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COUNCIL REGULATION (EEC) No 790/89

of 20 March 1989

fixing the level of additional flat-rate aid for the formation of producers' organizations and the maximum amount applied to aid for quality and marketing improvement in the nut- and locust bean-growing sector

(OJ L 85, 30.3.1989, p. 6)

Amended by:

		Official Journal		
		No	page	date
►M1	Council Regulation (EEC) No 2145/91 of 15 July 1991	L 200	1	23.7.1991
►M2	Council Regulation (EEC) No 832/92 of 30 March 1992	L 88	15	3.4.1992
►M3	Commission Regulation (EC) No 1363/95 of 15 June 1995	L 132	8	16.6.1995
►M4	Commission Regulation (EC) No 1825/97 of 22 September 1997	L 260	9	23.9.1997

NB: This consolidated version contains references to the European unit of account and/or the ecu, which from 1 January 1999 should be understood as references to the euro — Council Regulation (EEC) No 3308/80 (OJ L 345, 20.12.1980, p. 1) and Council Regulation (EC) No 1103/97 (OJ L 162, 19.6.1997, p. 1).

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables [1], as last amended by Regulation (EEC) No 789/89 [2], and in particular Articles 14b (4) and 14d (3) thereof,

Having regard to the proposal from the Commission,

Whereas the level of the additional flat-rate aid aimed at encouraging the formation of organizations of nut and/or locust bean producers should be fixed in such a way as to provide a genuine incentive, taking account of both the very low percentage of production marketed through producers' organizations and the small size of existing organizations;

Whereas, in the case of the quality and marketing improvement aid provided for in Article 14d of Regulation (EEC) No 1035/72, the maximum amount placed on the financial contributions from the Member State and the Community must be set at a realistic level which takes account of the main aim of genetic and cultural improvement and of the area of orchards which may be converted annually,

HAS ADOPTED THIS REGULATION:

Article 1

The additional flat-rate for the formation of organizations of nut and/or locust bean producters (SIC! producers) provided for in Article 14b of Regulation (EEC) No 1035/72 is hereby fixed as follows:

— ►M4 72,06 ◄ ►M3 ecus ◄/t for the tranche up to 1 000 tonnes.

— ►M4 84,07 ◄ ►M3 ecus ◄/t for the tranche from 1 000 to 2 000 tonnes.

— ►M4 90,07 ◄ ►M3 ecus ◄/t for the tranche above 2000 tonnes

of nuts and/or locust beans marketed by producers' organizations during their first marketing year.

▼M2

For the purposes of Article 14b (2) of Regulation (EEC) No 1035/72, where unfavourable weather conditions in a production region result in a reduction of more than 20 % in the harvest of producers' organizations, the competent authority may, at the reasoned request of the latter, calculate the aid on the basis of the quantity marketed by the organizations during the second marketing year which follows the date of their specific recognition.

(1) OJ No L 118, 20. 5. 1972, p. 91.
(2) OJ No L 85, 30. 3. 1989, p. 3.

▼M1

Article 2

The maximum amount per hectare referred to in Article 14d (2) of Regulation (EEC) No 1035/72 in respect of a plan to be carried out over a period of ten years shall be broken down as follows:

1. A maximum amount of ►M3 ECU 573,57 ◄ per year during five years shall relate to grubbing operations followed by replanting and/or varietal conversion.

   This maximum amount shall cover the financing of the work connected with execution for the abovementioned operations, which shall relate to an area not greater than 40 % of the total area of the orchard covered by the plan, of which a maximum of 20 % during the first two years of the carrying out of the plan and a maximum of 20 % during the three other years.

   For the remaining years for the carrying out of the plan, the maximum amount paid for areas replanted or converted shall be ►M3 ECU 241,50 ◄ per year;

2. A maximum amount of ►M3 ECU 241,50 ◄ per year, over a period of ten years, for the work connected with the execution of any other operations relating to the remaining part of the orchard.

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Article 3

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

It shall apply from 1 September 1989.

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