COMMISSION REGULATION (EEC) No 2112/88

of 15 July 1988

fixing the amount of aid for peas, field beans and sweet lupins intended for animal feed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins [1], as last amended by Regulation (EEC) No 1104/88 [2], and in particular Article 3 (6) point (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins [3], as last amended by Regulation (EEC) No 3741/87 [4], and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82 [5], as last amended by Regulation (EEC) No 1958/87 [6];

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community when the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the Council has not, to date, adopted the prices for the 1988/89 marketing year, which commences on 1 July 1988; whereas, by virtue of the powers conferred on it by the Treaty, the Commission must adopt the measures essential to ensure that the common agricultural policy continues to operate in the peas, field beans and sweet lupins sector and in particular to ensure that the abovementioned aid continues to be granted;

Whereas, in order to determine the amount of the aid, account should be taken among the calculation factors of the latest Commission proposals to the Council on prices and related measures;

Whereas, under Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this price may be adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products;

Whereas, under Article 1 of Commission Regulation (EEC) No 2049/82 [7], as last amended by Regulation (EEC) No 1238/87 [8], the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86 [9] delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas, if the aid system is to operate normally, refunds should be calculated on the following basis:

— in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 [10], as last amended by Regulation (EEC) No 1636/87 [11],

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of

[1] OJ No L 162, 12. 6. 1982, p. 28.
[2] OJ No L 110, 29. 4. 1988, p. 16.
[3] OJ No L 342, 19. 12. 1985, p. 1.
[4] OJ No L 352, 15. 12. 1987, p. 26.
[5] OJ No L 219, 28. 7. 1982, p. 1.
[6] OJ No L 184, 3. 7. 1987, p. 3.
[7] OJ No L 219, 28. 7. 1982, p. 36.
[8] OJ No L 117, 5. 5. 1987, p. 9.
[9] OJ No L 133, 21. 5. 1986, p. 21.
[10] OJ No L 164, 24. 6. 1985, p. 1.
[11] OJ No L 153, 13. 6. 1987, p. 1.

these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid correcting factor;

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession of Spain and Portugal the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries; whereas, moreover, in the case of sweet lupins harvested in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Regulation (EEC) No 1935/87 (1); whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1959/87;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ECU that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1988/89 marketing year, has not, to date, been fixed; whereas the amount of the subsidy for the 1988/89 marketing year has been provisionally calculated on the basis of an abatement of 0,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

2. However, the amount of aid for peas, field beans and sweet lupins intended for animal feed shall be confirmed or replaced with effect from 16 July 1988 to take account, where applicable, of the consequences of the application of the maximum guaranteed quantities system and of the prices and related measures for the 1988/89 marketing year.

Article 2

This Regulation shall enter into force on 16 July 1988.

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

Done at Brussels, 15 July 1988.

For the Commission
Frans ANDRIESSEN
Vice-President

(1) OJ No L 185, 4. 7. 1987, p. 21.

ANNEX I

Gross aid in ECU per 100 kilograms

Products intended for human consumption

	Current 7 (1)	1st period 8 (1)	2nd period 9 (1)	3rd period 10 (1)	4th period 11 (1)	5th period 12 (1)	6th period 1 (1)
Peas used :							
— in Spain	8,074	8,074	8,254	8,434	8,614	8,794	8,974
— in Portugal	8,126	8,126	8,306	8,486	8,666	8,846	9,026
— in another Member State	8,520	8,520	8,700	8,880	9,060	9,240	9,420
Feild beans used :							
— in Spain	8,520	8,520	8,700	8,880	9,060	9,240	9,420
— in Portugal	8,126	8,126	8,306	8,486	8,666	8,846	9,026
— in another Member State	8,520	8,520	8,700	8,880	9,060	9,240	9,420

Products used in animal feed

	Current 7 (1)	1st period 8 (1)	2nd period 9 (1)	3rd period 10 (1)	4th period 11 (1)	5th period 12 (1)	6th period 1 (1)
A. Peas and field beans used :							
— in Spain	8,458	8,456	8,638	8,818	9,290	9,470	9,650
— in Portugal	8,286	8,286	8,466	8,646	9,123	9,303	9,483
— in another Member State	8,609	8,609	8,789	8,969	9,437	9,617	9,797
B. Sweet lupins harvested in Spain and used :							
— in Spain	8,991	8,991	8,991	8,991	9,381	9,381	9,381
— in Portugal	8,762	8,762	8,762	8,762	9,157	9,157	9,157
— in another Member State	9,193	9,193	9,193	9,193	9,577	9,577	9,577
C. Sweet lupins harvested in another Member State and used :							
— in Spain	10,251	10,251	10,251	10,251	10,641	10,641	10,641
— in Portugal	10,022	10,022	10,022	10,022	10,417	10,417	10,417
— in another Member State	10,453	10,453	10,453	10,453	10,837	10,837	10,837

ANNEX II

Final aid in national currency per 100 kilograms

Products intended for human consumption

	Current 7 (1)	1st period 8 (1)	2nd period 9 (1)	3rd period 10 (1)	4th period 11 (1)	5th period 12 (1)	6th period 1 (1)
Products harvest in :							
— BLEU (Bfrs/Lfrs)	409,52	409,52	418,17	426,82	435,48	444,13	454,86
— Denmark (Dkr)	74,59	74,59	76,17	77,74	79,32	80,90	83,29
— Federal Republic of Germany (DM)	20,12	20,12	20,54	20,97	21,39	21,82	22,24
— Greece (Dr)	94,94	94,94	118,61	142,27	165,93	189,59	213,25
— Spain (Pta)	1 313,89	1 313,89	1 341,65	1 369,41	1 397,17	1 424,93	1 452,69
— France (FF)	63,65	63,65	65,00	66,34	67,69	69,04	71,40
— Ireland (£ Irl)	7,065	7,065	7,215	7,364	7,514	7,664	7,930
— Italy (Lit)	13 138	13 138	13 429	13 719	14 010	14 301	15 562
— Netherlands (Fl)	22,55	22,55	23,03	23,51	23,98	24,46	24,94
— Portugal (Esc)	1 264,81	1 264,81	1 295,84	1 326,86	1 357,88	1 388,90	1 419,92
— United Kingdom (£)	4,433	4,433	4,552	4,671	4,790	4,909	5,587

Amounts to be deducted in the case of :

— peas used in Spain (Pta) 68,78

— peas and field beans used in Portugal (Esc) 67,66

ANNEX III

Partial aids in the national currency per 100 kilograms

Peas and field beans intended for animal feed

	Current 7 (1)	1st period 8 (1)	2nd period 9 (1)	3rd period 10 (1)	4th period 11 (1)	5th period 12 (1)	6th period 1 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	413,80	413,80	422,45	431,10	453,60	462,25	473,07
— Denmark (Dkr)	75,37	75,37	76,95	78,52	82,62	84,20	86,62
— Federal Republic of Germany (DM)	20,33	20,33	20,75	21,18	22,28	22,71	23,13
— Greece (Dr)	110,99	110,99	134,65	158,31	233,89	257,55	281,21
— Spain (Pta)	1 327,62	1 327,62	1 355,38	1 383,14	1 455,31	1 483,07	1 510,82
— France (FF)	64,32	64,32	65,66	67,01	70,51	71,85	74,26
— Ireland (£ Irl)	7,139	7,139	7,289	7,438	7,828	7,977	8,249
— Italy (Lit)	13 284	13 284	13 575	13 866	14 630	14 921	16 185
— Netherlands (Fl)	22,79	22,79	23,26	23,74	24,98	25,46	25,93
— Portugal (Esc)	1 281,02	1 281,02	1 312,04	1 343,06	1 426,51	1 457,53	1 488,55
— United Kingdom (£)	4,497	4,497	4,616	4,735	5,060	5,179	5,856
Amounts to be deducted in the case of use :							
— Spain (Pta)	23,29	23,29	23,29	23,29	22,67	22,67	22,67
— Portugal (Esc)	55,47	55,47	55,47	55,47	53,92	53,92	53,92

ANNEX IV

Corrective amount in national currency to be added to the amounts in Annex III, per 100 kilograms (1)

Use of the products :	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	129,82	0,00	0,13	0,52	8,62	0,00	25,53	37,85
— Denmark (Dkr)	0,00	0,00	0,00	23,65	0,00	0,02	0,09	1,57	0,00	4,65	6,89
— Federal Republic of Germany (DM)	0,00	0,00	0,00	6,38	0,00	0,01	0,03	0,42	0,00	1,25	1,86
— Greece (Dr)	0,00	0,00	0,00	486,87	0,00	0,49	1,94	32,32	0,00	95,74	141,96
— Spain (Pta)	0,00	0,00	0,00	416,50	0,00	0,42	1,66	27,65	0,00	81,90	121,44
— France (FF)	0,00	0,00	0,00	20,20	0,00	0,02	0,08	1,34	0,00	3,97	5,89
— Ireland (£ Irl)	0,000	0,000	0,000	2,248	0,000	0,002	0,009	0,149	0,000	0,442	0,655
— Italy (Lit)	0	0	0	4 441	0	4	18	295	0	873	1 295
— Netherlands (Fl)	0,00	0,00	0,00	7,15	0,00	0,01	0,03	0,47	0,00	1,41	2,08
— Portugal (Esc)	0,00	0,00	0,00	491,65	0,00	0,49	1,96	32,64	0,00	96,68	143,35
— United Kingdom (£)	0,000	0,000	0,000	1,935	0,000	0,002	0,008	0,128	0,000	0,380	0,564

ANNEX V

Partial aid in national currency per 100 kilograms

Sweet lupins intended for use in animal feed

	Current 7 (1)	1st period 8 (1)	2nd period 9 (1)	3rd period 10 (1)	4th period 11 (1)	5th period 12 (1)	6th period 1 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	502,43	502,43	502,43	502,43	520,89	520,89	523,29
— Denmark (Dkr)	91,52	91,52	91,52	91,52	94,88	94,88	95,82
— Federal Republic of Germany (DM)	24,68	24,68	24,68	24,68	25,59	25,59	25,59
— Greece (Dr)	290,62	290,62	290,62	290,62	359,84	359,84	359,84
— Spain (Pta)	1 611,99	1 611,99	1 611,99	1 611,99	1 671,21	1 671,21	1 671,21
— France (FF)	78,10	78,10	78,10	78,10	80,97	80,97	82,15
— Ireland (£ Irl)	8,671	8,671	8,671	8,671	8,991	8,991	9,125
— Italy (Lit)	16 224	16 224	16 224	16 224	16 856	16 856	17 903
— Netherlands (Fl)	27,67	27,67	27,67	27,67	28,69	28,69	28,69
— Portugal (Esc)	1 586,35	1 586,35	1 586,35	1 586,35	1 656,25	1 656,25	1 656,25
— United Kingdom (£)	5,641	5,641	5,641	5,641	5,916	5,916	6,516
Amounts to be deducted in the case of use in :							
— Spain (Pta)	31,15	31,15	31,15	31,15	30,23	30,23	30,23
— Portugal (Esc)	74,01	74,01	74,01	74,01	72,12	72,12	72,12

ANNEX VI

Corrective amount in the national currency to be added to amounts in Annex V, per 100 kilograms (1)

Use of products :	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	94,41	0,00	0,10	0,38	6,27	0,00	18,57	27,53
— Denmark (Dkr)	0,00	0,00	0,00	17,20	0,00	0,02	0,07	1,14	0,00	3,38	5,01
— Federal Republic of Germany (DM)	0,00	0,00	0,00	4,64	0,00	0,00	0,02	0,31	0,00	0,91	1,35
— Greece (Dr)	0,00	0,00	0,00	354,09	0,00	0,36	1,41	23,51	0,00	69,63	103,24
— Spain (Pta)	0,00	0,00	0,00	302,91	0,00	0,30	1,21	20,11	0,00	59,57	88,32
— France (FF)	0,00	0,00	0,00	14,69	0,00	0,01	0,06	0,98	0,00	2,89	4,28
— Ireland (£ Irl)	0,000	0,000	0,000	1,635	0,000	0,002	0,007	0,109	0,000	0,321	0,477
— Italy (Lit)	0	0	0	3 230	0	3	13	214	0	635	942
— Netherlands (Fl)	0,00	0,00	0,00	5,20	0,00	0,01	0,02	0,35	0,00	1,02	1,52
— Portugal (Esc)	0,00	0,00	0,00	357,56	0,00	0,36	1,43	23,74	0,00	70,31	104,26
— United Kingdom (£)	0,000	0,000	0,000	1,407	0,000	0,001	0,006	0,093	0,000	0,277	0,410

ANNEX VII

Exchange rate of the ECU to be used

	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
In national currency, 1 ECU =	42,4582	7,85212	2,05853	164,150	135,702	6,90403	0,768411	1 516,86	2,31943	167,612	0,658692

(1) Subject to the reduction resulting from the maximum guaranteed quantities system and the prices and related measures for the 1988/89 marketing year.