COMMISSION REGULATION (EEC) No 3859/88

of 12 December 1988

fixing the definitive additional levy and the amount of the reiumbursement in the cereals sector for the 1988/89 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals (1), as last amended by Regulation (EEC) No 2221/88 (2), and in particular Articles 4 (5) and 4b (5) thereof,

Having regard to Council Regulation (EEC) No 2227/88 of 19 July 1988 laying down general rules for the special system applicable to small producers as part of co-responsibility arrangements in the cereals sector for the 1988/89 marketing year (3), and in particular Article 5 thereof,

Whereas the Commission has ascertained that cereal production in 1988/89 exceeds by 1,6 % the maximum guaranteed quantity; whereas, as a result of that finding, the definitive additional co-responsibility levy should be fixed at 1,6 % of the intervention price applying for common wheat;

Whereas the difference between the provisional additional co-responsibility levy and the definitive additional co-responsibility levy is to be reimbursed to the producers;

Whereas Commission Regulations (EEC) No 1521/88 of 31 May 1988 fixing the additional co-responsibility levy in certain Member States (4) and No 1914/88 of 30 June 1988 laying down precautionary measures for cereals (5) fix a different additional co-responsibility levy for Spain; whereas account should be taken of this as regards the amount to be reimbursed;

Whereas, in accordance with Regulation (EEC) No 2227/88, the overall amount of the aid for small producers is to be reduced on the basis of the co-responsibility levy reimbursed; whereas that result may be achieved by applying a coefficient to the amounts allocated amongst the Member States;

Whereas, in the interest of the producers and taking account of administrative requirements, the definitive additional co-responsibility levy should apply from 1 January 1989;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988/89 marketing year:

— the additional co-responsibility levy provided for in Article 4b of Regulation (EEC) No 2727/75 shall be 2,87 Ecu per tonne,

— the difference referred to in Article 3 (1) of Commission Regulation (EEC) No 1432/88 (6) shall be Ecu 2,51 per tonne. However, as regards additional co-responsibility levies collected in Spain pursuant to Regulations (EEC) No 1521/88 and No 1914/88, the difference to be reimbursed shall be Ecu 2,45 per tonne.

Article 2

A coefficient of 0,76673 shall apply to the amounts referred to in Article 1 (2) and the second indent of Article 4 of Commission Regulation (EEC) No 2389/88 (7)

Article 3

Commission Regulation (EEC) No 2388/88 (8) is hereby repealed.

Article 4

This Regulation shall enter into force on 1 January 1989.

(1) OJ No L 281, 1. 11. 1975, p. 1.
(2) OJ No L 197, 26. 7. 1988, p. 16.
(3) OJ No L 197, 26. 7. 1988, p. 26.
(4) OJ No L 135, 1. 6. 1988, p. 66.
(5) OJ No L 168, 1. 7. 1988, p. 119.
(6) OJ No L 131, 27. 5. 1988, p. 37.
(7) OJ No L 205, 30. 7. 1988, p. 72.
(8) OJ No L 205, 30. 7. 1988, p. 71.

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

Done at Brussels, 12 December 1988.

For the Commission
Frans ANDRIESSEN
Vice-President