



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16.11.2005
COM(2005) 572 final

2005/0225 (CNS)

Proposal for a

COUNCIL REGULATION

**correcting Regulation (EC) No 1786/2003
on the common organisation of the market in dried fodder**

(presented by the Commission)

EXPLANATORY MEMORANDUM

The text of Council Regulation (EC) No 1786/2003 contains a number of errors that should be corrected without delay.

The guaranteed maximum quantity for dried fodder should be amended.

The method for calculating the reduction of the aid where that quantity is exceeded should be redrafted to ensure consistency.

Proposal for a

COUNCIL REGULATION

**correcting Regulation (EC) No 1786/2003
on the common organisation of the market in dried fodder**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 36 and the third subparagraph of Article 37(2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament¹,

Whereas:

- (1) The text of Council Regulation (EC) No 1786/2003² contains a certain number of errors.
- (2) In Article 1, CN codes 1214 90 91 and 1214 90 99 should be replaced by CN code 1214 90 90 following an amendment to the combined nomenclature.
- (3) In Article 5(1), the quantity of 4 855 900 tonnes should be replaced by 4 960 723 tonnes, the sum of the national quantities listed in paragraph 2 of that Article, as amended by Regulation (EC) No 583/2004.
- (4) In Article 6, the first paragraph should be reworded so as to comply with the principle of no increase in budget expenditure set out in the second paragraph of that Article.
- (5) Regulation (EC) No 1786/2003 should therefore be amended accordingly.
- (6) This Regulation should apply from the date of application of Regulation (EC) No 1786/2003,

¹ OJ L ..., ..., p. ...

² OJ L 270, 21.10.2003, p. 114. Regulation as amended by Regulation (EC) No 583/2004 (OJ L 91, 30.3.2004, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1786/2003 is hereby amended as follows:

- (1) In Article 1, CN codes 'ex 1214 90 91' and 'ex 1214 90 99' shall be replaced by CN code 'ex 1214 90 90'.
- (2) In Article 5(1), the quantity of '4 855 900' tonnes shall be replaced by '4 960 723' tonnes.
- (3) In Article 6, the first paragraph shall be replaced by the following:

'Where during a marketing year the volume of dried fodder for which aid as provided for in Article 4(2) is claimed exceeds the guaranteed maximum quantity set out in Article 5(1), the aid shall be reduced in each Member State in which production exceeds the guaranteed national quantity by reducing expenditure proportionally to the percentage of the sum of the overruns represented by the overrun of that Member State.'

Article 2

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

It shall apply from 1 April 2005.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President

FINANCIAL STATEMENT				
1. BUDGET HEADING: 05 02 1101			APPROPRIATIONS: EUR 272 million	
2. TITLE: Proposal for a Council Regulation correcting Regulation (EC) No 1786/2003 on the common organisation of the market in dried fodder.				
3. LEGAL BASIS: Article 37 of the Treaty.				
4. AIMS: To correct a number of errors in Regulation (EC) No 1786/2003.				
5. FINANCIAL IMPLICATIONS	12 MONTH PERIOD (EUR million)	CURRENT FINANCIAL YEAR 2005 (EUR million)	FOLLOWING FINANCIAL YEAR 2006 (EUR million)	
5.0 EXPENDITURE – CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)– NATIONAL AUTHORITIES – OTHER	–	–	–	
5.1 REVENUE – OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) – NATIONAL	–	–	–	
	2007	2008	2009	2010
5.0.1 ESTIMATED EXPENDITURE	–	–	–	–
5.1.1 ESTIMATED REVENUE	–	–	–	–
5.2 METHOD OF CALCULATION: –				
6.0 CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET?			YES NO	
6.1 CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET?			YES NO	
6.2 WILL A SUPPLEMENTARY BUDGET BE NECESSARY?			YES NO	
6.3 WILL APPROPRIATIONS NEED TO BE ENTERED IN FUTURE BUDGETS?			YES NO	
OBSERVATIONS: The Regulation corrects a number of errors (MGQ) and details the method for calculating penalties in the case of overruns. Compared with the method used to date, there is no additional financial impact.				