COMMISSION REGULATION (EEC) No 1316/89

of 12 May 1989

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 1104/88 [2], and in particular Article 3 (6) (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 3870/88 [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 1105/88 [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 where 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 Council 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 of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Regulation (EEC) No 2258/88 [8];

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1989/90 marketing year was fixed by Council Regulation (EEC) No 1246/89 [9]; 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 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 1247/89 [10];

Whereas, pursuant to 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 is 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 in the case of field beans intended for animal feed;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82 [11], as last amended by Regulation (EEC) No 1238/87 [12], 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 [13] 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 [14], as last amended by Regulation (EEC) No 1636/87 [15],

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid correcting factor;

[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 345, 14. 12. 1988, p. 21.
[5] OJ No L 219, 28. 7. 1982, p. 1.
[6] OJ No L 110, 29. 4. 1988, p. 18.
[7] OJ No L 199, 26. 7. 1988, p. 1.
[8] OJ No L 199, 26. 7. 1988, p. 5.
[9] OJ No L 129, 11. 5. 1989.
[10] OJ No L 129, 11. 5. 1989.
[11] OJ No L 219, 28. 7. 1982, p. 36.
[12] OJ No L 117, 5. 5. 1987, p. 9.
[13] OJ No L 133, 21. 5. 1986, p. 21.
[14] OJ No L 164, 24. 6. 1985, p. 1.
[15] OJ No L 153, 13. 6. 1987, p. 1.

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession 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 Commission Regulation (EEC) No 1911/88 [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 [2] for the 1988/1989 market year and by Council Regulation (EEC) No 1247/89 for the 1989/1990 marketing year;

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 been fixed by Commission Regulation (EEC) No 2731/88 [3];

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 marketing year, has not, to date, been fixed; whereas the amount of the subsidy for the 1989/90 marketing year has been provisionally calculated on the basis of the abatement for the 1988/89 marketing year,

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 1989/90 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 16 May 1989 to take into account the application of the arrangements for that marketing year.

Article 2

This Regulation shall enter into force on 16 May 1989.

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

Done at Brussels, 12 May 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

---

[1] OJ No L 168, 1. 7. 1988, p. 112.
[2] OJ No L 184, 3. 7. 1987, p. 5.
[3] OJ No L 241, 1. 9. 1988, p. 116.

ANNEX I

Gross aid

Products intended for human consumption :

(in ECU per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
Peas used :							
— in Spain	6,943	6,943	5,503	5,503	5,661	5,819	5,977
— in Portugal	6,985	6,985	5,545	5,545	5,703	5,861	6,019
— in antother Member State	7,300	7,300	5,860	5,860	6,018	6,176	6,334
Field beans used :							
— in Spain	7,300	7,300	5,860	5,860	6,018	6,176	6,334
— in Portugal	6,985	6,985	5,545	5,545	5,703	5,861	6,019
— in another Member State	7,300	7,300	5,860	5,860	6,018	6,176	6,334

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

Products used in animal feed :

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
A. Peas used :							
— in Spain	8,914	9,346	8,294	8,294	8,451	8,609	8,766
— in Portugal	8,587	9,032	7,993	7,993	8,151	8,308	8,466
— in another Member State	9,027	9,454	8,398	8,398	8,555	8,713	8,870
B. Field beans used :							
— in Spain	10,161	10,290	8,294	8,294	8,451	8,609	8,766
— in Portugal	9,874	10,008	7,993	7,993	8,151	8,308	8,466
— in another Member State	10,260	10,388	8,398	8,398	8,555	8,713	8,870
C. Sweet lupins harvested in Spain and used :							
— in Spain	8,396	8,971	10,749	10,749	10,749	10,749	10,749
— in Portugal	7,960	8,554	10,349	10,349	10,349	10,349	10,349
— in another Member State	8,547	9,116	10,888	10,888	10,888	10,888	10,888
D. Sweet lupins harvested in another Member State and used :							
— in Spain	9,546	10,121	10,639	10,639	10,639	10,639	10,639
— in Portugal	9,110	9,704	10,239	10,239	10,239	10,239	10,239
— in another Member State	9,697	10,266	10,778	10,778	10,778	10,778	10,778

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX II

Final aid

Products intended for human consumption :

(in national currency per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	352,49	352,49	282,96	282,96	290,59	298,22	305,85
— Denmark (Dkr)	64,54	64,54	52,33	52,33	53,74	55,15	56,56
— Federal Republic of Germany (DM)	17,24	17,24	13,84	13,84	14,21	14,58	14,96
— Greece (Dr)	492,18	492,18	861,13	861,13	889,57	918,00	946,44
— Spain (Pta)	1 145,68	1 145,68	923,70	923,70	948,06	972,41	996,77
— France (FF)	55,32	55,32	45,07	45,07	46,28	47,50	48,72
— Ireland (£ Irl)	6,141	6,141	5,002	5,002	5,137	5,272	5,408
— Italy (Lit)	12 060	12 060	9 857	9 857	10 122	10 388	10 654
— Netherlands (Fl)	19,32	19,32	15,46	15,46	15,87	16,29	16,71
— Portugal (Esc)	1 372,45	1 372,45	1 125,13	1 125,13	1 155,47	1 185,80	1 216,14
— United Kingdom (£)	4,613	4,613	4,110	4,110	4,221	4,332	4,443

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

Amounts to be deducted in the case of :

— Peas used in Spain (Pta) : 55,05,

— Peas, and field beans used in Portugal (Esc) : 59,22.

ANNEX III

Partial aids

Peas intended for animal feed :

(in national currency per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	435,89	456,50	405,51	405,51	413,09	420,72	428,30
— Denmark (Dkr)	79,81	83,59	74,99	74,99	76,40	77,81	79,21
— Federal Republic of Germany (DM)	21,31	22,32	19,83	19,83	20,20	20,57	20,94
— Greece (Dr)	819,49	900,42	1 341,30	1 341,40	1 369,54	1 397,98	1 426,23
— Spain (Pta)	1 410,22	1 475,63	1 312,48	1 312,48	1 336,68	1 361,03	1 385,24
— France (FF)	68,42	71,66	64,61	64,61	65,82	67,03	68,24
— Ireland (£ Irl)	7,600	7,961	7,179	7,179	7,313	7,448	7,583
— Italy (Lit)	14 913	15 618	14 125	14 125	14 390	14 655	14 919
— Netherlands (Fl)	23,89	25,03	22,15	22,15	22,57	22,98	23,40
— Portugal (Esc)	1 697,14	1 777,42	1 612,43	1 612,43	1 642,58	1 672,91	1 703,06
— United Kingdom (£)	5,807	6,102	5,890	5,890	6,000	6,111	6,221
Amounts to be deducted in the case of use :							
— Spain (Pta)	17,43	16,66	16,04	16,04	16,04	16,04	16,04
— Portugal (Esc)	82,72	79,34	77,76	77,76	77,57	77,76	77,57

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX IV

Corrective amount to be added to the amounts in Annex III

(in national currency per 100 kg)

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (FB/Flux)	0,00	0,00	0,00	80,04	3,05	0,13	0,52	0,00	0,00	0,00	10,70
— Denmark (Dkr)	0,00	0,00	0,00	14,66	0,56	0,02	0,10	0,00	0,00	0,00	1,96
— Federal Republic of Germany (DM)	0,00	0,00	0,00	3,91	0,15	0,01	0,03	0,00	0,00	0,00	0,52
— Greece (Dr)	0,00	0,00	0,00	314,17	11,98	0,52	2,04	0,00	0,00	0,00	41,98
— Spain (Pta)	0,00	0,00	0,00	253,92	9,68	0,42	1,65	0,00	0,00	0,00	33,93
— France (FF)	0,00	0,00	0,00	12,58	0,48	0,02	0,08	0,00	0,00	0,00	1,68
— Ireland (£ Irl)	0,000	0,000	0,000	1,400	0,053	0,002	0,009	0,000	0,000	0,000	0,187
— Italy (Lit)	0	0	0	2738	104	4	18	0	0	0	366
— Netherlands (Fl)	0,00	0,00	0,00	4,39	0,17	0,01	0,03	0,00	0,00	0,00	0,59
— Portugal (Esc)	0,00	0,00	0,00	311,64	11,88	0,51	2,02	0,00	0,00	0,00	41,64
— United Kingdom (£)	0,000	0,000	0,000	1,146	0,044	0,002	0,007	0,000	0,000	0,000	0,153

ANNEX V

Partial aids

Field beans intended for animal feed :

(in national currency per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	495,42	501,60	405,51	405,51	413,09	420,72	428,30
— Denmark (Dkr)	90,72	91,85	74,99	74,99	76,40	77,81	79,21
— Federal Republic of Germany (DM)	24,22	24,53	19,83	19,83	20,20	20,57	20,94
— Greece (Dr)	1 053,18	1 077,44	1 341,30	1 341,30	1 369,54	1 397,98	1 426,23
— Spain (Pta)	1 599,10	1 618,70	1 312,48	1 312,48	1 336,68	1 361,03	1 385,24
— France (FF)	77,78	78,75	64,61	64,61	65,82	67,03	68,24
— Ireland (£ Irl)	8,642	8,750	7,179	7,179	7,313	7,448	7,583
— Italy (Lit)	16 950	17 161	14 125	14 125	14 390	14 655	14 919
— Netherlands (Fl)	27,16	27,50	22,15	22,15	22,57	22,98	23,40
— Portugal (Esc)	1 928,95	1 953,02	1 612,43	1 612,43	1 642,58	1 672,91	1 703,06
— United Kingdom (£)	6,659	6,748	5,890	5,890	6,000	6,111	6,221
Amounts to be deducted in the case of use :							
— Spain (Pta)	15,27	15,11	16,04	16,04	16,04	16,04	16,04
— Portugal (Esc)	72,57	71,44	77,76	77,76	77,57	77,76	77,57

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX VI

Corrective amount to be added to the Amounts in Annex V

(in national currency per 100 kg)

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	80,04	3,05	0,13	0,52	0,00	0,00	0,00	10,70
— Denmark (Dkr)	0,00	0,00	0,00	14,66	0,56	0,02	0,10	0,00	0,00	0,00	1,96
— Federal Republic of Germany (DM)	0,00	0,00	0,00	3,91	0,15	0,01	0,03	0,00	0,00	0,00	0,52
— Greece (Dr)	0,00	0,00	0,00	314,17	11,98	0,52	2,04	0,00	0,00	0,00	41,98
— Spain (Pta)	0,00	0,00	0,00	253,92	9,68	0,42	1,65	0,00	0,00	0,00	33,93
— France (FF)	0,00	0,00	0,00	12,58	0,48	0,02	0,08	0,00	0,00	0,00	1,68
— Ireland (£ Irl)	0,000	0,000	0,000	1,400	0,053	0,002	0,009	0,000	0,000	0,000	0,187
— Italy (Lit)	0	0	0	2 738	104	4	18	0	0	0	366
— Netherlands (Fl)	0,00	0,00	0,00	4,39	0,17	0,01	0,03	0,00	0,00	0,00	0,59
— Portugal (Esc)	0,00	0,00	0,00	311,64	11,88	0,51	2,02	0,00	0,00	0,00	41,64
— United Kingdom (£)	0,000	0,000	0,000	1,146	0,044	0,002	0,007	0,000	0,000	0,000	0,153

ANNEX VII

Partial aid

Sweet lupins intended for used in animal feed :

(in national currency per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	468,24	495,71	520,44	520,44	520,44	520,44	520,44
— Denmark (Dkr)	85,74	90,77	96,25	96,25	96,25	96,25	96,25
— Federal Republic of Germany (DM)	22,90	24,24	25,45	25,45	25,45	25,45	25,45
— Greece (Dr)	902,06	1 009,90	1 765,31	1 765,31	1 765,31	1 765,31	1 765,31
— Spain (Pta)	1 514,22	1 601,38	1 679,81	1 679,81	1 679,81	1 679,81	1 679,81
— France (FF)	73,50	77,82	82,93	82,93	82,93	82,93	82,93
— Ireland (£ Irl)	8,165	8,645	9,217	9,217	9,217	9,217	9,217
— Italy (Lit)	16 019	16 959	18 129	18 129	18 129	18 129	18 129
— Netherlands (Fl)	25,67	27,17	28,43	28,43	28,43	28,43	28,43
— Portugal (Esc)	1 823,10	1 930,08	2 069,40	2 069,40	2 069,40	2 069,40	2 069,40
— United Kingdom (£)	6,248	6,642	7,560	7,560	7,560	7,560	7,560
Amounts to be deducted in the case of use in :							
— Spain (Pta)	23,29	22,36	21,44	21,44	21,44	21,44	21,44
— Portugal (Esc)	110,36	105,66	103,49	103,49	103,49	103,49	103,49

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products:	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in:											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	58,21	2,22	0,10	0,38	0,00	0,00	0,00	7,78
— Denmark (Dkr)	0,00	0,00	0,00	10,66	0,41	0,02	0,07	0,00	0,00	0,00	1,42
— Federal Republic of Germany (DM)	0,00	0,00	0,00	2,85	0,11	0,00	0,02	0,00	0,00	0,00	0,38
— Greece (Dr)	0,00	0,00	0,00	228,48	8,71	0,37	1,48	0,00	0,00	0,00	30,53
— Spain (Pta)	0,00	0,00	0,00	184,67	7,04	0,30	1,20	0,00	0,00	0,00	24,68
— France (FF)	0,00	0,00	0,00	9,15	0,35	0,01	0,06	0,00	0,00	0,00	1,22
— Ireland (£ Irl)	0,000	0,000	0,000	1,018	0,039	0,002	0,007	0,000	0,000	0,000	0,136
— Italy (Lit)	0	0	0	1 992	76	3	13	0	0	0	266
— Netherlands (Fl)	0,00	0,00	0,00	3,19	0,12	0,01	0,02	0,00	0,00	0,00	0,43
— Portugal (Esc)	0,00	0,00	0,00	226,65	8,64	0,37	1,47	0,00	0,00	0,00	30,29
— United Kingdom (£)	0,000	0,000	0,000	0,834	0,032	0,001	0,005	0,000	0,000	0,000	0,111

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,4582	7,85212	2,05853	174,240	126,844	6,90403	0,768411	1 497,19	2,31943	168,825	0,642310