

COUNCIL REGULATION (EEC) No 1485/85

of 23 May 1985

amending Regulation (EEC) No 1431/82 laying down special measures for peas, field beans and sweet lupins

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas the production of peas and field beans is constantly on the increase; whereas, in order better to spread out disposal of this production, an arrangement should be provided for by which prices are increased each month;

Whereas Regulation (EEC) No 1431/82 ⁽³⁾, as last amended by Regulation (EEC) No 1032/84 ⁽⁴⁾, fixes aid for peas and field beans intended to be used as animal feed at 45 % of the difference between the activating price and the world price for soya cake and for sweet lupins at 60 % of the difference between these prices; whereas these percentages reflect the energy and protein contents of the respective products and the different degree to which such contents are exploited in the Community; whereas, therefore, for the sake of efficient management, provision should be made for fixing them on the basis of these considerations by means of an appropriate procedure;

Whereas the prices of certain rival products to soya cake are such as to make them particularly attractive and whereas difficulties may therefore arise in the marketing of peas, field beans and sweet lupins produced in the Community; whereas the average price of soya cake should therefore be adjusted in such a way as to ensure balanced conditions of competition,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1431/82 is hereby amended as follows:

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

Done at Brussels, 23 May 1985.

1. The following is inserted:

'Article 2a

In order to enable the sale of peas and field beans to be spread out, the activating threshold price, the guide price and the minimum price shall be increased monthly, for a period to be determined as from the beginning of the third month of the marketing year, by an amount which may be different for the activating threshold price, on the one hand, and the guide price and the minimum price on the other.

The monthly increases, equal for each month, shall be fixed annually by the Council acting on a proposal from the Commission according to the voting procedure of Article 43 (2) of the Treaty, bearing in mind the average storage costs and the level of interest recorded in the Community.'

2. In Article 3 (1) the last sentence is replaced by the following:

'The aid shall be equal to a portion of the difference between these prices. The said portion shall be determined, according to the procedure laid down in paragraph 5, on the basis of the energy and protein contents of the products in question and the extent to which these contents are exploited in the Community.'

3. Article 4 (1) is replaced by the following:

'1. The average world market price for soya cake, calculated for a Community frontier crossing point and adjusted, where appropriate, for the standard quality referred to in Article 2 (5), shall be determined on the basis of the most favourable purchasing possibilities on the world market, rates being adjusted where necessary to take account of those of rival products. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt the criteria on the basis of which the world market price is to be determined.'

Article 2

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

For the Council

The President

C. SIGNORILE

⁽¹⁾ OJ No C 67, 14. 3. 1985, p. 24.

⁽²⁾ OJ No C 94, 15. 4. 1985.

⁽³⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽⁴⁾ OJ No L 107, 19. 4. 1984, p. 39.