

COMMISSION REGULATION (EEC) No 1709/92

of 30 June 1992

fixing 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

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 1624/91 ⁽²⁾, and in particular Article 3 (6) (a) and (b) thereof,Having regard to Council Regulation (EEC) No 2036/82 of 19 July 1982 adopting general rules concerning special measures for peas, field beans and sweet lupins ⁽³⁾, as last amended by Regulation (EEC) No 2206/90 ⁽⁴⁾, and in particular Article 2 (1) 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 ⁽⁵⁾, as last amended by Regulation (EEC) No 1734/92 ⁽⁶⁾, and in particular Article 26a (7) thereof,Whereas Council Regulation (EEC) No 1625/91 ⁽⁷⁾ fixed the guide price for peas and field beans for the 1991/92 marketing year;Whereas, in accordance with 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 Council Regulation (EEC) No 1626/91 ⁽⁸⁾ fixed the amount of these monthly increases;

Whereas under Regulation (EEC) No 2036/82 the world market price for peas and field beans, as referred to in Article 3 (2) of Council Regulation (EEC) No 1431/82, is to be determined on the basis of offers made on the world market, disregarding those which cannot be considered representative of actual market trends; whereas in cases

where no offer can be used for determining the world market price, this price is determined from prices recorded on the markets of the principal exporting countries; whereas in cases where no offer either on the world market or on those of the principal exporting countries can be used for determining the world market price this price is fixed at a level equal to the guide price for the products in question;

Whereas, under Commission Regulation (EEC) No 2049/82 ⁽⁹⁾, as last amended by Regulation (EEC) No 1238/87 ⁽¹⁰⁾, and under Regulation (EEC) No 2036/82 the average world market price is to be established per 100 kilograms of products in bulk, delivered at Rotterdam, of sound quality; whereas, for the purpose of establishing this price, only the most favourable offers to deliveries closest in distance, excluding those relating to products being transported by ship, are used for offers and prices that do not comply with the conditions laid down above, the necessary adjustments must be made, and in particular those referred to in Article 5 of Regulation (EEC) No 2049/82;

Whereas, if the aid system is to operate normally, aid amounts should be calculated on the following basis:

- 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 referred to in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽¹²⁾;
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas in cases where aid is fixed in advance its amount is adjusted as specified in Article 6 (3) of Regulation (EEC) No 2036/82;

Whereas pursuant to Articles 121 (3) and 307 (3) of the Act of Accession the aid granted on products harvested and processed in either of these Member States is to be

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.⁽²⁾ OJ No L 150, 15. 6. 1991, p. 10.⁽³⁾ OJ No L 219, 28. 7. 1982, p. 1.⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 11.⁽⁵⁾ OJ No L 342, 19. 12. 1985, p. 1.⁽⁶⁾ See page 120 of this Official Journal.⁽⁷⁾ OJ No L 150, 15. 6. 1991, p. 11.⁽⁸⁾ OJ No L 150, 15. 6. 1991, p. 13.⁽⁹⁾ OJ No L 219, 28. 7. 1982, p. 36.⁽¹⁰⁾ OJ No L 117, 5. 5. 1987, p. 9.⁽¹¹⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽¹²⁾ OJ No L 201, 31. 7. 1990, p. 9.

reduced by the customs duties charged by the Member State on peas and field beans imported from third countries ;

Whereas, pursuant to Article 26 a of Regulation (EEC) No 3540/85, the gross aid expressed in ECU 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 aid must be fixed before the beginning of each marketing year and may be adjusted if the world market price alters markedly ;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1991/1992 marketing year, has been fixed by Commission Regulation (EEC) No 2607/91 (1) ;

Whereas, since there are no valid activating threshold or guide prices or subsidy abatement applicable for the 1992/93 marketing year for peas, field beans and sweet lupins, the amount of the subsidy has only been calculated provisionally on the basis of the proposals of the Commission to the Council of the prices and connected measures valid for the 1992/93 marketing year ; whereas that amount must be applied provisionally only and will have to be confirmed or replaced when the prices and related measures for the 1992/93 marketing year are

known, and notably those concerning the application of the guaranteed maximum quantities ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Dried Fodder,

HAS ADOPTED THIS REGULATION :

Article 1

The world market price as specified in Article 2 of Regulation (EEC) No 2036/82 shall be 16 ECU/100 kg.

Article 2

1. The amount of the gross aid provided for in Article 3 (2) of Regulation (EEC) No 1431/82 is indicated in Annex I.
2. The amount of final aid provided for in Article 3 (2) of Regulation (EEC) No 1431/82 is indicated in Annex II.
3. However, the amount of the subsidy for the 1992/93 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 1 July 1992 to take into account, where appropriate, the effects of the application of the activating price for these products for the 1992/93 marketing year and, particularly those concerning the application of maximum guaranteed quantities.

Article 3

This Regulation shall enter into force on 1 July 1992.

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

Done at Brussels, 30 June 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 243, 31. 8. 1991, p. 55.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 7 (!)	1st period 8 (!)	2nd period 9 (!)	3rd period 10 (!)	4th period 11 (!)	5th period 12 (!)	6th period 1 (!)
Peas used :							
— in Spain	8,162	8,162	8,320	8,478	8,636	8,794	8,952
— in Portugal	8,170	8,170	8,328	8,486	8,644	8,802	8,960
— in another Member State	8,230	8,230	8,388	8,546	8,704	8,862	9,020
Field beans used :							
— in Spain	8,230	8,230	8,388	8,546	8,704	8,862	9,020
— in Portugal	8,170	8,170	8,328	8,486	8,644	8,802	8,960
— in another Member State	8,230	8,230	8,388	8,546	8,704	8,862	9,020

Products used in animal feed :

(ECU per 100 kg)

	Current 7 (!)	1st period 8 (!)	2nd period 9 (!)	3rd period 10 (!)	4th period 11 (!)	5th period 12 (!)	6th period 1 (!)
A. Peas used :							
— in Spain	8,973	8,973	9,130	9,029	9,186	9,344	9,196
— in Portugal	9,012	9,012	9,169	9,069	9,227	9,384	9,239
— in another Member State	9,012	9,012	9,169	9,069	9,227	9,384	9,239
B. Field beans used :							
— in Spain	8,973	8,973	9,130	9,029	9,186	9,344	9,196
— in Portugal	9,012	9,012	9,169	9,069	9,227	9,384	9,239
— in another Member State	9,012	9,012	9,169	9,069	9,227	9,384	9,239
C. Sweet lupins harvested in Spain and used :							
— in Spain	17,362	17,362	17,362	17,016	17,016	17,016	16,609
— in Portugal	17,414	17,414	17,414	17,071	17,071	17,071	16,666
— in another Member State	17,414	17,414	17,414	17,071	17,071	17,071	16,666
D. Sweet lupins harvested in another Member State and used :							
— in Spain	17,362	17,362	17,362	17,016	17,016	17,016	16,609
— in Portugal	17,414	17,414	17,414	17,071	17,071	17,071	16,666
— in another Member State	17,414	17,414	17,414	17,071	17,071	17,071	16,666

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	0,00	0,00	0,00	0,00	0,00	0,00	1,04	0,00
— Denmark (Dkr)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,19	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,05	0,00
— Greece (Dr)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	5,88	0,00
— Spain (Pta)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	3,22	0,00
— France (FF)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,17	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,019	0,000
— Italy (Lit)	0	0	0	0	0	0	0	0	0	38	0
— Netherlands (Fl)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,06	0,00
— Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	4,40	0,00
— United Kingdom (£)	0,000	0,000	0,000	0	0,000	0,000	0,000	0,000	0,000	0,017	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 =	42,4032	7,84195	2,05586	249,150	129,301	6,89509	0,767417	1 538,24	2,31643	170,536	0,704647

(¹) Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1992/93 marketing year.