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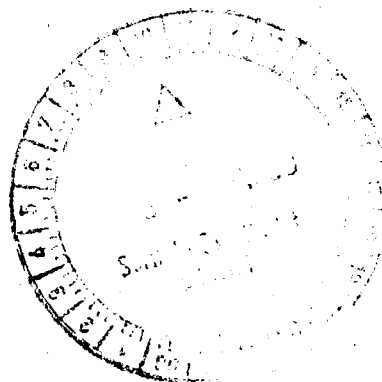
In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 724 final

Brussels, 11 December 1979



Proposal for a
COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 1119/78 laying down special measures for
peas and field beans used in the feeding of animals

(submitted by the Commission to the Council)

COM(79) 724 final

EXPLANATORY MEMORANDUM

Under the overall compromise concerning agricultural prices for the 1979/80 marketing year, the following declaration was entered in the minutes of the Council meeting of 18-22 June 1979 :

"The Council notes the Commission declaration whereby that Institution intends to submit, before 30 September 1979, a proposal for a Regulation with a view to extending, as from 1 January 1980, the field of application of the system of aid for peas and field beans to by-products intended for animal feed from the manufacture of field beanprotein concentrates."

Recently, a limited number of factories in the Community began to take an interest in the manufacture of a protein concentrate from field beans. One of the factories is already operational. According to the process used by this factory, this concentrate represents 12% of the material employed.

According to other methods undergoing experiment, the concentrate represents a higher percentage of the material employed. This concentrate is intended primarily for human consumption, but may also be used in animal feed.

The product remaining, which represents the major part by weight of the material employed, is intended for animal feed.

An undertaking which extracts this protein concentrate is obliged to pay a price for field beans of Community origin which is at least equal to the minimum price laid down under Council Regulation (EEC) No 1119/78 laying down special measures for peas and field beans used in the feeding of animals⁽¹⁾.

It is, however, excluded from eligibility for the aid provided for by that Regulation, since the system envisages as the sole recipients of the aid the manufacturers of animal feedingstuffs. When selling products intended for animal feed, such an undertaking must face competition, on the one hand, from peas and field beans used in animal feed which are supported by the above-mentioned system of aid and, from other products which freely enter the Community at the world market price.

In order to ensure equality of treatment for this industry vis-à-vis other industries which use peas and field beans of Community origin for animal feed, eligibility for the system provided for by Regulation (EEC) No 1119/78 should be extended to the industry in question, in respect of that part of production which is intended for animal feed and provided that the protein content of the products in question is adequate.

(1) OJ No L 142, 30.5.1978, p. 8

Such is the object of this draft Regulation.

At the moment, the quantity of products in respect of which aid could be granted is 8 800 tonnes.

According to present estimates, this quantity could double in a few years.

Proposal for
COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 1119/78 laying down special measures for peas and field beans used in the feeding of animals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee⁽²⁾,

Whereas Council Regulation (EEC) No 1119/78⁽³⁾ provides for the granting of aid for peas and field beans harvested in the Community and used in the manufacture of animals feedingstuffs;

Whereas it has become apparent that certain undertakings use the above-mentioned products for the extraction of a protein concentrate intended for human consumption; whereas the other products obtained in this extraction process, which represent the major part of the quantity employed are intended for use in animal feedingstuffs; whereas the aid should also be granted to these undertakings in proportion to the quantities of peas and field beans intended for the manufacture of animal feedingstuffs, on condition that the products in question have a certain protein content,

HAS ADOPTED THIS REGULATION :

(1) OJ No

(2) OJ No

(3) OJ No L 142, 30.5.1978, p. 8

Article 1

Article 2(2) of Regulation (EEC) No 1119/78 shall be replaced by the following text:

"2. Aid shall be granted only to manufacturers of animal feedingstuffs and to undertakings which extract protein concentrate which :

- satisfy the conditions necessary to qualify for aid,
- have concluded with producers of peas and field beans, or with other natural or legal persons contracts providing for the payment to such producers of a price no lower than the minimum price.

This minimum price shall be fixed at a level which, allowing for market fluctuations and the cost of transporting the products in question from the producer to the processor, will enable producers to obtain a fair return.

This price shall be fixed at the same time as the activating price and in accordance with the same procedure.

In the case of undertakings extracting protein concentrate, the above-mentioned aid shall be granted only in proportion to the quantities of products intended for use in animal feedingstuffs and provided that their protein content is at least equal to a minimum to be determined."

Article 2

This Regulation shall enter into force on 1 March 1980.

It shall apply to peas and field beans employed as from 1 May 1980.

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

Done at

.....

For the Council

FINANCIAL STATEMENT

Date : 23.11.79

1. BUDGET HEADING : 737

APPROBATIONS : 7,5 mio UCE
1980

2. TITLE : Proposal for a Draft Council Regulation (EEC) No .../79 amending Regulation (EEC) No 1119/78 laying down special measures for peas and field beans used in the feeding of animals.

3. LEGAL BASIS : Articles 42 and 43 of the Treaty

4. AIMS OF PROJECT : Inclusion in the aid system of the industry which manufactures protein concentrates from field-beans, for the part of the production which is intended for use in animal-feedingstuffs.

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	FINANCIAL YEAR (1980)	FOLLOWING FINANCIAL YEAR (1981)
5.0 EXPENDITURE			
- CHARGED TO THE EC BUDGET (INTERVENTIONS)		660 000 UCE	800 000 UCE
- NATIONAL ADMINISTRATION			
- OTHER			
5.1 RECEIPTS			
- OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)			
- NATIONAL			
	1982	1983	
5.0.1 ESTIMATED EXPENDITURE	960 000 UCE	1,15 mio UCE	
5.1.1 ESTIMATED RECEIPTS			

5.2 METHOD OF CALCULATION

	1980	1981	1982
Hypothesis of quantity	8 800 t	10 600 t	12 700 t
Hypothesis of rate	81,2 ECU/t	81,2 ECU/t	81,2 ECU/t
Expenditure	714 560 ECU	860 720 ECU	1,03 mio ECU
	= 662 000 UCE	= 797 000 UCE	= 955 000 UCE

6.0 CAN THE PROJECT BE FINANCED FROM APPROBATIONS ENTERED IN THE RELEVANT CHAPTER OF THE 1980 BUDGET.?

YES ☒ NO ☐

6.1 CAN THE PROJECT BE FINANCED BY NATIONAL CONTRIBUTIONS?

YES ☒ NO ☐

6.2 IS A SUPPLEMENTARY BUDGET BE NECESSARY ?

YES ☒ NO ☐

6.3 WILL FUTURE BUDGET APPROBATIONS BE NECESSARY ?

YES ☒ NO ☐

OBSERVATIONS :