COMMISSION REGULATION (EC) No 860/94

of 18 April 1994

on plans and 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 Community,

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 on improvong the processing and marketing conditions for agricultural products [1], as last amended by Regulation (EC) No 3669/93 [2], and in particular Article 23 thereof,

Whereas Article 1 of Council Regulation (EEC) No 867/90 of 29 March 1990 on improving the processing and marketing conditioned for forestry products [3] extends the common measure introduced by Regulation (EEC) No 866/90 to cover the development or rationalization of the marketing and processing of forestry products;

Whereas applications in the form of operational programmes for aid in respect of the common measure should contain all the information necessary to enable them to be examined, in accordance with the requirements of Regulations (EEC) No 866/90 and (EEC) No 867/90 and Article 14 of Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments [4], as amended by Regulation (EEC) No 2082/93 [5];

Whereas if the Fund's contribution to the implementation of this measure is to be in the form of global grants submission of the aid application may be the subject of special rules;

Whereas in accordance with Article 10 (a) of Regulation (EEC) No 866/90 Member States may submit a single programming document containing all the information required in the plans and in the aid applications; whereas the information required in the plans should be specified;

Whereas it is therefore necessary to replace 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 [6], which contains only provisions on aid applications;

Whereas, during the application of Regulation (EEC) No 866/90, in the past certain beneficiaries have shown little reliability or have committed grave irregularities leading to a suppression of aid; as a result it is advisable to foresee the exclusion of such beneficiaries;

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. Plans for the structural improvement of the various sectors shall be submitted in duplicate and shall contain the information and documents listed in Annex I.

2. Applications in the form of operational programmes for aid for investments for improving the processing and marketing conditions for agricultural and forestry products shall be submitted in duplicate and shall contain the information and documents listed in Annex II to the extent that such information and documents are not already included in the plans referred to in paragraph 1.

3. Where the Member States submit a programming document containing all the information required in the plans and in the aid applications, in accordance with Article 10 (a) of Regulation (EEC) No 866/90, that document shall be submitted in duplicate and shall contain the information and documents listed in Annexes I and II.

4. Applications which do not meet the conditions laid down in this Article shall not be considered.

[1] OJ No L 91, 29. 3. 1990, p. 1.
[2] OJ No L 338, 31. 12. 1993, p. 26.
[3] OJ No L 91, 29. 3. 1990, p. 7.
[4] OJ No L 374, 31. 12. 1988, p. 1.
[5] OJ No L 193, 31. 7. 1993, p. 20.
[6] OJ No L 174, 7. 7. 1990, p. 16.

Article 2

For the regions covered by Objective 1 the information and documents referred to in Article 1 (1) shall be sent to Commission by 1 May 1994.

Article 3

Aid shall not be granted for investments proposed by beneficiaries who have already, during the five years prior to their application, received aid from the EAGGF if the investments were not carried out without any valid reason having been put forward or if irregularities were found which led to the aid being cancelled.

Article 4

Regulation (EEC) No 1935/90 is hereby repealed.

Article 5

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, 18 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Information on the plans for the structural improvement of the various product sectors (1)

1. General description

1.1. Code number of plan : (2)

1.2. Member State :

1.3. Regions (NUTS I or II) : (3)

1.4. Regions covered by Objective 1 ☐, Objective 5 (b) ☐, other ☐ : (4)

1.5. Period covered :

1.6. Determination of the sectors concerned : (5)

1.7. Physical and financial indicators for monitoring purposes : (6)

2. Tables

1.1. Financial resources invested in each sector over the period 1991 to 1993 :

1.2. Financial resources invested each year over the period 1991 to 1993 :

1.3. Existing capacity :

2.1. Planned capacity :

2.2. Financing plan (by year) :

2.3. Financing plan (by sector) :

3. Other information required under Article 3 (1) of Regulation (EEC) No 866/90

ANNEX II

Information on aid applications and the EAGGF contribution (7)

1. General information on the measure :

1.1. Description of the measure and explanation of the reasons (e.g. cutting-up at the place of slaughter)

1.2. Regions and periods covered : (3)

1.3. Regions covered by Objective 1 ☐, Objective 5 (b) ☐, other ☐ (4)

1.4. Sectors concerned :

1.5. National legislative, regulatory or administrative provisions : (8)

2. Tables

3.1. Financing plan (by year) : (9)

3.2. Financing plan (by sector) : (10)

3. Other information required under Article 10 of Regulation (EEC) No 866/90 :

4. Administrative information

4.1. Body responsible for implementation : (11)

4.2. Contact : (11)

4.3. Body responsible for payment : (11)

4.4. Bank responsible for payment : (12)

(1) Where the information is not already included in the regional development plans (Objective 1).
(2) Code made up as follows.
(3) Indicate which administrative regions are covered and attach a map outlining the regions concerned.
(4) Tick the relevant box.
(5) Article 3 (1) (a) of Regulation (EEC) No 866/90.
(6) Article 25 (2) of Regulation (EEC) No 4253/88 ; the indicator relates to the starting situation and the objectives to be achieved (2 or 3 relevant indicators).
(7) Where not included in Annex I.
(8) Article 10 (b) of Regulation (EEC) No 866/90.
(9) Where there is only one planning document pursuant to Article 10 (a) of Regulation (EEC) No 866/90, Table 3.1 = Table 2.2.
(10) Where there is only one planning document pursuant to Article 10 (a) of Regulation (EEC) No 866/90, Table 3.2 = Table 2.3.
(11) Name, address, telephone and fax numbers.
(12) Name, address, telephone and fax numbers, branch code, account number and budget code.

Table 1.1 : Financial resources granted in each sector over the period 1991 to 1993

Member State : Regions : Objective 1/5 (b)/other (1)

Sector (2)	Number of projects	Total eligible cost	Total public expenditure		EACGF expenditure		Expenditure by Member State		At national level (6)		At regional level (6)		Expenditure by beneficiaries		Community loans
		NC/ECU (3)	NC/ECU (3)	%	NC/ECU (3)	%	NC/ECU (3)	% (4)	NC/ECU (3)	% (5)	NC/ECU (3)	% (5)	NC/ECU (3)	% (4)	NC/ECU (3)
1	2	3=4+14	4=6+8	5=4/3	6	7=6/3	8=10+12	9=8/3	10	11=10/8	12	13=12/8	14	15=14/3	16
Forestry products															
Meat Milk and milk products Eggs and poultry Other animal products															
Cereals Sugar Oleaginous plants Protein plants Wine and spirits Fruit and vegetables Flower and plants Seeds Potatoes Other vegetable products															
Products falling within more than one category															
Other products															
Total															

(1) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) and other), complete a table for each objective and a summary table.
(2) Complete only for those sectors for which EAGGF aid has been paid.
(3) Express the cost in current prices, in national currency or in ecus. In the latter case, specify the exchange rate used.
(4) Expenditure by the Member State and beneficiaries should be calculated as a percentage of the total eligible cost.
(5) National and regional expenditure should be calculated as a percentage of Member State expenditure.
(6) Breakdown by national and regional level is not required in duly justified cases.

Table 1.2 : Financial resources granted each year over the period 1991 to 1993

Member State : Regions : Objective 1/5 (b)/other (1)

Year	Number of projets	Total cost	Total public expenditure		EAGGF expenditure		Expenditure by Member State		At national level (5)		At regional level (5)		Expenditure by beneficiaries		Community loans
		NC/ECU (2)	NC/ECU (3)	%	NC/ECU (3)	%	NC/ECU (3)	% (3)	NC/ECU (3)	% (4)	NC/ECU (3)	% (4)	NC/ECU (3)	% (3)	NC/ECU (3)
1	2	3=4+14	4=6+8	5=4/3	6	7=6/3	8=10+12	9=8/3	10	11=10/8	12	13=12/8	14	15=14/3	16
1991															
1992															
1993															
Total															

(1) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) and other), complete a table for each objective and a summary table.
(2) Express the cost in current prices, in national currency or in ecus. In the latter case, specify the exchange rate used.
(3) Expenditure by the Member State and beneficiaries should be calculated as a percentage of the total eligible cost.
(4) National and regional expenditure should be calculated as a percentage of Member State expenditure.
(5) Breakdown by national and regional level is not required in duly justified cases.

Table 1.3 : Existing capacity (1)

Member State : Regions : Objective 1/5 (b) / other (2)

Sector (3)	Code	Basic product (4)	Storage capacity				Processing capacity				Storage capacity for finished products			
			Total capacity (4)	Created (4) (5)	Rebuilding w/no effect on capacity (4) (5)	Rebuilding w/an effect on capacity (4) (5)	Total capacity (4)	Created (4) (5)	Rebuilding w/no effect on capacity (4) (5)	Rebuilding w/an effect on capacity (4) (5)	Total capacity (4)	Created (4) (5)	Rebuilding w/no effect on capacity (4) (5)	Rebuilding w/an effect on capacity (4) (5)
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Forestry products	1010													
Wood	1011													
Cork	1012													
Other forestry products	1019													
Meat	2010													
Slaughter	2011													
Cutting-up	2011													
Processing	2012													
Inedible products	2013													
Other meat	2018													
Milk and milk products	2020													
Milk collection	2021													
Liquid milk	2022													
Milk products	2023													
Other milk products	2029													
Eggs and poultry	2030													
Eggs	2031													
Poultry	2032													
Other (including rabbits)	2039													
Miscellaneous animals	2990													
Livestock markets	2991													
Honey	2992													
Other animal products	2999													
Cereals	3010													
Cereals (excluding rice)	3011													
Rice	3012													
Sugar	3020													
Oleaginous plants	3030													
Olive oil	3031													

Sector (1)	Code	Basic product (4)	Storage capacity				Processing capacity				Storage capacity for finished products			
			Total capacity (4)	Created (4) (5)	Rebuilding w/no effect on capacity (4) (5)	Rebuilding w/an effect on capacity (4) (5)	Total capacity (4)	Created (4) (5)	Rebuilding w/no effect on capacity (4) (5)	Rebuilding w/an effect on capacity (4) (5)	Total capacity (4)	Created (4) (5)	Rebuilding w/no effect on capacity (4) (5)	Rebuilding w/an effect on capacity (4) (5)
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Oilseeds	3032													
Other oleaginous plants	3039													
Protein points	3040													
Wines and spirits	3050													
Fruit and vegetables	3060													
Fresh fruit and vegetables	3061													
Processed fruit and vegetables	3062													
Other fruit and vegetables	3069													
Flowers and plants	3070													
Seeds	3080													
Potatoes	3090													
Unprocessed potatoes	3091													
Processed potatoes	3092													
Tobacco	3100													
Miscellaneous vegetables	3990													
Miscellaneous products	4000													
General markets and distribution	4010													
Animal feedingstuffs	4020													
Miscellaenous products	4990													
Marketing and processing: miscellaneous	9990													

(1) Including capacity not yet completed but covered by planning for the 1991 to 1993 phase.

(2) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) or other), complete a table for each objective and a summary table.

(3) Only complete the sectors and subsectors for which EAGGF aid has been or is being requested.

(4) Specify unit of measurement.

(5) Only capacity created or rebuilt during the years 1991 to 1993 for which EAGGF aid was paid.

Table 2.1.: Planned capacity

Member State: **Regions:** **Objective 1/5 (b)/other (1)**

Sector (2)	Code	Estimated number of projects planned (3)	Basic products (4)	Capacity before Investment				Capacity after investment			
				Storage (4)	Processing (4)	Marketing (4)	Storage for finished products (4)	Storage (4)	Processing (4)	Marketing (4)	Storage for finished products (4)
1	2	3	4	5	6	7	8	9	10	11	12
Forestry products	1010										
Wood	1011										
Cork	1012										
Other forestry products	1019										
Meat	2010										
Slaughter	20111										
Cutting-up	20112										
Processing	2012										
Inedible products	2013										
Other meat	2018										
Milk and milk products	2020										
Milk collection	2021										
Liquid milk	2022										
Milk products	2023										
Other milk products	2029										
Eggs and poultry	2030										
Eggs	2031										
Poultry	2032										
Other (including rabbits)	2039										
Miscellaneous animals	2990										
Livestock markets	2991										
Honey	2992										
Other animal products	2999										
Cereals	3010										
Cereals (excluding rice)	3011										
Rice	3012										
Sugar	3020										
Oleaginous plants	3030										
Olive oil	3031										
Oilseeds	3032										
Other oleaginous plants	3039										

Sector (2)	Code	Estimated number of projects planned (3)	Basic products (4)	Capacity before Investment				Capacity after investment			
				Storage (4)	Processing (4)	Marketing (4)	Storage for finished products (4)	Storage (4)	Processing (4)	Marketing (4)	Storage for finished products (4)
1	2	3	4	5	6	7	8	9	10	11	12
Protein plants	3040										
Wines and spirits	3050										
Fruit and vegetables	3060										
Fresh fruit and vegetables	3061										
Processed fruit and vegetables	3062										
Other fruit and vegetables	3069										
Flowers and plants	3070										
Seeds	3080										
Potatoes	3090										
Unprocessed potatoes	3091										
Processed potatoes	3092										
	3100										
Miscellaneous vegetables	3990										
Miscellaneous products	4000										
General markets and distribution	4010										
Animal feedingstuffs	4020										
Miscellaneous products	4990										
Marketing and processing: miscellaneous	9990										

(1) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) or other), complete a table for each objective and a summary table.

(2) Complete only for those sectors or subsectors for which EAGGF aid is requested.

(3) Estimate for each sector (see Table 2.3, columns 1 and 2).

(4) Specify unit of measurement.

STRUCTURAL IMPROVEMENT PLAN FOR THE YEARS 1994 TO 1999

Tabele 2.2.: Indicative financing plan (by year)

Member State : Regions : Objective 1/5 (b)/other (1)

Year	Total exigible cost	Total public expenditure		EAGGF expenditure		Expenditure by Member State		At national level (6)		At regional level (6)		Expenditure by beneficiaries		Community loans
	NC/ECU (2)	NC/ECU (2)	%	NC/ECU (2)	% (3)	NC/ECU (2)	% (3) (4)	NC/ECU (2)	% (5)	NC/ECU (2)	% (5)	NC/ECU (2)	% (3) (4)	NC/ECU (2)
1	2=3+13	3=5+7	4=3/2	5	6=5/2	7=9+11	8=7/2	9	10=9/7	11	12=11/7	13	14=13/2	15
1994														
1995														
1996														
1997														
1998														
1999														
Total														

(1) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) or other), complete a table for each objective and a summary table.

(2) Express the costs in current prices, in national currency or in ecus. In the latter case, specify the exchange rate used.

(3) Indicate the maximum and minimum rates.

(4) Expenditure by the Member State and beneficiaries should be calculated as a percentage of the total eligible cost.

(5) Expenditure at national and regional levèl should be calculated as percentages of expenditure by the Member State.

(6) Breakdown by national and regional level is not required in duly justified cases.

STRUCTURAL IMPROVEMENT PLAN FO THE YEARS 1994 TO 1999

Table 2.3.: Indicative financing plan (by sector)

Member State : Regions : Objective 1/5 (b)/other (1)

Sector (2)	Code	Total eligible cost	Total public expenditure		EAGGF expenditure		Expenditure by Member State		At national level (7)		At regional level (7)		Exepnditure by beneficiaries		Community Loans
		NC/ECU (3)	NC/ECU (3)	%	NC/ECU (3)	% (4)	NC/ECU (3)	% (4) (5)	NC/ECU (3)	% (6)	NC/ECU (3)	% (6)	NC/ECU (3)	% (4) (5)	NC/ECU (3)
1	2	3=4+14	4=5+8	5=4/3	6	7=6/3	8=10+12	9=8/3	10	11=10/8	12	13=12/8	14	15=14/3	16
Forestry products	1000														
Meat	2010														
Milk and milk products	2020														
Eggs and poultry	2030														
Other animal products	2990														
Cereals	3010														
Sugar	3020														
Oleaginous plants	3030														
Protein plants	3040														
Wine and spirits	3050														
Fruit and vegetables	3060														
Flowers and plants	3070														
Seeds	3080														
Potatoes	3090														
Other vegetables and plants	3990														
Products falling into more than one category	4000														
Other products	9990														
Total															

(1) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) or other), complete a table for each objective and a summary table.
(2) Complete only for those sectors or subsectors for which EAGGF aid is requested.
(3) Express the costs in current prices, in national currency or in ecus. In the latter case, specify the exchange rate used.
(4) Indicate the maximum and minimum rates.
(5) Expenditure by the Member State and beneficiaries should be calculated as a percentage of the total eligible cost.
(6) Expenditure at national and regional level should be calculated as percentages of expenditure by the Member State.
(7) Breakdown by national and regional level is not required in duly justified cases.

AID APPLICATION **OPERATIONAL PROGRAMME No :**

Tabele 3.1. : Indicative financing plan (by year)

Member State : **Regions :** **Objective 1/5 (b)/other (1)**

Year	Total exigible cost	Total public expenditure		EAGGF expenditure		Expenditure by Member State		At national level (6)		At regional level (6)		Expenditure by beneficiaries		Community loans
	NC/ECU (2)	NC/ECU (2)	%	NC/ECU (2)	% (3)	NC/ECU (2)	% (3) (4)	NC/ECU (2)	% (5)	NC/ECU (2)	% (5)	NC/ECU (2)	% (3) (4)	NC/ECU (2)
1	2=3+13	3=5+7	4=3/2	5	6=5/2	7=9+11	8=7/2	9	10=9/7	11	12=11/7	13	14=13/2	15
1994														
1995														
1996														
1997														
1998														
1999														
Total														

(1) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) or other), complete a table for each objective and a summary table.

(2) Express the costs in current prices, in national currency or in ecus. In the latter case, specific the exchange rate used.

(3) Indicate the maximum and minimum rates.

(4) Expenditure by the Member State and beneficiaries should be calculated as a percentage of the total eligible cost.

(5) Expenditure at national and regional level should be calculated as percentages of expenditure by the Member State.

(6) Breakdown by national and regional level is not required in duly justified cases.

AID APPLICATION **OPERATIONAL PROGRAMME No :**

Table 3.2 : Indicative financing plan (by sector)

Member State : Regions : Objective 1/5 (b)/other (1)

Sector (2)	Code	Total eligible cost	Total public expenditure		EAGGF expenditure		Expenditure by Member State		At national level (7)		At regional level (7)		Exepnditure by beneficiaries		Community loans
		NC/ECU (3)	NC/ECU (3)	%	NC/ECU (3)	% (4)	NC/ECU (3)	% (4) (5)	NC/ECU (3)	% (6)	NC/ECU (3)	% (6)	NC/ECU (3)	% (4) (5)	NC/ECU (3)
1	2	3=4+14	4=5+8	5=4/3	6	7=6/3	8=10+12	9=8/3	10	11=10/8	12	13=12/8	14	15=14/3	16
Forestry products	1000														
Meat	2010														
Milk and milk products	2020														
Eggs and poultry	2030														
Other animal products	2990														
Cereals	3010														
Sugar	3020														
Oleaginous plants	3030														
Protein plants	3040														
Weine and spirits	3050														
Fruit and vegetables	3060														
Flowers and plants	3070														
Seeds	3080														
Potatoes	3090														
Other vegetables and plants	3990														
Products falling into more than one category	4000														
Other products	9990														
Total															

(1) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) or other), complete a table for each objective and a summary table.
(2) Complete only for those sectors or subsectors for which EAGGF aid is requested.
(3) Express the costs in current prices, in national currency or in ecus. In the latter case, specify the exchange rate used.
(4) Indicate the maximum and minimum rates.
(5) Expenditure by the Member State and beneficiaries should be calculated as a percentage of the total eligible cost.
(6) Expenditure at national and regional level should be calculated as percentages of expenditure by the Member State.
(7) Breakdown by national and regional level is not required in duly justified cases.