COMMISSION DECISION

of 28 April 1995

approving an amendment to the varietal conversion programme for hops submitted by the Kingdom of Spain pursuant to Council Regulation (EEC) No 2997/87

(Only the Spanish text is authentic)

(95/152/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2997/87 of 22 September 1987 laying down, in respect of hops, the amount of aid to producers for the 1986 harvest and providing for special measures for certain regions of production [1], as last amended by Regulation (EC) No 423/95 [2], and in particular Article 2 (5) thereof,

Having regard to Commission Regulation (EEC) No 3889/87 of 22 December 1987 laying down detailed rules for the application of the special measures for certain regions of hops production [3], as last amended by Regulation (EEC) No 718/93 [4], and in particular Article 3 thereof,

Whereas, pursuant to Article 2 (5) of Regulation (EEC) No 2997/87, on 9 December 1988 the Kingdom of Spain forwarded to the Commission a varietal conversion programme for hops; whereas the programme as amended on 3 July 1989 was approved by Commission Decision 89/479/EEC [5];

Whereas on 18 December 1991 the Kingdom of Spain forwarded further amendments to that programme to the Commission;

Whereas conversion to specific clones of the variety H 3 may be treated as varietal conversion within the meaning of Regulation (EEC) No 2997/87 on condition that the strain obtained by clonal selection gives rise to production of hops of the super-alpha type, as defined in Article 1 (3) of Regulation (EEC) No 3889/87, which may be used in brewing owing to the confirmed stability and homogeneity characteristics;

Whereas on 23 February 1995 the Kingdom of Spain forwarded to the Commission new amendments to the programme;

Whereas the proposed amendments involve the inclusion of additional super-alpha varieties in the list of varieties to be planted in line with new market requirements;

Whereas the programme as amended satisfies the objectives of the Regulation in question and contains the information required pursuant to Article 2 of Regulation (EEC) No 3889/87;

Whereas the financial contribution from the national budget foreseen in the programme complies with the ceiling in Article 2 (2) of Regulation (EEC) No 2997/87; whereas the actual costs referred to in that Article may include factors for assessing the net loss of income following the implementation of the conversion plan; whereas, however, only factors relating to the net loss of income suffered from the date of adoption of Regulation (EEC) No 2997/87 may be included in the calculation of the actual costs; whereas the financial contribution from the Member State to the varietal conversion programme must be determined accordingly;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Hops,

HAS ADOPTED THIS DECISION:

Article 1

The amendment to the varietal conversion programme for hops, submitted pursuant to Regulation (EEC) No 2997/87 by the Kingdom of Spain on 23 February 1995, is hereby approved. The main aspects of the programme as amended are given in the Annex hereto.

Article 2

The Kingdom of Spain shall inform the Commission every six months of progress in the programme.

(1) OJ No L 284, 7. 10. 1987, p. 19.
(2) OJ No L 45, 1. 3. 1995, p. 1.
(3) OJ No L 365, 24. 12. 1987, p. 41.
(4) OJ No L 74, 27. 3. 1993, p. 46.
(5) OJ No L 234, 11. 8. 1989, p. 50.

Article 3

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 28 April 1995.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

1. *List of producer groups covered by the programme:*

   — Grupo de cultivadores de lúpulo de Garrizo de la Ribera, Asociación de Productores Agrarios, APA nº 1,

   — Agrupación Comercial de Campesinos Leoneses 'ACCAL' de Astorga, Asociación de Productores Agrarios, APA nº 2.

2. *Duration of programme*

   From 1988 to 1996. The last plantings must be carried out before 31 December 1996.

3. *Areas covered by the programme*

   617 hectares

4. *Varieties to be planted and areas concerned*

   Aromatic varieties

Spalt Hersbrucker Fino Alsacia Hallertau	maximum of 5 % of areas converted (at most 30,85 hectares)

   Super-alpha varieties (1)

Specific clones of the variety H 3 Hallertauer Magnum Galena Nugget	minimum of 95 % of areas converted (at least 586,15 hectares)

(1) Within the meaning of Article 2 of Regulation (EEC) No 2997/87 and Article 1 (3) of Regulation (EEC) No 3889/87.