article 2

Without prejudice to Commission Regulation (EEC) No 3887/92 [1]:

(a) the final date for confirming sowings to the competent authority shall be fixed at:

— 31 May in the case of sowings in the regions listed in Annexes I and II,

— 15 June in the case of sowings in the regions listed in Annex III, and in the case of sweetcorn;

(b) the Member States may introduce a tacit confirmation procedure whereby no notification on the part of the producer is deemed equivalent to a confirmation of sowing. By the same token, producers who have not carried out the sowings planned must point out that fact.

Article 3

Member States shall notify the Commission, no later than 31 May 1995, of the measures taken to apply this Regulation.

Article 4

This Regulation shall enter into force on the seventh 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, 26 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ No L 391, 31. 12. 1992, p. 36.

ANNEX I

Crop	Member State	Areas
Maize (excluding sweetcorn)	France	Departments of Alsace, Aquitaine, Auvergne, Basse-Normandie, Bretagne, Centre, Haute-Normandie, Languedoc-Roussillon, Limousin, Midi-Pyrénées, Pays de la Loire, Poitou-Charente, Provence-Alpes-Côte d'Azur, Rhône-Alpes
	Belgium	Zones I and II
	Greece	Macedonia, Thrace, Thessalia
	Spain	The whole territory with the exception of the provinces of Huelva, Sevilla, Cadiz, Málage, Córdoba, Jaen and the Canary Islands
	Italy	Centre, north-east and north-west (statistical regions)
	Portugal	Between Douro and Minho, Beira Litoral, Alentejo, Ribatejo and Oeste
	United Kingdom	The whole territory with the exception of areas at an altitude higher than 250 metres in Scotland, England, Wales and Northern Ireland
	Netherlands	Region 1
Sorghum	Italy	Centre (statistical region) Emilia-Romagna
	France	Departments of Alsace, Aquitaine, Auvergne, Basse-Normandie, Bretagne, Centre, Haute-Normandie, Languedoc-Roussillon, Limousin, Midi-Pyrénées, Pays de la Loire, Poitou-Charente, Provence-Alpes-Côte d'Azur, Rhône-Alpes
	Greece	Thrace
	Portugal	Between Douro and Minho, Beira Litoral, Alentejo, Ribatejo and Oeste

ANNEX II

Crop	Member State	Region
Cereals, protein crops and linseed	Finland	A B BS
	Sweden	Stockholm Uppsala Södermanland Östergötland Jönköping Kronoberg Kalmar Gotland Blekinge Kristianstad Malmöhus Halland Göteborg och Bohus Älvsborg Skaraborg Värmland Örebro Västmanland Kopparberg Gävleborg

ANNEX III

Crop	Member State	Region
Cereals, protein crops and linseed	Finland	C1 C2 C2P C3 C4
	Sweden	Västernorrland Jämtland Västerbotten Norrbotten