

**COMMISSION REGULATION (EC) No 800/2002
of 14 May 2002**

amending Regulation (EEC) No 1686/72 on certain detailed rules for aid for seed as regards the stabiliser mechanism

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organisation of the market in seeds ⁽¹⁾, as last amended by Regulation (EC) No 154/2002 ⁽²⁾, and in particular Article 3(4a) thereof,

Whereas:

- (1) Regulation (EEC) No 2358/71 establishes a stabiliser mechanism for seed other than rice seed which lays down a maximum quantity eligible for aid, the principle of allocating this maximum quantity among the Member States and the consequences to be applied, in terms of reducing the aid, in the event of an overrun on the maximum quantity.
- (2) The maximum quantity of seed other than rice seed eligible for aid in the Community, and the quantities for each Member State, should be laid down. The maximum quantity for each Member State is equal to the average of the quantities harvested during the reference period laid down in Regulation (EEC) No 2358/71. The quantities taken into account are those communicated to the Commission on the basis of point 6 of the Annex to Commission Regulation (EEC) No 3083/73 of 14 November 1973 on the communication of the information necessary for implementing Council Regulation (EEC) No 2358/71 on the common organisation of the market in seeds ⁽³⁾, as last amended by Regulation (EEC) No 1679/92 ⁽⁴⁾.
- (3) The different species of seed benefit from different amounts of aid. In order to make them equivalent in budget terms, a coefficient of equivalence must be fixed for each species, based on the relation between the amount of aid for each species and the average amount of aid. The average amount of aid is determined on the basis of the expenditure theoretically engendered by the quantities of seed constituting the maximum guaranteed quantity. The maximum quantity for the Community and the national quantities are expressed in equivalent quantities.
- (4) For the operation of the stabiliser mechanism, a deadline must be set for notification by the Member States to the Commission of the quantities of seed covered by aid

applications to allow the calculation of any reduction coefficients applicable in each Member State.

- (5) In Member States which have overrun their allocated national quantity, the payment of aid may be carried out only once the Commission has fixed any reduction coefficients which may be applicable for each of the Member States concerned. A deadline must therefore be laid down for fixing these coefficients.
- (6) To ensure that the stabiliser mechanism is applied only to the extent of the overrun on the maximum quantity for the Community, and to avoid any incitement to over-production, any quantities unused by certain Member States should be reallocated among Member States who have overrun their national quantity, in proportion to their national quantity, and the reduction coefficients for the aid should subsequently be calculated for each Member State concerned, in proportion to the overrun on the national quantity fixed.
- (7) The Commission fixes the reduction coefficients applicable to each Member State concerned. The method by which the Member States must calculate the aid applicable to each species should therefore be laid down.
- (8) To allow the Member States to take account of the specific nature of the structure of national production, and in particular of small production sectors, provision should be made for Member States to have the option of breaking down their national quantity among families or species of seeds.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Seeds,

HAS ADOPTED THIS REGULATION:

Article 1

Commission Regulation (EEC) No 1686/72 ⁽⁵⁾ is amended as follows:

1. Article 3 is replaced by the following:

'Article 3

1. From 1 July 2002, for seed other than rice seed, a maximum quantity of 305 754 tonnes per year is set on which aid may be granted in the Community, allocated to producer Member States as follows:

⁽¹⁾ OJ L 246, 5.11.1971, p. 1.

⁽²⁾ OJ L 25, 29.1.2002, p. 18.

⁽³⁾ OJ L 314, 15.11.1973, p. 20.

⁽⁴⁾ OJ L 176, 30.6.1992, p. 17.

⁽⁵⁾ OJ L 177, 4.8.1972, p. 26.