COMMISSION REGULATION (EEC) No 2377/88

of 29 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 threshold price activating the aid for peas, field beans and sweet lupins for the 1988/89 marketing year was fixed by Regulation (EEC) No 2255/88 [7]; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82 the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning on the third month of the marketing year; whereas the amount of the monthly increases in the hehold price was fixed by Regulation (EEC) No 2258/88 [8];

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 [9], as last amended by Regulation (EEC) No 1238/87 [10], 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 [11] 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 [12], as last amended by Regulation (EEC) No 1636/87 [13],

— 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 199, 26. 7. 1988, p. 1.
[8] OJ No L 199, 26. 7. 1988, p. 5.
[9] OJ No L 219, 28. 7. 1982, p. 36.
[10] OJ No L 117, 5. 5. 1987, p. 9.
[11] OJ No L 133, 21. 5. 1986, p. 21.
[12] OJ No L 164, 24. 6. 1985, p. 1.
[13] 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 1 August 1988 to take account, where applicable, of the consequences of the application of the maximum guaranteed quantities system.

Article 2

This Regulation shall enter into force on 1 August 1988.

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

Done at Brussels, 29 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 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
Peas used :							
— in Spain	8,074	8,254	8,434	8,614	8,794	8,974	9,154
— in Portugal	8,126	8,306	8,486	8,666	8,846	9,026	9,206
— in another Member State	8,520	8,700	8,880	9,060	9,240	9,420	9,600
Feild beans used :							
— in Spain	8,520	8,700	8,880	9,060	9,240	9,420	9,600
— in Portugal	8,126	8,306	8,486	8,666	8,846	9,026	9,206
— in another Member State	8,520	8,700	8,880	9,060	9,240	9,420	9,600

Products used in animal feed

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
A. Peas and field beans used :							
— in Spain	10,507	10,687	10,867	10,874	11,054	11,234	11,414
— in Portugal	10,365	10,545	10,725	10,730	10,910	11,090	11,270
— in another Member State	10,631	10,811	10,991	11,001	11,181	11,361	11,541
B. Sweet lupins harvested in Spain and used :							
— in Spain	11,723	11,723	11,723	11,493	11,493	11,493	11,493
— in Portugal	11,534	11,534	11,534	11,300	11,300	11,300	11,300
— in another Member State	11,889	11,889	11,889	11,662	11,662	11,662	11,662
C. Sweet lupins harvested in another Member State and used :							
— in Spain	12,983	12,983	12,983	12,753	12,753	12,753	12,753
— in Portugal	12,794	12,794	12,794	12,560	12,560	12,560	12,560
— in another Member State	13,149	13,149	13,149	12,922	12,922	12,922	12,922

ANNEX II

Final aid in national currency per 100 kilograms

Products intended for human consumption

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
Products harvest in :							
— BLEU (Bfrs/Lfrs)	409,52	418,17	426,82	435,48	444,13	454,86	463,55
— Denmark (Dkr)	74,59	76,17	77,74	79,32	80,90	83,29	84,88
— Federal Republic of Germany (DM)	20,12	20,54	20,97	21,39	21,82	22,24	22,67
— Greece (Dr)	678,52	705,63	732,75	759,86	786,98	814,09	841,21
— Spain (Pta)	1 313,89	1 341,65	1 369,41	1 397,17	1 424,93	1 452,69	1 480,44
— France (FF)	63,65	65,00	66,34	67,69	69,04	71,40	72,77
— Ireland (£ Irl)	7,065	7,215	7,364	7,514	7,664	7,930	8,082
— Italy (Lit)	13 138	13 429	13 719	14 010	14 301	15 562	15 859
— Netherlands (Fl)	22,55	23,03	23,51	23,98	24,46	24,94	25,41
— Portugal (Esc)	1 264,81	1 295,84	1 326,86	1 357,88	1 388,90	1 419,92	1 450,95
— United Kingdom (£)	4,696	4,815	4,934	5,052	5,171	5,849	5,970

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 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	510,99	519,64	528,29	528,77	537,42	548,59	557,28
— Denmark (Dkr)	93,07	94,65	96,23	96,31	97,89	100,45	102,04
— Federal Republic of Germany (DM)	25,10	25,53	25,95	25,97	26,40	26,82	27,25
— Greece (Dr)	1 057,32	1 084,44	1 111,55	1 108,16	1 135,28	1 162,39	1 189,51
— Spain (Pta)	1 639,44	1 667,20	1 694,96	1 696,50	1 724,26	1 752,01	1 779,77
— France (FF)	79,44	80,78	82,13	82,20	83,55	86,13	87,49
— Ireland (£ Irl)	8,822	8,972	9,121	9,129	9,279	9,570	9,722
— Italy (Lit)	16 609	16 900	17 191	17 202	17 493	18 768	19 066
— Netherlands (Fl)	28,14	28,62	29,09	29,12	29,60	30,07	30,55
— Portugal (Esc)	1 649,09	1 680,12	1 711,14	1 711,21	1 742,24	1 773,26	1 804,28
— United Kingdom (£)	6,180	6,298	6,417	6,416	6,535	7,211	7,332
Amounts to be deducted in the case of use :							
— Spain (Pta)	19,12	19,12	19,12	19,59	19,59	19,59	19,59
— Portugal (Esc)	45,68	45,68	45,68	46,54	46,54	46,54	46,54

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	76,96	0,00	0,13	0,52	8,62	0,00	25,53	29,82
— Denmark (Dkr)	0,00	0,00	0,00	14,02	0,00	0,02	0,09	1,57	0,00	4,65	5,43
— Federal Republic of Germany (DM)	0,00	0,00	0,00	3,78	0,00	0,01	0,03	0,42	0,00	1,25	1,46
— Greece (Dr)	0,00	0,00	0,00	287,31	0,00	0,49	1,93	32,18	0,00	95,30	111,33
— Spain (Pta)	0,00	0,00	0,00	246,92	0,00	0,42	1,66	27,65	0,00	81,90	95,68
— France (FF)	0,00	0,00	0,00	11,97	0,00	0,02	0,08	1,34	0,00	3,97	4,64
— Ireland (£ Irl)	0,000	0,000	0,000	1,333	0,000	0,002	0,009	0,149	0,000	0,442	0,516
— Italy (Lit)	0	0	0	2 633	0	4	18	295	0	873	1 020
— Netherlands (Fl)	0,00	0,00	0,00	4,24	0,00	0,01	0,03	0,47	0,00	1,41	1,64
— Portugal (Esc)	0,00	0,00	0,00	291,47	0,00	0,49	1,96	32,64	0,00	96,68	112,94
— United Kingdom (£)	0,000	0,000	0,000	1,125	0,000	0,002	0,008	0,126	0,000	0,373	0,436

ANNEX V

Partial aid in national currency per 100 kilograms

Sweet lupins intended for use in animal feed

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	632,02	632,02	632,02	621,11	621,11	623,96	623,96
— Denmark (Dkr)	115,12	115,12	115,12	113,13	113,13	114,25	114,25
— Federal Republic of Germany (DM)	31,05	31,05	31,05	30,51	30,51	30,51	30,51
— Greece (Dr)	1 419,00	1 419,00	1 419,00	1 378,27	1 378,27	1 378,27	1 378,27
— Spain (Pta)	2 027,75	2 027,75	2 027,75	1 992,74	1 992,74	1 992,74	1 992,74
— France (FF)	98,26	98,26	98,26	96,56	96,56	97,96	97,96
— Ireland (£ Irl)	10,915	10,915	10,915	10,726	10,726	10,887	10,887
— Italy (Lit)	20 658	20 658	20 658	20 284	20 284	21 347	21 347
— Netherlands (Fl)	34,81	34,81	34,81	34,21	34,21	34,21	34,21
— Portugal (Esc)	2 077,12	2 077,12	2 077,12	2 035,80	2 035,80	2 035,80	2 035,80
— United Kingdom (£)	7,812	7,812	7,812	7,653	7,653	8,250	8,250
Amounts to be deducted in the case of use in :							
— Spain (Pta)	25,60	25,60	25,60	26,06	26,06	26,06	26,06
— Portugal (Esc)	60,96	60,96	60,96	62,16	62,16	62,16	62,16

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	55,97	0,00	0,10	0,38	6,27	0,00	18,57	21,69
— Denmark (Dkr)	0,00	0,00	0,00	10,19	0,00	0,02	0,07	1,14	0,00	3,38	3,95
— Federal Republic of Germany (DM)	0,00	0,00	0,00	2,75	0,00	0,00	0,02	0,31	0,00	0,91	1,07
— Greece (Dr)	0,00	0,00	0,00	208,96	0,00	0,35	1,41	23,40	0,00	69,31	80,97
— Spain (Pta)	0,00	0,00	0,00	179,58	0,00	0,30	1,21	20,11	0,00	59,57	69,58
— France (FF)	0,00	0,00	0,00	8,71	0,00	0,01	0,06	0,98	0,00	2,89	3,37
— Ireland (£ Irl)	0,000	0,000	0,000	0,969	0,000	0,002	0,007	0,109	0,000	0,321	0,376
— Italy (Lit)	0	0	0	1 915	0	3	13	214	0	635	742
— Netherlands (Fl)	0,00	0,00	0,00	3,08	0,00	0,01	0,02	0,35	0,00	1,02	1,19
— Portugal (Esc)	0,00	0,00	0,00	211,98	0,00	0,36	1,43	23,74	0,00	70,31	82,14
— United Kingdom (£)	0,000	0,000	0,000	0,818	0,000	0,001	0,006	0,092	0,000	0,271	0,317

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	164,324	135,702	6,90403	0,768411	1 516,86	2,31943	166,828	0,646676

(1) Subject to the reduction resulting from the maximum guaranteed quantities.