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COMMISSION REGULATION (EEC) No 2700/93

of 30 September 1993

on detailed rules for the application of the premium in favour of sheepmeat and goatmeat producers

(OJ L 245, 1.10.1993, p. 99)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Commission Regulation (EC) No 80/94 of 18 January 1994	L 16	1	19.1.1994
► <u>M2</u> Commission Regulation (EC) No 279/94 of 8 February 1994	L 37	1	9.2.1994
► <u>M3</u> Commission Regulation (EC) No 2946/95 of 18 December 1995	L 308	26	21.12.1995
► <u>M4</u> Commission Regulation (EC) No 1526/96 of 30 July 1996	L 190	21	31.7.1996
► <u>M5</u> Commission Regulation (EC) No 1410/1999 of 29 June 1999	L 164	53	30.6.1999
► <u>M6</u> Commission Regulation (EC) No 394/2001 of 27 February 2001	L 58	9	28.2.2001

NB: This consolidated version contains references to the European unit of account and/or the ecu, which from 1 January 1999 should be understood as references to the euro — Council Regulation (EEC) No 3308/80 (OJ L 345, 20.12.1980, p. 1) and Council Regulation (EC) No 1103/97 (OJ L 162, 19.6.1997, p. 1).



COMMISSION REGULATION (EEC) No 2700/93

of 30 September 1993

**on detailed rules for the application of the premium in favour of
sheepmeat and goatmeat producers**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 363/93⁽²⁾, and in particular Article 5 (9) thereof,

Having regard to Council Regulation (EEC) No 3493/90 of 27 November 1990 laying down general rules for the granting of premiums to sheepmeat and goatmeat producers⁽³⁾, as last amended by Regulation (EEC) No 2070/92⁽⁴⁾, and in particular the second paragraph of Article 1 thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, and in particular Article 6 (2) thereof,

Whereas the ewe premium scheme referred to in Article 5 of Regulation (EEC) No 3013/89 falls within the scope of Council Regulation (EEC) No 3508/92 of 27 November 1992 establishing an integrated administration and control system for certain Community aid schemes⁽⁶⁾ (hereinafter referred to as the 'integrated system'); whereas, pursuant to Commission Regulation (EEC) No 3887/92 of 23 December 1992 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes⁽⁷⁾, the aid applications and the integrated control system referred to in Article 2 of Regulation (EEC) No 3508/92 are applicable to the ewe and female-goat premiums from the 1994 marketing year;

Whereas the integrated system contains the essential elements of Commission Regulation (EEC) No 3007/84 of 26 October 1984 laying down detailed rules for the application of the premium for producers of sheepmeat⁽⁸⁾, as last amended by Regulation (EEC) No 3204/92⁽⁹⁾; whereas Regulation (EEC) No 3007/84 should be repealed;

Whereas the provisions of Regulation (EEC) No 3007/84 which have not been included in the integrated system should be consolidated, in particular the period for the lodging of applications, the duration of the retention period on holdings, the conversion rate to be applied on payment of the premium and/or advances; whereas, pending the application of Council Directive 92/102/EEC of 27 November 1992 on the identification and registration of animals⁽¹⁰⁾, it is appropriate to lay down the minimum conditions required of the monitoring system implemented by Member States planning to carry out inspections outside the holding period;

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

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 42, 19. 2. 1993, p. 1.

⁽³⁾ OJ No L 337, 4. 12. 1990, p. 7.

⁽⁴⁾ OJ No L 215, 30. 7. 1992, p. 63.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 355, 5. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 391, 31. 12. 1992, p. 36.

⁽⁸⁾ OJ No L 283, 27. 10. 1984, p. 28.

⁽⁹⁾ OJ No L 319, 4. 11. 1992, p. 7.

⁽¹⁰⁾ OJ No L 355, 5. 12. 1992, p. 32.

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HAS ADOPTED THIS REGULATION:

*Article 1***Applications**

1. In addition to the requirements under the integrated management and control system relating to certain Community aid schemes, pursuant to Regulations (EEC) No 3508/92 and (EEC) No 3887/92, producers must indicate in the premium applications whether they are marketing sheep's milk, or milk products based on sheep's milk, during the marketing year in respect of which the premium is requested.

2. Applications for a premium in favour of sheepmeat and goatmeat producers shall be submitted to the authority designated by the Member State in the territory in which the holding is situated during a fixed period within a period commencing on 1 November preceding the commencement of the marketing year and ending on 30 April following the commencement of the marketing year in respect of which the applications are submitted.

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However, in the case of Italy, premium applications may be centralized; in this case the authority designated by the Member State in the territory in which the holding is situated shall receive a copy of each application.

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Instead of one period, Member States may decide on two non-consecutive periods for the submission of applications within the above period. In that event, a producer in such Member States may submit his premium application only during one of the two periods.

However, the United Kingdom may set one (or two) different period(s) in respect of Northern Ireland from that (those) set for Great Britain.

▼M2

3. The retention period during which the producer undertakes to keep on his holding, within the meaning of Article 1 (3) of Regulation (EEC) No 3493/90, the number of ewes and/or she goats in respect of which the premium is requested shall be 100, days starting on the last day of the period for the submission of applications referred to in paragraph 2.

Before all or some of that number of ewes and/or she goats in respect of which the premium is requested are placed in agistment during the retention period, the animals concerned must be identified. Furthermore, as from the 1995 marketing year, the place (or places) of retention must be indicated in the premium application as well as, where applicable, the period (or periods) concerned. In the event of a change of place or date relating to that period, the producer shall give prior written notification thereof to the competent authority.

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Article 3 (4) of Council Regulation (EEC, Euratom) No 1182/71 ⁽¹⁾ shall not apply for the determination of the aforesaid 100-day period.

4. Each application shall cover at least 10 ewes and/or goats.

▼M6*Article 1a*

Application for specific aid in certain less-favoured areas (Regulation (EEC) No 1323/90):

1. In order to benefit from the specific aid provided for in Article 1 of Regulation (EEC) No 1323/90, a producer fulfilling the conditions laid down in the second subparagraph of Article 2(2) of Regulation (EEC) No 3493/90:

- (a) who is required to submit each year a declaration of the total utilised agricultural area of his holding, by means of an 'area' aid

⁽¹⁾ OJ No L 124, 8. 6. 1971, p. 1.

▼M6

application form, as provided for in Article 4 of Regulation (EEC) No 3887/92 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes, shall indicate in that declaration those parcels which are located in less-favoured areas and are used for agriculture;

- (b) who is not required to submit the declaration referred to under (a), shall submit each year a specific declaration using, where appropriate, the system for identifying agricultural parcels provided for under the integrated system. That declaration shall indicate the location of all the land he owns, rents or uses under whatever arrangements, indicating its area and detailing those parcels which are located in less-favoured areas and are used for agriculture. Member States may provide for the specific declaration to be included in the application for the ewe and/or goat premium.
2. The competent national authority may demand presentation of a property deed, a rental contract or a written agreement between producers and, where appropriate, an attestation from the local or regional authority which has made land used for agriculture available to the producer concerned. The attestation shall indicate the area of land granted to the producer and the parcels located in less-favoured areas.
 3. The Member States may demand that, in the case referred to in paragraph 1(b), the specific declaration be made by means of an 'area' aid application form.
 4. Member States shall inform the Commission before 30 June of each marketing year of the number and regional location of the producers justifying their claim to premium by means of the attestation referred to in paragraph 1(b).
 5. The producer's 'area' declaration and specific declaration must be checked in accordance with Articles 6 and 7 of Regulation (EEC) No 3887/92. The areas actually determined by the abovementioned procedure shall be used for calculating the percentage of the area of the holding used for agriculture located in less-favoured areas in relation to the total area of the farm which is being used for agriculture.
 6. Where the abovementioned documents as presented by the farmer indicate that at least 50 % of the area used for agriculture is located in less-favoured areas, but where on the occasion of a check or control the percentage actually determined is below 50 %, the specific aid shall not be paid and the ewe premium shall be reduced by a percentage equivalent to the difference between the percentage actually determined and 50 %.

However, in the case of a false declaration made intentionally or as a result of serious negligence:

- the producer in question shall be excluded from the ewe/goat premium scheme for the marketing year in question, and,
- in the case of a false declaration made intentionally, from that scheme for the following marketing year.

The reduction shall not be applied if the producer can show that determination of the area was based on information recognised by the competent authority.

▼M3*Article 2***Notification**

Member States shall notify the Commission:

- by 31 July of each year at the latest of the information relating to premium applications submitted during the period referred to in Article 1 (2). For that purpose they shall use the model form included in Annex I.

▼M3

- by 31 July of the year following the abovementioned period, of the information relating to the number of ewes which qualified for the premium for lambs fattened as heavy carcasses during the period referred to in Article 1 (2). For that purpose they shall use the model form included in Annex II.

The information referred to in the above indents shall be made available to the national bodies responsible for drawing up official statistics in the sheepmeat and goatmeat sector, at their request.

▼B*Article 3***Eligibility**

1. The premium referred to in Article 5 of Regulation (EEC) No 3013/89 shall be due for the number of each category of eligible animal which the producer keeps on his holding during the retention period referred to in Article 1 (3).
2. For the purposes of controlling premium applications, animals satisfying the conditions provided for in the definitions referred to in Article 1 (4) and (5) of Regulation (EEC) No 3493/90 on the final day of the retention period shall be considered eligible animals.

*Article 4***Controls**

1. On-the-spot inspections shall be carried out in accordance with Article 6 of Regulation (EEC) No 3887/92, and the system for the permanent recording of livestock movements must comply with the rules laid down by Article 4 of Directive 92/102/EEC.

However, for the 1994 marketing year, if a Member State has not yet implemented the recording system referred to in the first subparagraph, it may introduce a recording system capable of permanently and clearly reflecting the actual livestock situation. The system must include the following information:

- number of ewes and/or female goats present on the holding on a date to be fixed by the Member State,
- date of lambing and number of females covered for the first time,
- date of purchases of ewes and/or goats with an indication of the number and the vendor, or the place of purchase in the case of an auction sale,
- date of sales of ewes and/or goats, with an indication of the number and the purchaser, or the place of sale in the case of an auction sale,
- cases of *force majeure* and natural circumstances bringing about a reduction in the number of ewes and/or goats indicating the date, the number of livestock affected and the cause.

Member States covered by the preceding subparagraph shall notify the Commission of national provisions adopted to that end prior to the commencement of the 1994 marketing year.

In such Member States at least 50 % of the minimum number of inspections required shall be carried out during the retention period, and the granting of the premium shall be subject to the condition that the producer keep a register permitting the implementation of the permanent recording system.

2. For each marketing year Member States shall draw up an inventory of sheep producers marketing sheep's milk and sheep's milk products. The inventory shall be drawn up on the basis of the producers' declarations referred to in Article 1 (1). In addition, Member States shall, when drawing up the inventory, take account of the results of controls and any other source of information available to the competent authority, in particular information provided by processors or distributors relating to the marketing of sheep's milk and sheep's milk products by producers.

▼B*Article 5***Payment**

1. The advance payments provided for in the second subparagraph of Article 5 (6) of Regulation (EEC) No 3013/89 may under no circumstances be paid prior to the end of the retention period referred to in Article 1 (3).
2. The premium and, where an advance payment has been paid, the balance shall be paid prior to 15 October following the end of the marketing year in respect of which the premium has been granted.
3. The premium payable per eligible animal and the advance on the estimated premium per eligible animal — where an advance has been paid — shall be paid only if the amount fixed per head of sheep is greater than or equal to ECU 1.

▼M5*Article 6***Conversion rate**

1. The conversion rate to be applied to the amount of the advance payment referred to in the second subparagraph of Article 5(6) of Regulation (EC) No 2467/98 shall be the average of the exchange rates applicable during the month before the first day of the marketing year in respect of which the premium is granted, calculated *pro rata temporis*.
2. The conversion rate to be applied:
 - to the amount of the premium and of the balance referred to in the fourth subparagraph of Article 5(6) of Regulation (EC) No 2467/98,
 - to the amount of the premium and of the balance referred to above in the event that payment is carried forward to the following marketing year,
 - and
 - to the amount of the deduction referred to in Article 4 of Regulation (EEC) No 3493/90,

shall be the average of the exchange rates applicable during the month before the last day of the marketing year in respect of which the premium is granted, calculated *pro rata temporis*.

▼B*Article 7***Implementing measures**

Where necessary, Member States shall take the measures needed to ensure compliance with the provisions of this Regulation and shall notify the Commission of said measures.

*Article 8***Repeal**

Regulation (EEC) No 3007/84 is hereby repealed.

*Article 9***Entry into force**

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

It shall apply from the 1994 marketing year.

▼ M3

ANNEX I

APPLICATIONS FOR EWE AND SHE-GOAT PREMIUMS

MARKETING YEAR :

Region (¹)	Number of ewes declared per producer marketing ewe's milk products (by class)								Number of ewes declared per producer not marketing ewe's milk products (by class)								Total number of applications	Number of applications (I)	Number of she-goats declared per producer (by class)								Number of applications (II)	Number of applications (III)
	(I) Number of ewes declared per producer marketing ewe's milk products (by class)				(II) Number of ewes declared per producer not marketing ewe's milk products (by class)				(III) Number of she-goats declared per producer (by class)				(IV) Number of she-goats declared per producer (by class)															
	1/20	21/50	51/100	101/500	501/1000	+ 1000	Total	1/20	21/50	51/100	101/500	501/1000	+ 1000	Total	1/20	21/50			51/100	101/500	501/1000	+ 1000	Total					
Total per Member State																												
Less favoured areas Directive 75/268/EEC																												
Non-less favoured areas																												

(¹) Regional subdivision laid down by Article 5 (2) of Council Directive 82/177/EEC.

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ANNEX II

NUMBER OF EWES QUALIFYING FOR PREMIUM FOR LAMBS FATTENED AS
HEAVY CARCASSES

MARKETING YEAR :

Region (^(*))	Total number of applica- tions	Number of ewes per producer marketing ewe's milk or ewe's milk products which qualified for premium for lambs fattened as heavy carcasses (by class)						Total
		1/20	21/50	51/100	101/ 500	501/ 1 000	+ 1 000	
Total per Member State								
	Total number of applica- tions	Number of ewes per producer which qualified for premium for lambs fattened as heavy carcasses						
Less favoured areas Directive 75/268/EEC								
Non-less favoured areas								

(*) Regional subdivision laid down Article 5 (2) of Council Directive 82/177/EEC.