COUNCIL REGULATION (EEC) No 1246/89

of 3 May 1989

fixing, for the 1989/90 marketing year, the activating threshold price for aid, the guide price and the minimum price for peas, field beans and sweet lupins

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 thereof,

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 2 (1) and (5) and Article 3 (3) thereof,

Having regard to the proposal from the Commission (3),

Having regard to the opinion of the European Parliament (4),

Having regard to the opinion of the Economic and Social Committee (5),

Whereas Article 2 (2) of Regulation (EEC) No 1431/82 provides that a price activating the aid for peas, field beans and sweet lupins must be fixed for soya cake at a level which, while ensuring a fair income for producers, enables peas, field beans and sweet lupins to compete normally with soya cake for use in animal feed;

Whereas this activating price for aid for peas, field beans and sweet lupins must relate to a standard quality of soya cake which is representative of the average quality sold on the Community market;

Whereas Article 2 (3) of Regulation (EEC) No 1431/82 provides that the guide price for peas and field beans for human consumption must be fixed at a level which is fair to producers, taking account of the Community's supply requirements; whereas this price must relate to a standard quality;

Whereas Article 3 of Regulation (EEC) No 1431/82 provides for the fixing of a minimum price which, allowing for market fluctuations and for the cost of transport of the products from producer to processor, enables producers to obtain a fair return;

Whereas, under Article 68 of the Act of Accession, prices in Spain were set at levels differing from that of the common prices for sweet lupins; whereas, bearing in mind the changes which have taken place since accession as a result of the introduction of the system of guaranteed maximum quantities, it is desirable that the Spanish prices for sweet lupins be aligned, as from the 1989/90 marketing year, on those applicable in the rest of the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1989/90 marketing year the activating threshold price for aid, as referred to in Article 2 of Regulation (EEC) No 1431/82, shall be;

— ECU 44,76 per 100 kilograms for peas and field beans,

— ECU 43,05 per 100 kilograms for sweet lupins.

2. The price referred to in paragraph 1 shall relate to soya cake having:

— a total crude protein content of 44 %,

— a moisture content of 11 %.

Article 2

1. For the 1989/90 marketing year the guide price, as referred to in Article 2 of Regulation (EEC) No 1431/82, shall be ECU 29,52 per 100 kilograms for peas and field beans.

2. The price referred to in paragraph 1 shall relate to products in bulk, of sound and fair merchantable quality, with 3 % impurities and, for the product as such, 14 % moisture content.

(1) OJ No L 162, 12. 6. 1982, p. 28.
(2) OJ No L 110, 29. 4. 1988, p. 16.
(3) OJ No C 82, 3. 4. 1989, p. 32.
(4) OJ No C 120, 16. 5. 1989.
(5) Opinion delivered on 31 March 1989 (not yet published in the Official Journal).

Article 3

1. For the 1989/90 marketing year the minimum buying-in price shall be:

— ECU 25,77 per 100 kilograms for peas,

— ECU 23,87 per 100 kilograms for field beans,

— ECU 28,90 per 100 kilograms for sweet lupins.

2. The price referred to in paragraph 1 shall relate to products in bulk, of sound and fair merchantable quality, with 3% impurities and, for the product as such, 14% moisture content.

Article 4

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

It shall apply from 1 July 1989.

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

Done at Brussels, 3 May 1989.

For the Council
The President
P. SOLBES