COMMISSION REGULATION (EEC) No 2382/90

of 14 August 1990

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 2249/90 [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 2206/90 [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 1990/91 marketing year was fixed by Council Regulation (EEC) No 1189/90 [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 Council Regulation (EEC) No 1191/90 [8];

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 marketing year, has not, to date, been fixed; whereas the amount of the subsidy for the 1990/91 marketing year has been provisionally calculated on the basis of the abatement applicable for the marketing year 1989/90;

Whereas the threshold price activating the aid and the minimum price fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1755/90 of 27 June 1990 establishing the activating threshold price for aid, the guide price and the minimum price for peas, field beans and sweet lupins fixed in ecus by the Council and reduced as a result of the monetary realignment of 5 January 1990 [9];

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 [10], as last amended by Regulation (EEC) No 1238/87 [11], 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 [12] 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:

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[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 203, 1. 8. 1990, p. 56.
[5] OJ No L 219, 28. 7. 1982, p. 1.
[6] OJ No L 201, 31. 7. 1990, p. 11.
[7] OJ No L 119, 11. 5. 1990, p. 37.
[8] OJ No L 119, 11. 5. 1990, p. 40.
[9] OJ No L 162, 28. 6. 1990, p. 18.
[10] OJ No L 219, 28. 7. 1982, p. 36.
[11] OJ No L 117, 5. 5. 1987, p. 9.
[12] OJ No L 133, 21. 5. 1986, p. 21.

— 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 [1], as last amended by Regulation (EEC) No 2205/90 [2],
— 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;

Whereas pursuant to Articles 121 (2) and 307 (2) of te 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 1938/89 [3]; 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, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus 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 1989/90 marketing year, has been fixed by Regulation (EEC) No 2656/89 [4],

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 1990/91 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 16 August 1990 to take into account, the application of maximum guaranteed quantities for the marketing year 1990/91.

Article 2

This Regulation shall enter into force on 16 August 1990.

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

Done at Brussels, 14 August 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

(1) OJ No L 164, 24. 6. 1985, p. 1.
(2) OJ No L 201, 31. 7. 1990, p. 9.
(3) OJ No L 187, 1. 7. 1989, p. 68.
(4) OJ No L 255, 1. 9. 1989, p. 71.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
Peas used :							
— in Spain	8,621	8,779	8,937	9,095	9,253	9,411	9,569
— in Portugal	8,648	8,806	8,964	9,122	9,280	9,438	9,596
— in antother Member State	8,850	9,008	9,166	9,324	9,482	9,640	9,798
Field beans used :							
— in Spain	8,850	9,008	9,166	9,324	9,482	9,640	9,798
— in Portugal	8,648	8,806	8,964	9,122	9,280	9,438	9,596
— in another Member State	8,850	9,008	9,166	9,324	9,482	9,640	9,798

Products used in animal feed :

(ECU per 100 kg)

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
A. Peas used :							
— in Spain	11,572	11,729	11,733	11,798	11,956	11,775	11,933
— in Portugal	11,629	11,787	11,792	11,858	12,016	11,839	11,996
— in another Member State	11,629	11,787	11,792	11,858	12,016	11,839	11,996
B. Field beans used :							
— in Spain	11,572	11,729	11,733	11,798	11,956	11,775	11,933
— in Portugal	11,629	11,787	11,792	11,858	12,016	11,839	11,996
— in another Member State	11,629	11,787	11,792	11,858	12,016	11,839	11,996
C. Sweet lupins harvested in Spain and used :							
— in Spain	15,012	15,012	14,808	14,685	14,685	14,234	14,234
— in Portugal	15,089	15,089	14,886	14,764	14,764	14,318	14,318
— in another Member State	15,089	15,089	14,886	14,764	14,764	14,318	14,318
D. Sweet lupins harvested in another Member State and used :							
— in Spain	15,002	15,002	14,798	14,675	14,675	14,224	14,224
— in Portugal	15,079	15,079	14,876	14,754	14,754	14,308	14,308
— in another Member State	15,079	15,079	14,876	14,754	14,754	14,308	14,308

ANNEX II

Final aid

Products intended for human consumption :

(in national currency per 100 kg)

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	427,34	434,97	442,60	450,23	457,86	465,49	473,12
— Denmark (Dkr)	79,03	80,44	81,85	83,26	84,67	86,09	87,50
— Federal Republic of Germany (DM)	20,72	21,09	21,46	21,83	22,20	22,57	22,94
— Greece (Dr)	1 876,76	1 911,13	1 945,50	1 979,86	2 014,23	2 048,60	2 082,97
— Spain (Pta)	1 386,01	1 410,25	1 434,48	1 458,72	1 482,96	1 507,19	1 531,43
— France (FF)	69,49	70,73	71,97	73,21	74,45	75,69	76,93
— Ireland (£ Irl)	7,734	7,872	8,010	8,148	8,286	8,424	8,562
— Italy (Lit)	15 502	15 779	16 056	16 333	16 609	16 886	17 163
— Netherlands (Fl)	23,34	23,76	24,18	24,60	25,01	25,43	25,85
— Portugal (Esc)	1 831,08	1 863,77	1 896,46	1 929,15	1 961,84	1 994,54	2 027,23
— United Kingdom (£)	6,899	7,022	7,145	7,269	7,392	7,515	7,638

Amounts to be deducted in the case of :

— Peas used in Spain (Pta) : 35,15,

— Peas, and field beans used in Portugal (Esc) : 41,79.

ANNEX III

Partial aids

Peas intended for animal feed :

(in national currency per 100 kg)

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	561,53	569,16	569,40	572,59	580,22	571,67	579,25
— Denmark (Dkr)	103,85	105,26	105,30	105,89	107,30	105,72	107,13
— Federal Republic of Germany (DM)	27,23	27,59	27,61	27,76	28,13	27,72	28,08
— Greece (Dr)	2 488,68	2 523,05	2 523,73	2 537,84	2 572,20	2 532,80	2 566,95
— Spain (Pta)	1 807,91	1 832,14	1 833,15	1 843,42	1 867,66	1 841,04	1 865,12
— France (FF)	91,31	92,55	92,59	93,11	94,35	92,96	94,19
— Ireland (£ Irl)	10,163	10,301	10,305	10,363	10,501	10,346	10,483
— Italy (Lit)	20 370	20 647	20 656	20 771	21 048	20 738	21 013
— Netherlands (Fl)	30,68	31,09	31,11	31,28	31,70	31,23	31,64
— Portugal (Esc)	2 406,06	2 438,75	2 439,79	2 453,44	2 486,13	2 449,51	2 482,00
— United Kingdom (£)	9,065	9,189	9,192	9,244	9,367	9,229	9,352
Amounts to be deducted in the case of use :							
— Spain (Pta)	8,75	8,90	9,06	9,21	9,21	9,82	9,67
— Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00	0,00

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 (Bfrs/Lfrs)	0,00	0,00	0,00	5,51	4,71	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	1,02	0,87	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,27	0,23	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	25,11	21,47	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	17,31	14,81	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	0,90	0,77	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,100	0,085	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	200	171	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	0,30	0,26	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	23,59	20,18	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,089	0,076	0,000	0,000	0,000	0,000	0,000	0,000

ANNEX V

Partial aids

Field beans intended for animal feed :

(in national currency per 100 kg)

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	561,53	569,16	569,40	572,59	580,22	571,67	579,25
— Denmark (Dkr)	103,85	105,26	105,30	105,89	107,30	105,72	107,13
— Federal Republic of Germany (DM)	27,23	27,59	27,61	27,76	28,13	27,72	28,08
— Greece (Dr)	2 488,68	2 523,05	2 523,73	2 537,84	2 572,20	2 532,80	2 566,95
— Spain (Pta)	1 807,91	1 832,14	1 833,15	1 843,42	1 867,66	1 841,04	1 865,12
— France (FF)	91,31	92,55	92,59	93,11	94,35	92,96	94,19
— Ireland (£ Irl)	10,163	10,301	10,305	10,363	10,501	10,346	10,483
— Italy (Lit)	20 370	20 647	20 656	20 771	21 048	20 738	21 013
— Netherlands (Fl)	30,68	31,09	31,11	31,28	31,70	31,23	31,64
— Portugal (Esc)	2 406,06	2 438,75	2 439,79	2 453,44	2 486,13	2 449,51	2 482,00
— United Kingdom (£)	9,065	9,189	9,192	9,244	9,367	9,229	9,352
Amounts to be deducted in the case of use :							
— Spain (Pta)	8,75	8,90	9,06	9,21	9,21	9,82	9,67
— Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00	0,00

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	5,51	4,71	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	1,02	0,87	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,27	0,23	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	25,11	21,47	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	17,31	14,81	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	0,90	0,77	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,100	0,085	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	200	171	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	0,30	0,26	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	23,59	20,18	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,089	0,076	0,000	0,000	0,000	0,000	0,000	0,000

ANNEX VII

Partial aid

Sweet lupins intended for use in animal feed :

(in national currency per 100 kg)

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	728,12	728,12	718,32	712,42	712,42	690,89	690,89
— Denmark (Dkr)	134,66	134,66	132,84	131,75	131,75	127,77	127,77
— Federal Republic of Germany (DM)	35,30	35,30	34,83	34,54	34,54	33,50	33,50
— Greece (Dr)	3 240,74	3 240,74	3 196,04	3 169,18	3 169,18	3 070,97	3 070,97
— Spain (Pta)	2 336,16	2 336,16	2 305,35	2 286,82	2 286,82	2 219,11	2 219,11
— France (FF)	118,40	118,40	116,80	115,85	115,85	112,34	112,34
— Ireland (£ Irl)	13,178	13,178	13,000	12,894	12,894	12,504	12,504
— Italy (Lit)	26 413	26 413	26 058	25 844	25 844	25 063	25 063
— Netherlands (Fl)	39,78	39,78	39,24	38,92	38,92	37,74	37,74
— Portugal (Esc)	3 119,88	3 119,88	3 077,87	3 052,63	3 052,63	2 960,35	2 960,35
— United Kingdom (£)	11,755	11,755	11,597	11,502	11,502	11,154	11,154
Amounts to be deducted in the case of use in :							
— Spain (Pta)	11,82	11,82	11,97	12,13	12,13	12,89	12,89
— Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00	0,00

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	4,00	3,42	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	0,74	0,63	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,19	0,17	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	18,26	15,62	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	12,59	10,77	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	0,65	0,56	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,072	0,062	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	145	124	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	0,22	0,19	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	17,16	14,67	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,065	0,055	0,000	0,000	0,000	0,000	0,000	0,000

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 =	42,1679	7,79845	2,04446	201,781	125,876	6,85684	0,763159	1 529,70	2,30358	180,144	0,693703

(1) Subject to the reduction from the maximum guaranteed quantities system and the prices and related measures for the 1990/91 marketing year.