COMMISSION REGULATION (EEC) No 268/88

of 29 January 1988

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

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 4004/87 [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 1987/88 marketing year was fixed by Council Regulation (EEC) No 1957/87 [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 threshold price was fixed by Council Regulation (EEC) No 1959/87 [8];

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 377, 31. 12. 1987.
[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 184, 3. 7. 1987, p. 1.
[8] OJ No L 184, 3. 7. 1987, 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, since there are no valid activating threshold or guide prices for the 1988/89 marketing year for peas, field beans and sweet lupins or intervention price for barley, the amount of the subsidy in the case of advance fixing for this marketing year for peas, field beans and sweet lupins has only been calculated provisionally on the basis of the prices valid for the 1987/88 marketing year; whereas that amount must be applied provisionally only and will have to be confirmed or replaced when the prices and related measures for the 1988/89 marketing year are known,

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 the subsidy in the case of advance fixing for the 1988/89 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 1 February 1988 to take into account, where appropriate, the effects of the application of the activating price for these products for the 1987/88 marketing year and, particularly those concerning maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 1 February 1988.

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

Done at Brussels, 29 January 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 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7 (1)	6th period 8 (1)
Peas used :							
— in Spain	13,239	13,419	13,599	13,599	13,599	12,159	12,159
— in Portugal	13,281	13,461	13,641	13,641	13,641	12,201	12,201
— in another Member State	13,600	13,780	13,960	13,960	13,960	12,520	12,520
Feild beans used :							
— in Spain	13,600	13,780	13,960	13,960	13,960	12,520	12,520
— in Portugal	13,281	13,461	13,641	13,641	13,641	12,201	12,201
— in another Member State	13,600	13,780	13,960	13,960	13,960	12,520	12,520

Products used in animal feed

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7 (1)	6th period 8 (1)
A. Peas and field beans used :							
— in Spain	13,704	13,884	14,064	14,583	14,583	13,143	13,143
— in Portugal	13,423	13,603	13,783	14,322	14,322	12,882	12,882
— in another Member State	13,801	13,981	14,161	14,673	14,673	13,233	13,233
B. Sweet lupins harvested in Spain and used :							
— in Spain	14,234	14,234	14,234	14,926	14,926	14,926	14,926
— in Portugal	13,860	13,860	13,860	14,577	14,577	14,577	14,577
— in another Member State	14,363	14,363	14,363	15,046	15,046	15,046	15,046
C. Sweet lupins harvested in another Member State and used :							
— in Spain	15,806	15,806	15,806	16,498	16,498	16,498	16,498
— in Portugal	15,432	15,432	15,432	16,149	16,149	16,149	16,149
— in another Member State	15,935	15,935	15,935	16,618	16,618	16,618	16,618

ANNEX II

Final aid in national currency per 100 kilograms

Products intended for human consumption

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7 (1)	6th period 8 (1)
Products harvest in :							
— BLEU (Bfrs/Lfrs)	653,69	662,35	671,00	671,00	671,00	601,78	601,78
— Denmark (Dkr)	119,07	120,64	122,22	122,22	122,22	109,61	109,61
— Federal Republic of Germany (DM)	32,44	32,87	33,30	33,30	33,30	29,56	29,56
— Greece (Dr)	979,22	1 002,86	1 026,51	1 026,51	1 026,51	837,34	837,34
— Spain (Pta)	2 097,30	2 125,06	2 152,81	2 152,81	2 152,81	1 930,75	1 930,75
— France (FF)	101,64	102,98	104,33	104,33	104,33	93,56	93,56
— Ireland (£ Irl)	11,292	11,442	11,592	11,592	11,592	10,394	10,394
— Italy (Lit)	21 866	22 156	22 446	22 446	22 446	20 123	20 123
— Netherlands (Fl)	36,36	36,85	37,33	37,33	37,33	33,14	33,14
— Portugal (Esc)	2 187,69	2 218,71	2 249,72	2 249,72	2 249,72	2 001,60	2 001,60
— United Kingdom (£)	7,502	7,621	7,741	7,741	7,741	6,788	6,788

Amounts to be deducted in the case of :

— peas used in Spain (Pta) 55,67

— peas and field beans used in Portugal (Esc) 54,78

ANNEX III

Partial aids in the national currency per 100 kilograms

Peas and field beans intended for animal feed

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7 (1)	6th period 8 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	663,36	672,01	680,66	705,27	705,27	636,05	636,05
— Denmark (Dkr)	120,83	122,40	123,98	128,46	128,46	115,85	115,85
— Federal Republic of Germany (DM)	32,92	33,35	33,78	35,00	35,00	31,24	31,24
— Greece (Dr)	1 015,17	1 038,82	1 062,46	1 154,04	1 154,04	964,87	964,87
— Spain (Pta)	2 128,29	2 156,05	2 183,81	2 262,77	2 262,77	2 040,70	2 040,70
— France (FF)	103,14	104,49	105,83	109,66	109,66	98,90	98,90
— Ireland (£ Irl)	11,460	11,609	11,759	12,185	12,185	10,988	10,988
— Italy (Lit)	22 191	22 481	22 771	23 600	23 600	21 277	21 277
— Netherlands (Fl)	36,90	37,38	37,86	39,23	39,23	35,03	35,03
— Portugal (Esc)	2 224,17	2 255,18	2 286,20	2 379,11	2 379,11	2 130,98	2 130,98
— United Kingdom (£)	7,653	7,772	7,891	8,275	8,275	7,322	7,322
Amounts to be deducted in the case of use :							
— Spain (Pta)	14,96	14,96	14,96	13,88	13,88	13,88	13,88
— Portugal (Esc)	64,91	64,91	64,91	60,28	60,28	60,28	60,28

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	127,31	0,00	0,13	0,52	1,31	0,00	24,20	56,33
— Denmark (Dkr)	0,00	0,00	0,00	23,19	0,00	0,02	0,09	0,24	0,00	4,41	10,26
— Federal Republic of Germany (DM)	0,00	0,00	0,00	6,32	0,00	0,01	0,03	0,06	0,00	1,20	2,80
— Greece (Dr)	0,00	0,00	0,00	473,74	0,00	0,49	1,93	4,87	0,00	90,06	209,61
— Spain (Pta)	0,00	0,00	0,00	408,44	0,00	0,42	1,66	4,20	0,00	77,64	180,72
— France (FF)	0,00	0,00	0,00	19,81	0,00	0,02	0,08	0,20	0,00	3,76	8,76
— Ireland (£ Irl)	0,000	0,000	0,000	2,204	0,000	0,002	0,009	0,023	0,000	0,419	0,975
— Italy (Lit)	0	0	0	4 285	0	4	17	44	0	814	1 896
— Netherlands (Fl)	0,00	0,00	0,00	7,08	0,00	0,01	0,03	0,07	0,00	1,35	3,13
— Portugal (Esc)	0,00	0,00	0,00	480,63	0,00	0,49	1,95	4,94	0,00	91,36	212,66
— United Kingdom (£)	0,000	0,000	0,000	1,986	0,000	0,002	0,008	0,020	0,000	0,378	0,879

ANNEX V

Partial aid in national currency per 100 kilograms

Sweet lupins intended for use in animal feed

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7 (1)	6th period 8 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	765,93	765,93	765,93	798,76	798,76	798,76	798,76
— Denmark (Dkr)	139,51	139,51	139,51	145,49	145,49	145,49	145,49
— Federal Republic of Germany (DM)	38,01	38,01	38,01	39,64	39,64	39,24	39,24
— Greece (Dr)	1 299,51	1 299,51	1 299,51	1 421,67	1 421,67	1 421,67	1 421,67
— Spain (Pta) (1)	2 457,38	2 457,38	2 457,38	2 562,71	2 562,71	2 562,71	2 562,71
— France (FF)	119,10	119,10	119,10	124,20	124,20	124,20	124,20
— Ireland (£ Irl)	13,234	13,234	13,234	13,802	13,802	13,802	13,802
— Italy (Lit)	25 634	25 634	25 634	26 739	26 739	26 739	26 739
— Netherlands (Fl)	42,61	42,61	42,61	44,43	44,43	43,99	43,99
— Portugal (Esc)	2 592,64	2 592,64	2 592,64	2 716,59	2 716,59	2 716,59	2 716,59
— United Kingdom (£)	9,073	9,073	9,073	9,585	9,585	9,585	9,585
Amounts to be deducted in the case of use in :							
— Spain (Pta)	19,89	19,89	19,89	18,51	18,51	18,51	18,51
— Portugal (Esc)	86,38	86,38	86,38	80,54	80,54	80,54	80,54

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	92,59	0,00	0,10	0,38	0,95	0,00	17,60	40,97
— Denmark (Dkr)	0,00	0,00	0,00	16,86	0,00	0,02	0,07	0,17	0,00	3,21	7,46
— Federal Republic of Germany (DM)	0,00	0,00	0,00	4,59	0,00	0,00	0,02	0,05	0,00	0,87	2,03
— Greece (Dr)	0,00	0,00	0,00	344,54	0,00	0,35	1,40	3,54	0,00	65,49	152,44
— Spain (Pta)	0,00	0,00	0,00	297,05	0,00	0,30	1,21	3,06	0,00	56,47	131,43
— France (FF)	0,00	0,00	0,00	14,40	0,00	0,01	0,06	0,15	0,00	2,74	6,37
— Ireland (£ Irl)	0,000	0,000	0,000	1,603	0,000	0,002	0,007	0,016	0,000	0,305	0,709
— Italy (Lit)	0	0	0	3 116	0	3	13	32	0	592	1 379
— Netherlands (Fl)	0,00	0,00	0,00	5,15	0,00	0,01	0,02	0,05	0,00	0,98	2,28
— Portugal (Esc)	0,00	0,00	0,00	349,55	0,00	0,36	1,42	3,60	0,00	66,45	154,66
— United Kingdom (£)	0,000	0,000	0,000	1,444	0,000	0,001	0,006	0,015	0,000	0,275	0,639

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	162,919	138,762	6,90403	0,768411	1 499,45	2,31943	167,324	0,686328

(1) Subject in the case of advance fixing for the 1988/89 marketing year to the adoption of prices and related measures for that marketing year.