COMMISSION REGULATION (EC) No 419/2002

of 6 March 2002

amending Regulation (EC) No 2390/1999 laying down detailed rules for the application of Regulation (EC) No 1663/95 as regards the form and content of the accounting information that the Member States must hold at the disposal of the Commission for the purposes of the clearance of the EAGGF Guarantee Section accounts

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy [1], and in particular Article 4(8) thereof,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals [2], as last amended by Regulation (EC) No 1666/2000 [3], and in particular Article 21 thereof, and to the corresponding provisions of the other Regulations on the common organization of markets in agricultural products,

Whereas:

(1) Article 4(2) of Commission Regulation (EC) No 1663/95 of 7 July 1995 laying down detailed rules for the application of Council Regulation (EEC) No 729/70 regarding the procedure for the clearance of the accounts of the EAGGF Guarantee Section [4], as last amended by Regulation (EC) No 2025/2001 [5], requires the accounting information referred to in Article 4(1)(c) thereof to be sent to the Commission by 10 February of the year following the end of the financial year concerned. Commission Regulation (EC) No 2390/1999 [6], as last amended by Regulation (EC) No 1863/2001 [7], lays down the form and content of the accounting information that the Member States must hold at the disposal of the Commission for the purposes of the clearance of the EAGGF Guarantee Section accounts. It is necessary to amend Regulation (EC) No 2390/1999 in order to align it to Regulation (EC) No 1663/95.

(2) In order to allow the Commission to fulfil its role in the framework of the common agricultural policy, it must be in a position to monitor developments in the markets in agricultural products and to make financial forecasts relating to these markets. The common organisations of markets in agricultural products include a general obligation for Member States and the Commission to exchange the information necessary for the proper functioning of those organisations. For the monitoring and forecasting purposes it should be possible for use being made of the accounting information provided by Member States to the Commission under Article 4(2) of Regulation (EC) No 1663/95. Therefore, and without prejudice to the obligations on information exchange under the common organisations of markets, Regulation (EC) No 2390/1999 should be amended to allow for such use of the accounting information.

(3) The protection of individuals with regard to the processing of personal data is governed by Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies on the free movement of such data [8]. This Regulation is fully applicable in the context of Regulation (EC) No 2390/1999. Therefore, when making use of the accounting information referred to in Article 4(1)(c) of Regulation (EC) No 1663/95 for monitoring and forecast purposes in the agricultural domain, the Commission should lay down adequate safeguards as required by the rules of Regulation (EC) No 45/2001, in particular by aggregating and rendering data anonymous.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Fund Committee as well as of all the management committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2390/1999 is amended as follows:

1. The title is replaced by the following:

   'Commission Regulation (EC) No 2390/1999 of 25 October 1999 laying down form and content of the accounting information to be submitted to the Commission for the purpose of the clearance of the EAGGF Guarantee Section accounts as well as for monitoring and forecasting purposes'.

2. In Article 1, 'Article 2(1) of Regulation (EC) No 1663/95' is replaced by 'Article 4(1)(c) of Regulation (EC) No 1663/95'.

[1] OJ L 160, 26.6.1999, p. 103.
[2] OJ L 181, 1.7.1992, p. 21.
[3] OJ L 193, 29.7.2000, p. 1.
[4] OJ L 158, 8.7.1995, p. 6.
[5] OJ L 274, 17.10.2001, p. 3.
[6] OJ L 295, 16.11.1999, p. 1.
[7] OJ L 259, 27.9.2001, p. 1.
[8] OJ L 8, 12.1.2001, p. 1.