COMMISSION REGULATION (EEC) No 1935/90

of 3 July 1990

on applications in the form of operational programmes for aid from the Guidance Section of the EAGGF for investments for improving the processing and marketing conditions for agricultural and forestry products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products [1], and in particular Article 23 thereof,

Whereas, in conformity with Article 1 of Council Regulation (EEC) No 867/90 of 29 March 1990 on improving the processing and marketing conditions for forestry products [2], the common measure established by Council Regulation (EEC) No 866/90 is extended to the development or rationalization of the marketing and processing of forestry products;

Whereas applications for aid submitted in the form of operational programmes in connection with the common measure should contain all the information needed for examination according to the requirements specified in Regulations (EEC) No 866/90 and (EEC) No 867/90;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Agricultural Structures and Rural Development,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for aid from the EAGGF Guidance Section, in the form of operational programmes for investments to improve the conditions under which agricultural and forestry products are processed and marketed shall be submitted in duplicate and shall contain the information and documents specified in the Annex.

2. Applications which do not meet the conditions in paragraph 1 will not be considered.

Article 2

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

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

Done at Brussels, 3 July 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

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[1] OJ No L 91, 6. 4. 1990, p. 1.
[2] OJ No L 91, 6. 4. 1990, p. 7.

ANNEX

Code No [ ] (1)

I. GENERAL INFORMATION

1. Operational programme No (1): [ ][ ] [ ][ ] [ ][ ] [ ][ ]

2. Member State:

3. Regions covered by this operational programme (2):

4. Regions (3): Objective 1 ☐ Objective 5 (b) ☐ Other ☐

5. Time period of this operational programme (4):

6. Definition of the sector(s) covered (5):

7. Objectives of this operational programme as regards (6):

7.1. Improvement of processing and marketing structures:

7.2. Technological developments:

7.3. Capacity changes:

8. Conformity

8.1. Conformity with sectoral plan(s) (7):

8.2. Insertion in sectoral Community support framework(s):

(1) The operational programme number should be coded as follows:
Year of application — Legislative code — Member State — Operational programme No
e.g. 90 CT NL 15
(2) Specify the administrative regions covered by this operational programme and attach a map which will show the delimitation of these regions.
(3) Tick appropriate box.
(4) Outline projected commencement and completion dates for the operational programme.
(5) Indicate the raw materials which will be utilized and the processed products which will be produced.
(6) Quantify the physical objectives of the programme, where possible.
(7) Explain how the operational programme complies with the relevant sectoral plan(s) in terms of basic production, processing and marketing, capacities, consumption, future developments.

Code No

8.3. Conformity with regional or rural development plan and relevant Community support framewerok :

8.4. Synergy with other regional and national measures :

9. Costings (national currency/ecu) ([8]) :

	Objective 1 region	Objective 5 (b) region	Other region	Total
9.1. Total investment foreseen by this operational programme :				
9.2. Beneficiaries' contribution :				
9.3. Contribution of Member State ([9]) :				
9.4. Contribution requested from EAGGF :				
9.5. Contribution requested from other Community sources :				

10. Socioeconomic impact of the operational programme ([10]) :

11. Designated authorities ([11]) :

11.1 Implementation authority (Article 10 (1) of Regulation (EEC) No 866/90)

11.1.1. Name :

11.1.2. Address :

11.1.3. Tel./Telefax/Telex/Electronic address :

([8]) Where national currency is used state whether current or constant prices are used. For current prices, detail the inflation hypothesis. Where costings are in ecus only specify the exchange rate used. Include a per annum breakdown of expenditure where the programme covers more than one year.
([9]) Specify the nature of the Member State contribution e.g. capital grant or interest subsidy. Where an interest subsidy is being provided give details, its capitalized value and method of calculation of this value. Break contribution into national, regional or local level.
([10]) Details such as employment and training implications.
([11]) Give details of the authority which will implement the programme and the authority for controlling and effecting payments.

Code No

11.2. Payment authority (Article 14 (2) of Regulation (EEC) No 866/90)

11.2.1. Name :

11.2.2. Address :

11.2.3. Tel./Telefax/Telex/Electronic address :

12. Payments :

12.1. Bank :

12.2. Branch address/Branch code :

12.3. Tel./Telefax/Telex/Electronic address :

12.4. Account No :

12.5. Provisional timescales for payments from EAGGF :

II. DETAILS REQUIRED FOR INVESTMENTS ≥ ECU 1 500 000 WHICH FORM THIS OPERATIONAL PROGRAMME

1. Investment code No ([12]) : ☐☐ ☐☐ ☐☐ ☐☐ ☐☐☐☐

2. Title of investment and sector :

3. Location of investment ([13]) :

4. Regions ([14]) : Objective 1 ☐ Objective 5 (b) ☐ Other ☐

5. Beneficiary :

6. Status ([15]) :

7. Description of the investment ([16]) :

([12]) Number the investment as follows :
Operational programme No : 90.CT.NL.15
Investment code : 001 (number each investment contained in the operational programme)
e.g. : 90.CT.NL.15.001
([13]) Provide the name of the local administrative unit.
([14]) Tick appropriate box.
([15]) Indicate :
(a) whether beneficiary is from public, cooperative, or private sector ;
(b) whether beneficiary is a small or medium-sized enterprise (SME) — fulfilling two of the following three criteria :
< ECU 6,2 million balance-sheet total ;
< ECU 12,8 million net annual turnover ;
< 250 employees.
([16]) Provide a brief description of the investment, about one page, covering the principal items under :
(a) buildings and equipment — technical description, areas, capacities ;
(b) production processes and functions of investment.

Code No

8. Raw materials ([17]):

— links (e.g. contracts) with and benefits to primary producers:

— origins of raw materials (local region, other Member States, third countries); situation before and on completion of the investment:

9. Finished products: marketing outlets, present and proposed, particularly where increased output is concerned ([17]):

10. Capacity effects ([17]):

11. Throughputs ([17]):

Units/annum		Situation before the investment	On completion of investment
	Inputs ([18])		
	Outputs ([18])		

([17]) For items 8 to 11 provide this information at the plant level. Where one or more separate units within the plant are affected by the investment, provide the information also at this level.

([18]) For inputs and outputs supply the details for the five principal products in each case.

Code No

National currency/ECU [19]

12. Total investment costs :

13. Total investment costs on which aid is requested :

14. Beneficiary contribution :

15. Member State contribution (+ nature of this) :

16. Aid requested from EAGGF at ... % rate, based on costs at (13) above :

17. Details of any other Community contributions sought for this investment (e.g. EIB loans, ERDF) :

18. Timetable for execution :

    Commencement :

    Completion :

19. Drawdown position of applicant for investments previously funded by EAGGF pursuant to Regulations (EEC) No 866/90 and (EEC) No 355/77 [20] :

[19] Where costings are in ecus only specify the exchange rate used.
[20] Detail previous EAGGF awards in favour of the beneficiary giving project No, aid awarded and claims status of each award.

Code No

III. SECTORAL SUMMARY AND DETAILS OF INVESTMENTS < ECU 1 500 000 WHICH FORM PART OF THIS OPERATIONAL PROGRAMME

SECTOR ([21]) : _____

1	2	3		4		5	6	7	8	9		10	
Investment code No ([22])	Status ([23])	Location of investment		Description of investment ([25])		Effect on capacity ([26])	Total cost of investment (National currency/ ECU) ([27])	Own funds (National currency/ ECU) ([27])	Member State contribution (National currency/ ECU) ([27])	EAGGF contribution requested		Timetable	
		Local administrative area	Region ([24])	Type of investment	Objectives of investment					%	(National currency/ ECU) ([27])	Commencement	Completion
Totals for this sector investments < ECU 1 500 000				Total no of investments									
Totals for this sector ≥ ECU 1 500 000													
Grand total for this sector													

([21]) Complete a separate sheet for each sector.

([22]) Use same code numbering system to that at footnote ([12]) above.

([23]) Indicate status by numbering as follows :

(a) if beneficiary belongs to :

1. Public sector
2. Cooperative sector
3. Private sector

(b) if beneficiary is :

4. SME (see footnote ([15]))

([24]) Indicate the region by numbering as follows :

Objective 1 : 1.
Objective 5 (b) : 2.
Other regions : 3.

([25]) Use two or three keywords to summarize the type and objectives of the investment.

([26]) Indicate the effect of the investment on capacity by numbering as follows :

1. Increase of capacity.
2. Modernization or rationalization without increase of capacity.

([27]) Where costings are in ecus only specify the exchange rate used.

IV. SUMMARY TABLE

Operational programme code No

Sector (1)		Objective No 1 regions	Objective No 5 (b) regions	Other regions	Total
	Total costs (2)				
	Aid requested				
	Total costs (2)				
	Aid requested				
	Total costs (2)				
	Aid requested				
	Total costs (2)				
	Aid requested				
Total all sectors	Total costs (2)				
	Aid requested				

(1) Provide a summary for each sector which is inclued in the operational programme.

(2) Costings may be in national currency or ecus. Where ecus are used specify the exchange rate.
Where national currency, specify whether current or constant prices. Where current specify inflation hypothesis.

Code No

V. DECLARATION TO BE SUBMITTED WITH THE OPERATIONAL PROGRAMME

The designated authority undertakes the following:

1. To check that the investments will comply with the selection criteria as required by Article 8 of Council Regulation (EEC) No 866/90.

2. To check that the eligible expenditure which will be the subject of the aided investments will comply with Articles 10, 11, 12 and 13, first and second indents, of Council Regulation (EEC) No 866/90.

3. To examine the financial situation of the beneficiary using its audited annual accounts or financial statements so that sufficient evidence is given that the investment will be profitable.

4. To check that the investments comply with Article 13, third indent of Council Regulation (EEC) No 866/90 in that no works have commenced on any of the investments more than six months prior to the date of reception of this operational programme with the Commission.

5. For operational programmes containing investments in the meat sectors, that the competent veterinary authority will certify that the plant within which the investments will be undertaken, will conform with the relevant Council Directives on health problems affecting trade in fresh meat, fresh poultrymeat and meat products.

6. To check that investments will comply with the requirements of the relevant Council Directives concerning the effects on the environment. For investments located in sensitive areas a certificate must be attached for each investment confirming that the information requested in Annex 2 of Commission's letter to the Permanent Representative of each Member State (No 14964 of 19 December 1988) has been verified and demonstrates that the investment will not have a directly adverse effect on the environment.

   For investments outside the sensitive areas, but of one of the following types:

   Food products industry

   (a) Animal and vegetable fat industries
   (b) Canning of animal and vegetable products
   (c) Manufacture of milk products
   (d) Brewing and malting industry
   (e) Jam and syrup making industries
   (f) Slaughterhouses
   (g) Starch manufacturing industry
   (h) Sugar refineries

   Other projects

   (i) Waste purification stations
   (j) Knackery buildings

   a declaration should be attached confirming that the investment will not have a significantly detrimental effect on mankind, water, air, earth, countryside, fauna, flora and on the cultural heritage.

7. To check that investments will comply with the provisions for public procurement rules as per Notice C (88) 2510 to the Member States (OJ No C 22, 28. 1. 1989).

8. To check that the national measures for the implementation of the plans, control, prevention and follow-up of irregularities and for monitoring and evaluation procedures as notified in accordance with Article 5 (2) of Council Regulation (EEC) No 866/90 will be followed.

Done at ....

Date ..... *(Signature and stamp of the designated authority of the Member State)*