COMMISSION DECISION

of 20 December 1995

amending for the third time Decision 95/32/EC approving the Austrian programme for the implementation of Article 138 of the Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden

(Only the German text is authentic)

(96/38/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Act of Accession of Austria, Finland and Sweden, and in particular Article 138 thereof,

Whereas on 8 November 1994 Austria notified the Commission, pursuant to Article 143 of the Act of Accession, of the Austrian programme for the implementation of its Article 138 aid for a number of products for the period 1995 to 1999 inclusive;

Whereas this programme, as modified by letter dated 16 December 1994, was approved by Commission Decision 95/32/EC [1] whereas that Decision was amended by Commission Decisions 95/209/EC [2] and 95/416/EC [3]; whereas by letter dated 16 November 1995 Austria notified the Commission, pursuant to Article 143 of the Act of Accession, of a request for Commission authorization to further amend that programme; whereas that request was the subject of amendments by letter dated 13 December 1995;

Whereas the request involves aid for fruit and vegetables; whereas this request involves some products not included in Decision 95/32/EC; whereas that Decision, in its Article 3, refers to possible further Decisions for products not covered by it; whereas certain fruit and vegetables are arable crops included in Decision 95/32/EC, but for which the rate of aid in that Decision is inadequate to attain the objectives of Article 138 of the Act of Accession; whereas the requests for aid for all products are in accordance with the provisions of the Act of Accession, and in particular Article 138 thereof; whereas the form of the aid on the basis of area reflects principles of the reformed common agricultural policy and so may be deemed to be appropriate; whereas, for fruits and certain vegetables, the maximum levels of aid from 1996 onwards can best be determined at a later stage,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 95/32/EC is replaced by the Annex to the present Decision.

Article 2

This Decision is addressed to the Republic of Austria.

Done at Brussels, 20 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ No L 43, 25. 2. 1995, p. 53.
[2] OJ No L 131, 15. 6. 1995, p. 34.
[3] OJ No L 242, 11. 10. 1995, p. 21.

ANNEX

(in öS)

Product	Maximum rate of aid for products produced in each of the years shown					
	1995	1996	1997	1998	1999	2000
Arable crops (1)	3 700/ha					
Fodder grain	2 400/ha					
Durum wheat	6 000/ha					
Protein plants	2 400/ha					
Linseed for crushing	6 000/ha					
Set-aside :						
— normal	1 000/ha	65 % of rate in 1995	40 % of rate in 1995	15 % of rate in 1995	0 % of rate in 1995	0 % of rate in 1995
— renewable resources	2 000/ha					
Cow's milk :	1 070/tonne					
Potatoes for starch (2) :						
— price category A1	362/tonne					
— price category A2	362/tonne					
— price category B	200/tonne					
Hops	8 500/ha					
Fattening pigs	80/animal					
Sows	1 400/animal					
Sows undergoing performance testing	2 500/animal					
Young bovine animals	3 000/animal	90 % of rate in 1995	80 % of rate in 1995	70 % of rate in 1995	60 % of rate in 1995	0 % of rate in 1995
Broiler chickens	1,10/bird	100 % of rate in 1995	61,5 % of rate in 1995	23,1 % of rate in 1995	0 % of rate in 1995	0 % of rate in 1995
Turkeys	5,00/bird					
Chicks	0,08/bird					
Parent birds for fattening	2,30/bird					
Young laying hens	7,50/bird					
Adult laying birds	63,40/bird					
Layer chicks	2,40/bird					
Fodder seeds (3) :						
— purple clover, red clover	4 951/ha	80 % of rate in 1995	50 % of rate in 1995	0 % of rate in 1995	0 % of rate in 1995	0 % of rate in 1995
— lucerne, purple medick	6 144/ha					
— French rye-grass	5 481/ha					
— golden/yellow oat grass	8 500/ha					
— meadow foxtail	8 500/ha					
— cocksfoot	5 195/ha					
— Timothy, common cat's-tail	4 715/ha					
— meadow fescue	4 924/ha					
— Italian rye-grass	3 480/ha					
— bastard rye-grass	3 192/ha					
— California bluebell	7 500/ha					
— *poa alpina*	8 500/ha					

(in öS)

Product	Maximum rate of aid for products produced in each of the years shown					
	1995	1996	1997	1998	1999	2000
Other seeds :						
— large-grained leguminosae seed (4)	6 000/ha					
— fodder rape	6 500/ha	65 % of rate in 1995	40 % of rate in 1995	15 % of rate in 1995	0 % of rate in 1995	0 % of rate in 1995
— flower seeds	6 000/ha					
Pumpkins						
— thick skinned	6 000/ha					
— thin skinned	4 700/ha					
Other vegetables for processing	13 200/ha (5)					
Other vegetables not for processing						
— open air	35 400/ha (5)	maximum aid rate for 1996 to 1999 to be determined at a later stage				0 % of rate in de 1995
— other						
— high intensity	480 000/ha (5)					
— low intensity	142 000/ha (5)					
Pomaceous	25 900/ha (5)					
Other fruit	31 000/ha (5)					

(1) Excluding fodder grain, durum wheat, protein plants, linseed for crushing, potatoes for starch, and all seed crops.

(2) Starch content 18 % basis.

(3) Austria shall take all steps necessary to ensure that on an annual average basis the quantities of seed subject to aid for each species do not exceed that recorded in normal years prior to accession.

(4) Excluding leguminosae already promoted under Regulations (EEC) No 1765/92 and (EEC) No 762/85.

(5) Weighted average : the aid rate for each product will be set to respect this average. Within this constraint the Austrian authorities shall ensure that for no product the aid exceeds the reduction in support since 1994.