COMMISSION DECISION

of 23 December 1988

approving a programme to improve marketing facilities for cereals in Lower Saxony, submitted by the Federal Republic of Germany in accordance with Council Regulation (EEC) No 355/77

(Only the German text is authentic)

(89/26/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed [1], as last amended by Regulation (EEC) No 1760/87 [2], and in particular Article 5 thereof,

Whereas the Government of the Federal Republic of Germany forwarded on 11 September 1987 a programme to improve processing and marketing facilities for cereals in Lower Saxony and supplied additional information on 7 July and 1 September 1988;

Whereas the aim of the said programme is the rationalization and modernization of storage and other facilities operated by first purchasers in the cereals sector, with a view to maintaining the competitiveness of the sector and enhancing the value of the products concerned; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas, given the situation in the cereals sector, approval of the programme cannot be extended to include those investment projects:

— the purpose of which is the storage and treatment of goods from third countries,
— which are implemented in the starch-manufacturing, milling or malting sectors,
— which relate to the provision of storage or other facilities at ports;

Whereas it would be incompatible with sound economic management to grant aid towards facilities used for intervention purposes;

Whereas the programme contains sufficient information, as required by Article 3 of Regulation (EEC) No 355/77, to show that the objectives laid down in Article 1 of the said Regulation can be achieved in respect of the improvement of cereal-marketing facilities in Lower Saxony; whereas the time allowed for implementation of the programme does not exceed the limits referred to in Article 3 (1) (g) of the Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

Article 1

1. The programme which was forwarded on 11 September 1987 by the Government of the Federal Republic of Germany pursuant to Regulation (EEC) No 355/77 and concerning which additional information was supplied on 7 July and 1 September 1988 is hereby approved.

2. Such approval shall not apply to those investments:

— the purpose of which is the storage and treatment of goods from third countries,
— which are implemented in the starch-manufacturing, milling or malting sectors,
— which relate to the provision of storage or other facilities at ports,
— which are used for intervention purposes.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 23 December 1988.

For the Commission
Frans ANDRIESSEN
Vice-President

[1] OJ No L 51, 23. 2. 1977, p. 1.
[2] OJ No L 167, 26. 6. 1987, p. 1.