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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 545/2002

of 18 March 2002

extending the financing of quality and marketing improvement plans for certain nuts and locust beans approved under Title IIa of Regulation (EEC) No 1035/72 and providing for a specific aid for hazelnuts

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission [1],

Having regard to the opinion of the European Parliament [2],

Having regard to the opinion of the Economic and Social Committee [3],

Whereas:

(1) Title IIa of Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organisation of the market in fruit and vegetables [4], provides for various specific measures to make good the inadequacy of production and marketing facilities for certain nuts and locust beans. Aid is provided to producer organisations which have received specific recognition and which have submitted a plan approved by the competent authority for improving the quality and the marketing of their produce.

(2) The specific aid granted towards the drawing up and implementation of the quality and marketing improvement plan as specified in Article 14(d)(2) of Regulation (EEC) No 1035/72 is restricted to a period of 10 years to allow a shift of financial responsibility on to the producers.

(3) Regulation (EEC) No 1035/72 was repealed by Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables [5]. However, as specified by Article 53 of Regulation (EC) No 2200/96, any rights acquired by producer organisations in application of Title IIa of Regulation (EEC) No 1035/72 are to be maintained until exhausted.

(4) A number of plans expired in 2000, having completed their tenth year. These plans became eligible for an eleventh year of aid under Council Regulation (EC) No 558/2001 of 19 March 2001 extending for a period of up to one year the financing of certain quality and marketing improvement plans approved under Title IIa of Regulation (EC) No 1035/72 [6].

(5) A number of additional plans expired in 2001, having completed the tenth year.

(6) In accordance with Regulation (EC) No 2200/96, the Commission forwarded to the Council a report on the state of implementation of Regulation (EC) No 2200/96. This report includes a description of the results of the specific measures for nuts and locust beans carried out under Title IIa of Regulation (EEC) No 1035/72 but does not put forward final proposals for a permanent support framework for the sector.

(7) In recognition of the important environmental role played by the nut sector in protection against erosion, fire prevention and preservation of indigenous genetic material, and of its important social role in keeping people on the land and thus furthering preservation of the countryside, it is appropriate, for the year 2001, to grant to those producer organisations whose improvement plans expire in 2001, and who continue to fulfil the recognition criteria, continued financing of their plans within the 2002 budget. This should include those producer organisations whose original improvement plans expired in 2000 and which were extended under Regulation (EC) No 558/2001.

(8) Eligible areas should be able to include those areas within a plan, which have been approved in 1990 or 1991, and subsequently included in, or transferred to, another plan through merger or acquisition of producer organisations.

[1] OJ C 51 E, 26.2.2002, p. 380.
[2] Opinion delivered on 19 February 2002 (not yet published in the Official Journal).
[3] Opinion delivered on 20 February 2002 (not yet published in the Official Journal).
[4] OJ L 118, 20.5.1972, p. 1. Regulation as last amended by Commission Regulation (EC) No 1363/95 (OJ L 132, 16.6.1995, p. 1).
[5] OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 911/2001 (OJ L 129, 11.5.2001, p. 3).
[6] OJ L 84, 23.3.2001, p. 1.