COMMISSION DECISION

of 17 December 1996

amending for the fifth 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)

(97/24/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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], 95/416/EC [3], 96/38/EC [4] and 96/140/EC [5]; whereas by letter dated 29 October 1996 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 3 December 1996;

Whereas the request involves aid for various fruits and vegetables for 1996 onwards; whereas Decision 96/38/EC stipulated that for fruits and certain vegetables, the maximum levels of aid from 1996 onwards can best be determined at a later stage; 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,

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, 17 December 1996.

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.
[4] OJ No L 10, 13. 1. 1996, p. 46.
[5] OJ No L 32, 10. 2. 1996, p. 33.

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					
— renewable resources	2 000/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
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					
Turkeys	5,00/bird					
Chicks	0,08/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
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					
— lucerne, purple medick	6 144/ha					
— French rye-grass	5 481/ha					
— golden/yellow oat grass	8 500/ha					
— meadow foxtail	8 500/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
— 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					
— flower seeds	6 000/ha					
Herbal, medicinal and other minor plants (5)	6 000/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
Pumpkins:						
— thick skinned	6 000/ha					
— thin skinned	4 700/ha					
Other vegetables for processing	13 200/ha (6)					
Other vegetables not for processing						
— open air	35 400/ha (6)					
— other						
— high intensity	480 000/ha (6)	see below				
— low intensity	142 000/ha (6)					
Pomaceous	25 900/ha (6)					
Other fruit	31 000/ha (6)					
Fruit						
— Strawberries FM	see above	70 750/ha	61,5 % of rate in 1996	23,1 % of rate in 1996	0 % of rate in 1996	0 % of rate in 1996
— Strawberries SPF		42 450/ha				
— Cherries		37 850/ha				
— Apricots		28 750/ha				
— Peaches		28 100/ha				
— Redcurrants FM		24 250/ha				
— Redcurrants VA		21 750/ha				
— Dessert apples		33 000/ha				
— Dessert pears		38 550/ha				
— Sour cherries		40 750/ha				
— Plums		31 600/ha				
Vegetables [except pumpkins]						
— Horseradish FL (VA)		54 950/ha				
— Horseradish GH, FH		68 250/ha				
— Broccoli FL (GH, FH, VA)		71 050/ha				
— Chinese cabbage FL, GH, FH, VA		34 850/ha				
— Iceberg lettuce FH, GH		199 400/ha				
— Iceberg lettuce FL (VA)		71 600/ha				
— Endive FL (VA)		62 850/ha				
— Endive GH, FH		73 250/ha				
— String beans FL		51 600/ha				
— String beans GH, FH		55 250/ha				
— String beans VA		10 150/ha				
— Garden peas VA		6 600/ha				
— Garden peas FL, GH, FH		25 400/ha				

(in öS)

Product	Maximum rate of aid for products produced in each of the years shown					
	1995	1996	1997	1998	1999	2000
— Cucumber FL		34 150/ha				
— Cucumber GH, FH (9-13) (7)		209 000/ha				
— Cucumber GH, FH (14-18) (7)		326 600/ha				
— Cucumber GH, FH (19-23) (7)		457 250/ha				
— Cucumber GH, FH (24-28) (7)		653 200/ha				
— Cucumber GH, FH (> 29) (7)		979 750/ha				
— Cucumber VA		66 850/ha				
— Lettuce GH, FH		173 900/ha				
— Lettuce FL (VA)		74 000/ha				
— Cauliflowers FL, (GH, FH)		45 400/ha				
— Cauliflowers VA		36 100/ha				
— Carrots GH, FH		47 850/ha				
— Carrots FL		23 000/ha				
— Carrots VA		21 700/ha				
— Cabbage FL (GH, FH, VA)		45 900/ha				
— Kohlrabi FL (VA)		72 300/ha				
— Kohlrabi GH, FH		179 250/ha				
— Brussels sprouts FL (GH, FH, VA)		50 850/ha				
— Paprika VA		42 650/ha				
— Paprika FL		101 050/ha				
— Paprika GH, FH (16-19) (7)		168 400/ha				
— Paprika GH, FH (20-23) (7)		264 650/ha	61,5 %	23,1 %	0 %	0 %
— Paprika GH, FH (24-27) (7)	see	360 850/ha	of	of	of	of
— Paprika GH, FH (28-31) (7)	above	384 900/ha	rate	rate	rate	rate
— Paprika GH, FH (> 32) (7)		457 100/ha	in	in	in	in
— Radishes FH, GH		225 750/ha	1996	1996	1996	1996
— Radishes FL (VA)		85 850/ha				
— Beetroot FL (GH, FH)		55 900/ha				
— Beetroot VA		17 100/ha				
— Red cabbage FL (GH, FH)		48 450/ha				
— Red cabbage VA		26 200/ha				
— Garlic FL (VA)		157 750/ha				
— Garlic GH, FH		690 100/ha				
— Celery FL (GH, FH)		65 450/ha				
— Celery VA		38 450/ha				
— Spinach FL (GH, FH)		76 800/ha				
— Spinach VA		10 150/ha				
— Tomatoes FL		88 450/ha				
— Tomatoes GH, FH (16-19) (7)		210 900/ha				
— Tomatoes GH, FH (20-23) (7)		295 300/ha				
— Tomatoes GH, FH (24-27) (7)		379 850/ha				
— Tomatoes GH, FH (28-31) (7)		464 000/ha				
— Tomatoes GH, FH (> 32) (7)		548 400/ha				
— White cabbage FL (GH, FH)		47 700/ha				
— White cabbage VA		20 150/ha				
— Onions FL (GH, FH, VA)		33 250/ha				

FM product for fresh market
Spf Pick-your-own
FL open field
GH glass-house
FH tunnel grown
VA for processing

(1) Excluding fodder grain, durum wheat, protein plants, linseed for crushing, potatoes for starch, and all seed crops, fruit and vegetables, herbal medicinal and other minor plants.

(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) Limited to those crops which in 1994 were eligible for a flat-rate premium of at least öS 6 000/ha but no aid may be granted for confectionery sunflower (*gestreiftsamige Sonnenblumen*).

(6) 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.

(7) Duration of production in weeks.