

1454

Declassified E.O. 12356 Section 3.3/NND No.

785016

ACC

10000/142/730

DRAFT DECREE S
(MINISTRY OF AG
(APR. 1942); FEB.

785016

142/730

DRAFT DECREE STABLISHING SURRENDER OF GRAIN TO AMMASI,
(MINISTRY OF AGRICULTURE)
(APR. 1942); FEB. - AUG. 1944

1456

Declassified E.O. 12356 Section 3.3/NND No.

785016

FILE CLOSED 3 August 1944

100

1457

Declassified E.O. 12356 Section 3.3/NND No.

785016



PARTITO FASCISTA REPUBBLICANO
FEDERAZIONE DELL'ORDE

IL COMMISSARIO FEDERALE

34A

POINTS ON THE PROPOSED RELAXATION OF THE "AMMASSI"
DECREE

1. With the object of assuring maximum 1944 harvest results the decree of 4 July 1944, No. 153, established severer penalties for failing to consign grain; but for obvious reasons the law did not impose a time limit for making delivery of the harvest.
2. From the commencement of the 1944 harvest it was reported that the cases of failure to deliver were numerous and that the courts were faced with the danger of being submerged by prosecutions and the jails with the inability to house the convicts.
3. To meet the triple problem submitted by the Legal Sub-Commission, to the Minister of Justice, the latter in consultation with the Minister of Agriculture produced a draft decree (vide attached translation) granting to persons who had already failed to deliver their harvest under Decree No. 153 the chance of obtaining a short delay in which to execute delivery and thus to absolve themselves from penal proceedings.
4. The Legal Adviser to the Minister of Agriculture is moreover in favor of extending this relaxation to offenders who are under arrest awaiting trial pursuant to the old law, i.e., for offences committed prior to 9 July 1944, so as to avoid an offence against equity.
5. If the text of the modifying decree is adopted, two difficulties may arise:
 - a. on the one hand an inducement is held out to delinquents in arrest or fugitives from justice to avoid judgment by consigning within a certain delay, or
 - b. on the other, temptation is offered to the undetected offender to delay delivery until he is prosecuted.

Whether these delays in getting in the harvest are cancelled out by the relaxation of the penalties, or whether better results would be obtained by enforcing the law with its full rigor are matters which this sub-commission cannot determine.

6. There would also appear to be another factor to be taken into consideration, namely the psychological effect of the admission of the principle of the relaxation of a law of this nature when the time comes for the collection of the next harvest. But perhaps this is not the concern of ACC.

A. R. THACKRAH,
Lt. Col.,
Italian Branch,
for Chief Legal Officer.

3 August 1944.

DRAFT

4604/13

(33A)

DRAFT OF LEGISLATIVE DECREE containing additional rules to Legislative Decree 4 July 1944 No.153 (Penal provisions in regard to the control of ^Needering wheat and oats of the 1944 harvest).

A R T . 1

In proceedings for offences envisaged in the legislative decree 4 July 1944. No:153, the accused may, if charged and arrested before July 9th 1944 or before the date **at** which such decree became effective in the province where such charge and arrest took place, at the first examination, ask the judge or Procuratore del Regno conducting it for an absolute period of not longer than ten (eight) days within which to consign cause to be consigned the abstracted product wholly to the competent organization.

Complying with this request shall not authorize the granting of "libertà provvisoria" to the accused.

In the case where the accused is "latitante" (fugitive from justice) the request shall be admissible when made by his defending counsel or by a near relative within three (two) days of the date of the "verbale" (report) referred to in Art.266 para 2 subpar. 2 of the Code of Penal Procedure.

A R T . 2

The full delivery of the produce carried out within the time limit established in Art.1 shall extinguish the offence.

A . R T . 3

Whenever the offender fails to make full delivery of the product within the period fixed, Art.2 of Legislative Decree 4 July 1944, No.153 shall still be applicable where the requisite provisions are present.

1 4 6 0
by a near relative with
(report) referred to in Art.266 para 2 subpar. 2 of the Code of Penal
Procedure.

A R T . 2

The full delivery of the produce carried out within the time limit
established in Art.1 shall extinguish the offence.

A . R T . 3

Whenever the offender fails to make full delivery of the product
within the period fixed, Art.2 of Legislative Decree 4 July 1944, No.153
shall still be applicable where the requisite provisions are present.

A R T . 4

10
In proceedings already started in which the examination of the
"verba e di irreperibilita" (record of impossibility of finding person
to be arrested) of the accused has been made, the total delivery of
the product made within a period of twenty (fifteen) days from the
effective date of this decree shall extinguish the offence.

A R T . 5

This Decree shall etc..

TRANSLATION

32A
DRAFT OF LEGISLATIVE DECREE containing additional rules to Legislative Decree 4 July 1944 No/153 (Penal provisions in regard to the control of surrendering wheat and oats of the 1944 harvest).

A R T . 1

In proceedings for offences envisaged in the legislative decree 4 July 1944 No/153, the accused may, at the first examination, ask the judge or Procuratore del Regno conducting it for an absolute period of not longer than ten (eight) days within which to consign or cause to be consigned the abstracted product wholly to the competent organization;

Complying with this request shall not authorize the granting of "libertà provvisoria" to the accused.

In the case where the accused is "latitante" (fugitive from justice) the request shall be admissible when made by his defending counsel or by a near relative within three (two) days of the date of the "verbale" (report) referred to in Art/266 para 2 Sub-para 2 of the Code of Penal Procedure.

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In proceedings already started in which the examination or the "verbale di irreperibilità" (record of impossibility of finding person to be arrested) of the accused has been made, the total delivery of the product made within a period of twenty (fifteen) days from the effective date of this decree shall extinguish the offence.

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A R T . 5

This Decree shall etc...

103

*if changed or renewed before July 1944
1944 or before the date of withdrawal
decree became effective in the
province ~~of~~ where such change of
event took place -*

P r o m e m o r i a

31A
4-6-68

Risposta del Ministero dell'Agricoltura al quesito proposto dal Ministero della Giustizia circa l'opportunità di accordare il beneficio del termine ai condannati all'amasso.

L'Ufficio Tecnico dell'Agricoltura informa che vi sono stati 1.630 arresti per i reati anzidetti prima dell'8 luglio c.a. (mancano inoltre i dati della Sardegna, della Campania e Calabria per cui si prevede che questa cifra dev'essere quasi raddoppiata) : è favorevole al progetto di legge.

L'Ufficio Legislativo dell'Agricoltura (Comm.Florio) è favorevole al progetto di legge ma ritiene opportuno che il beneficio sia esteso anche agli arresti posteriori all'8 luglio c.a. -

vole al progetto di legge.

L'Ufficio Legislativo dell'Agricoltura (Comm.Florio)
è favorevole al progetto di legge ma ritiene opportuno
che il beneficio sia esteso anche agli arresti posteriori
all'8 luglio c.a. -

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

ART/ap

31 Jul 44

ACC/4010/4/L

SUBJECT : Ministerial Decree of 28 June 44.
TO : Agricultural Sub-Commission.

1. In reply to your letter with enclosure dated 23 July 1944 -ref. 10020/AGR, respecting the endorsement of the a/m decree of the Minister of Agriculture and Forests, published in the Gazzetta Ufficiale of 5 July 44- N°38, it is confirmed that this provision was endorsed by the Executive Commissioner as of 29 July 1944.

2. It will become effective in Military Government Territory in accordance with the usual procedure. e.g. so soon as it has been officially distributed in the provinces.

3. New directives on the subject of the implementation of Italian decrees have been circulated to all Sub-Commissions explaining certain modifications which have taken place in the mode of endorsement.

A. R. THACKER.
Lt. Colonel,
Italian Branch,
for Acting Chief Legal Officer.

COPY TO : ACC/4010/4/L

TRANSLATION

4.4/13 (29A)

DRAFT of LEGISLATIVE DECREE containing additional rules to Legislative Decree 4 July 1944 No/153 (Penal provisions in regard to the control of surrendering wheat and oats of the 1944 harvest).

A R T . 1

In proceedings for offences envisaged in the legislative decree 4 July 1944 No/153, the accused may, at the first examination, ask the judge or Procuratore del Regno conducting it for an absolute period of not longer than ten (eight) days within which to consign or cause to be consigned the abstracted product wholly to the competent organization;

Complying with this request shall not authorize the granting of "libertà provvisoria" to the accused.

In the case where the accused is "latitante" (fugitive from justice) the request shall be admissible when made by his defending counsel or by a near relative within three (two) days of the date of the verbale" (report) referred to in Art/266 para 2 Sub-para 2 of the Code of Penal Procedure.

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In proceedings already started in which the examination or the "verbale di irreperibilità" (record of impossibility of finding person to be arrested) of the accused has been made, the total delivery of the product made within a period of twenty (fifteen) days from the effective date of this decree shall extinguish the offence.

A R T . 5

This decree shall etc...

(298)

DRAFT OF LEGISLATIVE DECREE

Containing additional rules to legislative decree 4 July 1944 No. 153 (Penal Provisions with regard to the control of surrendering wheat and oats of the 1944 harvest).

MEMORANDUM

By the decree of 2 May 1944 of the Minister for Agriculture and Forestry published in the Official Gazette on the following day, the duty to deliver wheat and oats of this season's harvest to the public granaries has been imposed and by a subsequent legislative decree 4 July 1944 No. 153 severe penalties were established for persons failing to comply with the delivery regulations.

As the law has not fixed a time limit for making delivery of the harvest, every producer is clearly bound to carry this and without any delay, immediately after threshing, in agreement with the well-known principle "quod sine termino debetur, statim debetur";

For the practical end of obtaining the effective and best flow of grain to the public granaries indispensable for the supply needs of the Armed Forces and of the civilians, it seemed in every way right and advisable to grant to those who had already been accused of failing to deliver the harvest, the chance of obtaining a short and absolute delay which would allow them to put matters in order by delivering or causing to be delivered wholly the product due and thus be absolved from penal proceedings.

The enclosed draft makes provisions to this end, whereby the same judge who conducts the first examination of the accused may at his request grant a period of not more than ten (eight) days in which to make provision for the delivery of the harvest and thus avoid any further penal procedure or penalty/

Moreover, taking into account the fact that in cases of failure to deliver, a warrant of arrest is obligatory, the case when the accused has not been traced and arrested must be considered in which event the request and the granting of the period are both possible, by the defending counsel or a near relative making the demand; the demand being made as soon as possible and in any event not more than three (two) days after that in which the official of the public force has given notice of the "irresponsibility of the accused".

of failing to deliver the product, and absolute delay which would allow them to put matters in order by delivering or causing to be delivered wholly the product due and thus be absolved from penal proceedings.

The enclosed draft makes provisions to this end, whereby the same judge who conducts the first examination of the accused may at his request grant a period of not more than ten (eight) days in which to make provision for the delivery of the harvest and thus avoid any further penal procedure or penalty/

Moreover, taking into account the fact that in cases of failure to deliver, a warrant of arrest is obligatory, the case when the accused has not been traced and arrested must be considered in which event the request and the granting of the period are both possible, by the defending counsel or a near relative making the demand; the demand being made as soon as possible and in any event not more than three (two) days after that in which the official of the public force has given notice of the "irreperibilità" of the accused (impossibility of tracing and arresting) with the appropriate report as established by Art.266 of the Code of Penal Procedure.

To avoid any doubt in interpretation Art.3 of the draft makes it clear that the granting of the aforesaid term does not exclude any application of mitigation of penalty already established by Art.2 of the legislative decree of 4 July 1944, whenever the delivery of the grain be made after the expiration of the period granted by the investigating magistrate but before the opening of the trial of the case.

Finally provisions have to be made for cases where^{ooo}/first examination of the accused has already been completed or where the report of "irreperibilità" has already been made more than three (two) days ago.

In such cases since by Art.1 of the draft the chance of asking

/ooo at the time of this decree coming into force the

- 2 -

for a delay is precluded from the accused, Art.4 establishes that delivery in whole of the product made within twenty (fifteen) days of the effective date of this decree shall extinguish the offence and absolve the accused from all penal proceedings.

It is obvious that where the said period of twenty (fifteen) days will include the date already fixed for the hearing of the case, this must be revised either on the request of the accused or automatically.

1471

Declassified E.O. 12356 Section 3.3/NND No.

785016

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(29c)

SCHEMA DI DECRETO LEGISLATIVO

portante disposizioni aggiuntive al decreto legislativo 4 luglio 1944, n. 153 (Norme penali relative alla disciplina del conferimento del grano e dell'orzo del raccolto 1944).

R E L A Z I O N E

Col decreto 2 maggio 1944 del Ministero dell'Agricoltura e delle Foreste pubblicato nella Gazzetta Ufficiale del giorno successivo, è stato imposto l'obbligo di conferire ai granaî pubblici il grano e l'orzo raccolto nell'anno in corso; e con successivo decreto legislativo 4 luglio c.a. n. 153, sono state comminate severe pene per gli evasori alla disciplina dell'ammasso.

Non avendo la legge prefisso un termine per eseguire la consegna del raccolto, ogni produttore è evidentemente tenuto ad effettuarla senza alcuna dilazione, subito dopo la trebbiatura, in analogia al noto principio "quod sine termine debetur, statim debetur".

Agli effetti pratici dell'effettivo e massimo afflusso ai granai pubblici dei cereali indispensabili per il fabbisogno alimentare delle forze armate e della popolazione civile, sembra tuttavia consigliabile ed opportuno concedere a coloro che già si trovano sotto l'accusa di aver omesso il conferimento del raccolto, la possibilità di ottenere una breve e perentoria dilazione, che consenta loro di rimettersi in regola, consegnando o facendo consegnare integralmente il prodotto dovuto, e sottraendosi così al pregiudizio della incombente condanna penale.

A tale scopo viene predisposto l'accluso schema di decreto legislativo, in base al quale lo stesso magistrato che procede al primo interrogatorio dell'imputato può, a richiesta di questi, concedere un termine non superiore a dieci (otto) giorni entro cui l'imputato può provvedere alla consegna del raccolto, con l'ulteriore procedura o condanna penale.

ad effettuare il raccolto, ogni produttore è evidentemente tenuto ad effettuarla senza alcuna dilazione, subito dopo la trebbiatura, in analogia al noto principio "quod sine termine debetur, statim debetur".

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Tenuto conto, peraltro, che per il mancato conferimento all'ammasso è sempre obbligatorio il mandato di cattura, si è dovuto considerare l'ipotesi che il colpevole non sia stato rintracciato ed arrestato, nel qual caso la richiesta e la concessione del termine vengono rese egualmente possibili, in base a domanda del difensore o di un prossimo congiunto dell'imputato purchè tale richiesta venga presentata al più presto e comunque non oltre tre (due) giorni da quello in cui i funzio-

2.

nari della forza pubblica hanno dato atto della irreperibilità dell'accusato, con l'apposito verbale preveduto dall'articolo 266 del codice di procedura penale.

Ad evitare qualsiasi incertezza di interpretazione, si chiarisce preventivamente, con l'art. 3 del progetto, che la concessione del termine anzidetto non esclude l'applicabilità dell'attenuazione di pena già stabilita dall'art. 2 del decreto legislativo 4 luglio 1944, qualora la consegna del prodotto venga effettuata dopo spirato il termine concesso dal magistrato in sede di istruttoria, ma prima dell'apertura del dibattimento in sede di giudizio.

Si è infine dovuto prevedere l'ipotesi che, all'atto dell'entrata in vigore del progettato decreto, il primo interrogatorio dell'imputato sia stato già raccolto, ovvero che il verbale di irreperibilità sia stato già redatto da oltre tre (due) giorni. In tali casi poichè a termini dell'art. 1 del progetto, sarebbe già preclusa per l'accusato la possibilità di chiedere la dilazione, viene stabilito con l'art. 4 che la consegna integrale del prodotto eseguita entro il termine di venti (quindici) giorni dall'entrata in vigore del decreto estingue il reato, esimendo egualmente l'imputato da qualsiasi pregiudizio penale.

E' ovvio che, ove il detto termine di venti (quindici) giorni vada a scadere al di là della data già eventualmente fissata per la celebrazione del dibattimento, questo dovrà essere opportunamente rinviato, su richiesta dell'imputato od anche d'ufficio.

bale di irreperibilità sia stato già redatto da oltre tre (due) giorni. In tali casi poichè a termini dell'art. 1 del progetto, sarebbe già preclusa per l'accusato la possibilità di chiedere la dilazione, viene stabilito con l'art. 4 che la consegna integrale del prodotto eseguita entro il termine di venti (quindici) giorni dall'entrata in vigore del decreto estingue il reato, esimendo egualmente l'imputato da qualsiasi pregiudizio penale.

E' ovvio che, ove il detto termine di venti (quindici) giorni vada a scadere al di là della data già eventualmente fissata per la celebrazione del dibattimento, questo dovrà essere opportunamente rinviato, su richiesta dell'imputato od anche d'ufficio.

SCHEMA DI DECRETO LEGISLATIVO

portante disposizioni aggiuntive al decreto legislativo 4 luglio 1944, n. 153 (Norme penali relative alla disciplina del conferimento del grano e dell'orzo del raccolto 1944).

Art. 1.

Nei procedimenti per i reati previsti nel decreto legislativo 4 luglio 1944, n. 153, l'imputato può chiedere, nel primo interrogatorio, al giudice o al Procuratore del Regno che vi procede, un termine perentorio non superiore a dieci (otto) giorni entro il quale consegnare o far consegnare integralmente agli organi competenti il prodotto sottratto.

L'accoglimento della richiesta non autorizza l'ammissione dell'imputato a libertà provvisoria.

La richiesta, per il caso che l'imputato sia latitante, è pure ammessa da parte del suo difensore o di un prossimo congiunto entro tre (due) giorni dalla data del verbale indicato nell'art. 266, comma 2°, disposizione 2°, del codice di procedura penale.

Art. 2.

La consegna integrale del prodotto, eseguita nel termine di cui alla prima parte dell'art. 1, estingue il reato.

Art. 3.

Qualora l'imputato non effettui entro il termine fissato la consegna integrale del prodotto, resta pur sempre applicabile nei suoi confronti l'art. 2 del decreto legislativo 4 luglio 1944, n. 153, ove ne ricorrano le condizioni.

Art. 4.

Nei procedimenti in corso nei quali sia già intervenuto

file

4104/13

LEGAL

28A

2825

DD COMMISSIONE CENTRALE CONTROLLO ALLEATA ROMA

SENISE



ROME SENISE 81 73 5 1043
 LAND PROPRIETORS UNANIMOUSLY REQUEST INTERVENTION OF YOUR HONORABLE
 COMMISSION FOR SUSPENSION OF AGRICULTURE MINISTERIAL DECREE REDUCING
 PRICE OF AMBASSO GRAIN TO ADVANTAGE OF INDUSTRIALISTS LARGE LAND
 OWNERS WHO UNJUSTLY WOULD RECEIVE WITHOUT THE JURIDICAL SOCIAL REASON
 HALF OF WHAT SHOULD GO TO PROPRIETOR LEGALLY AND MORALLY. SUCH
 MEASURE RECALLING TO LIFE FASCIST MEASURE ALREADY ADOPTED BY BADOGLIO
 GOVERNMENT DEPRIVE PROPRIETORS MINIMUM NECESSITIES OF LIFE AND TAX
 PAYMENTS.

FOR PROPRIETORS' ASSOCIATION

DR. ALBERTO DONNAPERNA

NOTE: THIS IS TRANSLATED TEXT OF TELEGRAM RECEIVED IN ITALIAN
 (ADJ)

LEGAL SUB-COMMISSION	
→	○
	○
	Chief Counsel
	CIO
→	Relation Section
	CL RKS
ABG111720	

ADD DIST
 ACTION- AGRIC SC 2
 INFO- A/CG
 ECON SEC
 ADMIN SEC
 LEGAL SC
 CA HR
 FILE 91
 FLGAT

410413

(27A)

HEADQUARTERS
ALLIED CONTROL COMMISSION
Agriculture Sub-Commission
APO 394

OC/wht

Tel 262

7 August 44

10200/AGR

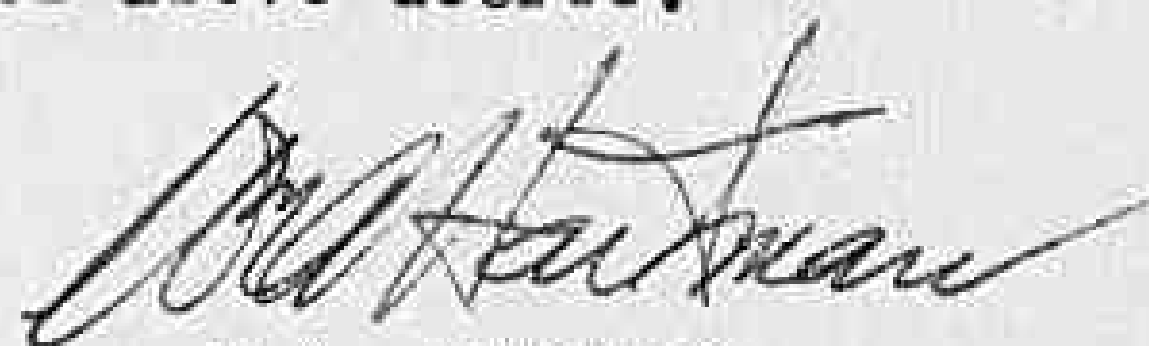
Recd 12/8/44

SUBJECT: Decree on Offences against Ammassi and Rationing
Regulations.

TO : Legal Sub-Commission, Att. Lt. Col. Hannaford ✓

24A

1. Reference to your letter of July 26, 1944, ACC/4104/13/L.
2. Enclosed please find comments made by the Legal Adviser of this Sub-Commission on the draft of above decree.



W.A. HARTMAN
Lt. Colonel
Director

5.12.

Draft decree sent
returned and we have no copy.
See para 2 of quoted letter
2/8/44

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
→ Italian Section	
→ RKS	

93

1489

Declassified E.O. 12356 Section 3.3/NND No.

785016

26A

Scare
on
THRESHING

93

26A
 R.D.L. M. CONCERNENTE LA
 DISCIPLINA DELL'ESERCIZIO E DELL'INCORAGGIAMENTO DELLA
 TREBBIATURA E DELLA SGRANATURA A MACCHINA O CON ALTRI MEZ-
 ZI E SISTEMI DEI CEREALI E DELLE LEGUMINOSE.

VITTORIO EMANUELE III

PER GRAZIA DI DIO E VOLONTÀ DELLA NAZIONE

R E D I T A L I A

VISTO il R.D.L. 23 aprile 1942 n. 433 che disciplina l'eser-
 cizio della trebbiatura e sgranatura a macchina dei cereali e
 delle leguminose;

VISTA la legge 30 maggio 1940 n. 652 contenente incoraggia-
 menti per la diffusione della trebbiatura a macchina;

VISTO il R.D.L. 22 aprile 1943 n. 245, relativo alle pena-
 lità per le infrazioni alle discipline estese all'attività agri-
 cola nazionale;

RITENUTA la necessità di emanare nuove norme riguardanti
 la disciplina dell'esercizio della trebbiatura e sgranatura
 dei cereali e delle leguminose;

SENTITO il Consiglio dei Ministri, sulla proposta dei Mi-
 nistri Segretari di Stato dell'Agricoltura e Foreste e dell'In-
 dustria, Commercio e Lavoro, di concerto con i Ministri Segre-
 tari di Stato per le Finanze e per la Grazia e Giustizia;

ABBIA MO DECRETATO E DECRETIAMO

Art. 1

Il R.D.L. 23 aprile 1942 n. 433 è modificato come risulta
 dalle disposizioni seguenti.

Art. 2

Sono soppressi: a) Consorzi Provinciali ed Interprovincia-
 li obbligatori tra gli esercenti la trebbiatura e la sgranatu-
 ra a macchina per conto terzi; b) la relativa Federazione Natio-

la disciplina dell'esercizio della trebbiatura e sgranatura
dei cereali e delle leguminose;

SENTITO il Consiglio dei Ministri, sulla proposta dei Ministri Segretari di Stato dell'Agricoltura e Foreste e dell'Industria, Commercio e Lavoro, di concerto con i Ministri Segretari di Stato per le Finanze e per la Grazia e Giustizia;

ABBIAMO DECRETATO E DECRETIAMO

Art. 1

Il R.D.L. 23 aprile 1942 n. 433 è modificato come risulta dalle disposizioni seguenti.

Art. 2

Sono soppressi: a) Consorzi Provinciali ed Interprovinciali obbligatori tra gli esercenti la trebbiatura e la sgranatura e macchina per conto terzi; b) la relativa Federazione Nazionale; c) Comitati Ministeriali e Provinciali, previsti dagli art. 5 e 7 del R.D.L. suddetto; d) il contributo di cui all'art. 4 dello stesso R.D.L. Decreto Legge.

Il Ministro dell'Industria, del Commercio e del Lavoro, d'intesa col Ministro dell'Agricoltura e Foreste, stabilirà le norme della liquidazione e nominerà, ove sia necessario, il liquidatore o i liquidatori, di tutti i Consorzi e relativa Federazione, col presente decreto.

Il patrimonio di detti Enti sarà devoluto allo Stato e potrà essere destinato al Ministero dell'Agricoltura e Foreste per lo svolgimento di attività a beneficio delle categorie agricole, col precipuo scopo di incoraggiare la trebbiatura e la sgranatura con macchine azionate a motore.

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Art. 3

Le funzioni finora svolte dai Consorzi Trebbiatori e quelle relative alla disciplina dell'esercizio della trebbiatura a macchina dei cereali e delle leguminose verranno d'ora innanzi disimpegnate dagli Ispettorati Provinciali dell'Agricoltura nei limiti seguenti:

- a) rilasciare le licenze di esercizio;
- b) ricevere le denunce dei quantitativi trebbiati e sgranati;
- c) esercitare la sorveglianza sulle operazioni di trebbiatura per l'accertamento della esattezza delle denunce stesse, nonché dei dati relativi alla investita superficie.

Al riguardo gli Ispettorati Provinciali dell'Agricoltura si avvarranno degli Uffici Provinciali Statistico-Economici dell'Agricoltura e della loro organizzazione periferica (Uffici Comunali) e potranno anche richiedere la assistenza degli agenti di Polizia Giudiziarla.

Art. 4

Le norme per la disciplina dell'esercizio della trebbiatura e sgranatura a macchina, e con altri mezzi e sistemi, dei cereali e delle leguminose, rimangono quelle previste dal R.D.L. 23/4/1942 n. 433, non in contrasto con il presente decreto e con le disposizioni emanate dal Ministero dell'Agricoltura e Foreste con sua apposita circolare n. 100, in data 17 maggio 1944, che avrà anch'essa valore di legge.

Il Ministero dell'Agricoltura e Foreste è autorizzato a coordinare in testo unico le norme relative alla disciplina per l'esercizio e l'incoraggiamento della trebbiatura e della sgranatura a macchina, e con altri mezzi e sistemi, dei cereali e delle leguminose.

Art. 5

Per le spese relative agli accertamenti sulla idoneità tecnica delle macchine trebbiatrici gli aspiranti alla licenza per l'esercizio della trebbiatura e della sgranatura

Art. 4

Le norme per la disciplina dell'esercizio della trebbia tura e sgranatura a macchina, e con altri mezzi e sistemi, dei cereali e delle leguminose, rimangono quelle previste dal R.D.L. 23/4/1942 n.433, non in contrasto con il presente decreto e con le disposizioni emanate dal Ministero dell'Agricoltura e Foreste con sua apposita circolare n.100, in data 17 maggio 1944, che avrà anch'essa valore di legge.

Il Ministero dell'Agricoltura e Foreste è autorizzato a coordinare in testo unico le norme relative alla disciplina per l'esercizio e l'incoraggiamento della trebbiatura e della sgranatura a macchina, e con altri mezzi e sistemi, dei cereali e delle leguminose.

Art. 5

Per le spese relative agli accertamenti sulla idoneità ⁴³ tecnica delle macchine trebbiatrici gli aspiranti alla licenza per l'esercizio della trebbiatura e della sgranatura a macchina sono tenuti a versare all'Esercizio una tassa di con cessione governativa di L.200 per ogni trebbiatrice e sgrana trice di qualunque tipo e qualunque sia la lunghezza del bat titore.

Le spese suddette faranno carico al bilancio del Ministero dell'Agricoltura e delle Foreste, ed il Ministro per le Finanze è autorizzato a iscrivere con propri decreti le assegnazioni occorrenti entro il limite massimo del proven to delle tasse di concessione governativa, depurato del ven tesimo per spese di riscossione.

Art. 6

Su conforme parere del Comitato Provinciale dell'Agricoltura e dell'Ispettorato dell'Industria e del lavoro - ter.

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ritterialmente competente - l'Ispettore Provinciale dell'Agricoltura può revocare in qualunque momento la licenza qualora venga accertata la deficienza tecnica delle macchine o del personale addetti, o la mancanza dell'estintore da incendio, o quando il titolare della licenza non osservi, nell'esercizio della trebbiatura, le norme di cui al presente decreto e quelle emanate dal Ministero dell'Agricoltura e Foreste e non rispetti le tariffe di trebbiatura fissate dal Ministero dell'Agricoltura e Foreste di concerto col Ministero dell'Industria, Commercio e Lavoro.

L'accertamento delle infrazioni alle tariffe, è delegato all'Ispettorato dell'Industria e del Lavoro competente per territorio.

Art. 7

Le violazioni alle disposizioni del presente R.D.L. o a quelle richiamate da esso ed a quelle impartite e che potranno essere emanate dal Ministero dell'Agricoltura e delle Foreste, sono punite a norma del R.D.L. 22/4/1943 n. 245 senza pregiudizio dell'eventuale revoca della licenza di trebbiatura e di sgranatura da disporsi dall'Ispettorato Provinciale dell'Agricoltura.

Art. 3

Il presente decreto entrerà in vigore il giorno della sua pubblicazione nella Gazzetta Ufficiale del Regno - Serie Speciale - e sarà presentato alle Assemblee legislative per la conversione in legge.

I Ministri per l'Agricoltura e Foreste e per l'Industria, Commercio e Lavoro sono autorizzati alla presentazione del relativo disegno di legge.

Ordiniamo che il presente decreto, munito del sigillo dello Stato sia inserito nella Raccolta Ufficiale delle Leggi e dei Decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

delle Foreste, sono purite a norma del R.D.L. 22/4/1943 n. 245 senza pregiudizio dell'eventuale revoca della licenza di trabbatura e di sgranatura da disporsi dall'Ispettorate Provinciale dell'Agricoltura.

Art. 3

Il presente decreto entrerà in vigore il giorno della sua pubblicazione nella Gazzetta Ufficiale del Regno - Serie Speciale - e sarà presentato alle Assemblee legislative per la conversione in legge.

I Ministri per l'Agricoltura e Foreste e per l'Industria, Commercio e Lavoro sono autorizzati alla presentazione del relativo disegno di legge.

Ordiniamo che il presente decreto, munito del sigillo dello Stato sia inserito nella Raccolta Ufficiale delle Leggi e dei Decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

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Legislative Decree of the Lieutenant General of the Kingdom regarding the control of the carrying out and the encouraging of threshing and husking by machine or by other means and systems of grains and vegetables.

Umberto di Savoia etc.

Ref: RDL n.433 23 April 1942 controlling the threshing and husking of grains and vegetables by machinery.
 Law No.652 30 May 1940 containing provisions to encourage the *practice* ~~discussion~~ of threshing by machinery.
 RDL 245 22 April 1943 regarding penalties for violations of existing provisions controlling national agricultural activities.
 Decree of Lieutenant General - June 1944.
 RDL 2/8 30 October 1943
 Meeting of the Council of Ministers.
 On the proposal of the Ministers Secretaries for State for Agriculture and Forestry and for Industry Commerce and Labour, in accordance with the Ministers Secretaries for State for Finance and for Pardon and Justice.-

ARTICLE 1

RDL No.433 23 April 1942 shall be modified according to the following provisions:

ARTICLE 2

The following are hereby suppressed:-

- (a) The Consorzi Provinciali and Interprovinciali (Provincial and Interprovincial Associations) Obligation for any person carrying on threshing and husking for third parties.
- (b) The relative Federazione Nazionale.
- (c) Comitati Ministeriali and Commissioni Provinciali (ministerial committees and Provincial Commissions) described in Arts 5 and 7 of the above RDL.

The contribution established by Art 4 of the aforesaid RDL is abolished.

The Minister for Industry Commerce and Labour together

ARTICLE 1

RDE No.433 23 April 1942 shall be modified according to the following provisions:

ARTICLE 2

The following are hereby suppressed:-

- (a) The Consorzi Provinciali and Interprovinciali (Provincial and Interprovincial Associations) Obligation for any person carrying on threshing and husking for third parties.
- (b) The relative Federazione Nazionale.
- (c) Comitati Ministeriali and Commissioni Provinciali (Ministerial Committees and Provincial Commissions) described in Arts 5 and 7 of the above RDL.

The contribution established by Art 4 of the aforesaid

RDL is abolished.

The Minister for Industry Commerce and Labour together with the Minister for Agriculture and Forestry shall fix the rules for the liquidation and shall appoint when necessary liquidator or liquidators for all the Consorzi and their relative Federazione suppressed by this decree.

The property of the said Bodies shall fall to the State and shall be used by the Minister for Agriculture and Forestry in the development of the activities and benefits of agricultural classes, and principally in the encouraging of threshing and husking by motor machinery.

ARTICLE 3

The functions hitherto carried out by the Consorzi Trebbiatri (threshing Boards) and those relating to the control of threshing and husking by machinery of grains and vegetables shall come from now on within the scope of the Ispettorato Provinciale dell'Agricoltura within the following limits:

- (a) issuing licences to operate
- (b) receiving reports of amounts threshed and husked
- (c) exercising supervision over threshing operations to ensure the exactness of these reports including the particulars relating to the size of the ground concerned.

To this effect the Ispettorati Provinciali dell'Agricoltura shall make use of the Uffici Provinciali Statistici Economici dell'Agricoltura (Provincial offices) and of their local offices

(consular offices) and may call on the agents of the judicial police for assistance.

A R T . 4

Those rules for controlling threshing and husking by machinery and by any other means or system, of grains and vegetables shall remain as established by R.D.L. No. 433 23/42 which not opposed to this decree and to provisions made by the Ministry for Agriculture and Forestry in its circular No. 100 dated 7 May 1944 which shall form an integral part of this R.D.L. and will be published in the Official Gazette and thereby attain full force of law.

The Ministry for Agriculture and Forestry is authorized to coordinate in a consolidated text the rules concerning the control and encouragement of industry and husking by machinery or by other means and systems of grains and vegetables.

A R T . 5

For the expenses involved in ascertaining the technical suitability of the threshing machine persons desiring a permit to carry on threshing or husking by machinery must pay to the Treasury (Erario) a government concession tax of L. 200 for every threshing or husking machine of any kind whatsoever and irrespective of the length of the beater.

The aforesaid expenses shall be charged to the account of the Ministry for Agriculture and Forestry and the Minister for Finance is authorized to allot by his own decrees the sum required within the maximum limits of the amount received from the government concession tax 1944 twenty per cent for collection expenses.

A R T . 6

In agreement with the Comitato Provinciale dell'Agricoltura and the Ispettorato dell'Industria e del Lavoro-competent for the area the Provincial Agricultural Inspector may revoke any license at any time where it appears that the machine or the operators are technically deficient or when there are no distinguishing appliances, or when the license holder does not observe the rules for threshing operations established by this decree and those issued by the Minister for Agriculture and Forestry or does not respect the tariff for threshing fixed by the Minister for Agriculture and Forestry in agreement with the Minister for Industry and Commerce and Labour.

The Ispettorato dell'Industria e del Lavoro is competent for the area shall be empowered to investigate cases of infringing the tariff.

A R T . 7

of L.200 for every threshing or winnowing machine.

Whatsoever and irrespective of the length of the beater, the aforesaid expenses shall be charged to the account of the Ministry for Agriculture and Forestry and the Minister for Finance is authorized to allot by his own decrees the sum required within the maximum limits of the amount received from the government concession tax ~~12~~ twenty per cent for collection expenses.

A R T . 6

In agreement with the Comitato Provinciale dell'Agricoltura and the Ispettorato dell'Industria e del Lavoro-competent for the area-the Provincial Agricultural Inspector may revoke any license at any time where it appears that the machine or the operators are technically deficient or when there are no distinguishing appliances, or when the license holder does not observe the rules for threshing operations established by this decree and those issued by the Minister for Agriculture and Forestry or does not respect the tariff for threshing and Forestry or does not respect the tariff for threshing and Forestry issued by the Minister for Agriculture and Forestry in agreement with the Minister for Industry and Commerce and Labour.

The Ispettorato dell'Industria e del Lavoro is competent for the area shall be empowered to investigate cases of infringing the tariff.

A R T . 7

Violations of the provisions of this R.D.L. and of those referred to by it and to those orders already given or which may be issued by the Minister for Agriculture and Forestry shall be punished in accordance with R.D.L. No.245 23/4/43 without prejudicing the power of the Ispettorato Provinciale dell'Agricoltura to revoke any license for threshing or husking.

A R T . 8

This decree shall come into force etc. etc.

W. B. B. B.

MINISTERO FOR AGRICULTURE AND FORESTRY

Salerno, 17 May 1944

No. 1242

Subject: Rules for regulating the control of the operation of
and for encouraging threshing and husking by machinery
or by other means and systems.
1944 Harvest.

R.D.L. No. 433 23/4/42 is being modified by a decree now in the
course of publication.

By this decree the "Consorzio Provinciale and Interprovinciale
obbligatori for those engaged in threshing and husking by machinery
for third parties", including their relative Federazione Nazionale
are suppressed.

and thereby the contribution established by Art. 4 R.D.L. 433
23/4/44 is abolished.

On the basis of the rules contained in the decree soon to be
issued for controlling threshing and husking for the current season
the following instructions are issued in the meantime:

(1) any person desiring to thresh or husk grain by machinery
powered by a motor must obtain a license issued by the provincial
inspector of agriculture.

The license is type A for threshing and husking only or property

owned by the holder or holders of the license and type B for

threshing and husking for third parties or for himself and third
parties.

Associations and societies however constituted among agricul-
turers with the aim of providing for threshing and husking on
farms cultivated by themselves or by their associates must obtain
license type A; if however they intend to operate for third parties
also they must obtain license type B.

A license may not be issued unless for exceptional cases, for
the operation of a threshing or husking machine that is not
equipped with a suitable fire extinguisher or does not comply with
the necessary technical requirements.

(2) Licenses are issued from 1st May of every year and within
one month of the presentation of the relative demand, on the
decision of the provincial inspector for agriculture in agreement
with the Comitato Provinciale dell'Agricoltura and the chief of
the Ispe torato dell'Industria e del Lavoro (as is attested by
porativo) competent for the area.

Licenses issued for the preceding year may be extended for
the year with a new "vizio" of the inspection

(1) Any person desiring to thresh or husk grain by machinery powered by a motor must obtain a license issued by the Provincial Inspector of Agriculture.

The license is type A for threshing and husking only on property farmed by the holder or holders of the license and type B for threshing and husking for third parties or for himself and third parties.

Associations and societies however constituted among agriculturists with the aim of providing for threshing and husking on farms cultivated by themselves or by their associates must obtain licenses type A; if however they intend to operate for third parties also they must obtain license type B.

A license may not be issued unless for exceptional cases, for the operation of a threshing or husking machine that is not equipped with a suitable fire extinguisher or does not comply with the necessary technical requirements.

(2) Licenses are issued from 1st May of every year and within one month of the presentation of the relative demand, on the decision of the Provincial Inspector for Agriculture in agreement with the Comitato Provinciale dell'Agricoltura and the Chief of the Laboratorio dell'Industria e del Lavoro (or its authorized representative) competent for the area.

Licenses issued for the preceding year may be extended for this current season if granted with a new "visto" of the "spettato agrario" and always providing that the government concession tax as in para 3 below for the new season also has been paid.

(3) The license is valid only for the machine or machines, for the kind or kinds of produce, for the year and for the Provincial district for which it has been issued.

Any operator of a machine who intends to use it in other provinces must have his license stamped with the "visto" of authorization of the Laboratorio Provinciale dell'Agricoltura competent in those areas.

(4) The Comitato described in para 2 is to be called on to give opinion also :-

(a) On the maximum number of machines to be assigned in the provincial area for threshing for third parties in regard to the needs of production.

(b) On the technical suitability of machines assigned for threshing and husking grain.

(c) On the advisability or not of making plans of distribution for the employment of threshing machines in the provincial area.

(5) For the expenses involved in determining the technical suitability of threshing machines persons desiring licenses for threshing and husking by machinery must pay to the Treasury (Tras-rio) a government concession tax of L.200 for every kind of threshing or husking machine irrespective of the length of the beater.

Therefore in applying for a license the applicant must show that he has already made the above payment.

(6) In agreement with the Comitato Provinciale dell'Agricoltura, the Provincial Inspector for Agriculture may revoke at any time any license where it appears that the machine or the operators are technically deficient, or when there are no adequate fire extinguishing appliances or where the license holder does not observe in carrying on threshing the rules of the decree in course of preparation or does not respect the tariff for threshing fixed by the Minister for Agriculture and Forestry in accord with the Minister for Industry, Commerce and Labour, or by their respective provincial offices.

The Ispettore del Lavoro competent for the area shall be empowered to investigate cases of infringing the tariff.

The following is a list of average tariffs for threshing by machinery powered by motor and with fuel provided at the expense of the thrasher agreed, as a basis between the Ministries competent and which must serve as a basis for the determination by the Comitato Provinciale dell'Agricoltura of the charges to be fixed in their respective provinces for the coming grain harvest.

- Threshing of any amount up to 50 q/11 of produce: producer must pay a money sum to the thrasher equal to L.40 per q/11 threshed.

- Any amount from 50 q/11 to 100 q/11 of produce: Producer must pay a money sum to the thrasher equal to L.45 per q/11 threshed.

- Quantities over 100 q/11 of produce: Producer must pay a money sum to the thrasher equal to L.55 per q/11 threshed.

Such charges refer to threshing by machinery powered by an internal combustion engine.

When the thrasher also carries out the cutting and baling of the straw the producer must pay L.12 per q/11 of straw baled or cut, the price of steel wire for baling is not included in this charge.

The thrasher must provide at his own expenses during the threshing at least three skilled workers for operating the threshing machine and for feeding in the produce.

All other workers are at the producer's expense.

The Comitato Provinciale dell'Agricoltura are asked to keep

to the charges for threshing set out above, with regard to those

to the charges for threshing set out above, with regard to those

in their respective provinces for the amount of money to be paid to the producer must pay a money sum to the thrasher equal to L.50 per 1/11 threshed.

- For amount from 50 1/11 to 100 1/11 of produce: Producer must pay a money sum to the thrasher equal to L.45 per 1/11 threshed.

- Quantities over 100 1/11 of produce: Producer must pay a money sum to the thrasher equal to L.35 per 1/11 threshed.

Such charges refer to thrashing by machinery powered by an internal combustion engine.

When the thrasher also carries out the cutting and baling of the straw the producer must pay L.12 per 1/11 of straw baled or cut, the price of steel wire for baling is not included in this charge.

The thrasher must provide at his own expenses during the thrashing at least those skilled workers for operating the threshing machine and for feeding in the or dice.

All other workers are at the producer's expense.

The Comitato Provinciale dell'Agricoltura are asked to keep to the charges for thrashing set out above, with regard to motor driven threshing machines with a 120 cm. motor powered by a motor driver by diesel oil (Nafte), paraffine (Petrolio) or petrol (Benzina).

When the machine is driven by other means (coal (carbone) straw, dried olive husks etc.) or if other products are used (salt with, the said tariffs must be adjusted suitably by the Comitato Provinciale with the Ufficio dell'Industria e del Lavoro present - on the basis of the prices of the fuel employed - the work required and the place of the work.

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7. With every grain threshing machine in operation a register with detachable duplicate pages (bollettario a madre e figlia) must be kept in the case of the licence holder furnished on payment by the Ispettorato Provinciale dell'Agricoltura, for entering the facts and information required thereon. Immediately after every weighing operation the particulars of each individual weighing must be recorded in ink or copying pencil on the back of the sheet retained (bolletta madre) in the aforesaid register of information.

Such registers must be the same as those issued for the 1942 season by the Istituto Generale di Statistica for obligatory declaration of grain and vegetables so as to be able to use all remaining registers in the possession of the Ispettorati Agrari Provinciali, who will take steps as the need arises to re-print when they are not sufficient.

The obligation to keep the above register extends to every kind of threshing floor for threshing and husking by other means and systems different from machinery powered by motor of any product whatsoever subject to control. In such a case moreover the Ispettorati Agrari must stamp on the front of every sheet the method of threshing used (threshing by hand, a sanguine etc.), but only in registers having such purpose.

On the three counterfoil sheets of the aforesaid register the following entries and information must be made on the responsibility of the holder of the threshing licence and counter-signed by him.

(a) Completing and delivering the first counterfoil sheet to the person who brings the grain to the threshing machine who is bound to declare to the operator of the said machine the name of the farm and the extent of land sown from which were produced the product to be threshed, and to countersign and to keep that sheet.

(b) Complete the second counterfoil sheet and send it, within one week from the end of the threshing to the Municipio of the Comune of production who will take note of the same and forward it to the Ufficio Anno-

to every kind of threshing floor for threshing and husking by other means and systems different from machinery powered by motor of any product whatsoever subject to control. In such a case moreover the Ispettorati Agrari must stamp on the front of every sheet the method of threshing used (threshing by hand, a sanguine etc.), but only in registers having such purpose.

On the three counterfoil sheets of the aforesaid register the following entries and information must be made on the responsibility of the holder of the threshing licence and counter-signed by him.

- (a) Completing and delivering the first counterfoil sheet to the person who brings the grain to the threshing machine who is bound to declare to the operator of the said machine the name of the farm and the extent of land sown from which were produced the product to be threshed, and to countersign and to keep that sheet.
- (b) Complete the second counterfoil sheet and send it, within one week from the end of the threshing to the Municipio of the Comune of production who will take note of any point of interest to the Ufficio Annuario and take steps to forward it to the Ufficio Centrale Statistica at the Ministry of Industry Commerce and Labour.
- (c) Complete the third counterfoil sheet and send it to the Communal office of the Ufficio Statistico Economico dell'Agricoltura (ex Ufficio Accertamenti Agricoli) in whose territory the produce was grown. The said Ufficio Statistico Economico dell'Agricoltura will in turn send the third sheet to the competent Ispettorato Agrario Provinciale. On this last sheet there must be shown the quantity threshed, the particulars

- 4 -

of the cultivator of the farm from which the grain was produced and the Commune in which holding is situated.

Delivery of the third sheet to the aforesaid Communal Office must be made daily in regard to quantities that take no more than one day's work, and immediately after the last threshing for quantities that need more than one day's work.

Within one week of the last day of threshing the stubs of the registers, even if used in part only, must be returned to the Ispettorato Provinciale dell'Agricoltura who issued them.

It is established that the first counterfoil sheet (see subpara (a)) may also be used as the obligatory permit to accompany (bolletta obbligatoria di accompagnamento) for threshed products from the threshing to the producer's store.

For this purpose on the back of the last two sheets to the right of the register in question a special form (tracciato) will be printed so that there may be registered from time to time every departure of threshed produce from the threshing floor.

8. All persons threshing and husking by other means and systems must communicate previously to the Ispettorato Provinciale dell'Agricoltura and to the Communal Office of the Ufficio Statistico Economico dell'Agricoltura, the day on which they will begin operations and requesting the necessary authorization; so, furthermore, that the aforesaid Communal Office may grant them permission (loro concessione) in nulla osta) to transport the grain from the threshing floor to the store.

In order to be able to and to use the threshing floor, persons possessing hand threshers and tenants of threshing floors must make a request at least 5 days previously in respect of each threshing and each threshing floor to the Communal Office of the Ufficio Statistico Economico who will proceed to send copies to the Ispettorato Provinciale dell'Agricoltura.

The request, written on plain paper must contain the following particulars:

(a) Date of the start of the threshing, husking

and systems must communicate previously to the Ispettorato Provinciale dell'Agricoltura and to the Communal Office of the Ufficio Statistico Economico dell'Agricoltura, the day on which they will begin operations and requesting the necessary authorization, so, furthermore, that the aforesaid Communal Office may grant them permission (loro consenso...il nulla osta) to transport the grain from the threshing floor to the store.

In order to be able to and to use the threshing floor, persons possessing hand threshers and tenants of threshing floors must make a request at least 5 days previously in respect of each threshing and each threshing floor to the Communal Office of the Ufficio Statistico Economico who will proceed to send copies to the Ispettorato Provinciale dell'Agricoltura.

The request, written on plain paper must contain the following particulars:

- (a) Date of the start of the threshing, husking and beeting of the grain.
- (b) Average quantity of grain that can be threshed daily.
- (c) Number of days considered necessary for the threshing and number of threshing floors.
- (d) Whether the thresher or the threshing floor is to be used for the farm itself or for some third party or for both.

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In the last two cases there must also be set out in the request the route of the hand thresher and the name of the producers who in order of time will use the hand thresher and the threshing floor.

- (e) The exact location of the private hand threshers and the situation of threshing floors private and common.

Those threshing floors where the grain of several producers are brought together are considered as common floors for threshing by treading, or beating with flails (verghe) or rods (mazzuole)

Those threshing floors to which the grain of one producer only is brought are considered as private.

At the end of the threshing either the owner or the hirer of the hand threshes; and either the owner or the tenant of the threshing floor previously authorized to use it must declare on the proper form to the Ufficio Comunale Statistico Economico the produce threshed.

9. For the supervision of the threshing operations and to verify the quantity of the grained threshed including the relative area sown the Ispettorato Provinciale dell'Agricoltura may make use of the Uffici Provinciali Statistico Economici dell'Agricoltura and call on the agent of the judicial police.

10. Violations of the provisions already issued and of those which will be issued from this Ministry are punishable in accordance with RDL 22/4/1943 No. 245 without prejudice to the revocation if necessary of any license to thresh and to work which will be decided by the Ispettorato Provinciale dell'Agricoltura.

All Organizations addressed are asked to give the widest circulation to the rules contained herein communicating this to all dependant offices who may be interested.

THE MINISTER

ducer only is brought are considered as private.

At the end of the threshing either the owner or the hirer of the hand threshes; and either the owner or the tenant of the threshing floor previously authorized to use it must declare on the proper form to the Ufficio Comunale Statistico Economico the produce threshed.

9. For the supervision of the threshing operations and to verify the quantity of the grained threshed including the relative area sown the Ispettorato Provinciale dell'Agricoltura may make use of the Uffici Provinciali Statistico Economici dell'Agricoltura and call on the agent of the judicial police.

10. Violations of the provisions already issued and of those which will be issued from this Ministry are punishable in accordance with RDL 22/4/1943 No. 245 without prejudice to the revocation if necessary of any license to thresh and to risk which will be decided by the Ispettorato Provinciale dell'Agricoltura.

All Organizations addressed are asked to give the widest circulation to the rules contained herein communicating this to all dependant officers who may be interested.

THE MINISTER

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Final Form

Royal Decree

OTB

This is the translation of an Italian schedule, communicated as advanced notice of a New Decree, which will become effective when promulgated in the Official Gazette.

By virtue of -

- the R.D. in No. 433 of April 23, 1942 regulating the threshing and shelling of cereals and legumes by machine.
- the L. No. 653 of May 30, 1940, encouraging machine threshing,
- the R.D.L. No. 245 of April 22, 1943 concerning penalties for breaches of regulations relative national agriculture.

Whereas - it is necessary to issue new regulations for the threshing and shelling of cereals and legumes.

Having heard - the Council of Ministers, on the proposal of the Ministers, Secretaries of State, of Agriculture and Forests and of Industry, Commerce and Labor in conjunction with the Ministers, Secretaries of State, of Finance and of Grace and Justice.

We have decreed and hereby decree:

ART I

The R.D.L. of 23 April 1942, No. 433 is modified as the result of the following provisions.

ART II

The following are abolished:

- a. The obligatory Provincial and Inter Provincial Consorzi for threshing and shelling machine for third parties.
- b. The relative National Federation.
- c. The Ministerial and Provincial Committees provided by articles 5 and 7 of the R.D.L. above mentioned.
- d. The contribution mentioned in article 4 of the same R.D.L.

The Minister of Agriculture and Forests shall control the means of liquidation and shall nominate, where necessary, the liquidator or liquidators of all Consorzi and Committees abolished by the present decree.

ART III

The functions previously performed by the Consorzi Trebbiatori, and those relating to the control of machine threshing of cereals and legumes, shall henceforth be discharged by the Provincial Inspectorate of Agriculture, within the following limits:

- a. issuing operating licenses
- b. receiving certificates of quantities threshed and shelled
- c. exercising surveillance over threshing and shelling operations, to check the accuracy of such certificates and information relative to the area involved.

For the said purposes, the Provincial Agricultural Inspectorates are hereby entitled to use the services of the U.P.S.R.A. and their Zone Officers and to be

assisted by the Judicial Police as required.

ART IV

The regulation for threshing or shelling cereals and legumes by machine or by other means and systems still remain as per the R.D.L. No. 433 of April 23, 1942, provided that they are not inconsistent with this Decree and with the provisions set forth by the Circular letter dated May 2, 1944 of the Minister of Agriculture and Forestry.

The Minister of Agriculture and Forestry is hereby authorized to issue other provisions to encourage machine threshing and shelling of cereals and legumes.

ART V

For the expenses of controlling the technical efficiency of threshing machines applicants for machine threshing and shelling licenses are required to pay to the Public Treasury a governmental tax of 200 lire for each thresher and sheller, whatever its type and the length of the flail.

The above mentioned expenses shall be charged to the budget of the Ministry of Agriculture and Forestry and the Minister of Finance is hereby authorized to issue his own decree allotting appropriations within the maximum limit of the income of the governmental taxes, above mentioned, less one twentieth part for collection expenses.

ART VI

On the recommendation of the Provincial Committee of Agriculture, the Provincial Inspector of Agriculture can revoke a license at any time, if it is proved that either the machinery or attendant personnel are technically inefficient, or that no fire extinguisher is provided, or if the licensee fails to observe in his threshing operations, the provisions of this decree and regulations issued by the Ministry of Agriculture and Forests, or does not comply with the threshing tariffs fixed by the Ministry of Agriculture and Forests in conjunction with the Ministry of Industry, Commerce and Labor.

The certification of tariff infractions is the responsibility of the Inspector of Labor competent for the territory.

ART VII

Offences against the provisions of this Decree or against those enacted or to be enacted by the Minister of Agriculture and Forests shall be punished under the R.D.L. 245 of April 22, 1943, without prejudice to the eventual revocation of license being ordered by the Agriculture Provincial Inspectorate.

ART VIII

Usual formalities.

*Approved Subject to clearance
Legal Sub Commissioner
St. C. Hartman*

N O T A

QUESTO E' IL TESTO DI UNA COMUNICAZIONE FATTA CI DAL GOVERNO ITALIANO PER NOTIZIA ANTICIPATA DI UN NUOVO DECRETO CHE ENTRERA' IN VIGORE QUANDO PROMULGATO NELLA GAZZETTA UFFICIALE

- VISTO il R.D.L. 23 Aprile 1942 n° 433 che disciplina l'esercizio della Trebbiatura e Sgranatura a macchina dei cereali e delle leguminose,
- VISTA la Legge 30 Maggio 1940 n° 652 contenente incoraggiamenti per la diffusione della Trebbiatura a macchina,
- VISTO il R.D.L. 22 Aprile 1943 n° 245, relativo alle penalità per le infrazioni alle discipline estese all'attività agricola nazionale,
- RITENUTA la necessità di emanare nuove norme riguardanti la disciplina dell'esercizio della trebbiatura e sgranatura dei cereali e delle leguminose,
- SENTITO il Consiglio dei Ministri, sulla proposta dei Ministri Segretari di Stato dell'Agricoltura e Foreste e dell'Industria Commercio e Lavoro, di concerto con i Ministri Segretari di Stato per le Finanze e per la Grazia e Giustizia,

ABBIAMO DECRETATO E DECRETIAMO

Art. 1.

Il R.D.L. 23 Aprile 1942 n° 433 è modificato come risulta dalle disposizioni seguenti:

Art. 2.

Sono soppressi: a) Consorzi Provinciali ed Interprovinciali obbligatori tra gli esercenti la trebbiatura e la sgranatura a macchina per conto terzi, b) la relativa Federazione Nazionale, c) Comitati Ministeriali e Provinciali, previsti dagli art. 5 e 7 del R. D. L. suddetto, d) il contributo di cui all'art. 4 dello stesso R. Decreto Legge.

Il Ministro dell'Agricoltura e Foreste stabilirà le norme della liquidazione e nominerà, ove sia necessario, il liquidatore o i liquidatori, di tutti i Consorzi e Comitati soppressi col presente decreto.

Art. 3.

Le funzioni finora svolte dai Consorzi Trebbiatori e quelle relative alla disciplina dell'esercizio della trebbiatura a macchina dei cereali e delle leguminose verranno d'ora innanzi disimpegnate dagli Ispettori Provinciali dell'Agricoltura nei limiti seguenti:

- 2 -

- a) rilasciare le licenze di esercizio
- b) ricevere le denunce dei quantitativi trebbiati e sgranati
- c) esercitare la sorveglianza sulle operazioni di trebbiatura e di sgranatura per l'accertamento della esattezza delle denunce stesse, nonché dei dati relativi alla superficie investita.

Al riguardo gli Ispettorati Provinciali dell'Agricoltura si avvarranno degli Uffici Provinciali Statistico-Economici dell'Agricoltura e della loro organizzazione periferica (Uffici di zona) e potranno anche richiedere l'assistenza degli agenti di Polizia Giudiziaria.

Art. 4.

Le norme per la disciplina dell'esercizio della trebbiatura e sgranatura a macchina, e con altri mezzi e sistemi, dei cereali e delle leguminose, rimangono quelle previste dal R.D.L. 23/4/1942 n° 433, non in contrasto con il presente Decreto e con le disposizioni emanate dal Ministero dell'Agricoltura e Foreste con sua apposita circolare del Maggio 1944.

Il Ministero dell'Agricoltura e Foreste è autorizzato ad emanare altre norme per l'incoraggiamento della trebbiatura e della sgranatura a macchina dei cereali e delle leguminose.

Art. 5.

Per le spese relative agli accertamenti sulla idoneità tecnica delle macchine trebbiatrici gli aspiranti alla licenza per l'esercizio della trebbiatura e della sgranatura a macchine ma sono tenuti a versare all'Esercizio una tassa di concessione governativa di L. 200 per ogni trebbiatrice e sgranatrice di qualunque tipo e qualunque sia la lunghezza del battitore.

Le spese suddette faranno carico al bilancio del Ministero dell'Agricoltura e delle Foreste, ed il Ministro per le Finanze è autorizzato a iscriverle con propri decreti le assegnazioni occorrenti entro il limite massimo del provento delle tasse di concessioni governativa, depurato del ventesimo per spese di riscossione.

Art. 6.

Su conforme parere del Comitato Provinciale dell'Agricoltura, l'Ispettore Provinciale dell'Agricoltura può revocare in qualunque momento la licenza qualora venga accertata la deficienza tecnica delle macchine o del personale addettovi, o la mancanza dell'estintore da incendio, o quando il titolare della licenza non osservi, nell'esercizio della trebbiatura, le norme di cui al presente decreto e quelle emanate dal Ministero dell'Agricoltura e Foreste e non rispetti le tariffe di trebbiatura fissate dal Ministero dell'Agricoltura e Foreste di concerto col Ministero dell'Industria, Commercio e Lavoro.

L'accertamento delle infrazioni alle tariffe, è demandato allo

- 3 -

Ispettorato del Lavoro competente per territorio.

Art. 7.

Le violazioni alle disposizioni del presente R.D.L. e a quelle richiamate da esso ed a quelle impartite e che potranno essere emanate dal Ministero dell'Agricoltura e delle Foreste, sono punite e norme del R.D.L. 22/4/1943 n° 245 senza pregiudizio dell'eventuale revoca della licenza di trebbiatura o di sgranatura da dispensarsi dall'Ispettorato Provinciale dell'Agricoltura.

Art. 8.

Il presente decreto entrerà in vigore il giorno della sua pubblicazione nella Gazzetta Ufficiale del Regno - Serie Speciale e sarà presentato alla Assemblea Legislativa per la conversione in Legge.

I Ministri per l'Agricoltura e Foreste e per l'Industria, Commercio e Lavoro, sono autorizzati alla presentazione del relativo disegno di legge.

Ordiniamo che il presente decreto, munito del sigillo dello Stato sia inserito nella Raccolta Ufficiale delle Leggi e dei Decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

DEALING
ON
PENALTIES 25A
for failure to
deliver wheat
barley to army

Cura (Barley Amassi) Code

25A

Penalties

1. Failing to amass : 6 months to 5 years imprisonment and a fine = 20 times value of grain withheld - minimum fine £ 50.00.
Same penalty applies to hoarders.
2. Assignment prior to hearing of prosecution : Offender who consigns all grain withheld prior to hearing of charge benefits by diminution of penalty from $\frac{1}{2}$ to $\frac{2}{3}$.
3. Offences not included in 1 & 2 above : Not Punishable under terms of Art 5 of ROL. 22 Apr 1943 No 245.
4. For offences under 1 & 2 above : Arrest is obligatory and neither provisional liberty nor conditional suspension of sentence are applicable.
5. Conviction carries with it confiscation of the grain & loss of rights to family & retention under Art 4 of Decree 2 May 44 of Ministry of Agriculture & Forests.

6. Provisions in case of appeal

7. Conviction also involves forfeit
of rent to State for the current
year in respect of the
premises on which the grain
was raised

8. Conviction likewise involves
loss of agricultural lands
rights unless contract of
location.

9. Adjustment of execution
procedure.

10. Provides for adoption of
"direct" procedure

11 - 12 - 13. Formal operative clauses.

checked with
Bonelli

SCHEMA DI REGIO DECRETI-LEGGE

NORME PENALI RELATIVE ALLA DISCIPLINA DEL CONFERIMENTO DEL GRANO E DEL
LAVORO DEL RACCOLTO 1944.

Final draft

Visto il Decreto 2 maggio 1943 del Ministro per l'Agricoltura e le Foreste per la disciplina del blocco della raccolta e del conferimento del grano e dell'orzo del raccolto 1944;

Visto il R.D.L. 22 aprile 1943 n. 245;

Visto l'art. 18 della legge 19 gennaio 1939 n. 129;

Visto il R.D.L. 30 ottobre 1943 n. 2/8;

Ritenuto che al verso lo stato di necessità per causa di guerra;

Sentito il Consiglio dei Ministri;

Su proposta del Ministro di Grazia e Giustizia, d'intesa con i Ministri

per le Finanze e per l'Agricoltura e le Foreste;

ADOTTATO DAL GOVERNO E DICRETATO

Art. 1

Chiunque omette di consegnare...

Visto il Decreto 2 maggio 1944 del Ministro per l'Agricoltura e le Foreste per la disciplina del blocco, della raccolta e del conferimento del grano e dell'orzo del raccolto 1944;

Visto il R.D.L. 24 aprile 1943 n. 243;

Visto l'art. 18 della legge 13 gennaio 1939 n. 129;

Visto il R.D.L. 30 ottobre 1943 n. 2/B;

Ritenuto che si versa in istato di necessità per causa di guerra;

Sentito il Consiglio dei Ministri;

Su proposta del Ministro di Grazia e Giustizia, d'intesa con i Ministri per le Finanze e per l'Agricoltura e le Foreste;

ASSIANDO DICRETATO E DECRETANDO

Art. 1

Chiunque omette di consegnare, come prescritto dal Decreto 27 maggio del Ministro dell'Agricoltura e delle Foreste e dai regolamenti relativi, il grano e l'orzo del raccolto 1944, è punito, se il fatto non costituisce delitto più grave, con la reclusione da sei mesi a sei anni e con multa pari a venti volte il prezzo legale della quantità sottratta e non inferiore nel minimo a lire cinquemila.

Le stesse pene si applicano a chiunque, prima che ne sia ordinata la consegna oppure dopo che essa sia stata ordinata e prima della scadenza del termine per eseguirla, occulto, o in qualsiasi modo sottragga prodotti indicati nel comma precedente.

Art. 2

Se prima dell'apertura del dibattimento di primo grado il colpevole confessi o fa consegnare integralmente agli organi competenti il prodotto sottratto, le pene sono diminuite della metà ai due terzi.

Art. 3

Al delitto di cui all'articolo 1 non si applica la disposizione dello articolo 6 del R.D.L. 22 aprile 1943, n. 245.

Art. 4

Per i delitti di cui all'articolo 1 è obbligatorio il mandato di cattura, non può essere concessa all'imputato la libertà provvisoria e non è concessita la sospensione condizionale delle pene.

Art. 5

Con la sentenza di condanna è sempre ordinata la confisca del grano e dell'orzo sequestrati perchè sottratti al conferimento, ed è sempre stabilita la pena di reclusione la perdita del diritto alle trattative per coesistenza familiare di cui all'articolo 3 lett. a) b) c) ed all'articolo 4 del decreto 2 maggio 1944 del Ministro per l'Agricoltura e le Foreste.

Art. 6

Dopo la sentenza di appello, o dopo quella di primo grado se non impugnata, la quantità di grano e di orzo spettanti al condannato, alle persone di famiglia con lui conviventi a carico ed ai diendenti conviventi sono versate al centro di raccolta del comune in cui si trova il prodotto, per essere distribuite a norma delle vigenti disposizioni.

Il prezzo di conferimento è rimborsato all'avente diritto se, in seguito a ricorso per cassazione, l'imputato sia proscioltosi ai sensi dell'articolo 479 del codice di procedura penale. In caso di condanna o di

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Dopo la sentenza di appello, o dopo quella di primo grado, se non l'espulsione, la quantità di gradi e di arzo spettanti al condannato, alle persone di famiglia con lui conviventi o cariche ed ai diendenti conviventi, sono versate al centro di raccolta del comune in cui si trova il prodotto, per essere distribuite a norma delle vigenti disposizioni.

Il prezzo di conferimento è ripartito all'evento, diritto se, in seguito, si è ricorso per cassazione, l'imputato sia proscioltto ai sensi dell'articolo 478 del codice di procedura penale. In caso di condanna di **Pisicelli** in base ai sensi dell'articolo 478 dello stesso codice, il prezzo è devoluto allo Stato.

Qualunque cosa o qualsiasi titolo il reddito di una o più fondi sia ^{restituito} donato in base all'articolo 1 del presente decreto, perde il diritto di partecipare all'estaglio. Il concesso, le redolte comunque dovuti gli per l'annata in corso, e per tutti i suoi fondi, anche se la donata consegna al ricettore, ed un fondo solo. Quanto gli sia dovuto in natura deve essere versato dal debitore ~~al prezzo fissato~~ al centro di raccolta del comune ogo è alto

ciascun fondo, e quanto gli sia dovuto in danaro a devoluzione e benefici dello Stato.

art. 8.

L'affittuario, il conduttore, il colono di uno o più fondi ^{indivisi} ~~conduttori~~ in base all'articolo 1 del presente decreto decade per tutti i fondi da lui condotti dal diritto alla continuazione del contratto, nonché dal diritto alla proroga stabilita dal regio decreto legge 3 giugno 1934 n. 100.

Nel caso di più affittuari, conduttori o coloni associati fra loro per la coltivazione di un fondo, la condanna di uno di essi determina per tutti la decadenza di cui al primo comma.

art. 9.

La sentenza pronuncia di appello o di primo grado se non impugnata entro il termine stabilito sufficienti per l'avente diritto a domandare il rilascio del fondo in forza della decadenza stabilita nell'articolo 8.

Sono applicabili le norme del procedimento per condanna di sfratto.

Sono esclusi i diritti di pagamento dei frutti pendenti, delle spese di coltivazione e dei miglioramenti a norma delle leggi civili.

art. 10.

Il verbale di denuncia per i delitti previsti dal presente decreto è trasmesso dagli uffici di polizia giudiziaria all'autorità giudiziaria secondo le norme del codice di procedura penale.

Quando ricorrano le circostanze indicate nell'articolo 5 del codice di procedura penale, si procede sempre a giudizio direttissimo.

art. 11.

La sentenza di condanna messa in base al presente decreto debbono essere trasmesse in copia ai comitati agricoli comunali competenti per territorio, affinché provvedano agli opportuni controlli.

del fondo in base
sono applicabili le norme del procedimento per conversione di
sono salvati i diritti di pagamento dei frutti pendenti, della specie di
coltivazione o dei miglioramenti a norma delle leggi civili.

art. 10

Il verbale di denuncia per i delitti previsti dal presente decreto è
trasmissione degli uffici di polizia giudiziaria all'autorità giudiziaria
secondo le norme del codice di procedura penale.

Quando ricorrano le circostanze indicate nell'articolo 202 del codice
di procedura penale, si procede sempre a giudizio direttissimo.

art. 11

La sentenza di condanna emessa in base al presente decreto debbono
essere trasmesse in copie al consiglio superiore di giustizia
ritenuto, affinché provvedano agli opportuni controlli.

art. 12

Le disposizioni del presente decreto debbono essere applicate
n. 235 in quanto siano incompatibili con quelle del presente decreto.

art. 13

Il presente decreto entra in vigore il giorno della sua emanazione e
lo della sua pubblicazione nella Gazzetta Ufficiale del Regno. S. S.
elabora e sarà presentato alla commissione legislativa per la conversione in
legge.

Il ministro di Grazia e Giustizia, proponente, è autorizzato a presen-

fare il relativo disegno di legge.

ordinanze, a chiunque spetti, di osservare il presente decreto e di far

lo osservare come legge dello Stato.

PROVISIONS
PENALTY/APPLYING TO DELIVERIES OF WHEAT AND BARLEY
ENACTED IN 1944

Art. 1

Whoever fails to deliver wheat and barley harvested in 1944, ^{as required} ~~within the time limit set~~ by the decree of May 2, 1944 of the Ministry of Agriculture and Forests, ^{or regulations made thereunder,} is punishable - provided the infraction does not constitute a more serious offense - by imprisonment from six months to six years and by a fine equal to twenty times the legal price of the amount diverted, such fine to be not less than five thousand lire.

Art. 2

There shall be regarded as particularly serious offenses ^(a) ~~both the failure to deliver~~ any part of the product or ^(b) ~~a substantial part thereof, and the establishment of~~ considerable inequalities ^{(c) there is} between the amounts produced and delivered, even in cases where small farming enterprises are involved.

Art. 3

If the offender - before hearings in the lower courts are begun - delivers or causes to be delivered the diverted products in full to the proper authorities or to any other authority, penalties shall be reduced by one half to two thirds.

Art. 4

All sentences involving penalties shall order in each and every case confiscation of the amount of wheat or barley impounded owing to non-delivery thereof, and shall attribute to the offender the forfeiture of food retention rights as per art. 3 para. a), b), c), d), and art. 4 of the decree of May 2, 1944 of the Ministry of Agriculture and Forests.

Art. 5

All amounts of wheat and barley due to the offender, as well as to all cohabitant dependent members of his family and to ^{each} cohabitant member of his household help, shall - after the appeal has been rejected or the sentence of the lower court has not been impugned - be surrendered to the collecting station of the Commune where the product is located, for distribution in accordance with current

regulations, subject to reimbursement of the official price to the rightful owner if, by reason of an appeal to the "Corte di Cassazione" (Supreme Court), the offender were found not guilty, in accordance with art. 479 of the Penal Code. In the opposite case the price shall be paid into the State's treasury.

Art. 6

Whoever, for whatever reason, receives income from one or more land holdings and is sentenced under art. 1 of this decree, shall forfeit any and all rights to collect ^{payments in kind,} ~~rents~~ rentals or other income to which he is entitled for the current year, on all such holdings, even if the non-delivery concerns one holding only. Whatever is due to him in kind shall be paid by the debtor - at the official price - to the collecting station in the Comune where each holding is located, and whatever is due to him in cash shall be paid into the State's treasury.

Art. 7

Renters, half-share tenants or other share-tenants of one or more holdings, who are sentenced under art. 1 of this decree, shall forfeit - for all holdings operated by them - the right to continue rental agreements and to benefit by the extension authorized by R.D.L. No. ... of June 3, 1944.

3 In the event that several renters, half-share tenants or other share-tenants operate a holding jointly, the sentencing of one of them shall entail the forfeiture of rights described in paragraph 1 of this article, on the part of each and all.

Art. 8

The above forfeiture shall entitle the rightful owner of the land - held by the offender on a rental, half-share tenancy or other share-tenancy basis - to re-occupy it as is. The proper Court shall order the eviction of the offender and his associates under the terms of and in the manner prescribed by current law, upon exhibition of a copy of the sentence of the lower court, if not impugned, or of that of the ~~Supreme~~ ^{Judge} of Appeals, subject to reimbursement of the price of current crops, to be liquidated through other channels.

Art. 9

Indictment records for crimes covered by this decree shall be

transmitted by police officials to the judiciary in accordance with the provisions of the Penal Code. The issuance of a warrant of arrest is mandatory and the defendant shall not be released on bail; sentences shall not be suspended.

ART.10

A copy of all sentences involving penalties, ^{delivered} ~~presented~~ on the strength of this decree, shall be forwarded to the appropriate Communal Committees for Agriculture, in order to enable them to make the necessary verifications.

ART.11

As concerns violations under art.1, there are hereby abrogated the provisions of art.6 of R.D.D. N°245 of April 22, 1943.

ART.12

The provisions of this decree replace - solely as concerns the blocking and delivery of wheat and barley harvested in 1944 - the penalty provisions contained in R.D.D.N°245, of April 22, 1943.

Tel. 478525

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

GGH/ap

24A

ACC/4104/13/L

26 July 44

SUBJECT : Decree on offences against ammassi and
rationing regulations.

TO : Director, Agricultural Subcommittee.

1. Enclosed a draft of the above decree which the Italian Government proposes to pass as soon as the consent of the Allied Control Commission is given.

2. Please return the draft at your earliest convenience stating whether or not it meets your approval and adding any comment you might wish to make.

G. G. HANNAFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for, Acting Chief Legal Officer.

Enclosures.

C9

File

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

JM/pe

23A

REFERENCE : ACC/4104/I3/L.

24 Jul 44.

SUBJECT : Agricultural Decree.

TO : Mr. Wadleigh, Agricultural Sub-Commission.

1. Article 7 should in our view be deleted from the drafts.
2. Subject to this the Italian draft appears to us to be unobjectionable.
3. The English translation had been checked by the Translators Pool and is considered by them to be accurate subject to the ink corrections.

J. MORE, Capt.,
for Acting Chief Legal Officer.

Encls: Italian and English Drafts

785016

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File
22A
OPINION
Subsidy to Farmers

General - The purpose of the decree is to encourage farmers to produce more and to compensate them for expenses unforeseen at the time of their entering into the tenancy contract.

To achieve this, a special subsidy will be granted to the tenants varying according to the Regions of Italy. Landlords who have agreed to receive a fixed rent, in kind or in cash, for their land, will always be paid in cash. They will not be entitled to the subsidy.

Are the provisions of the decree legal under existing Italian legislation?

1. The Government can grant subsidies to farmers to compensate expenses due to the State of War. It stands to reason that the landlord should not benefit from these subsidies because they do not work on the land and have not to meet any expenses. Furthermore the rental for the land was based (in kind or in cash), on the market value of wheat at the time of the signing of the contract. It would therefore be unfair to increase automatically the amount of rent, just because the tenant works harder or (now) has extra expenses.

2. The subsidy system adopted by the Fascist Government at an early date, was considered unsuitable by all Allied agricultural experts from Sicily to date. It appears therefore that policy has once more been reversed.

3. In Article 5 of the proposed decree, "Mezzadria and Compartecipazione" contracts are excluded from the provisions of the decree. Therefore landlords who have entered in such contracts will receive the subsidy as well as tenants, as they will continue to be paid in kind. This appears in order, because in such contracts where generally landlord and tenant share the crops equally, the landlord brings in not only the land but also premises, seeds, agricultural instruments, manure, cattle etc.

4. Whether this decree should be an RDL and can be issued by the Minister of Agriculture alone depends on precedents. There should be an RDL authorizing the Minister to promulgate such decrees.

5. Whether it should refer to territories under AMG is a question of policy and not of law.

S.S. H

4604113 7le

MINISTER OF AGRICULTURE AND FORESTS

21A

BY VIRTUE OF R.D.L. No. 397 of May 10, 1943 regulating the harvest of the 1943 cereal crop and dry horse beans
 BY VIRTUE OF Ministerial Decree dated June 30, 1944 fixing prices for cereals and legumes subject to regulation
 BY VIRTUE OF Ministerial Decree dated May 2, 1944, regulating the harvest of the 1944 wheat and barley crop
 BY VIRTUE OF R.D.L. No. 146 of June 3, 1944 concerning the extension of farm leases expiring on or before December 31, 1944

IN CONSIDERATION OF the difference between the agricultural conditions prevailing in the newly liberated territories of Italy and those in the territory occupied before May 11, 1944, and in consideration of the burden imposed upon the tenants whose rent contracts call for payment in kind by the agricultural prices decreed in the Ministerial Decree of June 30, 1944

HEREBY DECREES

ART 1

Payments to be received by producers from organizations authorized to make purchases for the cereals and legumes listed in Article 3, hereunder, are to be composed of two parts, namely, (1) a price, uniform throughout Italy, and (2) a subsidy, which shall be varied from region to region to compensate farmers for their necessary expenses of production. These two elements added together shall constitute the base price to which or from which quality premiums or deductions shall be added or subtracted.

ART 2

In this decree the term "territory liberated prior to May 11, 1944" shall include such communes as were occupied by Allied troops, totally or in part, prior to that date, including those in the Anzio area. The term "middle Italy" shall include all those parts of Italy, excepting the Anzio area, north of the line of May 11, 1944 up to and including the provinces of Massa, Lucca, Pistoia, Firenze, Arezzo, and Pesaro, and shall also include islands dependent upon or adjacent to such territory if such islands were not liberated prior to May 11, 1944. The term "north Italy" shall include all parts of Italy not included in the terms "territory liberated prior to May 11, 1944" and "middle Italy."

ART 3

The following prices and subsidies are hereby established:

Price	Subsidy
	Territory liberated prior to May 11, 1944
	Middle Italy

ART 2

In this decree the term "territory liberated prior to May 11, 1944" shall include such communes as were occupied by Allied troops, totally or in part, prior to that date, including those in the Anzio area. The term "middle Italy" shall include all those parts of Italy, excepting the Anzio area, north of the line of May 11, 1944 up to and including the provinces of Massa, Lucca, Pistoia, Firenze, Arezzo, and Pesaro, and shall also include islands dependent upon or adjacent to such territory if such islands were not liberated prior to May 11, 1944. The term "north Italy" shall include all parts of Italy not included in the terms "territory liberated prior to May 11, 1944" and "middle Italy."

ART 3

The following prices and subsidies are hereby established:

	Price (lire per quintal) (3)	Subsidy Territory liberated prior to May 11, 1944 (lire per quintal) (4)	Middle Italy (lire per quintal) (5)
(1) Soft wheat			
Standard: 75 kilos per hectoliter;			
Allowance: 1% actual impurities	350	550	350
(2) Durum wheat			
Standard: 78 kilos per hectoliter;			
Allowance: 1% actual impurities			
and 25% (equalized) of whitened kernels	390	610	390
Common barley (Standard: 56 kilos per hectoliter;			
with hull Allowance: 2% extraneous matter	270	430	270
Nude Barley			
Standard: 70 kilos per hectoliter;			
Allowance: 1% extraneous matter	370	580	370
Oats	250	400	250
Rye	350	550	350
Corn	250	400	250
Horse Beans			
Standard: 16% moisture			
Standard: "messa fava" (common or	260	415	260
"di massa" (average) (horsebean)	490	760	490
Common variety	390	310	390
Beans	410	460	410
Chick peas	500	800	500
Peas			
(including field peas)			
Lentils			

ART 4

The subsidy for North Italy will be determined upon liberation of that area.

ART 5

All contracts between land owners on the one hand, and tenants on the other hand, calling for payment, in whole or in part, of rent in a specific amount of any of the crops listed above, with the exception of "mezzadria" and "compartecipazione" contracts, shall be fully and lawfully discharged upon the payment of the price of those crops, as listed in ART 3, column 3. It shall be the obligation of all tenants to deliver to the authorized collecting agencies for their own account all of the crops due as rent under the terms of their contracts wherever rent in kind is due in any of the crops listed in ART 3.

1525

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RLO REGION 2

COPY

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H. Q. A. C. C.
H. Q. A. C. C. 593

RESTRICTED
ROUTINE
LEGAL SUB-COMMISSION

JULY 16

LEGISLATIVE DECREE OF FOUR JULY INCREASING PENALTIES FOR AMMASSING
OFFENCES PAREN TO REGION TWO FOR RLO FROM HQ ACC FOR LEGAL PAREN WAS
GAZZETTED EIGHT JULY AND EFFECTIVE NINE JULY PD. ANSWERING YOUR TWO TWO
ZERO ONE SLANT SEVENTY A OF FOURTEEN JULY.

6

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ALLIED CONTROL COMMISSION

INCOMING MESSAGE

TO: DD CLO LEGAL SUB COMMISSION ACC ROMA

SIGNAL MESSAGE CENTER No:

FROM: BARI

CLASSIFICATION: NONE

REFERENCE No: NONE

PRECEDENCE: NONE

DATE AND TIME OF ORIGIN:

OFFICE OF ORIGIN:

STATO ROMA DA BARI 52200 25 14 1915

PLEASE CONFIRM BY WIRE THAT HD ON AMASSI WAS IN FACT SIGNED ON JULY 9TH

2201/70A - RIO REGION 2

ACC DIST

ACTION LEGAL SC (3)

INFO A/CC
CA BR
FILE (2)
FLOAT



LEGAL SUB-COM (3)

CLO

DDLO

Chief Counsel

ACC DIST

ACTION LEGAL SC (3)

INFO

A/CC

CA ER

FILE (2)

FLOAT



LEGAL SUB.COM	633
CLO	
Chief Counsel	
CJO	
Italian	action
CL RKS	

DATE and Time of RECEIPT

Distribution:

HEADQUARTERS
ALLIED CONTROL COMMISSION
A.P.O. 394
AGRICULTURE SUB-COMMISSION-LIAISON OFFICE
SALERNO

(17A)

June 14, 1944

SUBJECT: Drafts of Decrees.

TO: Legal Sub-Commission, A.C.C., Salerno

At the request of Col. W.A. Hartman of the Agriculture Sub-Commission, A.C.C., Naples, the following documents are enclosed:

- ✓ 1) Copy of Ministerial Decree re: control of cereals and leguminous seeds produced in 1944; this is in final form and was approved by Agri/Sub-Commission, Naples. English translation attached thereto. It is requested that, if at all possible, this decree be returned to this office today, for publication by the Ministry of Agriculture.
- ✓ 2) Copy of Royal Decree in final form (English translation attached thereto), re: regulation of threshing and shelling. Please return to this office as soon as possible.
- ✓ 3) Preliminary draft of Royal Decree concerning penalties for infractions of crop collection decree. (English translation attached thereto)

Kindly acknowledge receipt by initialling and returning the attached copy of this letter.

For Liaison Officer:

62

G. A. Wiley

3 Encls:

Telephone: Salerno 1879

HEADQUARTERS
ALLIED CONTROL COMMISSION
Agriculture Sub-Commission
APO 394

Agr/10020

JCS/12
13 June 1944

SUBJECT: Penalties for infractions of Crop Collection Decrees.

TO : Legal Sub-Commission.

1. Herewith the texts in English and Italian of a decree proposed by the Ministry of Agriculture to be initiated by the Ministry of Justice and Grace.

2. Before the recent dissolution of the Cabinet this matter was being worked on by the Ministry of Agriculture in conjunction with the Ministry of Justice and Grace and the drafts forwarded herewith were submitted to this Sub-Commission for approval as to general sense. They are hereby approved with the amendments as noted.

3. Considerable delay has been imposed by recent changes in the Government and is now understood in conversation with Lt. Col. Thackrah of your Sub-Commission that the Ministry of Justice and Grace has not approached your Sub-Commission on this subject.

4. In view of the urgency of obtaining suitable penalties for infractions of the crop collection Decrees which are even now occurring or being contemplated it is requested that you open this subject with the Ministry of Justice and Grace with a view of obtaining action at the earliest possible moment on an effective decree embodying the sense of the included texts.

W. A. HARTMAN
Lt. Colonel
Director

15 June/44

Dist:

Economic Section

This draft not passed by Legal.

Text and translation return. 61

Approved by/Coms. temporarily
unexamined. Request by Plumer.

Cey

Draft

HEADQUARTERS
ALLIED CONTROL COMMISSION
Agriculture Sub-Commission
APO 394

WAH/wht

ACR/32020

30 May 1944

SUBJECT: Peoples' Granary - Bulletin No. 2.

TO : All RC's for PC's, Agricultural Officers and Others.

A. GENERAL:

1. This second edition of Peoples' Granary Bulletin, contains an outline of an excellent program of action put into effect in Matera Province plus many other pertinent suggestions. It is hereby requested that each PC submit to this HQ office a copy of his overall action program. It is also suggested that each PC prepare a current outline of action and results and submit same at least every two weeks to respective RG's.

2. Attached as Appendix A is a copy of "The Matera plan", that is in itself more of a result than a plan. It is a draft of the arrangements made in Matera province for Maximizing the consignment of grain for the Granai del Popolo including a plan for control of wheat leakage and a propaganda program. This work was undertaken under the active supervision of the RC Region II with the collaboration of PC Matera, and the executive functions were coordinated under the chairmanship of Lt. Frank J. Verdirame (A). By 19 May, all Sindaci in the province had been given their final instructions, and had pledged their 100% support in administering the spirit and the letter of grain-collecting legislation.

3. Amendment:

Reference Bulletin No. 1, para. 1, last line should read D. Legal, E. Propaganda.
B. RETREAD:

4. The storage situation is still critical in many areas. The Ministry of Agriculture is issuing instructions placing personal responsibility on each Mayor to provide suitable, safe storage within the commune, for amounts of grain up to the local annual consumption. It is hoped that this step will help solve the problem, without interfering with the Consorzio's primary responsibility for collecting the grain (see also para 2).

5. Overcoming critical shortage of parts and repairs for agriculture power plants, implements, and transportation, will require the greatest ingenuity on the part of Allied and Italian personnel. Constant touch should be kept with military salvage dumps, and military and civilian workshops, in order to enlist their maximum assistance.

6. More sacks must be found quickly if the collection of grain is not to be delayed. We appeal again for help in disclosing hidden supplies of Italian sacks. In any event, the provision of additional sacks will have to be supplemented by imposing stiff fines on farmers who retain sacks beyond a stated time limit and by keeping up a quick turn-round of sacks between farm and warehouse.

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3. Amendment:

Reference Bulletin No. 1, para. 1, last line should read D. Legal, E. Propaganda.
3. REMOVED:

4. The storage situation is still critical in many areas. The Ministry of Agriculture is issuing instructions placing personal responsibility on each Mayor to provide suitable, safe storage within the commune, for amounts of grain up to the local annual consumption. It is hoped that this step will help solve the problem, without interfering with the Consorzio's primary responsibility for collecting the grain (see also para 25).

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7. Allied Officers must keep constantly under review the P.O.L. situation with relation to farming, threshing and agriculture transport requirements. Should supplementary allotments be required, they must be demanded at the earliest possible moment, giving full justification, in order to facilitate release in time to be effective. In the past supplementary demands have been received by Pet. Sec. within the last few days of the month, for quantities which could obviously not be used during the remainder of the month, and without any justification. Allotments on a three monthly basis are being considered with a view to obtaining greater flexibility of delivery during the harvest season.

8. Early information is required in this Sub-Commission of any agriculture labor surpluses which are likely to arise in any locality, stating (a) Numbers (b) class of laborer (c) whether available for further employment nearby or at a distance (d) date available and how long. It is hoped that these can be balanced against shortages as they occur.

9. A new simplified wheat and barley grading table has been drawn up, and will be distributed through Consorzio channels as soon as possible. Information copies will go to Regions and Provinces. Similar tables are being compiled for other crops.

10. Instructions on business procedure and duties of Communal Committees have been issued in two Ministerial directives, translations of which appear at Appendices B and C.

11. Technical and Operating Directives for the Consorzi Agrari are being issued by temporary National Consorzi headquarters. These are approved by the Agriculture Sub-Commission and the Ministry of Agriculture and relevant portions will be released in English from time to time, in order to facilitate control.

12. A workable system of priority credits (Bulletin No. 1, para. 7) is still under consideration. It has been proposed that since most commodities of interest to the farmer are in short supply, the premiums should be in the form of services furnished by the Italian Government. Practical suggestions along this line will be heartily welcomed.

C. CONCLUSIONS:

13. Steps are being taken to have a communication issued forbidding the dismissal of Consorzi officials, except after investigation through Consorzi channels, and with the approval of this Sub-Commission and the Ministry. These individuals are employees of a semi-private firm rather than of the government, and the above will not preclude taking immediate civil or criminal action against them in appropriate cases.

14. The Public Safety Sub-Commission considers impracticable the suggestion put forth in Bulletin No. 1 para 19 for changing over CC RR MCC's. It is hoped that in some quarters however, this end may be accomplished by the normal rotation of CC RR personnel.

15. Digging of potatoes before 15 June has been forbidden by a Ministerial Directive. This instruction should be supported as vigorously as possible in order to make the most of an already heavy crop.

16. Plans should be made now to store and distribute the potato crop within each province and to notify expected surpluses early so that broader planning for distribution may be effective.

17. All grain due as rental in kind, under any type of contract recorded in each Comune will be delivered direct to the Consorzio Agrario, which will credit the recipient of the rental with the full-legal price of the grain. This has the effect of making such deliveries subject to accurate check, and the Ministry has issued instructions accordingly.

18. There seems to be some misunderstanding on the part of certain sections of the Italian rural population as to the real function of the Denuncia and Accertamento forms. It must be stressed again and again that they are a form of statistical record, and not a legal release for grain products produced in excess of the yields estimated in the Accertamento.

19. It should be noted that Communal Committees have been directed by the Ministry to adjudicate cases in small Communes, of doctors, lawyers, and other professional and to supervise the operations of their own forms in the immediate

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19. It should be noted that Communal Committees have been directed by the Ministry to adjudicate cases in small Communes, of doctors, lawyers, and other professional and business men who actively supervise the operations of their own farms in the immediate neighborhood, as managerial or administrative personnel, provided that, in the considered opinion of the Committee their professional duties do not prejudice the efficient supervision of their farms.

20. Output report forms for power and hand threshing outfits are being prepared for distribution through Ispettorato channels, with information copies to all concerned.

21. Prices of cereals other than wheat, and legumes, are being worked out, and those of all grains subject to price control. They will be published shortly.

D. LEGAL

22. A Ministerial Decree has been drafted and will be issued within the next few days, blocking at the farm for sale only through licensed channels, at controlled prices, certain cereals and legumes, viz., maize, oats, rye, rice, horse beans, and dried lentils, chick peas, chickling vetches, peas, and beans.

23. Another Ministerial Decree is being drafted controlling the activities of power and hand threshers through the Ispettorato channels. A comprehensive Ministerial directive has been issued on this subject, and a translation is appended at "D".

- 3 -

24. A third Ministerial Decree is in the process of preparation, freezing farm rental, and share tenant agreements of all types and extending contracts until the end of the state of war in Italy. This measure is preparatory to an review of the whole question of rentals and contracts in the light of increased cost of living.

E PROPOGANDA:

25. A good talking point in favor of the visible, tangible Granai del Popolo is the retention in the Commune under Communal control, of all locally produced wheat and barley up to the limit of annual requirements. Care must be taken not to put too narrow an interpretation on "in the Commune" or good nearby storage space may be neglected.

26. The official wage scale for harvest labor was set at 65 lire on an eight hour day basis, plus 12 lire an hour overtime in order to prevent undue competition with essential military labor. Some apprehension appears to exist in certain quarters with regard to the use of the eight hour day basis. It is suggested that the normal 12 hour agricultural day should be the basis of presentation of the wage scale in order to relieve the anxiety of the workers.

27. Representations have been made to the Ministry by landowners who are unable to claim grain retentions under the new Decrees, protesting against this apparent discrimination. This class of people must be made to realize their role in the leadership of the rehabilitated Italy, and to set an example of self denial which will help to tide their country over a real crisis without prejudice to a single life by starvation or malnutrition.

28. Phase II of the P.W.B. propaganda program is getting under way with the release of another coloured poster, and more to follow. A photo series of the harvest is to be used for distribution locally and in Allied Countries. The script for a movie trailer is nearing completion, and will soon be produced by a commercial news-reel company.

29. What suggestions have you to offer?

W. A. HARTMAN
Lt. Colonel
Director

DISTRIBUTION:

14 - Region I
11 - Region II
9 - Region III
6 - Region IV

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8 - Region VI
8 - Region VII
3 - AMG 5th Army
3 - AMG 8th Army
2 - PWB
2 - Pub. Rel. Branch
1 - Economic Section
1 - Food Sub-Commission
1 - Labor Sub-Commission
1 - Industry & Commerce
1 - Minister of Agriculture
5 - AGC Agriculture Liaison Office, Salerno
1 - Fed. Consorzi Agrari, MT: Captain Merritt.
20 - File

APPENDIX "A".

I GRANAI DEL POPOLO

(The Matera Plan)

The Matera Plan has been built, step by step, for the sole purpose of securing the maximum collection of grain from this year's harvest.

In the doing of the necessary preliminary made work to accomplish this purpose and by thoroughly arousing and enthusing Italian officials, the Matera Plan began to operate

To describe the plan, then, is largely to recite the following actions taken well in advance of the harvesting of the crop.

TRANSPORTATION

1. Central Transportation Committee organized for the province.
2. All vehicles put under its control with prescribed work tickets, etc. for each load.
3. Fifteen new 3 ton Army trucks initially secured and arrangements made for SITA to operate and service them.
4. Ten additional 3 ton Army trucks loaned to meet pressing needs of grain drive.
5. SITA officials and mechanics instructed on required maintenance, inspection and operation of these trucks.
6. For use of grain drive officials, ten civilian cars requisitioned and reconditioned.
7. Chauffeurs secured for these vehicles with provision for servicing, maintenance and pooling.

WAREHOUSING

CENSORE

8.

9. Suitable office facilities obtained for staff of Consorzio Agrario for proper functioning (military requisitioning had created this problem.)

10. Analysis of warehouse capacity in province.
11. Surplus warehouse stocks to other provinces to clear warehouses for new grain crop.
12. Initiation of repairs necessary in warehouses, particularly large capacity warehouse at Metaponto.
13. Arrangements for each commune to store and be responsible for its yearly needs grain.

COMMUNICATIONS

14. Installation of telephones, etc. services required by grain drive officials to maintain constant contact with Commune officials.

7. Chauffeurs secured for pooling.

WAREHOUSING

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COMMUNICATIONS

14. Installation of telephones, etc. services required by grain drive officials to maintain constant contact with Commune officials.

ROADS AND BRIDGES

15. Completion of repairs prior to start of harvesting.

VEHICLES

16. Request for cars so that some grain can be moved directly from threshers to R.R. cars to destination outside province.

GRAIN PRODUCERS

17. Selection of four distribution points in province for storage of fuel and lubricants for agriculturists.
18. Transportation of fuel and lubricants to distribution points in advance of harvesting.
19. Procurement of binder twine for harvesting.
20. Acquisition for belting.
21. Acquisition for repair parts of agricultural machinery.
22. Removal of bombing targets for harvesting areas.
23. Removal of unexploded bombs from fields.
24. Special meeting 17 May with larger growers to discuss program and insurance cooperation.

Look up out.

WORKERS

25. Examination of workers wage question.
26. Arrangements with labor to insure arrival of 12,000 harvest workers indispensable for province.
27. Constant effort to obtain cooperation of all unions and their leaders.
28. Constant effort to obtain cooperation of all unions and their leaders.
29. Constant effort to obtain cooperation of all unions and their leaders.
30. Drawing supplies of grain from communes and preparing in advance supply of pasta for harvest workers.
31. Procurement of wine for harvest workers.
32. Procurement of increased rations for harvest workers.
33. Procurement of shoes for agricultural workers.
34. Requisition for shoes for agricultural workers.
35. Requisition for shoes for agricultural workers.
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45. Requisition for shoes for agricultural workers.

ENFORCEMENT (Legal)

36. Preparation by Procuratore del Re in consultation with senior jurists of amendments to insure swift legal action against violators on the spot within 5 days.
37. Minister of Justice and Grace asked to make changes in law No 245 dated April 22, 1943 to provide:
 - a. A summary method for trying cases called "Per Direttissima" in cases of failure to deliver to granaries.
 - b. Jurisdiction to use the "Per Direttissima" by the Pretore (lower courts) in addition to higher courts.

ENFORCEMENT (Police)

38. Practical plans from Carabinieri for control.
39. Practical plans from Finance Guards for control.
40. Practical plans from Questura for control.
41. Practical plans from Railroad Guards for control.
42. Practical plans from Mobile Police duties.
43. Increase of Finance Guards by four specially qualified men.
44. Requisition for CCHR of two civilian cars for mobile police duties.
45. Recommendation by Prefect to Ministry to change all CCHR at headquarters and communes indiscriminately.
46. New Ordinances by Prefect:
 - a. Delivery of harvested grain within ten days.
 - b. To pay in kind when so obligated by contract.
47. Arrangement through Provincial Committee to facilitate check ups, etc.
48. Arrangement through Provincial Committee to facilitate check ups, etc.
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- b. Jurisdiction to use the "Per Drettissima" by the Pretore (lower courts) in addition to higher courts.

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43. Requisition for CCR of two civilian cars for mobile police duties.
44. Recommendation by Prefect to Ministry to change all CCR at headquarters and communes indiscriminately.
45. New Ordinances by Prefect:
 - a. Delivery of harvested grain within ten days.
 - b. To pay in kind when so obligated by contract.
46. Arrangement through Provincial Committee to compel "retentions" to be stored in specific locations made known to Communal Committee to facilitate check ups, etc.
47. Investigation of thresher and miller for control purposes, records, licenses, methods of production, etc.
48. Arrangements for MP protection on railways from Potenza to Bari and Taranto.
49. Master plan of control by ACC Public Safety Officer.

ORGANIZATION OF CAMPAIGN

50. Translation and explanation of Decree of Agriculture Minister prior to notification from their own sources in order to start immediately in campaign.
51. Organization of UFSEA office.
 - a. Office facilities
 - b. Personnel (meticulously selected).
 - c. Instructions.
 - d. Materials. (Denuncias etc.).
52. Selection of UFSEA specialists for communes.
53. Prefectural announcement to all Mayors of organization of UFSEA.
54. Organization of Provincial Committee.
 - a. First meeting, 15 May.
55. Selection and approval of 32 Communal Committees.
56. Specific instructions prepared for UFSEA men in communes.
57. Meeting in Matera on May 18 of all Mayors, warehousemen, technicians and UFSEA representatives to discuss campaign and to receive:
 - a. Denunzia Aziendale (50,000).
 - b. Special violat' notices (asking public to report violations to ACC).
 - c. Instructions concerning violations for workers.

List of speakers:

- 1st Lt. Frank J. Verdirame, Asst't P.C. - Coordinating chairman.
 Tamburro Dott. Guido Prefect, - General exhortation and welcome.
 Ia Bella Sig. Mattea, - Detailed examination of grain campaign.
 Casbarri Sig. Alfredo, - Instructions to statistical members of Communes.
 Galitelli Sig. Domenico, Instructions to warehousemen for Consorzio.
 Salomone Sig. Luigi, - Major's viewpoint in checking black market.
 Major J. S. Iansill, P.C., - Call to arms.
 58. Division of Province into 5 zones. Meetings arranged to which Communal Committees, officials and farmers will be invited for instruction and enthusiasm.
 a. Meeting at Montalbano of following Communal Committees, farmers and public:
 Nova Siri, Tursi, Colobraro, Carco, Bernalda, Pisticci, Rotondella, Valsinni, S. Giorgio.
 May 25.
 b. Meeting at Grassano of following Communal Committees, farmers, public:
 Caraguso, Oliveto, Calcianno, Tricarico, Grottole, Irsina, Salandra. - May 27.
 c. Meeting at Ferrandina of following Communal Committees, farmers, public:
 Miglionico, Pomarico. - May 31.
 d. Meeting at Genzano of following Communal Committees, farmers, public:
 Banzi, Palazzo - June 7.
 e. Meeting at Stigliano of following Communal Committees, farmers public:
 S. Mauro Forte, Accettura, Gorgoglione, Aliano, Cirigliano.
 59. Financing of UPSEA rather than wait for Ministerial delay (200,000 lire loan from Bank of Naples).
 60. Preparation by Provincial Inspector of simplified computation table for use by UPSEA and Communal Committees.
 61. Distribution of printed directives from Minister of Agriculture, to Committees and UPSEA staff.
 62. Arrangement with FVB for publicity.

PLAN OF CONTROL (Preliminary Draft)

Possible Leakage of Grain

1. BEFORE THRESHING

- a. Grain cut green and removed - slight chance, easily detected.
- b. Cut after cured and threshed elsewhere - easily detected by police patrols.

2. AT THRESHING TIME (Greatest danger of loss here).

- a. Machines fixed to permit grain to pass off into straw. Later gleaned from straw. Check straw for wheat.
- b. Dishonest records on amount of daily output by threshing machine. Check the records kept by the owner of machine and operator of machine. Use flying squads of Finance Guards, Questore, and ACC officers. Just the idea that the Allies are making checks has a great moral effect.

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3. AFTER THRESHING AND BEFORE TURNING INTO GRAINERY

- a. Hidden on farm. This possible only if leakage at threshing machine. Hidden in walls, wells, barrels, haystacks, buried.
- b. Payment of rent, kept for family use, seed, etc. People keep grain on farm and in town, declaration of where grain stored, all other grain found confiscate without payment. Room for error in the estimation of how much grain is in a storeroom.

4. WHEN TURNED INTO CONSORZIO

- a. Dishonest records kept. Wrong weight, poor quality, full price not paid, etc. Consorzio warehousemen have been cleaned out and reorganized.

5. AFTER PUT IN GRAINERY

- a. Theft by outsider. Use good warehouse or provide guard.
- b. Illegal distribution. Detected from records kept.

and Communal Committees.
61. Distribution of printed directives from Minister of Agriculture, to Committees and staff.
62. Arrangement with FWB for publicity.

6. DURING EXPORTATION

- a. Theft from train. Use of military guard on all freight trains.
- b. Theft from truck. Make driver personally responsible. Use guard.

7. AFTER HARVEST AND COLLECTION IS COMPLETE

- a. Use of both ration cards and grinding permit. Check Municipal records and spot check mills for people with grinding permits.
- b. Extra ration cards in families. Check Municipal records against number in family.
- c. Dishonest millers. Return only 60 kg of flour for 100 kg which was brought for grinding. Police Check.
- d. Dishonest bakers. Poor quality of bread, use hulls and all in baking bread. Check samples of bread.

8. TRANSPORTED FROM PROVINCE IF LEAKAGE AT THRESHING POINTS

- a. Truck, boat, carts, mule pack, persons, WD transport, SITA drivers. Use of road blocks and police at railway stations. 24 hour duty on work.

9. DETECTION (have list of all threshing machines in province.)

- a. Use of flying squads of Finance Guards to check machines during harvest.
- b. Use of CC.PP. on road blocks, patrol, checking machines, searching farm houses and other places of hiding. Checking houses in town for unauthorized stores of grain.
- c. Use of Questura agents as flying squads to check threshing machines and also as a check on the other police agencies.

10. COURT ACTION

- a. All violators given speedy trial, severe penalties, sent to unknown prisons. Bit corrupt police hard. Use air of mystery about fate of prisoners. Confiscate grain, machinery and transport of violators.

PUBLICITY GRAIN COLLECTING CAMPAIGN

1. During the next few days we are posting throughout the Province, one of the three notices - G.D.P. This preliminary notice is planned to create curiosity and interest.
 2. A few days later, the notice "Garanzia del Pane" will be posted.
 3. A few days later, the third notice will be posted - Granai del Popolo.
- We may follow this later with others incorporating the three initials such as:

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4. We may follow this later with others incorporating the three initials such as:
Gara di Produzione (Competition for the Production).
Godimento della Produzione (Satisfaction of the Production).
Grandezza del Popolo (Greatness of a Country).
5. The Provveditore agli Studi will cooperate in getting school children interested in devising other combinations.

APPENDIX B

WORKING PROCEDURE FOR COMMUNAL COMMITTEES

1. The membership for Communal Committees for Agriculture is as follows;

1. The Mayor President
- II. A representative of the Clergy - Effective Member
- III. A local farmer representing large farms - Effective Member
- IV. A local farmer representing small farms - " "
- V-VI. Two representatives of the Agricultural Laborers, " "
- VII. An officer of the U.P.S.E.A. " Member with functions of Secretary.
- VIII. Local Carabinieri Commander - Associate member without vote.

2. The Committee will normally meet weekly at a time and day posted in plain view on the Communal notice board. It will also meet as required at the call of the President. During the harvest period it will meet each evening.

Five voting members form a quorum, but of these two at least must be representatives of categories IV to VI inclusive.

Decisions of the Committee shall be made by majority vote, the vote of the President prevailing in case of a tie.

The local Commander of CC RR will attend all meetings, as an associate member, without the privilege of voting.

The UPSEA official will perform the duties of secretary of the Committee. He will keep the members of the Committee informed of any instructions from Central and Provincial Government offices, which might in any way interest the Committee or affect its activities. He has an effective vote except when the Committee arbitrating between producers and UPSEA, on matters of crops census and regulation of harvesting and collecting grain.

The Mayor as President normally must attend all meetings and direct the work of the Committee; only in exceptional cases may he delegate his duties to a member of the Committee, who will discharge the duties for one meeting only.

The Commander of the local Carabinieri and the representative of the clergy, may in case they are unable to attend at a sitting, be deputized by reliable persons of their respective calling, to be designated by the President as occasion requires.

The Committee members representing agriculturists and farm laborers cannot be deputized.

The Mayor may recommend to the Provincial Committee the replacement of any of the members of this Committee in cases of their continued absence from working sessions. Replacement will be recommended for any case in which a member is absent from three consecutive meetings without reasonable excuse.

In each case of replacement two alternative nominations must be submitted to the Provincial Committee, through the C.C. RR and the Prefect.

4. The President of the Communal Committee in consultation with the other members may invite individuals with specialist qualifications to attend meetings in an

member, without the presence of the Secretary of the Committee. The UPSEA official will perform the duties of Secretary of the Committee. He will keep the members of the Committee informed of any instructions from Central and provincial government offices, which might in any way interest the Committee or affect its activities. He has an effective vote except when the Committee is arbitrating between producers and UPSEA, on matters of crops census and regulation of harvesting and collecting grain.

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In each case of replacement two alternative nominations must be submitted to the Provincial Committee, through the C.C. RR and the Prefect.

4. The President of the Communal Committee in consultation with the other members may invite individuals with specialist qualifications to attend meetings in an advisory capacity, when their specialist subjects are under discussion. Participation by such persons in the business of the meeting is limited to the special subjects on which they are being consulted.

The Chief of the Provincial Inspectorate of Agriculture may send an official representative to the meetings of the Committee at any time he considers it desirable. The superior authorities of officials of church and state who are members of the Committee, and members of the Provincial Committee may attend as observers and advisors at the meetings of the Communal Committee.

The Secretary of the Committee will keep the minutes of each meeting. These will record all discussions and will be read and approved at the next meeting of the Committee.

The Committee may, in consideration of the importance of certain discussions forward the minutes of one or more relevant meetings to the Provincial Committee for examination and consideration.

The Provincial Committee is charged with the control of the Communal Committees of the Province, and vested with the authority to take all necessary steps to ensure the efficient operation of the latter.

APPENDIX "C"

TASKS OF COMMUNAL COMMITTEES FOR AGRICULTURE

1. HOW TO DEAL WITH APPLICATIONS TO RETAIN WHEAT AND BARLEY, AS PER NOTES ON BACK TO THE DENUNCIA FORM. On the back of form IC the person making the declaration shall note (above the information referring to the composition of the family), the place where he intends to store his legal retentions.
2. On receiving the "Denunzia Aziendale" by the farmers the UPSEA official, who in every Comune belongs to the Communal Committee for Agriculture, shall require people concerned to write on the back of the form the list of people entitled to retention shares.
3. Very full name must be followed by the qualification, and married women or widows are to be recorded under their husband's name followed by maiden name in parenthesis.
4. Article 3 of M.D. of May 2, 1944, which describes categories of people entitled to retention rates, lays down among other things under (a) that non-manual operators who personally and continuously attend to management of their farms to the exclusion of any other activity, are entitled to such retentions. This provision must be interpreted as excluding from the right to retentions, owners well known to be absent from the management of their farms, but not those living in the neighborhood of the farms and who are still able to perform some other job without prejudice to the management of the farm itself, to which they devote part time each day.
5. At every meeting of the Communal Committee the representative of the UPSEA will bring the lists he has received and the names will be discussed by the committee in order to examine whether from their local knowledge the names belong to people included in the prescribed categories.
6. In this way at every meeting there will be compiled an alphabetical list of people whom the Committee considers entitled to retentions of wheat and barley, and beside each name there will be mentioned the qualification of the person and the quantity of cereal allotted. A copy of this list will be posted on the Communal notice board so that all the citizens may criticize and advise the Committee of any mistake.
7. After finishing the examination of all "Denunzia Aziendale", of farmers and of the lists thereof, the representative of UPSEA shall compile from the partial lists a general alphabetical list of people entitled to retention shares as approved by the Committee, and a copy of this list shall be posted on the Communal notice board. Another copy, signed by the Mayor on every page, shall be used for releasing milling cards Bollette di Macinagine, which, this year shall bear on their first page the list of people to whom the card refers. When releasing milling cards, there shall be a controlling entry on the official copy signed by the Mayor at every page, certifying that all the names involved on the milling cards appear on the approved list and nothing on the official copy, beside each name, the number of the milling card in which the name is included.

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8. Thus it will be easy to check each name shown on the official list for the number of the milling card on which it appears. The official compiling the card must sign it is liable for controlling the names, in order to prevent the name of one person appearing on more than one milling card.
Ratifying the census figures of cereals to be delivered to the Granai del Popolo as they have been agreed between the local representative of UPSEA and the producer.
9. Every form IC, referring to the census of wheat and barley produced on the season 1944, must be submitted for the approval of the Communal Committee. On the back of form IC, the person making the declaration shall note (above the information referring to the composition of the family) the place where he intends to store his legal retention.
10. The Communal Committee, which is in a position to have accurate information of the individual operators and local agricultural affairs, must then determine whether the figures are correct. If it does not think so, it shall require the representative of the UPSEA to revise the figures, and eventually shall arbitrate them finally.
Arbitrating cases where people concerned do not agree with quantities of cereals to be delivered to Granai del Popolo, as figured by the representative of the UPSEA.
11. This is an extremely delicate function confided by the Italian people to the honesty and justice of the members of the Communal Committee.

- 2 -

12. On the grounds of its own personal technical experience of figures of local production and of its knowledge of matters of fact, the committee shall be able, admitting to the discussion the people concerned, to give an arbitrated and final judgement which as the expression of a popular judgement, the person concerned will be bound to obey.
Controlling the Threshing:
13. This is the subject of a separate directive.
Controlling the Whole system of delivering cereals to Granai del Popolo and denouncing to the Prefect any irregularity.
14. The Committee, at every weekly meeting, shall estimate the average hectare yield of the harvest in accordance with the development of the crop and shall record the situation in the minutes.
15. The Communal Committee, after completing the operations necessary for the delivery of the fixed quotas, shall ascertain the average production per hectare of the communal area. Then they will make a list of the producers of cereals subject to compulsory delivery, assigning to each of them a point for every quintal of wheat or barley produced. The amount of these points will be added to another point per every quintal produced per hectare above the communal average and diminished by another point for every one produced under the average. The total will be divided by the number of hectares planted in wheat or barley and the result recorded on the milling card and Denuncia form.
16. The total of the production points will be noted by the Communal office releasing the milling card, in the space provided on the card below of the instructions.
17. These production points shall be used as a basis for the future allowance of fertilizers and other agricultural supplies according to provisions to be notified later.
Directing farmers to declare area they intend to seed with cereals and legumes for grain in the next grain season.
18. The Communal Committee shall obtain from the Provincial Committee, the date referring to the quantity of supplies allowed to the Commune and shall compile an allotment list for the farmers of the Commune and send this list to the appropriate Consorzio Agrari. This will ensure a national allotment distribution controlled by the farmers themselves.

APPENDIX "D"

(Translation)

MINISTRY OF AGRICULTURE AND FORESTRY

SAINT-LOUIS 17 MAY 1944

SUBJECT: Provisions for the Regulation of the Carrying on and the Encouragement of Threshing and Shelling by Machine and Other Means and Systems: of Cereals and Legumes - Crop 1944.

By a Decree in course of publication there shall be abrogated R.L.D. 23 April 1942 No. 433.

Therefore, there are abolished the Provincial and Interprovincial Obligatory Consorzi of threshers and machine shellers on account of third persons, as well as the relative national Federation.

Hence there is abolished also the contribution mentioned in art. 4 of the R.L.D. 23 April 1942 No. 433.

On the basis of the provisions contained in the forthcoming decree which will regulate the conduct of threshing and shelling for the current harvest, the following interim instructions are issued.

1. Any person wishing to carry on threshing and shelling of cereals and legumes by power-operated machines must provide himself with license, to be issued by the Provincial Inspectorate of Agriculture.

The license is type A, for threshing and shelling only on the lands conducted by the licensee or licensee's and type B for threshing and shelling on account of third parties or his or their account and of third parties.

The associations and societies however constituted among the farmers for the purpose of supervising the threshing and shelling on lands conducted by them or by their members must provide themselves with licenses type A. If they wish to carry on such operations on account of third parties also they must provide themselves with the licenses type B.

No license shall be issued other than in exceptional cases for the operation of threshing and shelling machines not supplied with proper fire extinguishers or not having the necessary technical supervision and efficiency.

2. Licenses are issued, beginning from the 1st May of every year and within a month from the presentation of the application therefore on authority of the Provincial Inspector of Agriculture, on recommendation of the Provincial Committee of Agriculture and the Chief of the Inspectorate of Industry and Labor (ex "Ispektorato Corporativo").

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Licenses issued last year may be extended for the current season, provided that they be furnished with a new visa from the Agrarian Inspectorate and that the state tax mentioned in the following para. 5 has been paid for both the past and current years.

3. The license is valid only for the machine or machines, for the kind or the kinds of product, for the current year, and within the limits of the province for which it has been issued, or re-issued.

The Operators of machines who wish to use them in other provinces must submit the licenses for authorization visas of the Provincial Inspectorate of Agriculture competent for territories concerned.

4. The Committee mentioned in para. 2 shall also rule upon:

- a. The maximum number of machines required within the limits of the provincial territory, for threshing on account of third parties according to the exigencies of production.
- b. The technical supervision and efficiency of the machines destined for threshing and shelling of cereals and legumes.

6. On the possibility of procuring a distribution plan for the use of threshing machines within the province.

7. Expenses relative to certifying technical efficiency will be defrayed by payment to the Public Treasury of state tax of 200 lire for each type of threshing and shelling machine whatever the size of the cylinder.

On presenting his application the applicant must prove to have already made the above mentioned payments.

8. On recommendation of the Provincial Committee of Agriculture, the Agrarian Inspector of Agriculture may revoke licenses at any time if the technical efficiency of machines, or the personnel in charge are questioned, or they lack fire-extinguishers, or if the licensee does not observe, in threshing operations the provisions of the above mentioned decree or does not observe the threshing rates fixed by the Ministry of Industry, Commerce, and Labor, or by the correspondence provincial authorities.

The detection of non-conformity to the rates is entrusted to the Labor Inspectorate competent for the territory.

9. Herewith are average rates of threshing by power operated machines fuel supplied at the expense of the thrasher, agreed as basic prices by the competent Ministries and which will serve for fixing, by the Provincial Committees of Agriculture, the rates in each province for the coming grain crop:

(1) Threshing in lots up to 50 qtls. of grain, 50 lire for each qtl. threshed.
(2) in lots from 50 qtls. up to 100 qtls. of grain, 45 lire for each qtl. threshed.

(3) in lots over 100 qtls. of grain, 35 lire for each qtl. threshed.
10. Above rates apply to grain threshing by machines operated by petrol motors, 11.0
11. In cases where the thrasher also carries out cutting and mechanical processing of straw, the charge will be 12 lire for each qtl. of pressed or cut straw, exclusive of the price of binding wire in the case of pressing.

12. The thrasher must furnish at his own expense during the threshing operations at least three qualified workers for the operating of the threshing machine and for the feeding the sheaves.

13. All other workers will be paid by the producer.
14. The Provincial Committees will note that the above mentioned average threshing rates refer to normal threshing machines, with 120 cm cylinders, powered by naptha or kerosene or gasolene.

15. In cases of threshing machines are powered by other means (coal, straw exhausted olive husks, etc.) or in case products other than wheat to be threshed, the rates will be scaled by the Provincial Committee, in conjunction with the Chiefs of the Industry and Labor Inspectorates according to the prices of the fuels used, the type of work required and the zone in which operated.

16. a. The licensee of each operating threshing machine must make a quadruplicate receipt book supplied, on payment, by the Provincial Inspectorate of Agriculture, for each weighing.

- (2) in lots from 50 qtl. up to 100 qtl.
- (3) in lots over 100 qtl. of grain 55 lire for each qtl. threshed.
- (4) Above rates apply to grain threshing by machines operated by petrol motors.
- (5) In cases where the thresher also carries out cutting and mechanical pressing of straw, the charge will be 12 lire for each qtl. of pressed or cut straw, exclusive of the price of binding wire in the case of pressing.
- (6) The thresher must furnish at his own expense during the threshing operations at least three qualified workers for the operating of the threshing machine and for the feeding the sheaves.
- (7) All other workers will be paid by the producer:
- (8) The Provincial Committees will note that the above mentioned average threshing rates refer to normal threshing machines, with 120 cm cylinders, powered by naphtha or kerosene or gasoline.
- (9) In cases of threshing machines are powered by other means (coal, straw, exhausted olive husk, etc.) or in case products other than wheat to be threshed, the rates will be decided by the Provincial Committee, in conjunction with the Chiefs of the Industry and Labor Inspectorates according to the prices of the fuels used, the type of work required and the zone in which operated.
7. a. The license of each operating threshing machine must have a quadruplicate receipt book supplied, on payment, by the Provincial Inspectorate of Agriculture for recording the data and certificate indicated hereafter. As soon as each weighing operation is completed the data of the single weighings will be copied in pen or copying pencil, on the original of the above mentioned receipt book, and 3 carbon copies maintained.
- b. This receipt book shall similar to that utilized last season by the General Statistical Institute for the obligation of statement of cereals and legumes in order to utilize all remaining receipt books on hand. The Provincial Inspectorate will provide by him on the three carbon copies receipt name of his land and the percentage of sowed ground from which the product came.
- (1) duplicate receipt book, within a week from the end of the threshing operation to the Town-Hall of the production commune, which after extracting the data which may interest the Food Office - will forward it to the Central Statistical Office for the Ministry of Industry, Commerce and Labor;
- (2) quadruplicate receipt to the communal office in whose territory the product has been grown.
- (3) The licensee will send the quadruplicate to the appropriate Provincial Inspectorate.
- In this receipt will appear the amount threshed, the identity of the producer of the land from which the grain came and the commune in which the land is located.

e. The quadruplicates will be sent daily to UPSEA as above mentioned for lots which can be threshed in one day and immediately on completion of the threshing of lots which need more than one working day.

Within a week from the day of the last threshing the receipt books, even if utilized only in part, must be sent back to the Provincial Inspectorate of Agriculture which issued them.

8. a. All those who carry on the threshing and shelling by means and systems other than mechanical power are obliged to state previously to the Provincial Inspectorate of Agriculture through Communal office of the UPSEA, the day on which such operations will start, and to ask for the appropriate authorization in order that the Communal office may grant them a permit to transport grains from the threshing floors, at least 5 days before use for a permit for each threshing machine and for each threshing floor. Original applications will be sent to the Communal office of the UPSEA which will forward a copy to the Provincial Inspectorate of Agriculture.

c. The application will be made on plain paper, and will contain the following information:

- (1) the date of beginning threshing or shelling of the grain.
- (2) daily average amount of grain which can be threshed;
- (3) number of estimated working days of hand threshing machines and threshing

floors.

(4) whether the threshing machines or floors are utilized on account of his own farm or for third parties or for both.

(In the latter cases, the application must contain the working itinerary of the hand threshing machine, and the names of the producers who will utilize the hand threshing machine or the threshing floor.)

(5) The exact locations of the private hand threshing machines and of the communal and private threshing floors to be used.

d. Communal floors employing treading, beating or flailing methods are those floors to which are brought the cereals of more than one producer.

e. Private floors are those to which are brought the cereals of a single producer.

f. When threshing is over either the licensed owner or operator of the threshing machine, or the licensed owner or operator of the threshing floor, will certify on the proper form to the Communal office of UPSEA the amount of the threshed product.

9. For control of the threshing operations and for checking of the certified amounts of grain and the average seeded the Provincial Inspector of Agriculture, may avail himself of the services of UPSEA and request the assistance of the agents of the judiciary police (Bureau of the Civil Police).

10. Infractions of the above provisions and those which will in future be issued by the Ministry are punishable by the terms of P.D.L. 22 April 1943 No. 245 and by revocation of the threshing or shelling license. A recommendation of the Provincial Inspectorate of Agriculture.

He has all the addressees to notify as widely as possible these provisions.

(In the latter cases, the application must contain the working itinerary of the hand threshing machine, and the names of the producers who will utilize the hand threshing machine or the threshing floor.)

(5) The exact locations of the private hand threshing machines and of the communal and private threshing floors to be used.

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e. Private floors are those to which are brought the cereals of a single producer.

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We beg all the addressees to notify as widely as possible these provisions, informing all their subordinate offices.

We will be glad to receive your kind answer.

THE MINISTER

Gulic

Signed,

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Plum Thachanh
High in App B
Green Island

2 April 1944

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TRANQUANTIS
Agriculture Sub-Commission
A.F.O. 594

ITALIAN AGRICULTURAL ORGANIZATIONS INCLUDING WHEAT AND
RUELY MISSING PROGRAM AND DEERET AS AGREED UPON BY
RVA/ACC/AGRIC/SUB COMMISSION AND ITALIAN MINISTRY OF
AGRICULTURE.

(in accordance with agreement in EC Conference April
1944 these documents outline first priority program
of work for allied AGG-AMM Officers)

MINISTRY OF AGRICULTURE AND FORESTS

Salerno, 28 April 1944

TO: Their Excellencies the Prefects,
Departmental Agricultural Inspectors,
Provincial Agricultural Inspectors
National Association of Economic Bodies of Agriculture

Copy to:

His Excellency the High Commissioner for Sicily
His Excellency the High Commissioner for Sardinia
Office of the Commissioner General for Alimentation
Italian Federation of Agricultural Consorzi

In view of the unusual conditions and necessities with which our country is
faced at this time, this Ministry deems it advisable and indispensable to re-
arrange its peripheral organization and coordinate it accordingly, in order to
insure maximum efficiency, especially as regards the handling of such crops as
will be ordered whenever necessary.

The enclosed instructions define the particular tasks assigned to each of the
offices addressed herein in connection with the operation of animals; these tasks
and attributes may be summarized as follows:

5. Departmental and Provincial Inspectorates represent the highest
agricultural authority within the scope of their respective jurisdictions, and
shall assume full responsibility for the proper execution of breeding operations
and for the performance of all agricultural activities;

6. Provincial Committees for Agriculture, which shall be advisory
bodies under the direction of the Agricultural Inspectorates may call for advice

Copy to:

His Excellency the High Commissioner for Sicily
His Excellency the High Commissioner for Sardinia
Office of the Commissioner General for Alimentation
Italian Federation of Agricultural Consorzi

In view of the unusual conditions and necessities with which our country is faced at this time, this Ministry deems it advisable and indispensable to re-arrange its personnel organization and coordinate it accordingly, in order to insure maximum efficiency, especially as regards the amassing of such crops as will be ordered whenever necessary.

The enclosed instructions define the particular tasks assigned to each of the offices addressed herein in connection with the operation of annexed; these tasks and attributions may be summarized as follows:

1. Departmental and Provincial Inspectorates represent the highest agricultural authority within the scope of their respective jurisdictions, and shall assume full responsibility for the proper execution of amassing operations and for the performance of all agricultural activities;

2. Provincial Committees for Agriculture, which shall be advisory bodies upon which the Office of the Agricultural Inspectorates may call for advice concerning all problems affecting agriculture within their respective provincial sphere;

3. Communal Committee for Agriculture, which in each Comune shall be the organs charged to deal with all activities pertaining to alimentation and assistance to harvest, and shall act as fair arbiters in all controversies arising from the execution of harvest;

4. Provincial Agricultural Consorzi, which constitute the executive organs for the carrying out of amassing operations.

All offices and agencies addressed herein shall, with the aid of the instructions attached hereto, and within the sphere of their respective jurisdiction, insure that these instructions are immediately complied with by all concerned, and that their offices are placed in full working order.

INCLIN "A" ABOVE.

1. Office Provinciali Statistico-Economici dell'Agricoltura (U.P.S.E.A.) which shall be charged with organizing the harvest under the supervision of the Chief of the Provincial Agricultural Inspectorate; with the collection and review of production returns and all other activities concerning the supervision of harvest

President - the mayor

Membership - Local Carabinieri Commander

- 4. representative of the clergy designated by the bishop
- The head of the URSK zone office, who shall act as secretary.
- The local farmers representing the landholders
- Two representatives chosen from among the workers in agriculture.

The above mentioned Committee shall be constituted at once.

The mayor shall appoint such persons as he deems eligible for membership in the Committee, after obtaining the approval of the Provincial Committee for Agriculture in respect thereto.

The Provincial Agricultural Inspector shall notify this Ministry as soon as the Provincial and Communal Committees for Agriculture are instituted.

C-O

The "Nazionali Provinciali" dell' "Irrigazione" (Provincial Food Bureaus) shall cooperate with this new economic organization in agriculture, in accordance with their functions, in order that the productive machinery in each province may be rendered as uniform as possible.

-O

Their Excellencies the Prefects and the Chiefs of Componental and Provincial Agricultural Inspectorates shall support U.R.S.P.A. for the proper establishment of its peripheral organization.

-O

The foregoing is subject to the issuance of further instructions by this Ministry governing the operation of the economic organization in question, and defining both its tasks and the scope of the respective jurisdictions.

H.C./AGS/AGRICULTURE SUB-COMMISSION

APPROVED: (Signed) E. J. HARMAN
MAJOR
DIRECTOR

(Signed) F. J. GULLO
MINISTER

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See

The foregoing is subject to issuance on the part of this Ministry of more detailed instructions concerning each office and each of the respective tasks.

In facing the stupendous task of reconstruction, the reorganization of agriculture, which has begun with the adoption of these initial emergency measures prepared in agreement and with the cooperation of the Agriculture Sub-Commission of the Allied Control Commission, will receive the fullest measure of support from all officers of said Commission, who will join with us in the effort to achieve our common goal.

Signed: FAUSTO GULLO
Minister

DIRECTIVES OF ORGANIZATION AND OF OPERATION

This Ministry, reserving the right to issue full regulations in regard to the organization and operation of its Compartmental and Provincial Inspectorates, and to define their respective responsibilities, issues now in general terms proper instructions on the subject as has been agreed upon with the Allied Control Commission - Agriculture Sub-Commission. The especially critical food situation in which our country finds itself, undermining at the base public order and safety, requires the hardest and most conscientious effort on the part of all Government bureaus, each operating within its respective jurisdiction.

The Ministry of Agriculture has the task, heavy with responsibility, of organizing the ammasso or the control of these agricultural products which it is considered feasible to submit to such compulsion.

The Allied control Commission attributes the greatest importance to the success of this program and only if it can be convinced that everything has been done at our end to maximize crop production and to insure that the amassing program shows maximum results, will the Italian Government be in a position to approach it with a request for adequate aid, as far as possible.

In view of the above, this Ministry can have no hesitation in ordering that its country officers give all their help so that the returns of the ammassal courses respond to the imperious needs of the moment.

Therefore, the foremost activity of Compartmental Inspectorates, as also of Provincial Inspectorates, must be, during the period of accumulation of the various products for which this measure will have been ordered, that of contributing to the utmost to the attainment of the goal indicated.

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In view of the above, this Ministry can have no hesitation in ordering that its country offices give all their help so that the returns of the amasso correspond to the imperative needs of the moment.

Therefore, the foremost activity of Compartmental Inspectorates, as also of Provincial Inspectorates, must be, during this period of accumulation of the various products for which this measure will have been ordered, that of contributing to the utmost to the attainment of the goal indicated.

Within each Inspectorate, the Head of the Inspectorate himself is responsible to the Ministry for the proper operation of the amasso in his respective compartmental and provincial sphere. For that purpose instructions will be issued at once to the "Associazione Nazionale degli Enti Economici dell'Agricoltura" - which, due to modifications of organization and assignment will henceforth be called "Ufficio Nazionale Statistico - Economico dell'Agricoltura (U.N.S.A.)." to place under the technical direction of the Provincial Agrarian Inspectorates their Provincial Offices and their respective zone offices, so that the organization of assessment and location of products subject to the amasso will take place under the Agrarian Provincial Inspectors who, consequently, will themselves assume direct responsibility for operation and success of the amasso.

Present conditions have, for the time being, made it inadvisable to proceed with the absorption of U.P.S.E.s. Offices by the State administration, but if, on the one hand, this will keep said offices separate from the Agricultural Inspectorates from an administrative and jurisdictional standpoint, it must not, on the other hand, result in a separation in anything pertaining to the technical side or even less in that which concerns, more immediately, the technique of amassing or any other activity involving propaganda, statistics, or assistance to farmers, concerning which Compartmental Inspectorates might wish to avail themselves of the services of those offices.

So that control on the part of the Inspectorates be complete, it should extend also to the Provincial agrarian Councils in their function of executive agencies, for account of the State, of the amasso. To guarantee to farmers that the amount of produce to be delivered to the amasso be equitably appraised in proportion with the production obtained, in every Comune there will be constituted an appropriate Committee which will function as arbitrator between the farmers and the agencies charged with amasso activities. Instructions are enclosed (Appendix A) in regard to the manner of cooperation among the various agencies charged with amasso activities a cooperation which must be close and full, for on harmonious action depends the success of the amasso.

Attached as Appendix "B" is a copy of the proposed wheat and barley amassing and retention decrees. Summary of the necessary schedules agreed upon by the Ministry of Agriculture and the Agriculture Sub-Commission will be available as the statistical basis for this work.

While awaiting the proper moment to get their own work and that of their officials going, to make the organization of the amasso and the relative returns as efficient as possible, the Departmental and Provincial Inspectors should not fail meanwhile to carry on in respect to the farmers a work of persuasive publicity, verbal and printed, to induce them to accept the amasso control as an inescapable and also sacred and humanitarian duty, or the fulfillment of which, one cannot hesitate to say so, depends under varying aspects our future both near and distant.

This Ministry will arrange to fix, in agreement with the Allied Control Commission, the prices of wheat and of the other products which are to be placed under amasso control, in a quite remunerative measure so that the price will not constitute an incentive to evasion, but to delivery.

The fulfillment of these tasks, as well as of all those incumbent upon our subordinate agricultural Inspectorates, brings out the absolute need for means of transportation. Present conditions do not enable this Ministry to supply motor transportation directly, however, the Ministry of the Interior will be approached in order that, through the intermediary of the Prefects everything possible be done to furnish Inspectorates with the necessary means of transportation, even if only temporarily.

After this introduction, in view of contingent necessities, following are provisions of regulatory character for the organization and operation of the Inspectorates.

I. Departmental Agricultural Inspectorates

As has already been stated in previous ministerial communications, it is the

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I Compartmental Agricultural Inspectorates

As has already been stated in previous ministerial communications, it is the intention of this Ministry that the Compartmental Agriculture Inspectorates assume full and effective responsibility to the Ministry for the coordinated execution of all activities within the field of agrarian technique in general.

Therefore, the Compartmental Agrarian Inspector represents within his compartment the highest hierarchical agrarian authority and is responsible with respect to the Ministry, both for the carrying out of the specific tasks institutionally required of the agrarian Compartmental Inspectorates, and also for the proper functioning of the services of the Provincial Inspectorates, both as regards the activity and the control of personnel, as also to assure execution and coordinated application of directives, rules and regulations issued by the Ministry to the Provincial Inspectorates for the organization and promotion of agriculture.

To attain such purpose, the Compartmental Inspector is authorized to issue regulatory provisions to his Provincial Inspectorates, of which, however, prior notification will always be made to this Ministry for proper approval.

In connection with the above, this Ministry reserves the right, in agreement with the Allied Control Commission, to define what should be in accordance with the requirements of such Inspectorate- the respective personnel setup, which in each case will be kept within the limits of strict necessity.

The following directives define likewise the tasks expected of the Compartmental Agrarian Inspectors.

1. As already recommended by prior ministerial communication, to the limit and without reserve must be the cooperation with the Allied liaison officers, so that, through the combined action of this Ministry and of the Allied Control Commission, reorganization and re-constitution of our agriculture may be attained.

2. The service of statistical information assumes utmost importance at the present moment. The Compartmental Inspector will entrust a suitable official with the service of agrarian statistics and will see to it:

a. That the Statistical data required of the provincial Inspectorates, both periodical ones consisting of standard forms and schedules and those that may be required in case of necessity, be collected and worked out with utmost care and promptly forwarded by proper channels to the Ministry and the Allied Control Commission on the prescribed due-dates.

b. The Compartmental Inspector shall summarize and prepare provincial data in relation to his own Compartment before transmittal to the Ministry and to the Allied Control Commission. This also applies to these inquiries for data and information which may from time to time be requested by this Ministry and the Allied Control Commission, and you are reminded that any communication of the kind to be made to said Commission or its components, must be forwarded for information also to this Ministry. Unchanged remains the instruction that information gathered for agrarian statistical purposes must not in any way and for any motive be divulged and communicated for fiscal purposes.

3. In view of present contingencies and by virtue of the fact that Italy is almost bereft of all that which constitutes material of supply of technical and instrumental means for agriculture and that only a part thereof can be obtained through the Allied Control Commission, the Compartmental Inspector must seriously undertake to advise this Ministry of relative needs, with such advance notice, in respect to the time of use, as will permit to provide supply at the proper time.

The Compartmental Inspectorates, in drawing up at once a suitable program of coordinated work, in relation to various cultural needs and the various operations of seed and harvest, will request at the proper time data and information from the Inspectorates under his jurisdiction and will forward same to this Ministry.

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The Compartmental Inspectorate, in drawing up at once a suitable program of coordinated work, in relation to various cultural needs and the various operations of seed and harvest, will request at the proper time data and information from Provincial Inspectorates under his jurisdiction and will forward same to this Ministry after combining and elaborating same in respect to the Compartment.

3. A further task of the agrarian Compartmental Inspector will be to follow the activities of the various Agrarian Institutions under and supervised by the Ministry, which are operating within the Compartment, submitting, if needed, proposals so as to obtain coordination of the scientific and technical work undertaken by them, as also the utmost correlation of their activities to the needs of agriculture which must be appraised with respect to the present moment.

II. Provincial Agricultural Inspectorates-

Within the province under his jurisdiction the Agrarian Provincial Inspector represents the highest agrarian authority inasmuch as he is the direct executor of and is responsible for the carrying out of provisions, directives and regulations of the Ministry, as also of those which the Compartmental Inspectors, who have jurisdiction over the section, will see fit to impart for the purpose of obtaining coordination and utmost results of services. In case that through war events one only of the Provinces belonging to a certain Compartmental section be liberated and administered by the Italian Government or by the Allied Military Command, the Agrarian Inspector thereof will communicate directly with the Ministry and will undertake temporarily also the responsibilities incumbent upon the Compartmental Inspector.

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With respect to the tasks which are below specified, this Ministry, in agreement with the Allied Central Commission, reserves the right to determine the personnel of each Provincial Inspectorate, which however, will be in strict relation with the real operational needs.

The Provincial Inspectors will adhere in their activities, and those of the offices under them, to the following instructions: (1) Collaboration must be to the utmost and unreserved with the Allied officials who have to discharge responsibilities entrusted to them by the Allied Central Commission or who in the Allied Military Commands of the Provinces are charged with functions which render such collaboration necessary. (2) The Inspector must insist that all his officials carry out their jobs with earnestness and clarity, also seeing to it that in carrying out the required activities there be no lack of guidance, assistance, and encouragement on his part. (3) It has already been made known and is repeated that it is the intention of this Ministry that the provincial agrarian inspectorates resume an activity similar to that carried on with so much success for Italian Agriculture, by the former *Cattedre Abbandati* Agriculture. This is particularly necessary in this period in which for known and obvious reasons there can be no issuing of technical agricultural directives of general character, and every farmer needs particular assistance with respect to the specific situation which has been developed on his farm.

Therefore, the Provincial Inspector will arrange the operation of his office in such fashion as to set aside a large part of its activity for publicity and assistance, in this fashion there being attained also the purpose of removing the agriculturalist from an isolation, harmful in various respects, from the State Agricultural Organs. Always with relation to such a criterion, there will be re-established the separate offices of the Section in an amount adequate to the requirements, and for the purpose the Provincial Inspectors will submit studied proposals to the appropriate Compartmental Inspectors, who, if they approve, will forward same on to the Ministry with arguments in support. (4) As regards the service of statistics and notification of technical and instrumental agricultural needs, the above mentioned regulations for the Compartmental Inspectors apply. It is considered appropriate, however, following recent sizing up of data requested, to insist on the necessity:

- a. That statistical data be gathered with utmost care so that absolute guarantee of reliability be given and that, therefore, they represent essentially a true picture of the object of the survey and not a forced adaptation of the statistical representation of the subject matter to assumed objectives or opportunities.
- b. That appraisals of needs of materials required for agriculture be made following careful examination so as to avoid exorbitant or deficient requirements.

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a. That statistical data be gathered with utmost care so that absolute guarantee of reliability be given and that, therefore, they represent essentially a true picture of the object of the survey and not a forced adaptation of the statistical representation of the subject matter to assumed objectives or opinion.

b. That appraisals of needs of materials required for agriculture be made following careful examination so as to avoid exorbitant or deficient requests which in either case cause difficulties entailing distrust and perplexity.

5. For the purpose of placing at the disposal of the Provincial Agrarian Inspectorates an adequate advisory body in every Province, on new bases and with increased functions the Provincial Agricultural Committees will be reconstituted. Precise instructions will be issued, also as regards appointment of members of said Committees (Appendix "A").

6. With respect to the operation of the office and discharge of their various services, the Provincial Inspectors will adhere to the following general instructions, which, although already constituting the normal operating directives, are restated by express wish of the Allied Central Commission:

a. The zootechnical section, availing itself also of the work of other semi-statal offices by virtue of appropriate instructions will attend to keeping continuously and religiously up-to-date the extent of the zootechnical resources of the Province, separating the species of animals and the category of the individual species based on the forms of the animal census of 1930.

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In addition, the Zootechnical Section will supervise and control activities in regard to distribution of fodder, including in its activities also the supervision and control with respect to milk collection, and the transportation thereof to centers of distribution, as also in regard to cattle destined for the slaughterhouse. It will be the particular care of the Zootechnical Section to make notification, whenever required, of the needs in sera and vaccines in relation to the manifestation of particular cattle diseases.

b. The section assigned to cereal cultivation and field crops in general, will see to it that a maximum increase in the area to be sown to wheat will be attained, taking care that for wheat as well as for any other field crop the best cultivation methods possible under present conditions be applied.

To report requirements of seeds and fertilizers, of material for the fight against animals harmful to crops and parasiticides, constitutes similarly a special task for that Section.

c. The Section which has charge of services of tree crops, will discharge similar functions as regards the cultures under its own technical jurisdiction.

There are hereby confirmed the instructions issued previously, concerning the abolition of the Provincial Offices of the Economic Bodies of agriculture (Cerealia, Viticultura, Olivicultura, Ortiflorofrutticoltura, Pastorizia e Zootecnia) and the absorption on the part of Provincial Agricultural Inspectorates of their respective tasks, subject to further announcements by this Ministry concerning the abolition or revamping of other agencies, such as the "Associazione Nazionali Cultivatori piante erbacee olenghinose, Consorzi Provinciali Fruttiferi, etc.

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This Ministry and the Allied Control Commission while expressing the most understanding appreciation of the work carried on by the Agrarian Compartmental and Provincial Inspectorates, in their own fields of action, during the tumultuous period undergone by liberated Italy, have the utmost confidence in the will to work and the ability of the Ministry's officials, so that after completion of the current agrarian campaign--which thru farces beyond control has had to be carried on practically without supervision and in almost complete absence of adequate productive means--Italian agriculture may be reorganized and reestablished on that basis of sound technique which at all times has been the aim of this Ministry and the object of passionate and assiduous efforts of all central and peripheral officials.

Signed: FAUSTO CULIO
Minister

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Signed: FAUSTOCULIO
Minister

HQ/100/AGRICULTURE SUB-COMMISSION

APPROVED: Signed: W. A. HANBMAN
Major
Director

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APPENDIX "A"ORGANIZATION OF "EMASSI"

1. The National Association of Economic Bodies of Agriculture which, through a change in its organization and tasks, will assume the name of "Ufficio Nazionale Statistico Economico 3a) 'Agricoltura'" (U.N.S.E.A.), shall function as an organ of the State, directly under the Ministry of Agriculture and Forests.

The general duties of U.N.S.E.A. shall include statistical surveys and the assessment and location of agricultural products subject to assessing or blocking as well as to the corresponding controls.

There are likewise attributed to U.N.S.E.A. all functions of a general nature which law No. 566 of 5/15/42 assigns to the Economic Bodies of Agriculture, which functions shall be performed by U.N.S.E.A. in the name and for account of said Bodies.

2. Departmental Agricultural Inspectorates shall be responsible for the coordination of all technical and economic activities which are carried on within the scope of their respective jurisdiction.

3. Within their respective provinces the Provincial Agricultural Inspectorates shall perform all technical and advisory tasks which in anyway affect growing crops, livestock, and agricultural products, and which include those previously assigned to peripheral economic organizations.

It is furthermore incumbent upon said Inspectorates to supervise and coordinate all activities of which the aforementioned peripheral organizations are still in charge.

4. Institutions and specialized technical agencies operating under or controlled by the Ministry of Agriculture and Forests shall continue to perform their activities.

5. The Provincial offices of the Association (Offici accertamenti Agricoli) are hereby re-created in accordance with new principles defined hereunder and shall be called Uffici Provinciali Statistico - Economici dell'Agricoltura (U.P.S.E.A.).

These offices shall arrange for the organization and control of the assessing of such products as shall be specified by this Ministry, for the collection and checking of production returns, for the regulation of the emassi themselves, for the assessment and location of products subject to assessing or blocking, for the the assessment of transients and for the reporting of violations occurring in connection

scope of their respective jurisdiction.

3. Within their respective provinces the Provincial Agricultural Inspectorates shall perform all technical and advisory tasks which in any way affect growing crops, livestock, and agricultural products, and which include those previously assigned to peripheral economic organizations.

It is furthermore incumbent upon said Inspectorates to supervise and coordinate all activities of which the aforementioned peripheral organizations are still in charge.

4. Institutions and specialized technical agencies operating under or controlled by the Ministry of Agriculture and Forestry shall continue to perform their activities.

5. The provincial offices of the Association (Offici accertamenti agricoli) are hereby re-created in accordance with new principles defined hereunder and shall be called Offici provinciali Statistico - Economici dell'agricoltura (U.P.S.E.).

These offices shall arrange for the organization and control of the amassing of such products as shall be specified by this Ministry, for the collection and checking of production returns, for the regulation of the amassments themselves, for the assessment and location of products subject to amassing or blocking, for the regulation of transports and for the reporting of violations occurring in connection with amassment.

The functions of said offices include assistance to producers in the fulfillment of tasks and the exercise of rights arising from compliance with amassing and blocking regulations.

U.P.S.E. offices constitute likewise agencies at the disposal of Provincial Inspectorates of Agriculture for inquiries and surveys of a statistical and economic nature as well as for the performance of special technical, economic and advisory tasks which this Ministry might assign to them upon the recommendation of said Provincial Inspectorates.

The peripheral organization shall be completed with the creation of the Zone offices which are to operate directly under the Provincial Offices, with carefully selected personnel kept within an indispensable minimum.

Zone Offices shall be sufficient in number to insure maximum efficiency in the entire economic organization. The jurisdiction of each Office may extend to one or more Communes, according to the agricultural importance of said Communes and to liaison possibilities, and shall be located in the Commune which is most favorably situated from the standpoint of maintaining relations with the entire controlled zone, and which might be the amassing center, or a market place, or a fair town, or any place farmers might have reason to visit frequently.

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6. There shall remain in force current provisions which establish Provincial Agricultural Councils as the executive organs for the voluntary and compulsory marketing of agricultural products, and, if necessary, for the protection of growing crops and agricultural products against harmful influences.

In compliance with the provisions contained in this circular, U.N.S.E. shall immediately place the proposed central and peripheral offices in working order, and shall arrange for the most accurate selection of the respective personnel, both from the standpoint of efficiency and of political reliability.

Moreover, since U.N.S.E. will be called upon to manage the assets of agencies which it represents, it shall set up within its organization a service completely separate from an administrative standpoint, for the management of said assets in accordance with instructions to be issued for this purpose.

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In accordance with directives hereunder, there are restored the Provincial committees for agriculture who are to furnish advice concerning the coordination of all measures to be enacted in the province in connection with the regulation of production, the distribution of technical means and all promotional activities affecting agricultural activities; there shall likewise be restored the Provincial Committees to those tasks shall be added that of furnishing advice and of settling any controversies which might arise in connection with the observance of existing regulations.

Provincial Committees for agriculture shall be appointed immediately in each Province, as follows:

President- The Chief of the Provincial Agricultural Inspectorate.

Membership

- a. a representative of the Prefecture
- b. a representative of the Provincial Economic Council, for the agriculture
- c. and Forest Section thereof.
- d. The director of the Provincial Agr. Generalio
- e. a farmer representing owner and tenant managers
- f. a farmer representing owners and tenants who are personal operators.
- g. a representative chosen from among workers in agriculture.
- h. a farmer representing Agricultural Technicians
- i. The director of U.N.S.E. (ex officio accettato) who shall

provincial committees for Agriculture shall be appointed immediately in each province, as follows:

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- The Chief of the Provincial Agricultural Inspectorate shall appoint such persons as he deems eligible for membership in the Committee, after obtaining the Prefect's approval in respect thereto.

In each Commune there shall be constituted a single Committee which shall be named Communal Committee for Agriculture and which shall perform the following:

- The membership of Communal Committees for Agriculture shall be as follows:

APPENDIX BTRANSLATION

Draft of Ministerial Decree regulating the amassing of wheat and barley produced in 1944.

BY VIRTUE OF: R.D.L. No. 397 of May 10, 1943 containing provisions for the comprehensive regulation of the 1943 production of cereals and dried horse beans.

M.D. of May 26, 1943, fixing retention rates, on cereals and dried horse beans.
M.D. of June 11, 1943 concerning wheat retentions authorized for farm operators,
M.D. of June 15, 1943 regulating the milling of cereals retained for family use,
Order No. 1 of the Commissioner General for Alimentation, dated September 24, 43.
R.D.L. No. 63 of February 25, 1944 ordering the absorption of the Office of the Commissioner General for Alimentation by the Ministry of Agriculture and Forests.
R.D.L. No. 245 of April 22, 1943 concerning penalties for failure to deliver grains to market.

WHEREAS, due to the present emergency it is absolutely necessary to insure vital supplies to the Armed Forces and to the civilian population,

WHEREAS, therefore, it is deemed advisable to restore the amassing of wheat and barley - subject to issuing subsequent directives regulating the amassing or control of other crops - produced during the 1943 - 1944 season; and to regulate the delivery, transport, processing and distribution thereof,
The Minister of Agriculture and Forests HERBY DECREE

ART. 1

The following products, by whatsoever and for whatever reason held, shall be subject to amassing: wheat and barley. Provisions of R.D.L. No. 397, of May 10, 1943, concerning the amassing of wheat and barley, shall remain in force.

All products delivered to market shall be paid for immediately in compliance with Art. 10 of the above mentioned Decree, at prices fixed in relation to present costs of production as evidenced by cost analyses.

ART. 2

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There are hereby restored the provisions governing the milling of wheat and barley produced in 1944, to be retained for family consumption, as directed by Ministerial Decree of June 15, 1943 with the exception of Art. 4 relating to amounts to be retained for family consumption, which are fixed in Art. 3 hereunder.

and barley - subject to issuing subsequent decrees; and to regulate the control of other crops - produced during the 1943 - 1944 season; and to regulate the delivery, transport, processing and distribution thereof, the Minister of Agriculture and Forests HENRY DECHENS.

ART. 1

The following products, by whomever and for whatever reason held, shall be subject to emessing; wheat and barley. Provisions of R.D.L. No. 397, of May 10, 1943, concerning the emessing of wheat and barley, shall remain in force.

All products delivered to Absatz shall be paid for immediately in compliance with Art. 10 of the above mentioned Decree, at prices fixed in relation to present costs of production as evidenced by cost analyses.

ART. 2

43

There are hereby restored the provisions governing the milling of wheat and barley produced in 1944, to be retained for family consumption, as directed by Ministerial Decree of June 15, 1943 with the exception of Art. 4 relating to amounts to be retained for family consumption, which are fixed in Art. 3 hereunder.

There are hereby approved the provisions relating to the expiration in advance of milling permits covered by order No. 1 of the Commissioner General for Alimentation. All amounts retained for family food requirements must be accounted for by means of the milling permits issued by Communal authorities, in accordance with existing regulations. Such amounts cannot be bought or sold.

ART. 3

Maximum amounts of wheat which may be retained from the 1944 crop for family consumption under the exemption from the emessing obligation, in accordance with Art. 2 of R.D.L. No. 397 of May 10, 1943, are set as follows for each person of the following groups: it being understood that no one person shall be entitled to more than one retention:

a. non-manual operators of cereal farms of which they are owners or "coltivatori" (long-term tenants) or usufructuaries or tenants (operators with hired help, or on a half-share tenancy basis, or on a share-tenancy or share-cropping basis) who personally and continuously attend to the management of the farm to the exclusion of any other activity; 1.50 quintals of wheat for such operator and for each cohabitant dependent member of his family and cohabitant help.

- 2 -

b. manual operators of cereal farms, of which they are owners, or "Eufiteuti" or (long-term tenants), or usufructuaries, or tenants (personal operators): 2.00 quintals for the operator and for each cohabitant dependent member of his family and cohabitant help.

c. share tenants who share in the production of cereal farms; 2.00 quintals for each laborer and for each cohabitant dependent member of his family and cohabitant help.

d. communities and parishes operating cereal farms as owners or "Eufiteuti" (long-term tenants) or usufructuaries, or tenants; 2.00 quintals per capita for members who manually and permanently attend to the cultivation of the land.

Furthermore, operators who are obligated under wage contracts to make deliveries of cereals to laborers, may retain the following:

e. for fixed-salary employees and task-labor working on cereal farms, whenever wage contracts specify compensation in kind; up to 2.00 quintals for each laborer and for each cohabitant dependent member of his family.

f. for share-tenants, share-croppers, fixed-salary employees of farming enterprises and laborers permanently working for such enterprises, whose wage contract specifies deliveries of cereals; up to 2.00 quintals per manual laborer,

g. for managers and employees of cereal farms who permanently reside thereon and work there continuously and exclusively, in a technical, administrative, managerial or clerical capacity; 1 quintal for each manager or employee and for each cohabitant dependent member of his family.

ART. 4

As a total or partial substitute for wheat there may be retained for each quintal of wheat 1.50 quintals of barley produced on the same farm.

ART. 5

Maximum amounts of wheat and barley which may be retained for seeding, under the exemption from crop control and marketing obligations, are set as follows for each hectare to be cultivated:

Early wheat:	1.30 quintals per hectare
Late wheat:	1.25 " "
Barley, for production as grain:	1.50 quintals per hectare

ART. 4

As a total or partial substitute for wheat there may be retained for each quintal of wheat 1.50 quintals of barley produced on the same farm.

ART. 5

Maximum amounts of wheat and barley which may be retained for seedling, under the exemption from crop control and marketing obligations, are set as follows for each hectare to be cultivated:

42

Early wheat:	1.00 quintals per hectare
Late wheat:	1.25 " "
Barley, for production as grain:	1.50 quintals per hectare

ART. 6

No wheat or barley retentions are authorized for animal feed.

ART. 7

All provisions which in any way conflict with the ones set forth in this decree are hereby abrogated. The violation of any of the provisions contained in this decree shall be punishable in accordance with R.D.L. NO. 245 of 22 April 1943.

(Signed) FINESTO GULIO

MINISTER

H.S./A.CC/AGRICULTURE SUB-COMMISSION

Approved: (signed) W. A. MARTIN

MAJOR

DIRECTOR

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION.
AP. 394.

14A

URGENT.

8 May. 1944.

REFERENCE : ACQ/4104/13/L.

SUBJECT : Penalties for offenders under new Agricultural Decree.

TO : Agriculture Sub-Commission, NAPLES.
(attention - Major J. G. Sutherland - Room 93)

1. With reference to conversation of Saturday (Major SUTHERLAND - Major HANFORD), please find enclosed an extract in Italian of the penalties set out in RDL of 22 April 1943 No. 245 in connection with the production and distribution of food products (cited in preamble of new decree).
2. These penalties extend from ordinary fines to the death penalty and this Sub-Commission is of opinion that they should meet all your requirements, especially as some of the suggestions contained in your note appear to be impracticable in view of the transport situation.
3. Rewards for informers need not (and should not) be the subject matter of formal legislation, but can be instituted by local orders and notices (avviso).
4. It is regretted that owing to lack of time the enclosed document has not been translated.

G. G. HANFORD.
Major,
Officer i/c Italian Branch,
for Chief Legal Officer.

GGH/wcw.

41

Copy to : Liaison Officer.

Art. of R.D.L.
22 April 1945
No. 245.

NATURE OF THE OFFENCE

Penalties
provided by
R.D.L., dated
22 April 1945
No. 245.

1	Omesso conferimento agli ammassi.	Reclusione da 3 mesi a 3 anni e multa fino a Lire 20.000.
2	Occultamento o alterazione dei libri di commercio	Reclusione da 3 mesi a 3 anni e multa fino a Lire 20.000.
3	Mutata destinazione di merci	Reclusione da 3 mesi a 3 anni e multa fino a Lire 20.000.
4	Commercio di merci sottratte.	Reclusione da 3 mesi a 3 anni e multa fino a Lire 20.000.
5	Procacciata attribuzione di tessere o di altre documenti.	Reclusione fino ad un anno e multa fino a lire 10.000.
2 - 5, 6	Nel caso di circostanze attenuanti (Fatti di lieve entità in viola- zione degli Art. 1 - 5)	Metà a due terzi delle pene sopraindicate
1, A1.3, 6, A1.2	Omesso conferimento agli ammassi nel caso di	Multa da Lire 500 a Lire 400

14B

14B

4	Commercio di merci sottratte.	Reclusione da 3 mesi a 3 anni e multa fino a Lire 20.000.
5	Procacciata attribuzione di tessere o di altre documenti.	Reclusione fino ad un anno e multa fino a lire 10.000.
1 - 5, 6	Nel caso di circostanze attenuanti (Patti di lieve entità in violazione degli Art. 1 - 5)	Metà a due terzi delle pene sopraindicate
1, Al. 3, 6, Al. 2	Omesso conferimento agli ammessi nel caso di circostanze attenuanti	Multa da Lire 500 a Lire 5.000.
7	Sottrazione di merci non vincolate.	Reclusione da sei mesi a 4 anni e multa fino a Lire 20.000.
7, Par. 2	Lo stesso delitto commesso nell'esercizio del commercio o dell'industria	Reclusione da due anni e multa non inferiore a Lire 5.000.

- 2 -

Art. of R.D.L.
22 April 1943
No. 245.

NATURE OF THE OFFENCE

Penalties
provided by
R.D.L., dated
22 April 1943
No. 245.

8

Procacciamento di merci
vincolate.

Reclusione da
1 a 6 anni e
multa fino a
Lire 30.000.

8, Par. 2

Lo stesso reato com-
messo nell'esercizio
del commercio, del-
l'industria.

Reclusione da
3 a 15 anni e
multa non inferi-
ore a Lire 10000.

9

Procacciamento di
merci per il
consumo familiare.

Reclusione fino
a sei mesi e
multa fino a
Lire 5.000.

9, Par. 2

Lo stesso reato com-
messo su merci di
valore particolar-
mente lieve.

Multa.

10

Accaparramento o
procacciamento di
rilevante quantità
di merci.
(Lex (Provision)
specialia to Art.
7 and 8 quoted
before.)

Reclusione da
6 a 24 anni e
multa non
inferiore a
lire 3.000.

10, Par. 2

Lo stesso reato, se
dal fatto è derivato
grave nocumento per
l'economia nazionale.

Ergastolo.

33

9, Par. 2
Lo stesso reato com-
messo su merci di
valore particolar-
mente lieve.

10

Accaparramento o
procacciamento di
rilevante quantità
di merci.
(Lex (Provision)
specialis to Art.
7 and 8 quoted
before.)

Reclusione da
6 a 24 anni e
multa non
inferiore a
lire 3.000.

10, Par. 2

Lo stesso reato, se
del fatto è derivato
grave nocumento per
l'economia nazionale.

Ergastolo.

33

11

Accaparramento o
procacciamento com-
messo dagli addetti
alla disciplina dei
consumi.

Reclusione da
4 a 20 anni e
multa non
inferiore a
lire 5.000.

11, Par. 2

Lo stesso reato com-
messo su merci di
rilevante entità
ovvero se del fatto
è derivato grave
nocumento per
l'economia nazionale.

Ergastolo.

- 3 -

Art. of R.D.L.
22 April 1943.
No. 245.

NATURE OF THE OFFENCE

Penalties
provided by
R.D.L., dated
22 April 1943.
No. 245.

11, Par. 3

Lo stesso reato com-
messo su piccole
quantità di merci
allo scopo di
destinarle al
consumo familiare.

(The Articles 10 and
11 are also special
provisions to the
Art. 7 and 8 quoted
before).

Reclusione
fino ad 1
anno e multa
fino a lire
10.000.

12

Tradimento economico
(Combinato di uno dei
fatti preveduti dagli
articoli 7 e 8 su
merci di rilevante
entità, allo scopo di
cagionare la defi-
cienza o l'aumento del
prezzo sul mercato).

Pena di morte.

12, Par. 2

Lo stesso reato, se il
fatto non ha prodotto
grave turbamento sul
mercato

Ergastolo.

(The preceding regula-
tions are also applicable
to the producer in view
of the same facts).

13

Distruggimento di merci,
mezzi di produzione
od altri fatti causando
grave nocumento alla
economia nazionale ecc.

Pena di morte.

38

Tradimento economico
(Compiimento di uno dei
fatti preveduti dagli
articoli 7 e 8 su
merci di rilevante
entità, allo scopo di
cazionare la defi-
cienza o l'aumento del
prezzo sul mercato).

Ergastolo.

12, Par. 2

Lo stesso reato, se il
fatto non ha prodotto
grave turbamento sul
mercato

(The preceding regula-
tions are also applica-
ble to the producer in view
of the same facts).

13

Pena di morte.

38

Distrusione di merci.
mezzi di produzione
o di altri fatti causandi
grave nocumento alla
economia nazionale ecc.

13, Par. 2

Ergastolo.

Lo stesso reato, se il
fatto non ha prodotto
grave nocumento ecc.

14

Distrusione colposa di
merci.

Reclusione da 3
mesi a tre anni
e multa non
superiore a
Lire 5.000.

- 4 -

Art. of R.D.L.
22 April 1943.
No. 245.

NATURE OF THE OFFENCE

Penalties
provided by
R.D.L., dated
22 April 1943.
No. 245.

14, Par. 2

Lo stesso reato, se dal fatto è derivato grave danno all'economia nazionale.

Reclusione da 3 a 10 anni e multa non inferiore a Lire 5.000.

15

Contrefazione di tessere o di altri documenti prescritti dall'autorità per la distribuzione o per il prelievo delle merci.

Reclusione da tre a venti anni e multa non inferiore a Lire 5.000.

15, Par. 3

Lo stesso reato, se i fatti rivestono particolare gravità

Ergastolo.

(The preceding regulations are also applicable to a person who puts into circulation such Ration-cards or documents).

16

Commercio di tessere.

Reclusione da 4 mesi a 4 anni e multa fino a Lire 20.000.

16, Par. 2

Lo stesso reato, se il fatto riveste particolare gravità

Reclusione da 4 a 20 anni e multa non inferiore a Lire 5.000.

15, Par. 3

Lo stesso reato, se i

fatti rivestono
particolare gravità

(The preceding regula-
tions are also applicable
to a person, who puts into
circulation such Ration-
cards or documents).

16

Commercio di tessere.

Reclusione da
4 mesi a 4 anni
e multa fino a
lire 20.000.

16, Par. 2

Lo stesso reato, se il
fatto riveste partico-
lare gravità

Reclusione da
4 a 20 anni e
multa non in-
feriore a
Lire 5.000.

17

Circostanze aggravante
(falsità in
atti, quando il fatto è
commesso su tessere o
altri documenti pre-
scritti per la distribu-
zione o per il prelievo
di merci).

Raddoppiamento
delle pene
stabilite dal
Codice Penale.
(V. Art. 476 seg.
C.P. It.)

18

Maggiorazione di prezzi

Reclusione
fino a 3 anni
e multa da
Lire 3.000 a
Lire 30.000.

- 5 -

Art. of R.D.L. <u>22 April 1943.</u> <u>No. 245.</u>	NATURE OF THE OFFENCE	Penalties provided by R.D.L., dated <u>22 April 1943.</u> <u>No. 245.</u>
18, Par. 2	Lo stesso reato, se il fatto è di lieve entità. (The preceding regulations are also applicable to a person, who violates several Decrees-Laws concerning this subject matter quoted in the text of Art. 18, Par. 3).	Multe fino a Lire 5.000.
19	Rifiuto di vendere	Reclusione fino a due anni e multa fino a Lire 10.000.
20	Circostanze aggravante (Facoltà del Giudice di aumentare la multa nel caso della presuntibile inefficacia delle multe stabilite nelle disposizioni del Decreto-Legge).	Aumento della multa stabilita nelle disposizioni del Decreto-Legge fino al Decuplo.
21	Sanzione civile. Nel caso di una condanna per i delitti previsti dagli Art. 1, 3, 4, 7, 8, 10, 11, 12 e 18	Obbligo del pagamento all'Esercizio dello Stato di una somma pari al lucro indebitamente conseguito dal colpevole. 36
	Arresto fino a	

20	Circostanze aggravanti (Facoltà del giudice di aumentare la multa nel caso della presumi- bile inefficacia della multa stabilita nelle disposizioni del Decreto-Legge).	Aumento delle multe stabilita nelle disposi- zioni del Decreto- Legge fino al Decuplo.
21	Sanzione civile. Nel caso di una con- danna per i delitti prevедuti degli Art. 1, 3, 4, 7, 8, 10, 11, 12 e 13	Obbligo del paga- mento all'Esercizio dello Stato di una somma pari al luoro indebitamente conseguito dal colpevole.
22	Contravvenzioni.	Arresto fino a tre anni e l'ammenda fino a Lire 30.000.
22, Par. 2	Contravvenzioni di lieve entità.	Ammenda.
22, Par. 3	Contravvenzioni, commessi nell'esercizio del commercio o dell'industria	Aumento della pena.
23 - 33	Proceedings, sequestration, judicial forced sale etc.	
34	Disposizioni transitorie e finali.	

Dr. E. Bendheim.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

(13A)
ART/59

ACC/4104/13/L.

5 May 1944

SUBJECT : Decree-Law on Amassing of grain.

TO : Agricultural Sub-Commission
HQ. ACC.,
Provincia Bldg., Naples.

1. In accordance with this morning telephone conversation (Major Hartman-Major Hannaford) enclosed please find 8 copies of "Gazzetta Ufficiale" No. 24 dated 3 May 1944 containing the decree in question.

2. It is confirmed that, as requested, action has been taken in regard to the RC and MS. Section for authorization to publish the implementing endorsement for AMG territory.

A. R. Thackrah

A. R. THACKRAH,
Major,
for, Chief Legal Officer.

Enclosed:
8 copies of Official Gazette.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

ART/np

12A

ACC/4104/13/L

5 May 1944

SUBJECT : Decree-Law on Amassing of Grain.

TO : RC & MA. Section.
HQ. ACC.
Provincia Bldg., Naples.

1. Acting on instructions from the Chief Commissioner received this morning by telephone through Major Hartman, Agricultural Sub-Commission, a copy of the "Gazzetta Ufficiale" dated 3 May 1944, containing the text of the decree in question, is forwarded to you in order that immediate instructions be issued to this office for its implementation in AMG territory by way of endorsement.

2. Meanwhile it is understood that the printing of such endorsement may be proceeded with.

A. R. Thackrah
A. R. THACKRAH,
Major,
for, Chief Legal Officer.

Enclosed :
1 Copy of Official Gazette.

-7 MAG. 1944

4194/13

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 394

BIA

Ref/288/93/CA

6 May 1944

SUBJECT: Decree on Amassing

TO : Admin Section (for Legal Sub-Comm.) ✓

Attached hereto is copy of Economic
Section memorandum ES/7 of 3 May 44 for neces-
sary action.

LEGAL SUB-COMMISSION	
CLO	☒
DCLO	☒
Chief Counsel	☒
CJO	☒
Italian - Section	☒
CLERKS	☒
	☐
	☐

Norman E. Fiske
NORMAN E. FISKE
Colonel
Deputy Executive
Commissioner

Legal Section
Note

HS/m1

HB

HEADQUARTERS
ALLIED CONTROL COMMISSION
ECONOMIC SECTION
APO 394

ES/7

3 May 1944

SUBJECT: Gazzetta Ufficiale - Decree on Amassing.

TO : Executive Commissioner. (C.A. Branch)

1. The Ministerial Decree regulating the amassing of wheat and barley produced in 1944 has been signed and has been approved by Marshal Badoglio as of date 2nd May, 1944.
2. This Decree will be published immediately, probably today, in a special issue of the Gazzetta Ufficiale.
3. It is requested that the necessary steps be taken for indorsement to make the provisions of this Decree applicable in AMG territory.

D.S. ADAMS
Colonel, C.E.
Executive Officer
Economic Section.

MEMORANDUM ON THE AMASSING OF GRAIN AND OIL

TO: The Regional Commissioner, Region 2

1. Throughout the Allies' war to break the Black Market, it is submitted that no greater measure of success has been achieved than in respect of the amassing of grain in the Province of Matera during the period 10 Jan. to 1 Mar '44.

The campaign was waged by Captain A.C.J. GERMAN, L.O. MATERA, and one other A.L.G. officer, and through the medium of A.L.G. Courts. Had it opened earlier in the season, and had it not ceased following the transfer to ACC, it is safe to claim that success would have been complete.

2. The method employed was as follows:-

- (a) By the third week in December 1943, amassing had come virtually to a standstill, whereupon the problem was tackled by the L.O. MATERA, who ordered all grain to be amassed by 10 Jan '44.
- (b) Since however, the denuncie filed by individuals were quite unreliable, as had notoriously been the fact even under the Fascist regime, a committee was formed in each commune by the L.O. consisting of locally esteemed citizens, chosen for their knowledge of local producers, of the particular land farmed by them, and of the normal production of such farms. There was also included on each committee one technico (grain expert) and the local amassatore to give evidence of production figures for the past years. These committees, over which an A.L.G. officer usually presided, were ordered to take every possible contingency into account, such as the number of hectares sown, the type of land farmed, the weather, and any other relevant fact. All the usual allowances were made, e.g. for family, hired employees, seed etc., and the committees were urged to err on the side of leniency.
- (c) Producers were at once informed of the amounts of the committees' assessment, and were given ample time to assess.
- (d) Summonses against defaulters were served in six communes, and

normal production of such farms. There was also included on each committee one technico (grain expert) and the local amassatore to give evidence of production figures for the past years. These committees, over which an A.S.G. officer usually presided, were ordered to take every possible contingency into account, such as the number of hectares sown, the type of land farmed, the weather, and any other relevant fact. All the usual allowances were made, e.g. for family, hired employees, seed etc., and the committees were urged to err on the side of leniency.

(c) producers were at once informed of the amounts of the committees' assessment, and were given ample time to assess.

(d) summonses against defaulters were served in six communes, and altogether 365 cases were heard involving 383 persons. Where the amounts were assessed between the date of the issue of summonses and the hearings, the cases were dismissed.

The procedure adopted by the Courts was to fine Lr. 1,000 for each quintal in deficit, with a term of imprisonment in default, and in addition a further term of imprisonment to be held in suspense till a later date pending obedience to a fresh order to assess at such date.

If then still in default, summonses were issued for violation of the second order, and a further much larger fine inflicted with a term of imprisonment in default. There was only time for two such cases to be heard. In those cases the accused, who had already been fined Lr. 3,000 and Lr. 75,000 respectively, were then fined Lr. 36,000 and Lr. 120,000. In addition they became liable to serve the suspended sentence.

The Comune of Genzano were the principal sufferers, since the inhabitants attempted to burn their denuncie, and made it clear that they had no intention of assessing.

(e) As a result, up to 1st March, 4817.29 quintals were amassed in comparison with 2690.26 quintals previous to the hearings, and fines collected amounted to Lr.2,736,900. By far the greater part of the amount amassed before the hearings was brought in after 10 Jan. 44, when, as a result of the first few cases, the producers were able to see that the Courts meant business.

(f) Following the transfer of Region 2 to ACC, the importance of amassing was impressed upon the Italian judiciary, and they were requested to continue the campaign. But their attitude was one of polite derision, they disclaimed capacity to assist, and stated that it had far better continue to be handled by A.M.G. Courts. In fact, the slogan that "The Allies will provide" was fully illustrated.

3. It is respectfully submitted that whatever schemes are evolved by H.Q., whatever prices are fixed, the harvest of grain and oil will NOT be amassed in any substantial proportions without effective Court procedure to compel the same. The Italians have tasted deep the prices paid in the Black Market, where a quintal of grain has fetched as much as Lr.8,000. Moreover deep rooted in their minds is the conviction of continued Allied supply, and undeniably logical reasons of policy preclude such faith from being rudely dispelled.

Even if legislation is passed arming the Italian Courts with procedure herewith effectively to compel amassing, it is submitted that the will to do so will be quite inadequate.

I have discussed the matter in full with the R.S.O., R.P.O., D.R.L.O., L.O. Matera, and the Intelligence Officer, and it is our combined view that amassing can only be made effective if:-

(a) The Italian code is amended so as to compel producers to amass, to provide for the infliction of fines up to Lr.1,000 per quintal in deficit, and a term of imprisonment in default at the rate of one week for each Lr.1,000 with a minimum of one month, and a similar term of imprisonment suspended to a later date. The amendment then permits the making of a fresh order to be obeyed by such later date, when, if not obeyed, the Court is given power to inflict a fine of Lr.10,000 per quintal then deficient, with imprisonment at the same rate in default, and in addition the accused is liable to serve the sentence suspended on the first hearing.

AND (b) In the sphere of amassing, and in that alone, A.M.G. Courts are empowered to function in ACC territory. To cover Courts operating in Lucania and Apulia it is estimated that at least two L.C.s

procedure wherewith effectively to compel that the will to do so will be quite inadequate.

I have discussed the matter in full with the R.S.O., R.I.C., and the Intelligence Officer, and it is our combined view that amassing can only be made effective if:-

D.N.L.O., L.O. Matera, and the Intelligence Officer, and it is our combined view that amassing can only be made effective if:-

(a) The Italian code is amended so as to compel producers to amass, to provide for the infliction of fines up to Lr.1,000 per quintal in deficit, and a term of imprisonment in default at the rate of one week for each Lr.1,000 with a minimum of one month, and a similar term of imprisonment suspended to a later date. The amendment then permits the making of a fresh order to be obeyed by such later date, when, if not obeyed, the Court is given power to inflict a fine of Lr.10,000 per quintal then deficient, with imprisonment at the same rate in default, and in addition the accused is liable to serve the sentence suspended on the first hearing.

AND (b) ? In the sphere of amassing, and in that alone, A.M.G. Courts are empowered to function in ACC territory. To cover Courts operating in Lucania and Apulia it is estimated that at least two L.O.s would be required, and two non-departmental officers for presiding over committees and prosecuting.

AND (c) The widest possible publicity is given to the penalties that will ensue in the event of failure to amass.

4. If a more lenient system of fining is adopted, it will simply mean that black market operators can continue to make a profit at the expense of going to prison. They must be shown, and shown clearly, that even at Lr.8,000 per quintal their operations are going to be somewhat expensive.

28 Apr. '44

Bill Cousins
D.E.S. COUSINS, Lt. Col.
R.I.C.
Region II

785016
HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

QA

4104
ACC/4014/13/L.

/rlp.
21 April 1944.

SUBJECT : Draft Decree in relation to Ammassi.
TO : Economic Section.

1. Following this afternoon's telephone conversation (Col. Adams and Maj. Hannaford), please find enclosed report on the position in regard to the publication of "ammassi" decree.

2. Pencil corrections to draft decree have been agreed by Maj. Dickie and accepted under protest by the Italian authorities.

3. The present decree, if it covers the full requirements of the agricultural sub-commission, is satisfactory in form.

4. Attention is drawn to para. 1; The interference with the long established rights of mendicant orders may create complications with the ecclesiastical authorities.

G. G. HANNAFORD,
Major,
Officer i/c Italian Branch,
for Chief Legal Officer.

Headquarters

Allied Control Commission.

Agriculture Sub. Commission

Liaison Officer - Internal.

8A

21st April, 1944.

Subject: Decree to be promulgated by Ministry of Agriculture
Stabilizing the Supervising of Wheat and barley in
the Unassai.

To : Legal Sub. Commission : Mr. Hugh Harwood.

1. For memo ACC/4104/13/2 dated 20th April '44,
revised.

2. Revised Draft of the proposed decree is sent to
you herewith so that it may be submitted
by you.

3. This Revised Draft embodies the provisions
requested by ACC. It has been prepared with the
assistance of Professor Seghetti and Doctor
Mussa of the Ministry of Agriculture. They do
not, however, agree with it in its details, as
some amendments and deletions have had to be
made to bring it into line with existing law
drawn in General Macfarlane's letter of 17 April
to Marshal Badoglio.

31

4. So that you can see the General Macfarlane's letter

by you.

3. This Revised Draft embodies the provisions requested by ACC. It has been prepared with the assistance of Professor Seghetti and Doctor Novati of the Ministry of Agriculture. They do not, however, agree with it in its details, as some amendments and deletions have had to be made to bring it into line with policy laid down in General MacFarlane's letter of 17 April to Marshal Badoglio.

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4. So that para. 4 of General MacFarlane's letter may be complied with at the earliest possible moment, it is suggested that you examine the Draft with a view to making any adjustments that may seem to you to be necessary.

M. MacFarlane
Principal
Agr. Division.

1 3 9 7

785016

(7A)

TRANSLATION - 20/4/44

SALERNO - 20 April 44.

MINISTRY OF AGRICULTURE AND FORESTRY.

Capt. Schreiber has informed me that the draft decree for the "Amasso" put forward by myself though without assuming any responsibility for it, has not been accepted by Major Hartman because it does not correspond with all his proposals.

As I told you verbally at the time of our meeting, the plan for complete gathering in by the "Amasso" as proposed by Major Hartman has no probable chance of success and will moreover be the cause of much discontent among various categories of agricultural workers and will result in an insufficient supply of grain to the non-agricultural population.

As a consequence, on the insistence of Major Hartman, I have prepared a draft decree for the Amasso according to his proposals but this must be understood as having been entirely initiated by the Major himself, and not implying any responsibility on my part, either personally or in my capacity as an official, as I am bound, in every case, to submit my work for the consideration of His Excellency the Minister and as a serious responsibility of a general order is involved in the publication of such a plan.

S. Leghetti

Major Hennesford
Palace of Justice, Salerno.

Salerno, lì 20 aprile 1944



MINISTERO DELL'AGRICOLTURA E DELLE FORESTE

IL CAPO GABINETTO

Egregio Sig. Maggiore,

Il Cap. Schreiber mi ha riferito che lo schema di decreto per l'ammasso, come da me predisposto, pur senza assumerne alcuna responsabilità, non è riuscito di gradimento del Sig. Maggiore Hartman, perchè non corrispondente in tutto alle sue proposte.

Come ho già dichiarato a voce, in occasione della nostra riunione presso di voi, l'accoglimento totale del piano di ammasso come predisposto dal Maggiore Hartman non ha alcuna probabilità di successo e sarà anzi causa di malcontento fra alcune categorie di agricoltori, e lascerà del tutto sprovvista di sufficiente alimentazione di cereali la popolazione non agricola.

Tuttavia, date le insistenze del Maggiore Hartman, ho preparato lo schema di decreto di ammasso secondo le sue proposte, ma questo deve intendersi come di esclusiva iniziativa del Maggiore stesso, senza che ciò implichi alcuna responsabilità da parte mia, nè come persona, nè molto meno come funzionario, dovendo, in ogni caso, sottoporre all'esame preventivo dell'Eccellenza il Ministro ogni mio operato, e tanto più questo che investe gravi responsabilità di ordine generale.

Con osservanza

28

Magg. HANNAFORD
Palazzo Giustizia - Salerno

REAR HEADQUARTERS
ALLIED COUNCIL COMMISSION
Legal Subcommittee
APC 394

COH/AMF

ACC/4104/23/L

20 April 1944

SUBJECT: Decree to be promulgated by Minister of Agriculture stabilizing the surrendering of wheat and barley to the enemy.

TO : Agriculture Subcommittee, ACC.

1. On April 19th this Subcommittee was approached by your representative with a view to drafting a decree in relation to the above which the Minister of Agriculture would be requested to promulgate at an early date. (Letter from Economic Section to Minister of Agriculture AGR/00020 of 16 April refers).

2. It was pointed out that in accordance with Directive ACC/4113/L of 14 Feb. 1944, the Legal Subcommittee did not draft decrees for the Italian Government, but perused such documents for the Subcommittee concerned after agreement had been reached with the respective Ministry, "to see that the Italian draft decree carried out what the Subcommittee had in mind."

3. Your Subcommittee then produced a letter from the Chief Commissioner to Marshal Badoglio, which had been handed to the Deputy Chief Commissioner for further transmittal. The terms of this letter made it imperative for this Subcommittee to lend you strong and immediate assistance, as it was further more stated that such decrees had to be promulgated either officially or unofficially (through the Press) before April 23 in spite of the fact that the Government had resigned and that any delay could be expected before a new Minister would be appointed.

Major Hardman then requested the undersigned to meet the Italian officials concerned and to endeavour to obtain from them a draft decree in accordance with the terms of the letter of 16 inst.

4. Thereupon the undersigned proceeded to the Ministry of Agriculture and later had a meeting at this office with Major Hardman, Major Dickie, Capt. Schreiber, Prof. Seghetti and another representative of the Ministry of Agriculture.

5. The urgency of preparing a decree regulating the amassing of wheat

Major H. H. H. then requested the undersigned to meet the Italian officials concerned and to endeavour to obtain from them a draft decree in accordance with the terms of the letter of 16 inst.

4. Thereupon the undersigned proceeded to see Major Haxitman, Major Pickle, and later had a meeting at this office with Major Haxitman, representative of the Ministry of Agriculture, Prof. J. Segatti and another representative of the Ministry of Agriculture.

5. The urgency of preparing a decree regarding the export of grain and barley in accordance with the terms set out in the letter of the Economic Commission was again stressed.

Prof. Sagnetto was most anxious to promulgate reasonable and amassable products, but finally he was persuaded to produce a decree governing wheat and barley only, reserving the right for the Italian Government to issue further legislation in connection with other commodities at a later date.

6. At 1630 hours on the same day Major Hardman informed the undersigned Prof. Seghetti's draft agrees. Unfortunately he could not remain in Palermo to discuss it owing to pressure of work.

7. The draft decree was translated by the morning of April 1941. The provisions of the decree were handed to Capt. Schreiber for his comments. The provisions of the decree were also handed to your Subcommittee and also to the letter of the

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Economic Section. It can be summed up as follows:

(a) Amassing of wheat and barley is made compulsory in spite of any previous legislation.

(b) Manual workers may retain 1 quintal 50 per head of family.

(c) Land owners, managers, "coloni", administrative and technical experts, certain parishes and religious orders may receive a maximum of 0.80 quintal in respect of their established rights or their services.

8. Furthermore the representatives of the Ministry of Agriculture pointed out:

(a) That if manual workers and other persons connected with the administration of farms are allowed to retain quintal 2, as suggested in letter from Economic Section, the ration of bread for the rest of the population will be reduced to nil.

(b) On the other hand some inducement to assess must be given to the agricultural population as otherwise they would not bring their total crop to the "ammassi", thus increasing the scope of the black market; the control of such activities by the police being extremely precarious.

(c) The Ministry representatives felt that the provisions of their decree are the best that can be enacted under present conditions in order to meet the extremely delicate problem of the "ammassi". *the whole requirement in the C.C. is fulfilled.*

(d) They further insisted that no responsibility for the smooth running of the ammassi system could be undertaken by them if the terms of the decree were modified to any great extent.

9. Being understood from Capt. Schreiber that the provisions of the draft decree do not meet your requirements and in view of the last statement made by the Minister's representatives that the points in question are of a purely technical nature, the documents handed by you to this Subcommittee are returned herewith for whatever action you may deem necessary.

10. This Subcommittee is ready to examine any form of legislation you may care to submit after agreement has been reached by you with the Ministry of Agriculture or further definite instructions are received from higher authority in this connection.

G. O. HAMFORD,

Major,
(Chief of Admin.)

Copy to: Chief Commissioner
Economic Section.

Officer i/o Italian Branch.
for, Chief Legal Officer.

1603

(c) The Ministry representatives felt that the provisions of their decree are the best that can be enacted under present conditions in order to meet the extremely delicate problem of the "emnessi". *the writer expressed the CC's wish.*

(d) They further insisted that no responsibility for the smooth running of the emnessi system could be undertaken by them if the terms of the decree were modified to any great extent.

9. Being understood from Capt. Schreiber that the provisions of the draft decree do not meet your requirements and in view of the last statement made by the Minister's representatives that the points in question are of a purely technical nature, the documents handed by you to this Subcommittee are returned herewith for whatever action you may deem necessary.

10. This Subcommittee is ready to examine any form of legislation you may care to submit after agreement has been reached by you with the Ministry of Agriculture or further definite instructions are received from higher authority in this connection.

G. O. HAINFORD.

Copy to: Chief Commissioner (*but not Admin*)
Economic Section.
Major,
Officer i/o Italian Branch.
for, Chief Legal Officer.

Annexures;

1. Translation of Minister's draft decree.
2. Copy of letter of Economic Section of 16 April 1944.
3. Copy of Chief Commissioner's letter to Marshal Badoglio of 17th April 1944.
4. Italian Memorandum.

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ACC/4102/43/L

Trans: 20 : 4 : 14

TRAJET DÉTACHÉ DE MINISTÈRE DE L'AGRICULTURE

VISTO

Having therefore considered the opportunity of storing the grain and the barley with the intention of issuing further provisions concerning the storage or the freezing of other farming products produced in the 1943/1944 farming season, in order to control their delivery to the ammassi, their means of transportation, their manufacturing and distribution.

D E C R E T

ARTICLE I

The following products are subject to be delivered to the ammassi notwithstanding any right held by any person to the contrary i.e. wheat and barley.

The provisions set forth in R.D.L. 10 May No. 397 applying to the storage of wheat and barley are to be still held in force.

The prices of the products subject to be delivered to the ammassi shall be fixed by the Ministry of Agriculture and Forests taking into consideration the present cost of production as by farming accounts.

The products, upon delivery, will be immediately paid at a price fixed according to their type and quality.

ARTICLE II

The provisions concerning the grinding of wheat and barley produced during 1944 for family consumption or for farming use in accordance with the regulations set forth in D.M. 15 June 1943 are restored. Art. 4 of the said decree in relation to the quantities of farming products to be retained for family or farming consumption is amended as per the following articles:

The provisions concerning the anticipated maturity date of the grinding counterfoils as by Order No. 4 dated 25 May 1943 issued by the Commissario Generale per l'Alimentazione are abolished.

The quantities of products retained as food for the family or for cattle have to be justified by the counterfoils used for grinding purposes which are to be issued according to current regulations now in force. Such quantities of products cannot be sold or purchased.

ARTICLE III

The quantity of grain which can be withheld on the 1944 harvest for family or farming purposes, in derogation to the obligation set forth in the regulations concerning delivery to the ammassi, according to Art. 2 of RUL 10 May 1943 No. 397 are fixed in the following maximum measures for each of the following categories :-

(a) For conductors of farms not annual visitors who are registered, entitled

ARTICLE II

The provisions concerning the grinding of wheat and barley produced during 1944 for family consumption or for farming use in accordance with the regulations set forth in D.E. 15 June 1943 are restored. Art. 4 of the said decree in relation to the quantities of farming products to be retained for family or farming consumption is amended as per the following articles:

The provisions concerning the anticipated maturity date of the grinding counterfoils as by Order No. 4 dated 25 May 1943 issued by the Commissario Generale per l'Alimentazione are abolished.

The quantities of products retained as food for the family or for cattle have to be justified by the counterfoils used for grinding purposes which are to be issued according to communal regulations now in force. Such quantities of products cannot be sold or purchased.

ARTICLE III

The quantity of grain which can be withheld on the 1944 harvest for family or farming purposes, in derogation to the obligation set forth in the regulations concerning delivery to the massi, according to Art. 2 of R.D. 10 May 1943 No. 397 are fixed in the following maximum measures for each of the following categories :-

- (a) For conductors of farms non manual workers who are proprietors, usufructuaries or tenants (persons who have lease of farm in perpetuity or for a term of years with right of ownership) usufructuaries or tenants, conductors of farms in economy, "mezzadria" (contract for the division of products from an estate between landlord and tenant), in "colonia parziaria" (association to cultivate a farm with the purpose of dividing its products) or in participation: $\text{q.li. } 0,80$ of wheat for the conductor of the farm himself and for every member of his family or dependent living with him which he has to support.
- (b) For manual workers conducting cereal producing farms as owners, usufructuaries or tenants (direct cultivators): $\text{q.li. } 1,50$ for the conductor of the farm and for each member of his family or dependent living with him which he has to support.
- (c) For "Coloni parziari" of farms producing cereals having a right of participation in the division of the products: $\text{q.li. } 1,50$ for the worker and for every member of his family or dependent thereof which he has to support.

- 4A
- (d) For members of the community or of parishes who directly conduct the cultivation whether they are owners "culturati", usufructuaries or tenants as follows: qli. 1.50 for each member (pro-capite) living on the farm who is a manual labourer and qli. 0.80 for the members who render professional service and for the members who live permanently in the community).
 - (e) For glaners previously authorized by the PIA, one qli for each gleaner. Moreover the conductors who according to the labour contract have to give cereals to the labourers are allowed to retain for the following:
 - (f) For the permanent labourers working on the agricultural farms, who according to the labour contract are entitled to be compensated in kind, up to qli. 1.50 for each labourer and for each of the persons who live with him
 - (g) For "Coloni peruviali", participants, permanent labourers of the agricultural farms and daily labourers regularly working on the said farms who according to the labour contract are entitled to receive cereals in full or partial salary up to qli. 1.50 for each person.

The conductors can hold as well for:
 - (h) Managers and employees of the agricultural farms living on the said farms and are employed in a technical or administrative capacity either generally or specifically, qli. 0.80 for each manager and for each person belonging to his family living with him, whom he has to support.
 - (i) Temporary labourers engaged for sowing and threshing who are entitled to receive additional pay and an extra ration of bread for the duration of said work, a total of 2 kg. per every hectare cultivated.

The right to retain a tenth of products is acknowledged as hereunder: Religious institutions and parishes living on charity may withhold the tenth part of the products received from charity up to qli. 0.80 for each member of the community.

The proprietors who do not conduct agricultural farms whether rented or leased (in enfiteus) are allowed to retain for every member of their family qli. 0.80 of cereals, only in the case where the contract establishes that the payment is to be made in kind instead of money.

The delivery to the masses of products which are subject to the above regulations and which are given in payment instead of rent must be done by the proprietors who are to be paid by the "ente ammassatore".

The quantities of grain and barley which may be retained by the producers for the purpose of sowing seeds in duration to be binding regulations

(h) Managers and employees of the agricultural farms living on the said farms and are employed in a technical or administrative capacity either generally or specifically, q.li. 0.80 for each manager and for each person belonging to his family living with him, whom he has to support.

(i) Temporary labourers engaged for mowing and threshing who are entitled to receive additional pay and an extra ration of bread for the duration of said work, a total of 2 kg. per every hectare cultivated.

The right to retain a tenth of products is acknowledged as hereunder: Religious institutions and parishes living on clergy may withhold the tenth part of the products received from clergy up to q.li. 0.80 for each member of the community.

The proprietors who do not conduct agricultural farms whether rented or leased (in enfiteusis) are allowed to retain for every member of their family q.li. 0.80 of cereals, only in the case where the contract establishes that the payment is to be made in kind instead of money.

The delivery to the masses of products which are subject to the above regulations and which are given in payment instead of rent must be done by the proprietors who are to be paid by the "ente ammentore".

The quantities of grain and barley which may be retained by the producers for the purpose of sowing seeds in derogation to the binding regulations and obligations to deliver to the masses, are fixed at the following amounts:

Southern Italy and Islands: Early grain q.li. 1.50 per hectare
Grain of late crops q.li. 1.50 per hectare
Barley for production of grain, q.li. 1.50 per hectare
Barley for haymaking, q.li. 1.50 per hectare.

6.

6. The not additional collection for agricultural purposes

All persons possessing agricultural land in the Province of ...
R.D. 29/4/43. 103245
for registration

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HEADQUARTERS
ALLIED CONTROL COMMISSION
ECONOMIC SECTION
APO 394

16 April 1944

AGW/00020

SUBJECT: Decrees Necessary to Achieve Effective and Complete Marketing

TO : His Excellency the Minister of Agriculture.

I CROPS TO BE AMASSED AND RETENTIONS TO BE AUTHORIZED.

A royal Decree will be necessary to indicate the cereal crops that will be compulsorily amassed and the retentions to be permitted for seeding of the next crop and for subsistence of producers.

The basis of the decree will be :

A. Crops to be compulsorily amassed : Wheat and barley. All available wheat and barley above authorized retentions must be amassed for use as human food.

B. Retentions :

(a) Wheat: (1) Seed: the maximum quantity which may be retained for seeding purposes will be set at 1.5 quintals per hectare to be sown to wheat for the 1945 wheat crop.
(2) Subsistence: The person entitled to subsistence retentions will be restricted to those who are employed full time on manual work on farms on which wheat is grown. Such persons will comprise two categories, viz : operational farmers and their dependents, and workers employed full time on wheat farms and their dependents. The maximum quantity of wheat for retention for each of these persons is 2 quintals.

(b) Barley: (1) Seed : the maximum quantity which may be retained for seeding purposes, will be set at 1.50 quintals per hectare to be sown to barley for 1945 crop.

(2) Subsistence: In total or partial substitution of wheat, barley may be retained at the rate of 1.30 quintals for every quintal of wheat.

II AMASSING ORGANIZATIONS.

A Royal Decree will be necessary to establish an amassing organization. This organization should form part of the whole national control of agriculture under Ministry of Agriculture.

A copy of a translation of the

(a) Wheat: (1) Seed: The maximum quantity which may be retained for seeding purposes will be set at 1.5 quintals per hectare to be sown to wheat for the 1945 wheat crop.

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II SEEDING ORGANIZATIONS.

A Royal Decree will be necessary to establish an amassing organization. This organization should form a part of the whole national control of agriculture under Ministry of Agriculture.

Appendix A is a mimeographed copy of a translation of the overall Italian organization for agriculture which was agreed upon between the former Minister of Agriculture, avv. Siciliani, and the Agriculture Sub-Commission; your excellency has agreed in principle on the channels of authority outlined therein.

Appendix B shows how the functions of the Compartmental and Provincial Inspectors should be defined and incorporated in a directive so that field officers of the Ministry may have a basis upon which to operate. These functions come within oral agreements already reached between your excellency and the Agriculture Sub-Commission.

Appendix C defines the functions of organizations which are closely involved in the work of amassing and which must be created or re-created at once so that they may be in full working order well before harvest begins.

Appendices A.B. and C. cover the agricultural control machinery comprising one complete organization headed by the Ministry of Agriculture. The entire organizations should be activated as

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soon as possible but nothing should be allowed to hold up the publication within the next few days of a decree putting into operation the organizations outlined in appendix C which will make possible the complete and expeditious amassing of wheat and barley, a matter of prime importance to Italy.

(Sgd)

D.S. ABADI
Colonel, U.S.
Executive officer
Economic Section.

Appendices : A. New organization of Ministry of Agriculture and Forests.
B. Functions of Compartment and Provincial Inspectors of Agri.
C. Amassing Organization.

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Declassified E.O. 12356 Section 3.3/NND No.

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COPY

HEADQUARTERS
ALLIED CONTROL COMMISSION
A.P.C. 394

WAH/GMF/nl

ES/10

17 April 1944

MEMORANDUM:

TO : His Excellency, Marshal Badoglio.

1. The Allied Control Commission is gravely concerned over the delays that have occurred in establishing a legal basis for the organization for Italian agriculture. The harvest season is rapidly approaching. The Commission is convinced that further delay in providing for the amassing of wheat and barley and for revision of the "Retention law" will seriously jeopardize the supply of adequate food for the Italian population.

2. The supplies and shipping at the disposal of the United Nations will be increasingly required for the prosecution of the war and the allocation of tonnage for the purpose of feeding the civilian population of Italy may have to be drastically curtailed. It is essential therefore that the total agriculture resources of Italy be effectively harnessed without delay. The presently liberated territory should normally be self-supporting with respect to food.

3. Although Your Excellency's Ministers have agreed with the Commission as to the need for new laws and regulations, no definite action has yet been taken.

4. I consider this matter to be of such immediate importance that I must ask your Excellency to cause to be published at the earliest practicable date, and in any case not later than April 23, the requisite decrees and regulations to implement the agriculture program. Meanwhile I suggest that it would be most helpful if Your Excellency would issue a preliminary public statement announcing our joint plans, particularly with respect to the amassing of grain.

5. The salient features of the proposed plan of

the prosecution of the war and the allocation of tonnage for the purpose of feeding the civilian population of Italy may have to be drastically curtailed. It is essential therefore that the total agriculture resources of Italy be effectively harnessed without delay. The presently liberated territory should normally be self-supporting with respect to food.

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4. I consider this matter to be of such immediate importance that I must ask your Excellency to cause to be published at the earliest practicable date, and in any case not later than April 23, the requisite decrees and regulations to implement the agriculture program. Meanwhile I suggest that it would be most helpful if Your Excellency would issue a preliminary public statement announcing our joint plans, particularly with respect to the amassing of grain.

5. The salient features of the proposed plan of Agricultural organization as previously recommended to, and approved in substance by, the Ministry of Agriculture are set forth in the attached summary.

(sgd) NOEL MASON MACFARLANE
Lieutenant General.
Chief Commissioner.

12-Enc Agriculture organization summary.

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NOTES ON THE DECREE FOR "AMMASSI" REQUESTED BY ACC.

The Allied Control Commission has requested that the decree concerning the regulation of "ammassi" of agricultural products be prepared so as to be based on the following fundamental principals:

1. Ammasso shall be limited to wheat and barley;

2. The quota to be kept exclusively by agricultural enterprises and workers permanently engaged in cultivation of cereals and by their families shall be limited to two quintall per person.

The following remarks are offered to point 1:

It is imperative to provide for a regulation of "ammasso" of all the cereals (wheat, barley, oats, rye, rice and corn) beans and of dry seeds of more widely cultivated vegetables (kidney beans, peas, chick-peas, vetch and lentil).

The above is necessary for the following reasons:

- (a) The food production in free and controlled Italy will be so low that it is necessary to have the possibility of manoeuvring with any product in order to meet the requirements of the population;
- (b) Ammasso limited to a number of products only shall have for its consequence a decrease of the surface used for cultivation of products subject to ammasso and any increase of the surface used for other products.
- (c) The products not subject to ammasso would be marketed in free market and would reach very high prices in consequence of the limited supply of food products thus becoming accessible only to richer categories of population to the exclusion of the poorer classes.

The following remarks are made in regard to point 2:

The agricultural population of the liberated and controlled Italy amounts to about 7 million people;

If these people are permitted to keep 2 quintall per person, 14 million quintall of wheat, i.e., practically the entire obtainable production shall be absorbed.

In such case not only would there be no reason to collect the wheat since all of it would be kept by the producers; but this product would not be at all available for the non agricultural population.

It seems advisable to present for the consideration of

- 2 -

Allied authorities another observation concerning the exclusion of the enterprises (proprietors, landlords etc.) who are not manual workers from the benefit of the quota of food products which certain other persons are allowed to keep; it is in fact impossible to allow that these enterprises who are under the obligation to keep wheat for their employess (permanent workers) are themselves excluded from such benefit while taking part in the operation of the farm.

Although the Italian people are ready to undergo every sacrifices as their contribution to the victory of the United Nations, it is indispensable that the United Nations provide for importation of an appropriate portion of wheat or flour or of other food products;

The above is necessary because to the food rations based upon the Italian agricultural production will be extremely limited and because it is advisable to keep an extra supply of food in order to ensure good order, contentment of the population and to increase the scope of labour activities.

AGLI INQUADRI AGRI COLTIVI
E PROVINCIALI
LORO SEI

OGGETTO: Direttive di organizzazione e di funzionamento.

C I R C O L A R E

Questo Ministero, riservandosi di emanare norme integrative in merito alla organizzazione ed al funzionamento dei dipendenti Ispettorati Comunitari e Provinciali nonché di precisare i compiti rispettivi, impartire, per ora, in termini generali, le proprie istruzioni in merito che sono state concordate con la Commissione Alleata di Controllo (Allied Control Commission - Agriculture Sub-Commission).

La particolare critica situazione alimentare che incombe sul nostro Paese, minando alla base la tranquillità e l'ordine pubblico, esige il più duro e consapevole sforzo da parte di tutte le Amministrazioni dello Stato, operanti, ciascuna, nell'ambito delle rispettive competenze.

Al Ministero dell'Agricoltura spetta il compito, grave di responsabilità, di organizzare l'annata, o la disciplina di vincolo, per quei prodotti agricoli che si riterrà di sottoporre a tali obblighi.

La Commissione Alleata di Controllo attribuisce all'esito di tale azione la massima importanza, soltanto se potrà trarre convincimento che tutto quanto è possibile fare da parte nostra per assicurare la massima produzione agricola ed il massimo risultato degli annati, sarà attuato, questo Ministero potrà ad esso rivolgersi per ottenerne nei limiti del possibile, un adeguato aiuto.

In considerazione di tali presupposti questo Ministero, non può esitare a disporre che i propri Uffici periferici diano tutta la loro opera affinché il risultato degli annati corrisponda alle necessità impoite del momento.

Pertanto premiente attività tanto degli Ispettorati Comunitari come di quelli Provinciali, dovrà essere, in tutto il periodo di annata dei veri prodotti per i quali ne sarà disposta la disciplina, quella di contribuire al massimo per il conseguimento

1617
proprie istruzioni in merito che sono state concordate con la Commissione Allente di Controllo (Allied Control Commission - Agriculture Sub-Commission).

La particolare critica situazione alimentare che incombe sul nostro Paese, minandone alla base la tranquillità e l'ordine pubblico, esige il più duro e consapevole sforzo da parte di tutte le Amministrazioni dello Stato, operanti, ciascuna, nell'ambito delle rispettive competenze.

Al Ministero dell'Agricoltura spetta il compito, grave di responsabilità, di organizzare l'emano, o la disciplina di vincolo, per quei prodotti agricoli che si riterrà di sottoporre a tali obblighi.

La Commissione Allente di Controllo attribuisce all'esito di tale azione la massima importanza, soltanto se potrà trarre convincimento che tutto quanto è possibile fare da parte nostra per assicurare la massima produzione agraria ed il massimo risultato degli emani, sarà attuato; questo Ministero potrà ad esso rivolgersi per ottenerne nei limiti del possibile, un adeguato aiuto.

In considerazione di tali presupposti questo Ministero, non può esitare a disporre che i propri Uffici periferici siano tutte la loro opera affinché il risultato degli emani corrisponda alle necessità imperiose del momento.

Pertanto prominente attività tanto degli Ispettorati Comparsa, quanto di quelli Provinciali, dovrà essere, in tutto il periodo di emano dei vari prodotti per i quali ne sarà disposta la disciplina, quella di contribuire al massimo per il conseguimento dello scopo indicato.

In ciascuno degli Ispettorati, il Capo dell'Ispettorato stesso è responsabile di fronte al Ministero del buon andamento degli emani nella rispettiva circoscrizione competente e provinciale.

Allo scopo verranno immediatamente impartite disposizioni alla Associazione Nazionale degli Enti Economici dell'Agricoltura che per modifiche di organizzazione e di compiti verrà ora data un Ufficio Nazionale Statistico - Economico dell'Agricoltura (U.N.E.A.) di porre alle dipendenze tecniche degli Ispettorati Agrari Provinciali i propri Uffici Provinciali con i rispettivi di-

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pendenti Uffici comunali in modo che la loro organizzazione di accertamento e di ripartimento dei prodotti soggetti all'imposta, si rivolgerà alle dirette dipendenze degli Ispettori Agrari Provinciali i quali, pertanto, assumeranno la diretta responsabilità dell'andamento e del risultato degli esamini stessi.

Regioni continenti hanno consiliato, per il momento, di non procedere all'assegnamento agli Uffici Provinciali Statistico-Economici dell'Agricoltura (E.S.E.A.) nell'amministrazione statale, ma ciò se mantengono separate detti Uffici degli Ispettori Agrari sotto, il punto di vista amministrativo e gerarchico, non deve costituire separazione del punto di vista tecnico e tanto per quanto riguarda, più immediatamente, la tecnica degli esamini come per quanto concerne ogni altra attività assistenziale di propaganda e statistica, per l'applicazione delle quali gli Ispettori Agrari Compartimentali e Provinciali ritenevano valere dell'opera di detti uffici. »

In attesa di porre in atto, a tempo opportuno, l'attività propria e dei funzionari dipendenti per rendere efficiente, al massimo grado, la organizzazione degli esamini ed il relativo risultato, non mancano, frattanto, gli Ispettori Compartimentali e Provinciali di evolvere nei riguardi degli agricoltori opera di persuasiva propaganda, verbale e a stampa per indurli ad accettare la disciplina di esame come un imprescindibile, e pur sacro ed umanitario, dovere del compimento del quale, non può esitarsi ad effettuarlo, dipende, sotto diversi aspetti, il nostro avvenire sia prossimo che remoto.

Sarà cura di questo Ministero stabilire, d'intesa con la Commissione Alleata di Controllo, i prezzi del grano e degli altri prodotti da sottoporsi all'obbligo di esame in misura ben ripartitiva in modo che il prezzo non venga a costituire incentivo alla evasione, ma al conferimento.

Per l'assegnamento di tali compiti, come di quelli altri ingenti agli Ispettori Agrari dipendenti, emerge l'assoluta necessità del mezzi di trasporto le condizioni attuali non consentono a questo Ministero di procedere a forniture dirette di automezzi: ha però fatto presente la situazione alla Commissione Alleata di Controllo la quale, con piena comprensione, ha assicurato il suo massimo ed efficiente interessamento.

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Prendano quanto sopra in linea di contingente necessità, di

L'opera di detti uffici. 2

In attesa di porre in atto, a tempo opportuno, l'attività propria e dei funzionari dipendenti per rendere efficiente, al massimo grado, la organizzazione degli uffici ed il relativo risultato, non mancano, frattanto, gli Ispettori Compartimentali e provinciali di svolgere nei riguardi degli agricoltori opera di persuasiva propaganda, verbale e a stampa per indurli ad accettare la disciplina di cui sono come un imprescindibile, e pur sacro ed umanitario, dovere dal compimento del quale, non può esserci un effettuario, dipende, sotto diversi aspetti, il nostro avvenire sia prossimo che remoto.

Sarà cura di questo Ministero stabilire, d'intesa con la Commissione Alleanza di Controllo, i prezzi del grano e degli altri prodotti da sottoporsi all'obbligo di smacco in misura per rimuneratoria in modo che il prezzo non venga a costituire incentivo alla evasione, ma al conferimento.

Per l'assolvimento di tali compiti, come di quegli altri inerenti agli Ispettorati Agrari dipendenti, emerge l'esigenza necessaria dei mezzi di trasporto le condizioni attuali non consentono a questo Ministero di procedere a forniture dirette di automezzi: ha però fatto presente la situazione alla Commissione Alleanza di Controllo la quale, con piena comprensione, ha assicurato il suo ausilio ed efficiente interessamento.

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Premesso quanto sopra in linea di contingente necessità, si fanno seguire disposizioni di carattere normativo per la organizzazione ed il funzionamento degli Ispettorati dipendenti.

1) Ispettorati Agrari Compartimentali

Come già precisato in precedenti note ministeriali, è intendimento di questo Ministero che gli Ispettori Agrari Compartimentali assumano piena ed effettiva responsabilità, nei confronti del Ministero stesso, del coordinamento e svolgimento di tutte le attività che si esplicano nel campo della tecnica agraria in genere.

Pertanto l'Ispettore Agrario Compartimentale rappresenta nel Compartimento di propria giurisdizione l'autorità agraria gerar-

o/o

perdenti Uffici Comunali in modo che la onerosità di accertamento e di reperimento dei prodotti soggetti all'imposta, si svolga alle dirette dipendenze degli Ispettori Agrari Provinciali i quali, pertanto, assumeranno la diretta responsabilità dell'aumento e del risultato degli annui studi.

Regioni contingenti hanno consigliato, per il momento, di non procedere all'assorbimento dei Uffici Provinciali Statistici-Economici dell'Agricoltura (U.E.S.E.A.) nell'amministrazione statale, ma ciò se avviene separatamente detti Uffici degli Ispettorati Agrari sotto, il punto di vista amministrativo e gerarchico, non deve costituire separazione dal punto di vista tecnico e tanto per quanto riguarda, più immediatamente, la tecnica degli ammassi come per quanto concerne ogni altra attività esecutiva di pro-

essendo il controllo degli appezzamenti già compiuto, esso dovrà estendersi anche ai comuni agrari provinciali in questo limito esecutivo, per conto dello Stato, della municipalità e della corporazione che li rappresenta di propria iniziativa, ma il regolamento che li riguarda dovrà essere da conferire all'ente stesso alla espressa volontà in rapporto alla produzione ottenuta, sarà costituito in ogni Comune una Commissione apposta che funzionerà come arbitro tra gli agricoltori e gli esattori proposti all'ammontamento, seguitando incessantemente la istruzione concernente la modalità di coltivazione del varii oggetti di coltivazione degli appezzamenti, colla presenza che dovrà essere eletta e piena, dipendendo dall'ordine secondo il numero degli appezzamenti.

...a un prezzo di mercato, a prezzi del grano e degli altri prodotti di sottoprodotti all'obbligo di comasce in misura ben rimasta alternativa in modo che il prezzo non venga a costituire incentivo alla esportazione, ma al conferimento.

Per l'assolvimento di tali compiti, come di quegli altri inerenti agli Ispettorati Agrari dipendenti, emerge l'esigenza necessaria dei mezzi di trasporto le condizioni attuali non consentono a questo Ministero di procedere a fornire dirette di automezzi: ha però fatto presente la situazione alla Commissione Alzenta di Controllo la quale, con piena comprensione, ha assicurato il suo massimo ed efficiente intervento.

Tramesso quanto sopra in linea di contingente necessità, ed fermo neppure disposizioni di carattere normativo per la organizzazione ed il funzionamento degli Ispettorati dipendenti.

1) Impettoretti Accordi Compartimentali

Come già precisato in precedenti note ministeriali,

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chicamente più elevata ed è responsabile, i confronti del Ministero, oltre del l'assolvimento dei compiti specifici istituzionali, mente demandati agli Ispettorati Agrari Compartimentali, anche del buon funzionamento dei servizi propri degli Ispettorati Provinciali sia per quanto concerne l'attività e la disciplina del personale, come pure per assicurare l'attuazione e l'applicazione coordinata delle direttive, norme ed istruzioni impartite dal Ministero agli Ispettorati Provinciali per l'organizzazione e l'incremento dell'agricoltura.

Per conseguire tale scopo l'Ispettore Compartimentale ha facoltà di impartire disposizioni normative ai dipendenti Ispettorati Provinciali di cui darà tuttavia sempre preventiva conoscenza a questo Ministero per la dovuta approvazione.

In dipendenza di quanto esposto, questo Ministero si riserva, intesa la Commissione Allesta di Controllo, di precisare, quale debba essere in corrispondenza delle esigenze convergenti per ciascun Ispettorato, il rispettivo organico del personale, che, in ogni caso, sarà contenuto entro i limiti dello stretto necessario.

La emanazione delle direttive che seguono definisce altresì i compiti che vengono demandati agli Ispettorati Agrari Compartimentali

1) Come già raccomandato con precedente nota ministeriale massima e senza riserve deve essere la collaborazione con gli Ufficiali Allesti di collegamento, affinché mediante l'ario ne combinata di questo Ministero e della Commissione Allesta di Controllo, possa giungere, quanto prima, alla riorganizzazione e ricostituzione della nostra agricoltura.

2) Massima importanza assume nell'attuale momento, il servizio delle informazioni statistiche. L'Ispettore Compartimentale affiderà ad apposito funzionario il servizio di statistiche agrarie e curerà:

a) che i dati statistici richiesti agli Ispettorati Provinciali, sia quelli periodici oggetto di speciali moduli e schede, come quelli cui si dovesse fare, a seconda delle necessità, apposite richieste, siano raccolti ed elaborati con la massima diligenza e puntualità inviati per proprio tramite al Ministero ed alla Commissione Allesta di Controllo, alle scadenze prescritte.

Dal canto suo dovrà riassestire ed elaborare in rapporto al proprio Compartimento i dati provinciali prima di inoltrarli al

soni Ispettorato, il rispettivo organico del personale, che, in ogni caso, sarà contenuto entro i limiti dello stretto necessario.

La enunciata delle direttive che seguono definisce altresì i compiti che vengono demandati agli Ispettori Agrari Compartimentali.

1) Come già raccomandato con precedente nota ministeriale

massima e senza riserve deve essere la collaborazione con gli Ufficiali Alleati di collegamento, affinché mediante l'azione combinata di questo Ministero e della Commissione Alleata di Controllo, possa giungere, quanto prima, alla ricomposizione e ricostruzione della nostra agricoltura.

2) Massima importanza assume nell'attuale momento, il servizio delle informazioni statistiche. L'Ispettore Compartimentale affiderà ed apposito funzionario il servizio di statistica agraria e curerà:

a) che i dati statistici richiesti agli Ispettorati Provinciali, sia quelli periodici oggetto di speciali moduli e schede, come quelli cui si dovesse fare, a seconda delle necessità, apposita richiesta, siano raccolti ed elaborati con la massima diligenza e puntualmente inviati per proprio tramite al Ministero ed alla Commissione Alleata di Controllo, alle scadenze prescritte.

Dal canto suo dovrà rimediare ed elaborare in rapporto al proprio Compartimento i dati provinciali prima di inoltrarli al

Reste confermato che le notizie rilevate a scopo di statistica agraria, non debbono essere in alcun modo, e per nessun motivo essere divulgate e comunicate a fini fiscali.

3) Date le attuali contingenze ed in relazione al fatto che l'Italia è pressoché sprovvista di tutto quanto costituisce materiale di fornitura dei mezzi tecnici e strumentali dell'Agricoltura e che pertanto, la più parte di questi deve farsi giungere, tramite la Commissione Alleata di Controllo, l'Ispettore Compartimentale deve seriamente preoccuparsi di segnalare a questo Istituto il fabbisogno relativo, con quel tempestivo anticipo, rispetto all'epoca d'impiego, che consenta di poter provvedere, in tempo

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intesa la Commissione Allente di Controllo, di precisare, quale debba essere in corrispondenza delle esigenze convergenti per ciascuna ispettorato, il riepilogativo organico del personale, che, in ogni caso, sarà contenuto entro i limiti dello stretto necessario.

La emanazione delle direttive che seguono definisce altresì i compiti che vengono demandati agli Ispettori Agrari Compartimentali

1) Come già raccomandato con precedente nota ministeriale massime e senza riserva deve essere la collaborazione con gli Ufficiali Allenti di collegamento, affinché mediante l'azione combinata di questo Ministero e della Commissione Allente di Controllo, possa giungere, quanto prima, alla riorganizzazione e ricostituzione della nostra agricoltura.

2) Massima importanza assume nell'attuale momento, il servizio delle informazioni statistiche. L'Ispettore Compartimentale affiderà ad apposito funzionario il servizio di statistica agraria e curerà:

a) che i dati statistici richiesti agli Ispettorati Provinciali, sia quelli periodici oggetto di speciali moduli e schede, come quelli cui si dovesse fare, a seconda delle necessità, apposite richieste, siano raccolti ed elaborati con la massima diligenza e puntualmente inviati per proprio tramite al Ministero ed alla Commissione Allente di Controllo, alle scadenze prescritte.

Dal canto suo dovrà riassume ed elaborare in rapporto al proprio Compartimento i dati provinciali prima di inoltrarli al Ministero ed alla Commissione Allente di Controllo.

Ciò vale anche per quelle richieste di dati e di notizie che potranno, di volta in volta, essere richieste da questo Ministero o dalla Commissione Allente di Controllo, avvertendo che ogni comunicazione del genere da farsi alla detta Commissione o ad alcuno dei suoi componenti, deve essere trasmessa, per conoscenza, anche a questo Ministero. W

3) Date le attuali contingenze ed in relazione al fatto che l'Italia è pressoché sprovvista di tutto quanto costituisce materiale di fornitura dei servizi tecnici e strumentali dell'Agricoltura e che pertanto, la più parte di questi deve farsi giungere, tramite la Commissione Allente di Controllo, l'Ispettore Compartimentale deve seriamente preoccuparsi di segnalare a questo Ministero il fabbisogno relativo, con quel tempestivo anticipo, rispetto all'epoca d'impiego, che consente di poter provvedere, in tempo

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utile, alle strutture.

L'Ispettorato Compartimentale predisponeva sin d'ora un apposito programma di coordinato lavoro, in relazione alle varie esigenze culturali ed alle varie operazioni di semina e di raccolta, richiederà a tempo opportuno dati e notizie agli Ispettorati Provinciali della propria circoscrizione e li trasmetterà a questo Ministero dopo averli riassunti ed elaborati in rapporto al Compartimento.

4) Sarà altro compito dell'Ispettore Agrario Compartimentale seguire l'attività delle varie Istituzioni Agrarie, dipendenti e controllate dal Ministero, operanti nel Compartimento, facciano, eventualmente, proposte al fine di conseguire un coordinamento del lavoro scientifico e tecnico da esse svolto nonché la massima rispondenza della loro attività alle esigenze dell'agricoltura che debbono essere valutate in rapporto all'attuale momento.

II°) Ispettorati Agrari Provinciali -

Nella Provincia di propria competenza l'Ispettore Agrario Provinciale rappresenta l'autorità agraria più elevata in quella Provinciale rappresentata e responsabile dell'esecuzione delle ditte esecutrice diretta e norme ministeriali nonché di quelle che spediscono, direttive e norme ministeriali Compartimentali, competeranno di impartire agli Ispettorati Compartimentali, compiti per circoscrizione, allo scopo di conseguire il coordinamento ed il massimo rendimento dei servizi.

Nel caso che, per vicende di guerra, una sola delle Provincie appartenenti ad una determinata circoscrizione Compartimentale risulti liberata e amministrata dal Governo Italiano o dal Comando Militare Alleato, l'Ispettore Agrario di essa corrisponderà direttamente col Ministero ed assolverà, in via transitoria, anche i compiti demandati all'Ispettore Compartimentale.

In relazione ai compiti che vengono in appresso specificati, questo Ministero, d'intesa con la Commissione Alleata di Controllo, si riserva di stabilire l'organico di ciascun Ispettorato Provinciale, che sarà tuttavia in stretta relazione con le reali necessità di funzionamento.

Gli Ispettorati Provinciali impronteranno la loro attività e quella degli Uffici dipendenti alle seguenti istruzioni.

1) Essima e senza riserve deve essere la collaborazione con gli Ufficiali Alleati che abbiano ed assolvano incarichi loro affidati dalla Commissione Alleata di Controllo, o che nei Comandi Militari Alleati della Provincia disimpegnino un ruolo tale da collaborare.

Provinciale rappresenta l'autorità esecutiva più elevata di quella
to coesistente diretta e responsabile dell'esecuzione delle dis-
posizioni, direttive e norme ministeriali nonché di quelle che
riferiranno di impartire agli Ispettori Compartimentali, compa-
ranti per circoscrizione, allo scopo di conseguire il coordina-
mento ed il massimo rendimento dei servizi.

Nel caso che, per vicende di guerra, una sola delle Provin-
cie appartenenti ad una determinata circoscrizione compartimen-
tale rimasti liberi e amministrata dal Governo Italiano o del
Comando Militare Alleato, l'Ispettore Agrario di essa correspon-
derà direttamente col Ministero ed assolverà, in via transitoria,
anche i compiti demandati all'Ispettore Compartimentale.

In relazione ai compiti che vengono in appresso specificati,
questo Ministero, d'intesa con la Commissione Alleata di Control-
lo, si riserva di stabilire l'organico di ciascun Ispettore
Provinciale, che sarà tuttavia in stretta relazione con le reali
necessità di funzionamento.

Gli Ispettori Provinciali impronteranno la loro attività
a quella degli Uffici dipendenti alle seguenti istruzioni.

1) Vagante e senza riserva deve essere la collaborazione
con gli Ufficiali Alleati che abbiano ad assolvere incarichi
loro affidati dalla Commissione Alleata di Controllo, o che
nei Comandi Militari Alleati della Provincia disimpegnino fun-
zioni che rendono necessario tale collaborazione.

2) L'Ispettore deve esigere che tutti i funzionari dipenden-
ti assolvano i rispettivi compiti con impegno ed assiduità prodi-
gandosi purché ad essi non manchi, nella esplicazione dell'atti-
vità di ufficio, la propria opera di guida, di assistenza e di
incoraggiamento.

3) E' noto già reso noto e si conferma l'intendimento
di questo Ministero che gli Ispettorati Agrari Provinciali deb-
biano a riprendere un'attività improntata a quella svolta, con
tanto risultato per il progresso dell'agricoltura Italiana, dal-
le antiche Cattedre ambulanti d'Agricoltura. Ciò si rende parti-
colarmente necessario in questo periodo in cui per note ed ovvie

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regioni non possono essere impartite direttive tecnico-amministrative di ordine generale, ed ogni agricoltore richiede particolare assistenza in relazione alle specifiche situazioni che si è venute a determinare per la sua azienda.

Pertanto l'Ispettore Provinciale predispone il funzionamento di ufficio in modo che larga parte dell'attività possa essere dedicata alla propaganda ed alla assistenza ottenendosi in tal modo anche lo scopo di togliere l'agricoltore un isolamento sotto diversi aspetti denunciosi, dagli Organi Statali dell'Agricoltura.

Sempre in relazione a tale criterio, saranno costituiti gli Uffici distaccati di Sezione in numero adeguato alle necessità ed all'uso: gli Ispettori Provinciali trasmetteranno studiate proposte agli Ispettori Compartmentali competenti, i quali, valutate opportunamente le proposte stesse, le trasmetteranno al Ministero con proprio motivato parere.

4) Per quanto riguarda il servizio di statistica e la segnalazione del fabbisogno dei mezzi tecnici e strumentali dell'agricoltura, valgono le norme sopra specificate per gli Ispettori Compartmentali. Si ravvisa opportuno, tuttavia, a seguito di recenti constatazioni in merito ai dati delle richieste pervenute, insistere sulla necessità:

a) che i dati statistici siano rilevati con la massima diligenza in modo che essi siano garanzia assoluta di attendibilità e che pertanto essi rappresentino essenzialmente lo stato del fenomeno oggetto del rilevamento e non l'adattamento corretto della rappresentazione statistica del fenomeno stesso a presupposti soggettivi o di opportunità;

b) che la valutazione del fabbisogno dei materiali occorrenti

5) Allo scopo di porre a disposizione degli Ispettori Agrari Provinciali un adeguato organo consultivo, saranno costituiti in ogni Provincia, su nuove basi e con aumentata competenza i Comitati Provinciali dell'Agricoltura. Il riguardo saranno impartite precise disposizioni anche per la nomina dei componenti i Comitati stessi.

La presente relazione è stata approvata dal Consiglio Provinciale di Agricoltura e ha di tenere in continuo e diligente aggiornamento la consistenza del patrimonio contabile dell'Agricoltura.

a) che i dati statistici siano rilevati con la massima diligenza in modo che essi siano garanzia assoluta di attendibilità e che pertanto essi rappresentino esattamente lo stato del fenomeno oggetto del rilevamento e non l'adattamento costruito della rappresentazione statistica del fenomeno stesso a presupposti soggettivi o di opportunità;

b) che la valutazione del fabbisogno dei materiali occorrenti

- 5) Allo scopo di porre a disposizione della Ispettorato Agrari Provinciali un adeguato organo consultivo, saranno costituiti in ogni Provincia, su nuova base e con aumentate competenze i Comitati Provinciali dell'Agricoltura. Il governo saranno impartite precise disposizioni anche per la nomina dei componenti i Comitati stessi.

Il governo in continuo e diligente aggiornamento la consistenza del patrimonio zootecnico della provincia distinguendo le specie degli animali e le categorie della singole specie come nei moduli del censimento bestiame 1930.

Inoltre la Sezione Zootecnica sorveglierà e controllerà quanto viene effettuato a riguardo della distribuzione dei mandati e dei foglii includendo nei propri compiti anche la sorveglianza ed il controllo in merito alla raccolta del latte, ed al trasporto di questo ai centri di distribuzione nonché in merito al bestiame destinato al macello.

Sarà particolare cura della Sezione Zootecnica segnalare, a seconda delle occorrenze, il fabbisogno di sieri e vaccini in relazione al manifestarsi di particolari epizootie.

b) La Sezione addetta alla cerealicoltura ed in genere alle colture erbacee, curerà che sia dato il massimo incremento alla superficie

che da seminare e che sono preoccupandosi in ogni modo che per il grano e per ogni altra erbacea siano applicati i migliori metodi colturali consentiti nelle attuali condizioni.

Seguire le occorrenze di sementi e di fertilizzanti, di materia li per la lotta agli animali dannosi alle colture e di antiparassitari co- stituisce altresì speciale compito di detta Sezione.

c) La Sezione che presiede al servizio delle colture legnose, assolverà analoghi compiti per quanto riguarda le colture di proprie competenza tecnica.

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Questo Ministero e la Commissione Alleata di Controllo mentre esprimono il più comprensivo apprezzamento per l'opera svolta dagli Ispettorati Agrari Compartimentali e Provinciali, rispettivamente nel proprio campo d'azione, nel turbato periodo attraversato dall'Italia ora liberata, fanno il massimo affidamento sulla volontà di lavoro e sulla competenza dei funzionari ministeriali affinché superata la corrente campagna agraria che per forza di eventi superio- ri ad ogni umana possibilità ha dovuto svolgersi pressoché senza controllo ed in grave assenza di adeguati mezzi produttivi, possa riorganizzarsi e ricostituire l'agricoltura italiana su quelle basi di sana tecnica applicativa che ha costituito in ogni tempo la base di questo Ministero e la realizzazione degli sforzi appasionati e meriti dei funzionari tutti centrali e periferici.

A

di lavoro e sulla competenza dei funzionari ministeriali all'incirca
superata la corrente campagna agraria che per forza di eventi superio-
ri ad ogni umana possibilità ha dovuto svolgersi pressoché senza
controllo ed in grave assenza di adeguati mezzi produttivi, possa
riorganizzarsi e ricostituire l'agricoltura italiana su quelle basi
di sana tecnica applicative che ha costituito in ogni tempo la metà
di questo ministero e la realizzazione degli affari appenninici e
assidui dei funzionari tutti centrali e periferici.

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SCHEMA DI DECRETO MINISTERIALE CONCERNENTE LA
DISCIPLINA DI AMMASSO DEL GRANO E DELL'ORZO DEI
RACCOLTO 1944

(Da sottoporre alla preventiva approvazione di S.E. il Ministro per l'Agricoltura e per le Foreste).

IL MINISTRO PER L'AGRICOLTURA E PER LE FORESTE

VISTO il R.D.L. 10 maggio 1943 n.397 recante disposizioni per la disciplina totalitaria del raccolto **cerealicolo** 1943 e delle fave secche;

VISTO il D.M.26 maggio 1943 sulla determinazione delle trattenute dei cereali e delle fave secche consentito sulla produzione 1943;

VISTO il D.M.11 giugno 1943 sulle trattenute di grano consentite ai conduttori di aziende per uso proprio e dei rispettivi familiari e dipendenti conviventi;

VISTO il D.M.15 giugno 1943 che disciplina la macinazione del grano, della segala, dell'orzo e del granturco di produzione 1943 trattenuti per consumo familiare ed aziendale;

VISTA l'Ordinanza n.1 del Commissario Generale dell'Alimentazione del 24/9/1943 relativa all'anticipata scadenza delle bollette di macinazione per la campagna cerealicole 1943-44;

VISTO il R.D.L. 25 febbraio 1944 n.63 che stabilisce il passaggio alle dipendenze del Ministero dell'Agricoltura e delle Foreste del Commissariato Generale dell'Alimentazione istituito con Bando n.4 in data 1° ottobre 1943 del Capo di S.M. Generale;

VISTO il R.D.L. 22 aprile 1943 n.245 relativo alle penalità per il mancato conferimento sui cereali in genere;

la segala, dell'orzo e del grano duro e del grano tenero;
consumo familiare ed aziendale;

VISTA l'Ordinanza n.1 del Commissario Generale dell'Alimentazione del 24/9/1943 relativa all'anticipata scadenza delle bollette di macinazione per la campagna cerealicola 1943-44;

VISTO il R.D.L. 25 febbraio 1944 n.63 che stabilisce il passaggio alle dipendenze del Ministero dell'Agricoltura e delle Foreste del Commissariato Generale dell'Alimentazione istituito con Bando n.4 in data 1° ottobre 1943 del Capo di S.M.Generale;

VISTO il R.D.L. 22 aprile 1943 n.245 relativo alla penalità per il mancato conferimento sui cereali in genere;

CONSIDERATA la necessità di assicurare nelle attuali contingenze i rifornimenti indispensabili per le Forze Armate e la popolazione civile; RITENUTA pertanto l'opportunità di confermare l'ammasso del grano e dell'orzo con riserva di emanare successive disposizioni per l'ammasso ed il vincolo di altri prodotti agricoli, prodotti nella campagna agraria 1943-44, disciplinandone i conferimenti i trasporti la lavorazione e la distribuzione;

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D E C R E T A

ART. 1

Rimangono sottoposti alla disciplina di ammasso i seguenti prodotti da chiunque e per qualsiasi titolo detenuti: frumento e orzo.

Restano in vigore le disposizioni di cui al R.D.L. 10 maggio 1943 N.397, limitatamente all'ammasso del frumento e dell'orzo. I prezzi dei prodotti soggetti all'ammasso saranno fissati dal Ministero dell'Agricoltura e delle Foreste tenendo conto degli attuali costi di produzione rilevati dai conti culturali.

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prodotti conferiti verranno immediatamente pagati ai rispettivi prezzi sulla base delle loro caratteristiche.

ART. II°

E' ripristinata la disciplina per la macinazione del grano e dell'orzo di produzione 1944 da trattenere per consumo familiare secondo la norma di cui al D.M. 15 giugno 1943 fatta eccezione per l'art. 4 di detto Decreto per la parte relativa alle quote da trattenere per consumo familiare ed aziendale che vengono fissate come al seguente articolo III°.

Restano abrogate le disposizioni relative all'anticipate scadenza delle bollette di macinazione di cui all'ordinanza n° 1 del 24 settembre 1943 del Commissario Generale dell'Alimentazione.

Le quantità di prodotto trattenuate per il fabbisogno della alimentazione familiare e della alimentazione del bestiame debbono essere giustificate dalle bollette di macinazione rilasciate nelle norme prescritte dall'autorità Comunale. Tali quantità non possono formare oggetto di compra-vendita.

ART. III°

Le quantità di grano che sul raccolto 1944 possono essere trattenuate per il consumo familiare ed aziendale in esenzione dall'obbligo del conferimento all'ammasso a termini dell'art. 2 del R.D. L. 10/5/1943 n° 397 sono stabilite nelle misura massima di Oli. 2 pro-capite limitatamente alle categorie sopresso indicate :

- a) per i coloni parziari partecipanti delle aziende cerealicole e per ciascuna delle persone di famiglia che con loro convivono a carico e dipendenticonviventi;
- b) per i conduttori coltivatori manuali di aziende cerealicole di

sere giustificate dalle collezioni di
norme prescritte dall'autorità Comunale. Tali quantità non possono formare oggetto di compra-vendita.

ART. III°

Le quantità di grano che sul raccolto 1944 possono essere trattate per il consumo familiare ed aziendale in esenzione dall'obbligo del conferimento all'amasso a termini dell'art. 2 del R.D. n. 10/5/1943 n° 397 sono stabilite nella misura massima di Lit. 2 pro-capite limitatamente alle categorie appresso indicate :

- a) per i coloni parziari partecipanti delle aziende cerealicole e per ciascuna delle persone di famiglia che con loro convivono a carico e dipendenticonviventi;
- b) per i conduttori coltivatori manuali di aziende cerealicole di cui siano proprietari o enfiteuti o usufruttuari o affittuari e per ciascuna delle persone di famiglia che con loro convivono a carico e dipendenti conviventi;
- c) per le convivenze e parrocchie che conducano direttamente aziende cerealicole in proprietà o in enfiteusi o in usufrutto o in affitto per i soli conviventi che attendano manualmente e stabilmente alla coltivazione dei terreni;
- d) per i salariati fissi ed obbligati addetti alle aziende cerealicole quando per patto di lavoro debbano essere compensati in natura e per ciascuna delle persone che con lui convivono a carico;

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ART. IV°

I quantitativi di grano ed orzo che possono essere trattieneuti dai produttori per le esigenze delle semine in esenzione dal l'obbligo dall'ammasso sono stabiliti per ogni ettaro da coltivare nelle seguenti misure massime :

- grano di varietà precoce q.li. 1,80 per ettaro
- " " tardiva " 1,25 " "
- orzo per produzione di granella q.li 4,50 per ettaro

ART. V°

Ogni altra contraria disposizione in materia è abrogata.
Le infrazioni alla disposizioni contenute nel presente Decreto sono punite ai sensi del R.D.L. 22/4/1943 n° 245

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sono punite ai sensi del

La Commissione Alleata di Controllo ha richiesto che si approntasse il decreto relativo alla disciplina degli ammassi dei prodotti agricoli sui due seguenti punti fondamentali:

- 1) Ammasso limitato al grano ed all'orzo;
- 2) Quota di trattatura esclusivamente per i conduttori agricoli e per i lavoratori stabilmente addetti alle colture cerealicole e loro famiglie nella misura di quintali 2 pro-capite.

A riguardo del punto 1) si osserva:

E' indispensabile disporre la disciplina di ammasso per tutti i cereali (grano, orzo, avena, segale, riso e granturco), e per le fave e la disciplina di vincolo per i semi secchi delle leguminose più estesamente coltivate (fagioli, piselli, ceci, cicerchie e lenticchie).

Ciò per i seguenti motivi:

- a) La produzione dei generi alimentari nell'Italia liberata e controllata sarà talmente scarsa che è necessario avere possibilità di manovrare ogni prodotto per provvedere alle esigenze della popolazione;
- b) L'ammasso, limitato ad alcuni prodotti scelti, determina contrazione delle superfici investite a coltura soggetta ad ammasso ed estendimento delle altre;
- c) I prodotti non soggetti all'ammasso sarebbero oggetto di mercato libero ed in relazione alle scarse disponibilità dei generi alimentari raggiungerebbero prezzi elevatissimi per cui l'acquisto ne sarebbe consentito soltanto alle categorie più ricche rimanendone sprovviste quelle meno abienti.

A riguardo del punto 2) si osserva:

La popolazione agricola dell'Italia liberata e controllata si aggira sui 7 milioni di individui;

Attribuendo a questi la ritenuta nella misura di Q/li 2 pro-capite ne risulterebbero assorbiti 14 milioni di quintali di grano e cioè, praticamente, tutta la produzione ottenibile dalla coltura in atto;

In tale situazione non solo non vi sarebbe ragione di ammassare il grano, essendo esso tutto trattenuto dai produttori, ma non rimarrebbe nessuna disponibilità di tale prodotto per la popolazione non agricola.

Altra osservazione che si ritiene di sottoporre alla considerazione della ACC. è quella relativa alla esclusione dei conduttori (proprietari, coltivatori ecc.) non lavoratori manuali dalla attribuzione della quota di

b) L'ammasso, limitato ad alcuni prodotti soltanto, determina contrazione delle superfici investite a coltura soggetta ad ammasso ed estendimento delle altre;

c) I prodotti non soggetti all'ammasso sarebbero oggetto di mercato libero ed in relazione alla scarsa disponibilità dei generi alimentari raggiungerebbero prezzi elevatissimi per cui l'acquisto ne sarebbe consentito soltanto alle categorie più ricche rimanendone sprovviste quelle meno abbienti.

A riguardo del punto 2) si osserva:

La popolazione agricola dell'Italia liberata e controllata si aggira sui 7 milioni di individui;

Attribuendo a questi la ritenuta nella misura di Q/11 2 pro-capite ne risulterebbero assorbiti 14 milioni di quintali di grano e cioè, praticamente, tutta la produzione ottenibile dalla coltura in atto;

In tale situazione non solo non vi sarebbe ragione di ammassare il grano, essendo esso tutto trattenuto dai produttori, ma non rimarrebbe nessuna disponibilità di tale prodotto per la popolazione non agricola.

Altra osservazione che si ritiene di sottoporre alla considerazione della ACC. è quella relativa alla esclusione dei conduttori (proprietari, affittuari, ecc.) non lavoratori manuali dalla attribuzione della quota di trattenuta; non è infatti possibile ammettere che detti conduttori cui è fatto obbligo di trattenere il grano per i propri dipendenti (lavoratori fissi) debbano essere per conto proprio esclusi da tale beneficio mentre esplicano una ingerenza nell'andamento dell'azienda.

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Per quanto il popolo italiano sia disposto a tutti i sacrifici per contribuire alla vittoria delle Nazioni Unite è indispensabile che queste prevedano la importazione di una congrua partita di grano o farina o di altri generi alimentari poichè le razioni alimentari che sarà possibile avere con la produzione agraria italiana sono razioni di estremo limite ed è prudente agli effetti dell'ordine pubblico della tranquillità del popolo e della possibilità di lavoro tener disponibile una integrazione che è da ritenere indispensabile.

Legal Dept

SCHEMA DI DECRETO MINISTERIALE PER LA DISCIPLINA DI
AMMASSO DEL GRANO E DELL'ORZO DEL RACCOLTO 1944

o.o

(Da sottoporre alla preventiva approvazione di S.E. Il Ministro)

IL MINISTRO PER L'AGRICOLTURA E LE FORESTE

VISTO il R.D.L. 10/5/1943 n° 397 recante disposizioni per la disciplina totalitaria del raccolto cerealicolo 1943 e delle fave secche;
VISTO il D.M. 26/5/1943 sulla determinazione delle tratte di dei cereali e delle fave secche,
VISTO il D.M. 11/6/1943 sulle tratte di grano consentite ai conduttori di aziende,
VISTO il D.M. 15/6/1943 che disciplina la macinazione dei cereali tratte per il consumo familiare,
VISTO l'ordinanza n° 1 del Commissario Generale per la Alimentazione in data 24/9/1943,
VISTO il R.D.L. 25/2/1944 n° 53 che stabilisce il passaggio alle dipendenze del Ministero dell'Agricoltura e Foreste del Commissariato Generale dell'Alimentazione,
VISTO il R.D.L. 22/4/1943 n° 245 relativo alle penali per il mancato conferimento dei cereali in genere,
Considerata la necessità nelle attuali contingenze di assicurare i rifornimenti indispensabili per le F.F.AA. e per la popolazione civile,
RITENUTO pertanto di confermare l'ammasso del grano e dell'orzo con riserva di emanare successive disposizioni per l'ammasso o il vincolo di altri prodotti agricoli, prodotti nella campagna agraria 1943/1944, disciplinandone i conferimenti, i trasporti, la lavorazione e la distribuzione;

D E C R E T O

ART. 1 -

Minimamente sottoposti alla disciplina di ammasso, i seguenti prodotti: da chiunque e per qualsiasi titolo detenuti: frumento ed orzo.

Restano in vigore le disposizioni di cui al R.D.L. 10 maggio 1943 n° 397 limitatamente all'ammasso del frumento e dell'orzo.

I prodotti conferiti sono immediatamente pagati, a termini dell'art. 10 del succitato R.D.L., sulla base dei prezzi fissati in relazione agli attuali costi di produzione risultanti dai conti culturali.

VISTO il R.D.L. 22/4/1943 n. 245 relativo alle penali per
alle dipendenze del Ministero dell'Agricoltura e Foreste del
Comissariato Generale dell'Alimentazione,
VISTO il R.D.L. 22/4/1943 n. 245 relativo alle penali per
il mancato conferimento dei cereali in genere,
Considerata la necessità nelle attuali contingenze di assi-
curare i rifornimenti indispensabili per le F.F.AA. e per
la popolazione civile,
RITENUTO pertanto di conferire l'amasso del grano e del-
l'orzo con riserva di emanare successive disposizioni per
l'ammasso o il vincolo di altri prodotti agricoli, prodot-
ti nella campagna agraria 1943/1944, disciplinandone i con-
ferimenti, i trasporti, la lavorazione e la distribuzione;

D E C R E T O

Dimangono sottoposti alla disciplina di amasso, i se-
guenti prodotti, da chiunque e per qualsiasi titolo determi-
nati: frumento ed orzo.

Restano in vigore le disposizioni di cui al R.D.L. 10
maggio 1943 n. 397 limitatamente all'amasso del frumento
e dell'orzo.

I prodotti conferiti sono immediatamente pagati, a ter-
mini dell'art. 10 del succitato R.D.L., sulla base dei
prezzi fissati in relazione agli attuali costi di produ-
zione risultanti dai conti culturali.

E' ripristinata la disciplina per la macinazione del
grano e dell'orzo di produzione 1944 da trattenere per il
consumo familiare, secondo le norme di cui al D.M. 15/6/1943
fatta eccezione per l'art. 4 di detto Decreto relativo al-
le quote da trattenere per consumo familiare, che vengo-
no fissate come al seguente art. 3.

ART. 1 -

ART. 2 -

- a) conduttori non coltivatori manuali di aziende cereali-
cole, di cui siano proprietari o enfiteuti o usufruttua-
ri o affittuari (conduttori in economia o a mezzadria,
o a colonia parziaria o in compartecipazione) che eser-
citino direttamente e continuativamente la conduzione
dell'azienda, con esclusione di ogni altra attività e
che ivi abbiano stabile residenza: gli 1,00 di grano
per il conduttore e per ciascuna delle persone di fami-
glia che con lui convivono a carico e dipendenti convi-
venti;

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Restano abrogate le disposizioni relative all'anticipata scadenza delle bollette di macinazione di cui all'ordinanza n° 1 del Commissariato Generale dell'Alimentazione.

Le quantità di prodotto trattate per il fabbisogno delle alimentazione familiare debbono essere giustificate dalle bollette di macinazione rilasciate nelle nuove prescrizioni dell'Autorità Comunale; tali quantità non possono formare oggetto di compra-vendite.

Le quantità di grano che sul raccolto 1944 possono essere trattate per il consumo familiare, in esenzione dal vincolo e dell'obbligo dell'emmasso, a termini dell'art. 2 del R.E.I. 10/5/1943 n. 357, sono stabilite nelle seguenti misure massime per ciascuna della categorie in appresso indicate:

a) conduttori non coltivatori manuali di aziende cerealicole, di cui siano proprietari o enfiteuti, o usufruttuari o affittuari (conduttori in economia, ex mezzadria, o a colonia parziaria o in compartecipazione), che esercitino direttamente e continuativamente la conduzione dell'azienda: q.li. 1,00 di grano per il conduttore e per ciascuna delle persone di famiglia che con lui convivono a carico e dipendenti conviventi;

b) conduttori coltivatori manuali di aziende cerealicole di cui siano proprietari, o enfiteuti, o usufruttuari, o affittuari (coltivatori diretti): q.li. 1,50 per il conduttore e per ciascuna delle persone di famiglia che con lui convivono a carico e dipendenti conviventi;

c) coloni parziari, compartecipanti di aziende cerealicole: q.li. 1,50 per il lavoratore e per ciascuna delle persone di famiglia che con lui convivono a carico e dipendenti conviventi;

d) conviventi e parrocchie che conducano direttamente aziende cerealicole in proprietà o in enfiteusi o in usufrutto o in affitto: q.li. 1,50 pro-capite per i conviventi che attendano mensilmente e stabilmente alla coltivazione dei terreni. ~~q.li. 1,00 per gli altri conviventi stabilmente residenti nella comune.~~

ART. 3 -

direttamente e continuativamente la conduzione dell'azienda : gli. 1,00 di grano per il conduttore e per ciascuna delle persone di famiglia che con lui convivono a carico e dipendenti conviventi;

b) conduttori coltivatori manuali di aziende cerealicole di cui siano proprietari, o enfiteuti, o usufruttuari, o affittuari (coltivatori diretti) : gli. 1,50 per il conduttore e per ciascuna delle persone di famiglia che con lui convivono a carico e dipendenti conviventi;

c) coloni perari, partecipanti di aziende cerealicole : gli. 1,50 per il lavoratore e per ciascuna delle persone di famiglia che con lui convivono a carico e dipendenti conviventi;

d) convivere e parrocchie che conducano direttamente aziende cerealicole in proprietà o in enfiteusi o in usufrutto o in affitto: gli. 1,50 pro-capite per i conviventi che attenderanno manualmente e stabilmente alla coltivazione del terreno. ~~gli. 1,00 per gli altri conviventi stabilmente residenti nelle parrocchie;~~

~~e) conduttori prevalentemente autorizzati dagli Istituti Provinciali Agrari : gli. 1,00 per ciascun agricoltore;~~

f) Inoltre i conduttori che abbiano, per atto di lavoro, obbligo di corrispondere cereali ai lavoratori, possono detrarre :

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e) per i salariati fissi ed obbligati, addetti alle aziende cerealicole, quando per patto di lavoro debbano compensarli in natura, fino a q.li. 1,50 per ciascun lavoratore e per ciascuna delle persone di famiglia che con lui convivono a carico;

f) per i coloni parziari, i compartecipanti, i salariati fissi di aziende agricole e i braccianti stabilmente occupati in tali aziende, ai quali per patto di lavoro debbono fare amministrazione di cereali, fino a q.li. 1,50 per lavoratore manuale.

g) Per i dirigenti e impiegati di aziende cerealicole che risiedono stabilmente presso le aziende stesse e vi esplicano continuativamente ed esclusivamente la loro attività, con funzioni tecniche od amministrative, di concetto o di ordina, q.li. 1,00 per ciascun dirigente o impiegato e per ciascuna delle persone di famiglia che con lui convivono e convivono.

~~La somma il diritto di trattamento per lavoro, l'indennità di lavoro e la sussistenza beneficiati di sussidio indennità sul diritto di lavoro fino a q.li. 1,50 per ciascun annuo. Tale trattamento non è cumulabile con quello previsto in art. 2) del presente articolo.~~

In sostituzione totale o parziale di grano possono essere trattati per ogni quintale di grano q.li. 1,30 di orzo prodotto nella stessa azienda agricola.

I quantitativi di grano e di orzo che possono essere trattati per le esigenze della semina, in esenzione dal vincolo e dall'obbligo dell'ammasso, sono stabiliti per ogni ettaro da coltivare nelle seguenti misure massime:

- grano di varietà precoce q.li 1,80 per ettaro
- " " tardiva " 1,25 "
- orzo per produzione di granelle q.li. 1,50 per ettaro.

Non sono consentite trattenute di grano o di orzo per uso zootecnico.

Sono abrogate tutte le disposizioni che comunque contrastino con le norme fissate nel presente decreto.

Le infrazioni alle disposizioni contenute nel presente decreto sono punite con la multa del P.D. 1-22/4/1943 n. 245.

4104/13/4
In decree no. 10

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

COH/gmf

22 March 1944.

ACC/4104/1/L

SUBJECT: Suspended Sentences in cases of offences against regulations concerning delivery of grain and other commodities (Ammassi).

TO : RLO (thru RC) Region 2.

1. The Italian Government will promulgate shortly a Decree dealing with all forms of offences in connection with the production, transport, delivery, sale, purchase, etc. of food (reati annonari).

2. The procedure adopted in the cases mentioned by you of non-delivery to the "ammassi" within the specified time limit will be the following:

If a producer fails to bring his products to the "ammasso" on or before the date specified in the Prefectoral ordinance, he shall be charged under the provisions of the Decree. If, however, he delivers his products to the "ammasso" between the date of service and the date of appearance (generally 10 days) his sentence under the terms of the Law or the relevant article of the Code shall be reduced by one half to two-thirds, or even suspended under the discretionary powers of the judge in that connection. (Arts. 163-168 of Penal Code, Art. 487 C.P.P.).

3. It is hoped that these provisions will help in solving your problem.

G. G. HANNAFORD, Major
Officer i/c Italian Section
for Chief Legal Officer.

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

Copy for File 4104/2/L.

20 March 1944.

~~acc/4001/2/L.~~

SUBJECT : Directives requested.

TO : RIO (THRU: RC, Region 2.

1. (Not material).
2. (Not material).

3. The Minister of Justice has been requested to forward recommendations to Italian Courts in connection with the procedure to be followed in cases of producers failing to comply with the "ammassi" regulations, with a view to continuing the policy of AMG in this respect.

G. G. HUNNIFORD, Major
Officer i/c Italian Section
for Chief Legal Officer.

Original letter in file 4001/2/L

✓
HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

(2A)

Copy for File 4104/2/L.

Ref: 2201/58/2

11 March 44

SUBJECT : Directives requested.

TO : CIO, Legal Sub-Commission ACC - SALERNO.

Ref the conversation Major Harnaford - Lt. Col. Cousins
4.3.44, might written instructions now please be received re-
garding.

1. Trial of suits between employers and employee for arrears wages,
in the ordinary Italian Courts.
2. Procedure whereby the Italian Courts can continue the policy of AMG
Courts of compelling the amassing of grain by a fine and suspended
sentence, followed by a later conviction for disobeying an order to
amass.

D.E.S. COUSINS.Lt.Col.
R.L.O.
REGION II

Legal Subcommittee.
APO 394

14 February 1944

100/4113/L

SUBJECT: Italian Legislation.

TO : All Subcommittees.

1. In the course of meetings between Subcommittees and their opposite numbers in the Italian Government and discussions on matters of policy it frequently becomes necessary for Subcommittees to consider the initiation and preparation of decree laws by the Italian Government and this directive lays down the procedure to be followed.

2. The method of preparation of decrees by the Italian Government is as follows:

Under the present Italian system of administration all legislative proposals emanating from the several Ministries of State are drafted by the originating department itself for submission to the legal adviser to the Cabinet of Ministers as a preliminary to consideration by that body. The draft bill or administrative decree when approved in principle by the Council of Ministers is examined as to its final legal form by the Minister of Justice before presentation to the King or Chief of Government for signature and publication in the Official Gazette.

3. When a Subcommittee and a Ministry are agreed on a joint policy which necessitates a decree law it is the duty of the Ministry concerned to prepare the decree and not ACC. When considering the terms of the draft decree with the Ministry concerned the Subcommittee should AT THIS STAGE consult the Legal Subcommittee to see that the draft decree in fact carries out what the Subcommittee has in mind.

4. It is then the duty of the Italian Ministry concerned to carry through the draft in accordance with the procedure outlined above. If any changes are made in the draft at a later stage the Ministry concerned should be asked to inform the Subcommittee concerned and if any difficulty arises therein the latter should consult the Legal Subcommittee.

5. The decree only becomes effective in law on the date of its publication in the Gazzetta Ufficiale and is NOT operative in territory still occupied by the Allied Forces. If the Subcommittee concerned desires to make such decree operative in occupied territory the Legal Subcommittee should be so informed in writing BEFORE, if possible, the date of publication in the Gazzetta.

6. Apart from the foregoing the Italian Government may initiate

3. When a Subcommission and a Ministry are concerned which necessitates a decree law, it is the duty of the Ministry concerned to prepare the decree and not ACC. When considering the terms of the draft decree with the Ministry concerned the Subcommission should AT THIS STAGE consult the Legal Subcommission to see that the draft decree in fact carries out what the Subcommission has in mind.

4. It is then the duty of the Italian Ministry concerned to carry through the draft in accordance with the procedure outlined above. If any changes are made in the draft at a later stage the Ministry concerned should be asked to inform the Subcommission concerned and if any difficulty arises therein the latter should consult the Legal Subcommission.

5. The decree only becomes effective in law on the date of its publication in the Gazzetta Ufficiale and is NOT operative in territory still occupied by the Allied Forces. If the Subcommission concerned desires to make such decree operative in occupied territory the Legal Subcommission should be so informed in writing BEFORE, if possible, the date of publication in the Gazzetta.

6. Apart from the foregoing the Italian Government may initiate and prepare decrees on their own and not as the result of a common or agreed policy. The relationship between Subcommissions and Ministries should be such that Ministries will as a matter of course inform their opposite numbers of their intentions in this respect at the earliest stage so that any defects may be remedied and that any appropriate action may be taken thereon sooner rather than later.

7. The above draft proposed directive is circulated for your comments to be made to Staff Officer to Administrative V.P. on or before 17 Feb. 44. Para 6 has been drawn vaguely in the absence of policy directive and your comments hereon are especially asked.

Copy to: ACC/4104/L

G. R. Upjohn
G. R. UPJOHN, Colonel
Chief Legal Officer.

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