COMMISSION REGULATION (EC) No 738/2002
of 29 April 2002
concerning aid for the processing of sugar cane into sucrose syrup or agricultural rum in the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1452/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the French overseas departments, amending Directive 72/462/EEC and repealing Regulations (EEC) No 525/77 and (EEC) No 3763/91 (Poseidom) [1], and in particular Article 18 thereof,

Whereas:

(1) Article 17 of Regulation (EC) No 1452/2001 provides for the granting of Community aid for the direct processing of sugar cane into sugar syrup, hereinafter called 'sucrose syrup', or into agricultural rum as defined in Article 1(4)(a)(2) of Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks [2], as last amended by Regulation (EEC) No 3378/94 of the European Parliament and of the Council [3].

(2) This aid is paid on condition that the sugar cane producer is paid a minimum price up to the limit of a maximum annual quantity of 75 600 hectolitres of pure alcohol or, in the case of sucrose syrup, of a maximum annual quantity of 250 tonnes.

(3) A minimum price for sugar cane should be set which takes into account the reference price for sugar cane intended for the production of sugar applicable in the department in question and provision should also be made for a system to reduce, where appropriate, the quantities of rum or sucrose syrup eligible for aid so as to ensure that the overall quantity limit laid down by Article 17(2) of Regulation (EC) No 1452/2001 is observed.

(4) Sucrose syrup, which is not sugar production within the meaning of Articles 13 to 18 of Council Regulation (EC) No 1260/2001 [4], should be defined.

(5) To facilitate the application of the annual processing limits this Regulation should apply from the beginning of the 2002 calendar year.

(6) The measures provided for in this Regulation are in accordance with the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

1. Aid for the direct processing of sugar cane into sucrose syrup or agricultural rum as provided for in Article 17 of Regulation (EC) No 1452/2001 may be paid in accordance with the terms of this Regulation to any sucrose syrup manufacturer or distiller:

(a) whose plant is located in one of the French overseas departments, and

(b) who produces directly from cane harvested in the same French overseas department:

— sucrose syrup of less than 75 % purity used in the manufacture of aperitifs, or

— agricultural rum as defined in Article 1(4)(a)(2) of Regulation (EEC) No 1576/89.

2. Aid shall be paid out each year for the quantities of sugar cane processed directly into sucrose syrup or agricultural rum for which the sucrose syrup manufacturer or distiller shows proof that he has paid the sugar cane producers in question the minimum price referred to in Article 2. This last condition shall not apply in the case of the manufacturer or distiller's own sugar cane production.

3. The aid shall be:

(a) for sucrose syrup EUR 9 per 100 kilograms of sugar expressed as white sugar;

(b) for agricultural rum EUR 64,22 per hectolitre of pure alcohol produced.

Article 2

1. The minimum prices referred to in the second subparagraph of Article 17(1) of Regulation (EC) No 1452/2001 shall be as follows for each department:

Réunion:	EUR 51,01/tonne of cane
Martinique:	EUR 45,16/tonne of cane
Guadeloupe and French Guiana:	EUR 55,95/tonne of cane

The minimum price shall apply to cane of sound, fair and merchantable quality and of standard sugar content. The delivery stage shall be the sugar cane's arrival at the factory.

[1] OJ L 198, 21.7.2001, p. 11.
[2] OJ L 160, 12.6.1989, p. 1.
[3] OJ L 366, 31.12.1994, p. 1.
[4] OJ L 178, 30.6.2001, p. 1.