COUNCIL REGULATION (EEC) No 1102/88

of 25 April 1988

amending Regulation (EEC) No 2194/85 adopting general rules concerning special measures for soya beans

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985, laying down special measures in respect of soya beans [1], as last amended by Regulation (EEC) No 1101/88 [2], and in particular Article 3a (5) thereof,

Having regard to the proposal from the Commission [3],

Whereas the coefficient referred to in Article 3a (3) of Regulation (EEC) No 1491/85 should be adjusted in order to establish the reduction in the aid for soya beans which arises from the application of the system of maximum guaranteed quantities; whereas the rules for determining this coefficient are laid down in Regulation (EEC) No 2194/85 [4], as last amended by Regulation (EEC) No 2809/87 [5];

Whereas, in certain circumstances, the amount of the aid can be established only on a provisional basis; whereas the provisional amounts must be finalized before the aid is paid,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2194/85 is hereby amended as follows:

1. Article 1a is replaced by the following:

   'Article 1a

   The coefficient referred to in Article 3a (3) of Regulation (EEC) No 1491/85 shall be equal:

   — for the 1988/89 marketing year: to 0,45 %,

   — for subsequent marketing years: to 0,50 %,

   for each production tranche of 1 % of the maximum guaranteed quantity which, over and above the said quantity, is attained by the estimated production.'

2. In Article 3, the first subparagraph is replaced by the following:

   'The aid shall be paid to the first purchaser once the amount thereof has been finalized and after verification that the beans have either:

   (a) where the first purchaser is the processor, been processed in the Community for the production of oil or for other uses in food for human consumption or animal feedingstuffs; or

   (b) where the first purchaser is someone other than the processor, been sold or delivered to a processor in the Community for the production of oil or for other uses in food for human consumption or animal feedingstuffs.'

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 September 1988.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 25 April 1988.

For the Council

The President

H.-D. GENSCHER

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(1) OJ No L 151, 10. 6. 1985, p. 15.
(2) See page 13 of this Official Journal.
(3) OJ No C 84, 31. 3. 1988, p. 14.
(4) OJ No L 204, 2. 8. 1985, p. 1.
(5) OJ No L 268, 19. 9. 1987, p. 62.