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II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the Kingdom of Belgium in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1980

(Only the Dutch and French texts are authentic)

(85/448/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 870/85 ⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas Belgium has transmitted to the Commission the documents required to clear the accounts for 1980; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas according to documents sent by Belgium the total amount of declared expenditure comes to Bfrs 22 846 371 620; whereas expenditure declared in respect of premium for leaf tobacco will be the subject of a subsequent

clearance decision and is therefore excluded from the present Decision which consequently relates to an amount of Bfrs 22 677 829 737;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽³⁾, provides that the Decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to non-member countries and intervention intended to stabilize agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organization of agricultural markets, may be financed; whereas the inspections carried out show that a part of the expenditure declared, amounting to Bfrs 50 224 040, does satisfy the requirements of these provisions and therefore can be financed; whereas the Member State has been fully informed of this correction and has been able to give its views thereon;

Whereas the Decisions concerning the clearance of accounts for 1978 and 1979 excluded the financing of the following amounts, Bfrs 109 567 307 and Bfrs 117 663 053 in the

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

tobacco sector, on condition that the expenditure or a part of it may be recognized in the clearance of accounts 1980, providing the Member State furnishes the necessary evidence justifying Community financing; whereas expenditure declared in respect of the premium for leaf tobacco is nevertheless excluded from the present Decision and will be the subject of a subsequent clearance Decision; whereas it is therefore necessary to extend the negative reserve;

Whereas, under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds ⁽¹⁾, as last amended by Regulation (EEC) No 1300/84 ⁽²⁾, 60 % of expenditure on those measures is borne by the Guarantee Section of the EAGGF and 40 % by the Guidance Section; whereas the said measures count as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute a common measure within the meaning of Article 6 (1) of that Regulation; whereas it is therefore necessary to include Guidance Section expenditure when clearing the accounts in respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts procedure for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of infringements in 1980 or national aids incompatible with the Treaty paid in 1980 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1980;

Whereas this Decision does not prejudice any financial consequences which may be determined by the Commission in the course of a subsequent clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC)

No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by Belgium recognized as chargeable to the European Agricultural Guidance and Guarantee Fund, Guarantee Section, in respect of the 1980 financial year amounts, in accordance with Annex I, to Bfrs 22 728 053 777.

2. The expenditure recognized as chargeable to the EAGGF, pursuant to Regulation (EEC) No 1078/77, amounts, in accordance with Annex II, to 76 509 024.

3. The amount of Bfrs 168 541 883 relating to expenditure declared in respect of premium for leaf tobacco is not the subject of the present Decision.

Article 2

The financial resources available at the end of 1980 amount, in accordance with Annex I, to Bfrs 2 272 109 896 and, in accordance with Annex II, to Bfrs 495 208.

Article 3

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 28 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽²⁾ OJ No L 125, 12. 5. 1984, p. 3.

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1980 ⁽¹⁾

	(Bfrs)
1. Funds available after clearance of the accounts for 1979	866 705 556
2. Advances received for 1980	24 133 458 117
3. Total funds available to cover expenditure for 1980	25 000 163 673
4. Expenditure recognized for 1980:	
(a) Expenditure declared	22 677 829 737
(b) Supplementary expenditure recognized:	+ 50 224 040
— of which definitive decision deferred to 1982	—
(c) Elimination of reserves for previous years	—
(d) Expenditure recognized	22 728 053 777
5. Funds available after the clearance of accounts for the financial year 1980 excluding clearance of accounts relating to the premium for leaf tobacco	2 272 109 896

⁽¹⁾ Excluding expenditure on measures under Regulation (EEC) No 1078/77.

PM: The amount of Bfrs 168 541 883 relating to expenditure declared in respect of the premium for leaf tobacco is not the subject of the present Decision; this amount is consequently excluded from the amount shown above under 2, 3, 4 (a), 4 (b) and 4 (d).

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1980

	(Bfrs)
1. Funds available after clearance of the accounts for 1979	- 11 995 768
2. Advances received for 1980	89 000 000
3. Total to cover expenditure in 1980	77 004 232
4. Expenditure incurred in 1980 chargeable to the EAGGF of which:	76 509 024
(a) Guarantee Section	45 905 415
(b) Guidance Section	30 603 609
5. Funds available after clearance of the accounts for 1980	495 208

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the Kingdom of Belgium in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1981

(Only the Dutch and French texts are authentic)

(85/449/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 870/85 ⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas Belgium has transmitted to the Commission the documents required to clear the accounts for 1981; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas according to documents sent by Belgium the total amount of declared expenditure comes to Bfrs 20 571 377 945; whereas expenditure declared in respect of premium for leaf tobacco will be the subject of a subsequent clearance decision and is therefore excluded from the present Decision which consequently relates to an amount of Bfrs 20 479 838 562;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽³⁾, provides that the Decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the

financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to non-member countries and intervention intended to stabilize agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organization of agricultural markets, may be financed; whereas the inspections carried out show that a part of the expenditure declared, amounting to Bfrs 17 172 015 does not satisfy the requirements of these provisions and therefore cannot be financed; whereas the Member State has been fully informed of this correction and has been able to give its views thereon;

Whereas expenditure declared in respect of the premium for leaf tobacco is nevertheless excluded from the present Decision and will be the subject of a subsequent clearance Decision; whereas it is therefore necessary to extend the negative reserve concerning the financial years 1978 and 1979;

Whereas, under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds ⁽⁴⁾, as last amended by Regulation (EEC) No 1300/84 ⁽⁵⁾, 60 % of expenditure on those measures is borne by the Guarantee Section of the EAGGF and 40 % by the Guidance Section; whereas the said measures count as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute a common measure within the meaning of Article 6 (1) of that Regulation; whereas it is therefore necessary to include Guidance Section expenditure when clearing the accounts in respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁵⁾ OJ No L 125, 12. 5. 1984, p. 3.

infringements in 1981 or national aids incompatible with the Treaty paid in 1981 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1981;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by Belgium recognized as chargeable to the European Agricultural Guidance and Guarantee Fund, Guarantee Section, in respect of the 1981 financial year amounts, in accordance with Annex I, to Bfrs 20 462 666 547.

2. The expenditure recognized as chargeable to the EAGGF, pursuant to Regulation (EEC) No 1078/77,

amounts, in accordance with Annex II, to Bfrs 94 493 454.

3. The amount of Bfrs 91 539 383 relating to expenditure declared in respect of premium for leaf tobacco is not the subject of the present Decision.

Article 2

The financial resources available at the end of 1981 amount, in accordance with Annex I, to Bfrs 1 462 903 966 and, in accordance with Annex II, to Bfrs 1 754.

Article 3

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 28 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1981 ⁽¹⁾

(Bfrs)

1. Funds available after clearance of the accounts for 1980 excluding declared expenditure in the tobacco sector	2 272 109 896
2. Advances received for 1981	19 653 460 617
3. Total funds available to cover expenditure for 1981	21 925 570 513
4. Expenditure recognized for 1981:	
(a) Expenditure declared	20 479 838 562
(b) Expenditure not recognized:	— 17 172 015
— of which definitive decision deferred to 1982	(— 41 275)
(c) Elimination of reserves for previous years	—
(d) Expenditure recognized	20 462 666 547
5. Funds available after the clearance of accounts for the financial year 1981 excluding clearance of accounts relating to the premium for leaf tobacco	1 462 903 966

⁽¹⁾ Excluding expenditure on measures under Regulation (EEC) No 1078/77.

PM: The amount of Bfrs 91 539 383 relating to expenditure declared in respect of the premium for leaf tobacco is not the subject of the present decision; this amount is consequently excluded from the amount shown above under 2, 3, 4 (a), 4 (b) and 4 (d).

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1981

(Bfrs)

1. Funds available after clearance of the accounts for 1980	495 208
2. Advances received for 1981	94 000 000
3. Total to cover expenditure in 1981	94 495 208
4. Expenditure incurred in 1981 chargeable to the EAGGF of which:	94 493 454
(a) Guarantee Section	56 696 072
(b) Guidance Section	37 797 382
5. Funds available after clearance of the accounts for 1981	1 754

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the Kingdom of Denmark in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1980

(Only the Danish text is authentic)

(85/450/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 870/85 ⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas Denmark has transmitted to the Commission the documents required to clear the accounts for 1980; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas according to documents sent by Denmark the total amount of declared expenditure comes to Dkr 4 671 972 075,20; whereas expenditure declared in respect of premium for homogenization of cereals will be the subject of a subsequent clearance Decision and is therefore excluded from the present Decision which consequently relates to an amount of Dkr 4 669 736 325,20;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽³⁾, provides that the Decision to clear the accounts must include the determination of the amount of

expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to non-member countries and intervention intended to stabilize agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organization of agricultural markets, may be financed; whereas the inspections carried out show that a part of the expenditure declared amounting to Dkr 18 258 797,90 does not satisfy the requirements of these provisions and therefore cannot be financed; whereas the Member State has been fully informed of this correction and has been able to give its views thereon;

Whereas, under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds ⁽⁴⁾, as last amended by Regulation (EEC) No 1300/84 ⁽⁵⁾, 60 % of expenditure on those measures is borne by the Guarantee Section of the EAGGF and 40 % by the Guidance Section; whereas the said measures count as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute a common measure within the meaning of Article 6 (1) of that Regulation; whereas it is therefore necessary to include Guidance Section expenditure when clearing the accounts in respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts procedure for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of infringements in 1980 or national aids incompatible with the Treaty paid in 1980 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1980;

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁵⁾ OJ No L 125, 12. 5. 1984, p. 3.

Whereas this Decision does not prejudice any financial consequences which may be determined by the Commission in the course of a subsequent clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by Denmark recognized as chargeable to the European Agricultural Guidance and Guarantee Fund, Guarantee Section, in respect of the 1980 financial year amounts, in accordance with Annex I, to Dkr 4 651 477 527,30.

2. The expenditure recognized as chargeable to the EAGGF, pursuant to Regulation (EEC) No 1078/77, amounts, in accordance with Annex II, to Dkr 173 214 593,58.

3. The amount of Dkr 2 235 750 relating to expenditure declared in respect of premium for homogenization of cereals is not the subject of the present Decision.

Article 2

The financial resources available at the end of 1980 amount, in accordance with Annex I, to Dkr 82 864 973,78 and, in accordance with Annex II, to Dkr 15 174 131,49.

Article 3

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 28 August 1985.

For the Commission
Frans ANDRIESEN
Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1980 ⁽¹⁾

	(Dkr)
1. Funds available after clearance of the accounts for 1979	- 119 366 234,80
2. Advances received for 1980	4 853 708 735,88
3. Total funds available to cover expenditure for 1980	4 734 342 501,08
4. Expenditure recognized for 1980:	
(a) Expenditure declared	4 669 736 325,20
(b) Expenditure not recognized:	- 18 258 797,90
— of which definitive decision deferred to 1982	—
(c) Elimination of reserves for previous years	—
(d) Expenditure recognized	4 651 477 527,30
5. Funds available after the clearance of accounts for the financial year 1980 excluding clearance of accounts relating to the premium for homogenization of cereals	82 864 973,78

⁽¹⁾ Excluding expenditure on measures under Regulation (EEC) No 1078/77.

PM: The amount of Dkr 2 235 750 relating to expenditure declared in respect of the premium for homogenization of cereals is not the subject of the present Decision; this amount is consequently excluded from the amount shown above under 2, 3, 4 (a), 4 (b) and 4 (d).

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1980

	(Dkr)
1. Funds available after clearance of the accounts for 1979	- 8 611 274,93
2. Advances received for 1980	197 000 000,00
3. Total funds available to cover expenditure in 1980	188 388 725,07
4. Expenditure incurred in 1980 chargeable to the EAGGF of which:	173 214 593,58
(a) Guarantee Section	103 928 756,15
(b) Guidance Section	69 285 837,43
5. Funds available after clearance of the accounts for 1980	15 174 131,49

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the Kingdom of Denmark in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1981

(Only the Danish text is authentic)

(85/451/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 870/85⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas Denmark has transmitted to the Commission the documents required to clear the accounts for 1981; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas according to the documents sent by Denmark the total amount of declared expenditure comes to Dkr 3 975 535 246,80; whereas, expenditure declared in respect of premium for homogenization of cereals will be the subject of a subsequent clearance Decision and is therefore excluded from the present Decision which consequently relates to an amount of Dkr 3 972 635 539,80;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section⁽³⁾, provides that the Decision to clear the accounts must include the determination of the amount of

expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to non-member countries and intervention intended to stabilize agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organization of agricultural markets, may be financed; whereas the inspections carried out show that a part of the expenditure declared, amounting to Dkr 39 209 501,92 does not satisfy the requirements of these provisions and therefore cannot be financed; whereas the Member State has been fully informed of this correction and has been able to give its views thereon;

Whereas, under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds⁽⁴⁾, as last amended by Regulation (EEC) No 1300/84⁽⁵⁾, 60 % of expenditure on those measures is borne by the Guarantee Section of the EAGGF and 40 % by the Guidance Section; whereas the said measures count as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute a common measure within the meaning of Article 6 (1) of that Regulation; whereas it is therefore necessary to include Guidance Section expenditure when clearing the accounts in respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of infringements in 1981 or national aids incompatible with the Treaty paid in 1981 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1981;

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁵⁾ OJ No L 125, 12. 5. 1984, p. 3.

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by Denmark recognized as chargeable to the European Agricultural Guidance and Guarantee Fund, Guarantee Section, in respect of the 1981 financial year amounts, in accordance with Annex I, to Dkr 3 933 426 037,88.

2. The expenditure recognized as chargeable to the EAGGF, pursuant to Regulation (EEC) No 1078/77, amounts, in accordance with Annex II, to Dkr 143 144 976,04.

3. The amount of Dkr 2 899 707 relating to expenditure declared in respect of premium for homogenization of cereals is not the subject of the present Decision.

Article 2

The financial resources available at the end of 1981 amount, in accordance with Annex I, to Dkr 155 539 228,90 and, in accordance with Annex II, to Dkr 22 029 155,45.

Article 3

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 28 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1981 ⁽¹⁾

(Dkr)

1. Funds available after clearance of the accounts for 1980 excluding expenditure on the homogenization of cereals	82 864 973,78
2. Advances received for 1981	4 006 100 293,00
3. Total funds available to cover expenditure for 1981	4 088 965 266,78
4. Expenditure recognized for 1981:	
(a) Expenditure declared	3 972 635 539,80
(b) Expenditure not recognized:	- 39 209 501,92
— of which definitive decision deferred to 1982	—
(c) Elimination of reserves for previous years	—
(d) Expenditure recognized	3 933 426 037,88
5. Funds available after the clearance of accounts for the financial year 1981 excluding clearance of accounts relating to the premium for homogenization of cereals	155 539 228,90

⁽¹⁾ Excluding expenditure on measures under Regulation (EEC) No 1078/77.

PM: The amount of Dkr 2 899 707 relating to expenditure declared in respect of the premium for homogenization of cereals is not the subject of the present Decision; this amount is consequently excluded from the amount shown above under 2, 3, 4 (a), 4 (b) and 4 (d).

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1981

(Dkr)

1. Funds available after clearance of the accounts for 1980	15 174 131,49
2. Advances received for 1981	150 000 000,00
3. Total funds available to cover expenditure in 1981	165 174 131,49
4. Expenditure incurred in 1981 chargeable to the EAGGF of which:	143 144 976,04
(a) Guarantee Section	85 886 985,62
(b) Guidance Section	57 257 990,42
5. Funds available after clearance of the accounts for 1981	22 029 155,45

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the Federal Republic of Germany in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1980

(Only the German text is authentic)

(85/452/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 870/85⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas Germany has transmitted to the Commission the documents required to clear the accounts for 1980; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section⁽³⁾, provides that the Decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to non-member countries and intervention intended to stabilize agricultural

markets, respectively granted and undertaken according to Community rules within the framework of the common organization of agricultural markets, may be financed; whereas the inspections carried out show that a part of the expenditure declared, amounting to DM 1 022 005,15 does satisfy the requirements of these provisions and therefore can be financed; whereas the Member State has been fully informed of this correction and has been able to give its views thereon;

Whereas the Decisions concerning the clearance of accounts for 1978 and 1979 excluded the financing of the following amounts, DM 1 153 180,45 and DM 384 991,41 in the wine sector, on condition that the expenditure or a part of it may be recognized in the clearance of accounts 1980, provided the Member State furnishes the evidence necessary for Community financing. In fact, this evidence has been provided and consequently an amount of DM 1 479 686,21 may be taken into consideration;

Whereas, under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds⁽⁴⁾, as last amended by Regulation (EEC) No 1300/84⁽⁵⁾, 60 % of expenditure on those measures is borne by the Guarantee Section of the EAGGF and 40 % by the Guidance Section; whereas the said measures count as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute a common measure within the meaning of Article 6 (1) of that Regulation; whereas it is therefore necessary to include Guidance Section expenditure when clearing the accounts in respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts procedure for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of infringements in 1980 or national aids incompatible with the Treaty paid in 1980 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1980;

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁵⁾ OJ No L 125, 12. 5. 1984, p. 3.

Whereas this Decision does not prejudice any financial consequences which may be determined by the Commission in the course of a subsequent clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by the Federal Republic of Germany recognized as chargeable to the European Agricultural Guidance and Guarantee Fund, Guarantee Section, in respect of the 1980 financial year amounts, in accordance with Annex I, to DM 6 022 907 599,74.

2. The expenditure recognized as chargeable to the EAGGF, pursuant to Regulation (EEC) No 1078/77,

amounts, in accordance with Annex II, to DM 218 366 430,84.

Article 2

The financial resources available at the end of 1980 amount, in accordance with Annex I, to DM 139 357 564,68 and, in accordance with Annex II, to DM 1 061 185,39.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 28 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1980 ⁽¹⁾

		(DM)
1. Funds available after clearance of the accounts for 1979		– 118 734 835,58
2. Advances received for 1980		6 281 000 000,00
3. Total funds available to cover expenditure for 1980		6 162 265 164,42
4. Expenditure recognized for 1980:		
(a) Expenditure declared	6 020 405 908,38	
(b) Supplementary expenditure recognized:	+ 1 022 005,15	
— of which definitive decision deferred to 1982	—	
(c) Elimination of reserves for previous years	+ 1 479 686,21	
(d) Expenditure recognized		6 022 907 599,74
5. Funds available after clearance of accounts for the 1980		139 357 564,68

⁽¹⁾ Excluding expenditure on measures under Regulation (EEC) No 1078/77.

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1980

		(DM)
1. Funds available after clearance of the accounts for 1979		38 027 616,23
2. Advances received for 1980		181 400 000,00
3. Total funds to cover expenditure for 1980		219 427 616,23
4. Expenditure incurred in 1980 chargeable to the EAGGF of which:		218 366 430,84
(a) Guarantee Section	131 019 858,51	
(b) Guidance Section	87 346 572,33	
5. Funds available after clearance of the accounts for 1980		1 061 185,39

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the Federal Republic of Germany in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1981

(Only the German text is authentic)

(85/453/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 870/85⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas Germany has transmitted to the Commission the documents required to clear the accounts for 1981; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section⁽³⁾, provides that the Decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to non-member countries and intervention intended to stabilize agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organization of agricultural markets, may be financed;

whereas the inspections carried out show that a part of the expenditure declared, amounting to DM 2 715 250,52 does satisfy the requirements of these provisions and therefore can be financed; whereas the Member State has been fully informed of this correction and has been able to give its views thereon;

Whereas, under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds⁽⁴⁾, as last amended by Regulation (EEC) No 1300/84⁽⁵⁾, 60 % of expenditure on those measures is borne by the Guarantee Section of the EAGGF and 40 % by the Guidance Section; whereas the said measures count as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute a common measure within the meaning of Article 6 (1) of that Regulation; whereas it is therefore necessary to include Guidance Section expenditure when clearing the accounts in respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of infringements in 1981 or national aids incompatible with the Treaty paid in 1981 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1981;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by the Federal Republic of Germany recognized as chargeable to the European Agricultural

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁵⁾ OJ No L 125, 12. 5. 1984, p. 3.

Guidance and Guarantee Fund, Guarantee Section, in respect of the 1981 financial year amounts, in accordance with Annex I, to DM 5 070 818 791,31.

2. The expenditure recognized as chargeable to the EAGGF, pursuant to Regulation (EEC) No 1078/77, amounts, in accordance with Annex II, to DM 270 598 633,88.

Article 2

The financial resources available at the end of 1981 amount,

in accordance with Annex I, to DM 80 738 773,37 and, in accordance with Annex II, to DM 5 162 551,51.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 28 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1981 ⁽¹⁾

	(DM)
1. Funds available after clearance of the accounts for 1980	139 357 564,68
2. Advances received for 1981	5 012 200 000,00
3. Total funds available to cover expenditure for 1981	5 151 557 564,68
4. Expenditure recognized for 1981:	
(a) Expenditure declared	5 068 103 540,79
(b) Supplementary expenditure recognized:	+ 2 715 250,52
— of which definitive decision deferred to 1982	—
(c) Elimination of reserves for previous years	—
(d) Expenditure recognized	5 070 818 791,31
5. Funds available after clearance of accounts for 1981	80 738 773,37

⁽¹⁾ Excluding expenditure on measures under Regulation (EEC) No 1078/77.

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1981

	(DM)
1. Funds available after clearance of the accounts for 1980	1 061 185,39
2. Advances received for 1981	274 700 000,00
3. Total funds available to cover expenditure for 1981	275 761 185,39
4. Expenditure incurred in 1981 chargeable to the EAGGF of which:	270 598 633,88
(a) Guarantee Section	162 359 180,33
(b) Guidance Section	108 239 453,55
5. Funds available after clearance of the accounts for 1981	5 162 551,51

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the Hellenic Republic in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1981

(Only the Greek text is authentic)

(85/454/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 870/85 ⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas Greece has transmitted to the Commission the documents required to clear the accounts for 1981; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽³⁾, provides that the Decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to non-member countries and intervention intended to stabilize agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organization of agricultural markets, may be financed; whereas the inspections carried out show that a part of the expenditure declared amounting to Dr 423 537 043 does not satisfy the requirements of these provisions and therefore cannot be financed; whereas the Member State has been fully informed of this correction and has been able to give its views thereon;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts procedure for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of infringements in 1981 or national aids incompatible with the Treaty paid in 1981 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1981;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

The expenditure by Greece recognized as chargeable to the European Agricultural Guidance and Guarantee Fund, Guarantee Section, in respect of the 1981 financial year amounts, in accordance with the Annex, to Dr 8 561 938 107.

Article 2

The financial resources available at the end of 1981 amount, in accordance with the Annex, to Dr 1 361 147 893.

Article 3

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 28 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

ANNEX

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1981

		(Dr)
1. Funds available after clearance of the accounts for 1980		—
2. Advances received for 1981		9 923 086 000
3. Total funds available to cover expenditure for 1981		9 923 086 000
4. Expenditure recognized for 1981:		
(a) Expenditure declared	8 985 475 150	
(b) Expenditure not recognized:	— 423 537 043	
— of which definitive decision deferred to 1982	—	
(c) Elimination of reserves for previous years	—	
(d) Expenditure recognized		8 561 938 107
5. Funds available after clearance of accounts for 1981		1 361 147 893

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the French Republic in respect of the European
Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1980

(Only the French text is authentic)

(85/455/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of
21 April 1970 on the financing of the common agricultural
policy ⁽¹⁾, as last amended by Regulation (EEC)
No 870/85 ⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC)
No 729/70, the Commission, on the basis of the annual
accounts presented by the Member States, clears the accounts
of the authorities and bodies referred to in Article 4 of that
Regulation;

Whereas France has transmitted to the Commission the
documents required to clear the accounts for 1980; whereas
the latter has carried out on-the-spot inspections as provided
for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC)
No 1723/72 of 26 July 1972 on the clearance of the accounts
of the European Agricultural Guidance and Guarantee Fund,
Guarantee Section ⁽³⁾, provides that the Decision to clear the
accounts must include the determination of the amount of
expenditure incurred in each Member State during the
financial year in question recognized as chargeable to the
Fund, Guarantee Section, and also the determination of the
amount of the Community's financial resources still available
in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC)
No 729/70, only refunds on exports to non-member

countries and intervention intended to stabilize agricultural
markets, respectively granted and undertaken according to
Community rules within the framework of the common
organization of agricultural markets, may be financed;
whereas the inspections carried out show that a part of the
expenditure declared amounting to FF 31 704 101,31 does
not satisfy the requirements of these provisions and therefore
cannot be financed; whereas the Member State has been fully
informed of this correction and has been able to give its views
thereon;

Whereas the Decisions concerning the clearance of accounts
for 1978 and 1979 excluded the financing of the following
amounts, FF 65 088 898,79 and FF 61 008 616,74 in the
wine sector, on condition that the expenditure or a part of it
may be recognized in the clearance of accounts 1980,
provided the Member State furnishes the evidence necessary
for Community financing. In fact, this evidence has been
provided and consequently an amount of FF 114 478 467,44
may be taken into consideration;

Whereas, under Council Regulation (EEC) No 1078/77 of
17 May 1977 introducing a system of premiums for the
non-marketing of milk and milk products and for the
conversion of dairy herds ⁽⁴⁾, as last amended by Regulation
(EEC) No 1300/84 ⁽⁵⁾, 60 % of expenditure on those
measures is borne by the Guarantee Section of the EAGGF
and 40 % by the Guidance Section; whereas the said
measures count as intervention within the meaning of
Article 3 of Regulation (EEC) No 729/70 and constitute a
common measure within the meaning of Article 6 (1) of that
Regulation; whereas it is therefore necessary to include
Guidance Section expenditure when clearing the accounts in
respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial
consequences which may be drawn in any subsequent
clearance of accounts for national aids in accordance with
Article 93 of the Treaty or infringement procedures under
Article 169 of the Treaty currently in progress or concluded
after the date of 31 March 1985 or as a result of
infringements in 1980 or national aids incompatible with the
Treaty paid in 1980 having affected the expenditure charged
to the EAGGF in any financial year subsequent to that of
1980;

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁵⁾ OJ No L 125, 12. 5. 1984, p. 3.

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by France recognized as chargeable to the European Agricultural Guidance and Guarantee Fund, Guarantee Section, in respect of the 1980 financial year amounts, in accordance with Annex I, to FF 16 665 767 583,40.

2. The expenditure recognized as chargeable to the EAGGF, pursuant to Regulation (EEC) No 1078/77,

amounts, in accordance with Annex II, to FF 157 592 594,63.

Article 2

The financial resources available at the end of 1980 amount, in accordance with Annex I, FF 567 545 606,89 and, in accordance with Annex II, to FF 11 611 569,56.

Article 3

This Decision is addressed to the Republic of France.

Done at Brussels, 28 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1980 ⁽¹⁾

	(FF)
1. Funds available after clearance of the accounts for 1979	232 313 190,29
2. Advances received for 1980	17 001 000 000,00
3. Total funds available to cover expenditure for 1980	17 233 313 190,29
4. Expenditure recognized for 1980:	
(a) Expenditure declared	16 582 993 217,27
(b) Expenditure not recognized:	- 31 704 101,31
- of which definitive decision deferred to 1982	(- 532 994,38)
(c) Elimination of reserves for previous years	+ 114 478 467,44
(d) Expenditure recognized	16 665 767 583,40
5. Funds available after clearance of accounts for 1980	567 545 606,89

⁽¹⁾ Excluding expenditure on measures under Regulation (EEC) No 1078/77.

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1980

	(FF)
1. Funds available after clearance of the accounts for 1979	- 5 395 835,81
2. Advances received for 1980	174 600 000,00
3. Total funds available to cover expenditure for 1980	169 204 164,19
4. Expenditure incurred in 1980 chargeable to the EAGGF of which:	157 592 594,63
(a) Guarantee Section	94 555 556,77
(b) Guidance Section	63 037 037,86
5. Funds available after clearance of the accounts for 1980	11 611 569,56

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the French Republic in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1981

(Only the French text is authentic)

(85/456/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 870/85⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas France has transmitted to the Commission the documents required to clear the accounts for 1981; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section⁽³⁾, provides that the Decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to non-member countries and intervention intended to stabilize agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organization of agricultural markets, may be financed;

whereas the inspections carried out show that a part of the expenditure declared amounting to FF 64 948 953,78 does not satisfy the requirements of these provisions and therefore cannot be financed; whereas the Member State has been fully informed of this correction and has been able to give its views thereon;

Whereas, under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds⁽⁴⁾, as last amended by Regulation (EEC) No 1300/84⁽⁵⁾, 60 % of expenditure on those measures is borne by the Guarantee Section of the EAGGF and 40 % by the Guidance Section; whereas the said measures count as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute a common measure within the meaning of Article 6 (1) of that Regulation; whereas it is therefore necessary to include Guidance Section expenditure when clearing the accounts in respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of infringements in 1981 or national aids incompatible with the Treaty paid in 1981 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1981;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by France recognized as chargeable to the European Agricultural Guidance and Guarantee Fund,

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁵⁾ OJ No L 125, 12. 5. 1984, p. 3.

Guarantee Section, in respect of the 1981 financial year amounts, in accordance with Annex I, to FF 18 718 513 137,03.

2. The expenditure recognized as chargeable to the EAGGF, pursuant to Regulation (EEC) No 1078/77, amounts, in accordance with Annex II, to FF 174 006 149,66.

Article 2

The financial resources available at the end of 1981 amount,

in accordance with Annex I, to FF 438 032 469,86 and, in accordance with Annex II, to FF 52 605 419,90.

Article 3

This Decision is addressed to the Republic of France.

Done at Brussels, 28 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1981 ⁽¹⁾

		(FF)
1. Funds available after clearance of the accounts for 1980		567 545 606,89
2. Advances received for 1981		19 589 000 000,00
3. Total funds available to cover expenditure for 1981		20 156 545 606,89
4. Expenditure recognized for 1981:		
(a) Expenditure declared	18 783 462 090,81	
(b) Expenditure not recognized:	- 64 948 953,78	
— of which definitive decision deferred to 1982	(- 1 082 134,47)	
(c) Elimination of reserves for previous years	—	
(d) Expenditure recognized		18 718 513 137,03
5. Funds available after clearance of accounts for 1981		1 438 032 469,86

⁽¹⁾ Excluding expenditure on measures under Regulation (EEC) No 1078/77.

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1981

		(FF)
1. Funds available after clearance of the accounts for 1980		11 611 569,56
2. Advances received for 1981		215 000 000,00
3. Total funds available to cover expenditure in 1981		226 611 569,56
4. Expenditure incurred in 1981 chargeable to the EAGGF of which:		174 006 149,66
(a) Guarantee Section	104 403 689,79	
(b) Guidance Section	69 602 459,87	
5. Funds available after clearance of the accounts for 1981		52 605 419,90

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by Ireland in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1980

(Only the English text is authentic)

(85/457/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 870/85 ⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas Ireland has transmitted to the Commission the documents required to clear the accounts for 1980; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽³⁾, provides that the Decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to non-member countries and intervention intended to stabilize agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organization of agricultural markets, may be financed;

whereas the inspections carried out show that a part of the expenditure declared amounting to £ Irl 116 568,13 does not satisfy the requirements of these provisions and therefore cannot be financed; whereas the Member State has been fully informed of this correction and has been able to give its views thereon;

Whereas, under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds ⁽⁴⁾, as last amended by Regulation (EEC) No 1300/84 ⁽⁵⁾, 60 % of expenditure on those measures is borne by the Guarantee Section of the EAGGF and 40 % by the Guidance Section; whereas the said measures count as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute a common measure within the meaning of Article 6 (1) of that Regulation; whereas it is therefore necessary to include Guidance Section expenditure when clearing the accounts in respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of infringements in 1980 or national aids incompatible with the Treaty paid in 1980 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1980;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by Ireland recognized as chargeable to the European Agricultural Guidance and Guarantee Fund,

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁵⁾ OJ No L 125, 12. 5. 1984, p. 3.

Guarantee Section, in respect of the 1980 financial year amounts, in accordance with Annex I, to £ Irl 378 603 265,11.

2. The expenditure recognized as chargeable to the EAGGF, pursuant to Regulation (EEC) No 1078/77, amounts, in accordance with Annex II, to £ Irl 5 608 216,28.

Article 2

The financial resources available at the end of 1980 amount, in accordance with Annex I, to a negative balance of £ Irl

1 193 645,71 and, in accordance with Annex II, to a negative balance of £ Irl 252 693,74.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 28 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1980 ⁽¹⁾

	(£ Irl)
1. Funds available after clearance of the accounts for 1979	- 11 890 380,60
2. Advances received for 1980	389 300 000,00
3. Total funds available to cover expenditure for 1980	377 409 619,40
4. Expenditure recognized for 1980:	
(a) Expenditure declared	378 719 833,24
(b) Expenditure not recognized:	- 116 568,13
— of which definitive decision deferred to 1982	—
(c) Elimination of reserves for previous years	—
(d) Expenditure recognized	378 603 265,11
5. Funds available after clearance of accounts for 1980	- 1 193 645,71

⁽¹⁾ Excluding expenditure on measures under Regulation (EEC) No 1078/77.

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1980

	(£ Irl)
1. Funds available after clearance of the accounts for 1979	- 99 477,46
2. Advances received for 1980	5 455 000,00
3. Total funds available to cover expenditure in 1980	5 355 522,54
4. Expenditure incurred in 1980 chargeable to the EAGGF of which:	5 608 216,28
(a) Guarantee Section	3 364 929,77
(b) Guidance Section	2 243 286,51
5. Funds available after clearance of the accounts for 1980	- 252 693,74

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by Ireland in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1981

(Only the English text is authentic)

(85/458/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 870/85⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas Ireland has transmitted to the Commission the documents required to clear the accounts for 1981; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section⁽³⁾, provides that the Decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to non-member countries and intervention intended to stabilize agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organization of agricultural markets, may be financed; whereas the inspections carried out show that a part of the expenditure declared, amounting to £ Irl 2 858 500,34 does

not satisfy the requirements of these provisions and therefore cannot be financed; whereas the Member State has been fully informed of this correction and has been able to give its views thereon;

Whereas, under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds⁽⁴⁾, as last amended by Regulation (EEC) No 1300/84⁽⁵⁾, 60 % of expenditure on those measures is borne by the Guarantee Section of the EAGGF and 40 % by the Guidance Section; whereas the said measures count as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute a common measure within the meaning of Article 6 (1) of that Regulation; whereas it is therefore necessary to include Guidance Section expenditure when clearing the accounts in respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts procedure for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of infringements in 1981 or national aids incompatible with the Treaty paid in 1981 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1981;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by Ireland recognized as chargeable to the European Agricultural Guidance and Guarantee

(1) OJ No L 94, 28. 4. 1970, p. 13.

(2) OJ No L 95, 2. 4. 1985, p. 1.

(3) OJ No L 186, 16. 8. 1972, p. 1.

(4) OJ No L 131, 26. 5. 1977, p. 1.

(5) OJ No L 125, 12. 5. 1984, p. 3.

Fund, Guarantee Section, in respect of the 1981 financial year amounts, in accordance with Annex I, to £ Irl 299 355 335,29.

in accordance with Annex I, to £ Irl 4 451 019,00 and, in accordance with Annex II, to £ Irl 286 986,51.

2. The expenditure recognized as chargeable to the EAGGF, pursuant to Regulation (EEC) No 1078/77 amounts, in accordance with Annex II, to £ Irl 6 370 319,75.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 28 August 1985.

Article 2

The financial resources available at the end of 1981 amount,

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1981 ⁽¹⁾

		(£ Irl)
1. Funds available after clearance of the accounts for 1980		- 1 193 645,71
2. Advances received for 1981		305 000 000,00
3. Total funds available to cover expenditure for 1981		303 806 354,29
4. Expenditure recognized for 1981:		
(a) Expenditure declared	302 213 835,63	
(b) Expenditure not recognized:	- 2 858 500,34	
— of which definitive decision deferred to 1982	—	
(c) Elimination of reserves for previous years	—	
(d) Expenditure recognized		299 355 335,29
5. Funds available after clearance of accounts for 1981		4 451 019,00

⁽¹⁾ Excluding expenditure on measures under Regulation (EEC) No 1078/77.

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1981

		(£ Irl)
1. Funds available after clearance of the accounts for 1980		- 252 693,74
2. Advances received for 1981		6 910 000,00
3. Total funds available to cover expenditure for 1981		6 657 306,26
4. Expenditure incurred in 1981 chargeable to the EAGGF of which:		6 370 319,75
(a) Guarantee Section	3 822 191,85	
(b) Guidance Section	2 548 127,90	
5. Funds available after clearance of the accounts for 1981		286 986,51

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the Italian Republic in respect of the European
Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1980

(Only the Italian text is authentic)

(85/459/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of
21 April 1970 on the financing of the common agricultural
policy ⁽¹⁾, as last amended by Regulation (EEC)
No 870/85 ⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC)
No 729/70, the Commission, on the basis of the annual
accounts presented by the Member States, clears the accounts
of the authorities and bodies referred to in Article 4 of that
Regulation;

Whereas Italy has transmitted to the Commission the
documents required to clear the accounts for 1980; whereas
the latter has carried out on-the-spot inspections as provided
for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC)
No 1723/72 of 26 July 1972 on the clearance of the accounts
of the European Agricultural Guidance and Guarantee Fund,
Guarantee Section ⁽³⁾, provides that the Decision to clear the
accounts must include the determination of the amount of
expenditure incurred in each Member State during the
financial year in question recognized as chargeable to the
Fund, Guarantee Section, and also the determination of the
amount of the Community's financial resources still available
in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC)
No 729/70, only refunds on exports to non-member
countries and intervention intended to stabilize agricultural
markets, respectively granted and undertaken according to
Community rules within the framework of the common
organization of agricultural markets, may be financed;

whereas the inspections carried out show that a part of the
expenditure declared amounting to Lit 35 988 034 293 does
not satisfy the requirements of these provisions and therefore
cannot be financed; whereas the Member State has been fully
informed of this correction and has been able to give its views
thereon;

Whereas the non-recognized expenditure includes an amount
of Lit 3 435 838 380 as aid for the transformation of
tomatoes in Sicily and an amount of Lit 14 513 871 670 as
export refunds for Sicilian wine that may, in whole or in part
be financed by the EAGGF providing Italy furnishes
the proof necessary for Community financing before 1
November 1985;

Whereas the Decisions concerning the clearance of accounts
for 1978 and 1979 excluded the financing of the following
amounts, Lit 5 255 006 545 and Lit 16 265 509 950, on
condition that the expenditure or a part of it may be
recognized in the clearance of accounts 1980, provided the
Member State furnishes the evidence necessary for
Community financing; whereas on the basis of evidence
provided for the milk sector, an amount of Lit 7 614 052 051
may be recognized. As regards the expenditure in the wine
sector, the reserve is extended to the clearance of accounts for
1982 in order to be able to conclude this question in the light
of the Court of Justice decision;

Whereas the present Decision does not prejudice the financial
consequences which may be drawn in any subsequent
clearance of accounts for national aids in accordance with
Article 93 of the Treaty or infringement procedures under
Article 169 of the Treaty currently in progress or concluded
after the date of 31 March 1985 or as a result of
infringements in 1980 or national aids incompatible with the
Treaty paid in 1980 having affected the expenditure charged
to the EAGGF in any financial year subsequent to that of
1980;

Whereas the present Decision does not prejudice the financial
consequences which may be drawn in any subsequent
clearance of accounts relating to current investigations,
financial losses resulting from irregularities in the meaning of
Article 8 of Regulation (EEC) No 729/70 or judgments by
the Court of Justice on cases currently under consideration
and concerning matters which are also the subject of this
Decision,

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

HAS ADOPTED THIS DECISION:

Article 3

Article 1

1. The expenditure by Italy recognized as chargeable to the European Agricultural Guidance and Guarantee Fund, Guarantee Section, in respect of the 1980 financial year amounts, in accordance with the Annex, to Lit 1 990 047 732 013.

This Decision is addressed to the Italian Republic.

Done at Brussels, 28 August 1985.

Article 2

The financial resources available at the end of 1980 amount, in accordance with the Annex, to Lit 252 638 741 357.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1980

(Lit)

1. Funds available after clearance of the accounts for 1979	170 686 473 370
2. Advances received for 1980	2 072 000 000 000
3. Total funds available to cover expenditure for 1980	2 242 686 473 370
4. Expenditure recognized for 1980:	
(a) Expenditure declared	2 018 421 714 255
(b) Expenditure not recognized:	- 35 988 034 293
— for which the definitive decision will be taken on the basis of additional evidence to be sent by Italy before 1 November 1985	(- 17 949 710 050)
(c) Elimination of reserves for previous years	+ 7 614 052 051
(d) Expenditure recognized	1 990 047 732 013
5. Funds available after clearance of accounts for 1980	252 638 741 357

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the Italian Republic in respect of the European
Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1981

(Only the Italian text is authentic)

(85/460/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of
21 April 1970 on the financing of the common agricultural
policy ⁽¹⁾, as last amended by Regulation (EEC)
No 870/85 ⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC)
No 729/70, the Commission, on the basis of the annual
accounts presented by the Member States, clears the accounts
of the authorities and bodies referred to in Article 4 of that
Regulation;

Whereas Italy has transmitted to the Commission the
documents required to clear the accounts for 1981; whereas
the latter has carried out on-the-spot inspections as provided
for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC)
No 1723/72 of 26 July 1972 on the clearance of the accounts
of the European Agricultural Guidance and Guarantee Fund,
Guarantee Section ⁽³⁾, provides that the Decision to clear the
accounts must include the determination of the amount of
expenditure incurred in each Member State during the
financial year in question recognized as chargeable to the
Fund, Guarantee Section, and also the determination of the
amount of the Community's financial resources still available
in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC)
No 729/70, only refunds on exports to non-member
countries and intervention intended to stabilize agricultural
markets, respectively granted and undertaken according to
Community rules within the framework of the common
organization of agricultural markets, may be financed;

whereas the inspections carried out show that a part of the
expenditure declared amounting to Lit 43 138 824 099 does
not satisfy the requirements of these provisions and therefore
cannot be financed; whereas the Member State has been fully
informed of this correction and has been able to give its views
thereon;

Whereas the non-recognized expenditure includes an amount
of Lit 10 843 937 285 for export refunds for Sicilian wine
and Lit 7 246 901 137 for the distillation of wine in 'Puglia'
that may, in whole or in part be financed by the EAGGF
providing Italy furnishes the proof necessary for Community
financing before 1 November 1985;

Whereas Commission Decisions 80/1151/EEC,
80/1152/EEC and 80/1162/EEC provided that certain
quantities of soft wheat, olive oil and bovine meat from
intervention stocks were to be distributed free as emergency
aid for victims of earth tremors; whereas these products left
intervention stores from January to April 1981 and were
imputed to a special budget post, it is necessary to take
account of this situation in the present Decision;

Whereas the present Decision does not prejudice the financial
consequences which may be drawn in any subsequent
clearance of accounts for national aids in accordance with
Article 93 of the Treaty or infringement procedures under
Article 169 of the Treaty currently in progress or concluded
after the date of 31 March 1985 or as a result of
infringements in 1981 or national aids incompatible with the
Treaty paid in 1981 having affected the expenditure charged
to the EAGGF in any financial year subsequent to that of
1981;

Whereas the present Decision does not prejudice the financial
consequences which may be drawn in any subsequent
clearance of accounts relating to current investigations,
financial losses resulting from irregularities in the meaning of
Article 8 of Regulation (EEC) No 729/70 or judgments by
the Court of Justice on cases currently under consideration
and concerning matters which are also the subject of this
Decision,

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

HAS ADOPTED THIS DECISION:

Article 3

Article 1

The expenditure by Italy recognized as chargeable to the European Agricultural Guidance and Guarantee Fund, Guarantee Section, in respect of the 1981 financial year amounts, in accordance with the Annex, to Lit 2 541 292 723 886.

This Decision is addressed to the Italian Republic.

Done at Brussels, 28 August 1985.

Article 2

The financial resources available at the end of 1981 amount, in accordance with the Annex, to Lit 245 276 161 499.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1981

(Lit)

1. Funds available after clearance of the accounts for 1980	252 638 741 357
2. Advances received for 1981 (Lit 2 545 000 000 000 – Lit 11 069 855 972 at the charge of budget Article 590)	2 533 930 144 028
3. Total funds available to cover expenditure for 1981	2 786 568 885 385
4. Expenditure recognized for 1981:	
(a) Expenditure declared	2 584 431 547 985
(b) Expenditure not recognized:	– 43 138 824 099
— for which the definitive decision will be taken on the basis of additional evidence to be sent by Italy before 1 November 1985	(– 18 090 838 422)
(c) Elimination of reserves for previous years	—
(d) Expenditure recognized	2 541 292 723 886
5. Funds available after clearance of accounts for 1981	245 276 161 499

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the Grand Duchy of Luxembourg in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1980 and amending Decisions 83/38/EEC and 83/49/EEC

(Only the French text is authentic)

(85/461/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 870/85 ⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas Luxembourg has transmitted to the Commission the documents required to clear the accounts for 1980; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽³⁾, provides that the Decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas the Decision concerning the clearance of accounts for 1978 excluded the financing of Lfrs 102 402 in the wine sector, on condition that the expenditure or a part of it may

be recognized in the clearance of accounts 1980, provided the Member State furnishes the evidence necessary for Community financing. This evidence was provided in part for an amount of Lfrs 34 134 and this may subsequently be financed;

Whereas, under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds ⁽⁴⁾, as last amended by Regulation (EEC) No 1300/84 ⁽⁵⁾, 60 % of expenditure on those measures is borne by the Guarantee Section of the EAGGF and 40 % by the Guidance Section; whereas the said measures count as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute a common measure within the meaning of Article 6 (1) of that Regulation; whereas it is therefore necessary to include Guidance Section expenditure when clearing the accounts in respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts procedure for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of infringements in 1980 or national aids incompatible with the Treaty paid in 1980 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1980;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts relating to current investigation, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgements by the Court of Justice on cases currently under consideration and concerning matters which are also the Subject of this Decision;

Whereas, in Commission Decisions 83/38/EEC and 83/49/EEC of 14 January 1983, a fraction of the declared

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁵⁾ OJ No L 125, 12. 5. 1984, p. 3.

expenditure in the wine sector corresponding to the aid paid for the private storage of table wine was not financed on the grounds that these amounts were not granted in conformity with Community rules foreseen by the common organization of the market in the wine sector;

Whereas, in the judgment given on 12 July 1984 on case 49/83, the Court of Justice annulled Decisions 83/38/EEC and 83/49/EEC in as far as they refused to place at the charge of the EAGGF, Guarantee Section, a third of the expenditure effected by the Grand Duchy of Luxembourg, for the financial years 1976 and 1977 as aid for the private storage of table wines;

Whereas, under the terms of Article 176 of the Treaty, the Commission is bound to take the necessary measures to comply with the judgement of the Court of Justice; that the EAGGF, Guarantee Section, therefore, takes into charge the expenditure effected by the Grand Duchy of Luxembourg during the financial years 1976 and 1977 respectively Lfrs 3 218 844 and Lfrs 1 716 600, totalling Lfrs 4 935 444 (positive correction),

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by Luxembourg recognized as chargeable to the European Agricultural Guidance and

Guarantee Fund, Guarantee Section, in respect of the 1980 financial year amounts, in accordance with Annex I, to Lfrs 466 326 777.

2. The expenditure recognized as chargeable to the EAGGF pursuant to Regulation (EEC) No 1078/77 amounts, in accordance with Annex II, to Lfrs 12 835 383.

Article 2

The financial resources available at the end of 1980 amount, in accordance with Annex I, to Lfrs 9 783 466 and, in accordance with Annex II, to Lfrs 3 443 378.

Article 3

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 28 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1980 ⁽¹⁾

	(Lfrs)	
1. Funds available after clearance of the accounts for 1979		11 110 243
2. Advances received for 1980		465 000 000
3. Total funds available to cover expenditure for 1980		476 110 243
4. Expenditure recognized for 1980:		
(a) Expenditure declared	461 357 199	
(b) Expenditure not recognized:	—	
— of which definitive decision deferred to 1982	—	
(c) Elimination of reserves for previous years	+ 34 134	
(d) Expenditure recognized following modification of Decisions 83/38/EEC and 83/49/EEC	+ 4 935 444	
(e) Expenditure recognized		466 326 777
5. Funds available after clearance of accounts for 1980		9 783 466

⁽¹⁾ Excluding expenditure on measures under Regulation (EEC) No 1078/77.

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1980

	(Lfrs)	
1. Funds available after clearance of the accounts for 1979		— 2 021 239
2. Advances received for 1980		18 300 000
3. Total to cover expenditure in 1980		16 278 761
4. Expenditure incurred in 1980 chargeable to the EAGGF of which:		12 835 383
(a) Guarantee Section	7 701 229	
(b) Guidance Section	5 134 154	
5. Funds available after clearance of the accounts for 1980		3 443 378

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the Grand Duchy of Luxembourg in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1981

(Only the French text is authentic)

(85/462/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 870/85⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas Luxembourg has transmitted to the Commission the documents required to clear the accounts for 1981; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section⁽³⁾, provides that the Decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas, under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds⁽⁴⁾, as last amended by Regulation

(EEC) No 1300/84⁽⁵⁾, 60 % of expenditure on those measures is borne by the Guarantee Section of the EAGGF and 40 % by the Guidance Section; whereas the said measures count as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute a common measure within the meaning of Article 6 (1) of that Regulation; whereas it is therefore necessary to include Guidance Section expenditure when clearing the accounts in respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts procedure for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of infringements in 1981 or national aids incompatible with the Treaty paid in 1981 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1981;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by Luxembourg recognized as chargeable to the European Agricultural Guidance and Guarantee Fund, Guarantee Section, in respect of the 1981 financial year amounts, in accordance with Annex I, to Lfrs 144 160 572.

2. The expenditure recognized as chargeable to the EAGGF pursuant to Regulation (EEC) No 1078/77

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁵⁾ OJ No L 125, 12. 5. 1984, p. 3.

amounts, in accordance with Annex II, to Lfrs 34 246 725.

Article 2

The financial resources available at the end of 1981 amount, in accordance with Annex I, to Lfrs 23 122 894 and, in accordance with Annex II, to Lfrs 2 896 653.

Article 3

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 28 August 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1981 ⁽¹⁾

	(Lfrs)
1. Funds available after clearance of the accounts for 1980	9 783 466
2. Advances received for 1981	157 500 000
3. Total funds available to cover expenditure for 1981	167 283 466
4. Expenditure recognized for 1981:	
(a) Expenditure declared	144 160 572
(b) Expenditure not recognized:	—
— of which definitive decision deferred to 1982	—
(c) Elimination of reserves for previous years	—
(d) Expenditure recognized	144 160 572
5. Funds available after clearance of accounts for 1981	23 122 894

(¹) Excluding expenditure on measures under Regulation (EEC) No 1078/77.

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1981

	(Lfrs)
1. Funds available after clearance of the accounts for 1980	3 443 378
2. Advances received for 1981	33 700 000
3. Total funds available to cover expenditure for 1981	37 143 378
4. Expenditure incurred in 1981 chargeable to the EAGGF of which:	34 246 725
(a) Guarantee Section	20 548 035
(b) Guidance Section	13 698 690
5. Funds available after clearance of the accounts for 1981	2 896 653

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the Kingdom of the Netherlands in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1980

(Only the Dutch text is authentic)

(85/463/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 870/85⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas the Netherlands has transmitted to the Commission the documents required to clear the accounts for 1980; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section⁽³⁾, provides that the Decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to non-member countries and intervention intended to stabilize agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organization of agricultural markets, may be financed;

whereas the inspections carried out show that a part of the expenditure declared, amounting to Fl 67 722 124,15 does not satisfy the requirements of these provisions and therefore cannot be financed; whereas the Member State has been fully informed of this correction and has been able to give its views thereon;

Whereas the Decisions concerning the clearance of accounts for 1978 and 1979 excluded the financing of the following amounts, Fl 1 178 139,69 and Fl 3 074 914,41, for export refunds for transformed meat, on condition that the expenditure or a part of it may be recognized in the clearance of accounts 1980, provided the Member State furnishes the evidence necessary for Community financing; whereas as a result of the evidence supplied, a partial amount of Fl 756 759,08 may be financed in the framework of the present clearance of accounts;

Whereas, under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds⁽⁴⁾, as last amended by Regulation (EEC) No 1300/84⁽⁵⁾, 60 % of expenditure on those measures is borne by the Guarantee Section of the EAGGF and 40 % by the Guidance Section; whereas the said measures count as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute a common measure within the meaning of Article 6 (1) of that Regulation; whereas it is therefore necessary to include Guidance Section expenditure when clearing the accounts in respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts procedure for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of infringements in 1980 or national aids incompatible with the Treaty paid in 1980 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1980;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁵⁾ OJ No L 125, 12. 5. 1984, p. 3.

clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by the Netherlands recognized as chargeable to the European Agricultural Guidance and Guarantee Fund, Guarantee Section, in respect of the 1980 financial year amounts, in accordance with Annex I, to Fl 4 036 634 193,09.

2. The expenditure recognized as chargeable to the EAGGF, pursuant to Regulation (EEC) No 1078/77

amounts, in accordance with Annex II, to Fl 32 182 149,03.

Article 2

The financial resources available at the end of 1980 amount, in accordance with Annex I, to Fl 148 218 771,58 and, in accordance with Annex II, to a negative balance of Fl 1 647 782,73.

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 28 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1980 ⁽¹⁾

		(Fl)
1. Funds available after clearance of the accounts for 1979		- 57 447 035,33
2. Advances received for 1980		4 242 300 000,00
3. Total funds available to cover expenditure for 1980		4 184 852 964,67
4. Expenditure recognized for 1980:		
(a) Expenditure declared	4 103 599 558,16	
(b) Expenditure not recognized:	- 67 722 124,15	
— of which definitive decision deferred to 1982	—	
(c) Elimination of reserves for previous years	+ 756 759,08	
(d) Expenditure recognized		4 036 634 193,09
5. Funds available after clearance of accounts for 1980		148 218 771,58

⁽¹⁾ Excluding expenditure on measures under Regulation (EEC) No 1078/77.

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1980

		(Fl)
1. Funds available after clearance of the accounts for 1979		- 3 625 633,70
2. Advances received for 1980		34 160 000,00
3. Total funds available to cover expenditure in 1980		30 534 366,30
4. Expenditure incurred in 1980 chargeable to the EAGGF of which:		32 182 149,03
(a) Guarantee Section	19 309 289,41	
(b) Guidance Section	12 872 859,62	
5. Funds available after clearance of the accounts for 1980		- 1 647 782,73

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the Kingdom of the Netherlands in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1981

(Only the Dutch text is authentic)

(85/464/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 870/85 ⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas the Netherlands has transmitted to the Commission the documents required to clear the accounts for 1981; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽³⁾, provides that the Decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to non-member countries and intervention intended to stabilize agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organization of agricultural markets, may be financed;

whereas the inspections carried out show that a part of the expenditure declared amounting to Fl 40 774 643,26 does not satisfy the requirements of these provisions and therefore cannot be financed; whereas the Member State has been fully informed of this correction and has been able to give its views thereon;

Whereas, under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds ⁽⁴⁾, as last amended by Regulation (EEC) No 1300/84 ⁽⁵⁾, 60 % of expenditure on those measures is borne by the Guarantee Section of the EAGGF and 40 % by the Guidance Section; whereas the said measures count as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute a common measure within the meaning of Article 6 (1) of that Regulation; whereas it is therefore necessary to include Guidance Section expenditure when clearing the accounts in respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of infringements in 1981 or national aids incompatible with the Treaty paid in 1981 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1981;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by the Netherlands recognized as chargeable to the European Agricultural Guidance and

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁵⁾ OJ No L 125, 12. 5. 1984, p. 3.

Guarantee Fund, Guarantee Section, in respect of the 1981 financial year amounts, in accordance with Annex I, to Fl 3 230 117 361,18.

in accordance with Annex II, to a negative balance of Fl 749 391,05.

2. The expenditure recognized as chargeable to the EAGGF pursuant to Regulation (EEC) No 1078/77 amounts, in accordance with Annex II, to Fl 29 101 608,32.

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 28 August 1985.

Article 2

The financial resources available at the end of 1981 amount, in accordance with Annex I, to Fl 143 101 410,40 and,

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1981 ⁽¹⁾

	(Fl)
1. Funds available after clearance of the accounts for 1980	148 218 771,58
2. Advances received for 1981	3 225 000 000,00
3. Total funds available to cover expenditure for 1981	3 373 218 771,58
4. Expenditure recognized for 1981:	
(a) Expenditure declared	3 270 892 004,44
(b) Expenditure not recognized:	- 40 774 643,26
— of which definitive decision deferred to 1982	—
(c) Elimination of reserves for previous years	—
(d) Expenditure recognized	3 230 117 361,18
5. Funds available after clearance of accounts for 1981	143 101 410,40

⁽¹⁾ Excluding expenditure on measures under Regulation (EEC) No 1078/77.

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1981

	(Fl)
1. Funds available after clearance of the accounts for 1980	- 1 647 782,73
2. Advances received for 1981	30 000 000,00
3. Total funds available to cover expenditure for 1981	28 352 217,27
4. Expenditure incurred in 1981 chargeable to the EAGGF of which:	29 101 608,32
(a) Guarantee Section	17 460 964,99
(b) Guidance Section	11 640 643,33
5. Funds available after clearance of the accounts for 1981	- 749 391,05

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the United Kingdom in respect of the European
Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1980

(Only the English text is authentic)

(85/465/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of
21 April 1970 on the financing of the common agricultural
policy ⁽¹⁾, as last amended by Regulation (EEC)
No 870/85 ⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC)
No 729/70, the Commission, on the basis of the annual
accounts presented by the Member States, clears the accounts
of the authorities and bodies referred to in Article 4 of that
Regulation;

Whereas the United Kingdom has transmitted to the
Commission the documents required to clear the accounts for
1980; whereas the latter has carried out on-the-spot
inspections as provided for in Article 9 (2) of Regulation
(EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC)
No 1723/72 of 26 July 1972 on the clearance of the accounts
of the European Agricultural Guidance and Guarantee Fund,
Guarantee Section ⁽³⁾, provides that the Decision to clear the
accounts must include the determination of the amount of
expenditure incurred in each Member State during the
financial year in question recognized as chargeable to the
Fund, Guarantee Section, and also the determination of the
amount of the Community's financial resources still available
in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC)
No 729/70, only refunds on exports to non-member
countries and intervention intended to stabilize agricultural
markets, respectively granted and undertaken according to
Community rules within the framework of the common
organization of agricultural markets, may be financed;

whereas the inspections carried out show that a part of the
expenditure declared amounting to £ 9 831 771,93 does not
satisfy the requirements of these provisions and therefore
cannot be financed; whereas the Member State has been fully
informed of this correction and has been able to give its views
thereon;

Whereas the Decisions concerning the clearance of accounts
for 1978 and 1979 excluded the financing of the following
amounts, £ 389 674,76 and £ 879 175,26, for dried
vegetable products, on condition that the expenditure or a
part of it may be recognized in the clearance of accounts 1980
if the Member State furnishes the evidence necessary for
Community financing. Given that this evidence has been
provided in part, an amount of £ 815 206,69 may still be
recognized;

Whereas, under Council Regulation (EEC) No 1078/77 of
17 May 1977 introducing a system of premiums for the
non-marketing of milk and milk products and for the
conversion of dairy herds ⁽⁴⁾, as last amended by Regulation
(EEC) No 1300/84 ⁽⁵⁾, 60 % of expenditure on those
measures is borne by the Guarantee Section of the EAGGF
and 40 % by the Guidance Section; whereas the said
measures count as intervention within the meaning of
Article 3 of Regulation (EEC) No 729/70 and constitute a
common measure within the meaning of Article 6 (1) of that
Regulation; whereas it is therefore necessary to include
Guidance Section expenditure when clearing the accounts in
respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial
consequences which may be drawn in any subsequent
clearance of accounts procedure for national aids in
accordance with Article 93 of the Treaty or infringement
procedures under Article 169 of the Treaty currently in
progress or concluded after the date of 31 March 1985 or as a
result of infringements in 1980 or national aids incompatible
with the Treaty paid in 1980 having affected the expenditure
charged to the EAGGF in any financial year subsequent to
that of 1980;

Whereas the present Decision does not prejudice the financial
consequences which may be drawn in any subsequent

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁵⁾ OJ No L 125, 12. 5. 1984, p. 3.

clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by the United Kingdom recognized as chargeable to the European Agricultural Guidance and Guarantee Fund, Guarantee Section, in respect of the 1980 financial year amounts, in accordance with Annex I, to £ 473 760 635,27.

2. The expenditure recognized as chargeable to the EAGGF, pursuant to Regulation (EEC) No 1078/77,

amounts, in accordance with Annex II, to £ 28 882 284,85.

Article 2

The financial resources available at the end of 1980 amount, in accordance with Annex I, to £ 11 880 223,81 and, in accordance with Annex II, to £ 1 802 753,36.

Article 3

This Decision is addressed to the United Kingdom.

Done at Brussels, 28 August 1985.

For the Commission
Frans ANDRIESEN
Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1980 ⁽¹⁾

	(£)
1. Funds available after clearance of the accounts for 1979	- 1 759 140,92
2. Advances received for 1980	487 400 000,00
3. Total funds available to cover expenditure for 1980	485 640 859,08
4. Expenditure recognized for 1980:	
(a) Expenditure declared	482 777 200,51
(b) Expenditure not recognized:	- 9 831 771,93
— of which definitive decision deferred to 1982	(- 726 086,00)
(c) Elimination of reserves for previous years	+ 815 206,69
(d) Expenditure recognized	473 760 635,27
5. Funds available after clearance of accounts for 1980	11 880 223,81

⁽¹⁾ Excluding expenditure on measures under Regulation (EEC) No 1078/77.

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1980

	(£)
1. Funds available after clearance of the accounts for 1979	- 514 961,79
2. Advances received for 1980	31 200 000,00
3. Total funds available to cover expenditure for 1980	30 685 038,21
4. Expenditure incurred in 1980 chargeable to the EAGGF of which:	28 882 284,85
(a) Guarantee Section	17 329 370,91
(b) Guidance Section	11 552 913,94
5. Funds available after clearance of the accounts for 1980	1 802 753,36

COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the United Kingdom in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1981

(Only the English text is authentic)

(85/466/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 870/85⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas the United Kingdom has transmitted to the Commission the documents required to clear the accounts for 1981; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section⁽³⁾, provides that the Decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas, under Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to non-member countries and intervention intended to stabilize agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organization of agricultural markets, may be financed;

whereas the inspections carried out show that a part of the expenditure declared amounting to £ 2 449 175,53 does satisfy the requirements of these provisions and therefore can be financed; whereas the Member State has been fully informed of this correction and has been able to give its views thereon;

Whereas, under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds⁽⁴⁾, as last amended by Regulation (EEC) No 1300/84⁽⁵⁾, 60 % of expenditure on those measures is borne by the Guarantee Section of the EAGGF and 40 % by the Guidance Section; whereas the said measures count as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute a common measure within the meaning of Article 6 (1) of that Regulation; whereas it is therefore necessary to include Guidance Section expenditure when clearing the accounts in respect of expenditure financed by the EAGGF;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts procedure for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of infringements in 1981 or national aids incompatible with the Treaty paid in 1981 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1981;

Whereas the present Decision does not prejudice the financial consequences which may be drawn in any subsequent clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The expenditure by the United Kingdom recognized as chargeable to the European Agricultural Guidance and

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁵⁾ OJ No L 125, 12. 5. 1984, p. 3.

Guarantee Fund, Guarantee Section, in respect of the 1981 financial year amounts, in accordance with Annex I, to £ 574 642 541,31.

in accordance with Annex I, to £ 38 737 682,50 and, in accordance with Annex II, to £ 676 307,59.

2. The expenditure recognized as chargeable to the EAGGF pursuant to Regulation (EEC) No 1078/77 amounts, in accordance with Annex II, to £ 22 726 445,77.

Article 3

This Decision is addressed to the United Kingdom.

Done at Brussels, 28 August 1985.

Article 2

The financial resources available at the end of 1981 amount,

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1981 ⁽¹⁾

	(£)
1. Funds available after clearance of the accounts for 1980	11 880 223,81
2. Advances received for 1981	601 500 000,00
3. Total funds available to cover expenditure for 1981	613 380 223,81
4. Expenditure recognized for 1981:	
(a) Expenditure declared	572 193 365,78
(b) Supplementary expenditure recognized:	+ 2 449 175,53
— of which definitive decision deferred to 1982	(- 1 836 160,00)
(c) Elimination of reserves for previous years	—
(d) Expenditure recognized	574 642 541,31
5. Funds available after clearance of the accounts for 1981	38 737 682,50

⁽¹⁾ Excluding expenditure on measures under Regulation (EEC) No 1078/77.

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1981

	(£)
1. Funds available after clearance of the accounts for 1980	1 802 753,36
2. Advances received for 1981	21 600 000,00
3. Total funds available to cover expenditure for 1981	23 402 753,36
4. Expenditure incurred in 1981 chargeable to the EAGGF of which:	22 726 445,77
(a) Guarantee Section	13 635 867,46
(b) Guidance Section	9 090 578,31
5. Funds available after clearance of the accounts for 1981	676 307,59

COMMISSION OF THE EUROPEAN COMMUNITIES

FOURTEENTH REPORT ON COMPETITION POLICY

The Report on Competition Policy is published annually by the Commission of the European Communities in response to the request of the European Parliament made by a Resolution of 7 June 1971. This Report, which is published in conjunction with the General Report on the Activities of the Communities, is designed to give a general view of the competition policy followed during the past year. Part One covers general competition policy. Part Two deals with competition policy towards enterprises. Part Three is concerned with competition policy and government assistance to enterprises and Part Four with the development of concentration, competition and competitiveness.

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REPORT ON SOCIAL DEVELOPMENTS

YEAR 1984

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**ADDENDUM TO THE 'EIGHTEENTH GENERAL REPORT ON THE ACTIVITIES OF THE
EUROPEAN COMMUNITIES' IN ACCORDANCE WITH ARTICLE 122 OF THE EEC TREATY**

Every year the Commission publishes its annual Social Report, which gives an outline of the main developments in the social field which have taken place in the countries of the European Community during the past year.

The introduction, which has a general and political character, provides a summary of the Community's main activities in the social field in 1984 and outlines the prospects for the near future.

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- A. Introduction
- B. Social developments in the Community in 1984
- C. Statistical appendix

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