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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1340/1990

of 14 May 1990

amending Regulation (EEC) No 2727/75 on the common organization of the market in cereals

THE COUNCIL OF THE EUROPEAN COMMUNITIES

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

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

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas certain cereals of lesser importance, such as canary seed, millet and buckwheat, are no longer being grown owing to low yields and the lack of support in the market organization; whereas production of those cereals may provide a worthwhile alternative to surplus production of wheat, barley and maize and accordingly deserves to be encouraged, in accordance with the content of the Commission's communication to the European Parliament and to the Council on rural development, by the granting of aid per hectare to permit producers in traditional regions of cultivation to attain a comparable income to that obtained from competing cereals; whereas, so that production of the cereals in question does not develop out of proportion to the real needs of the Community market, the aid must be limited on the one hand to a maximum area per holding and on the other hand to producers able to present a cultivation contract;

Whereas, in the framework of rural development measures, a scheme for aiding small producers of certain arable crops was introduced by Regulation (EEC) No 1346/90 ⁽⁴⁾; whereas that scheme also involves small producers of cereals, for whom there is already provision for a specific scheme under Regulation (EEC) No 2727/75 ⁽⁵⁾, as last amended by Regulation (EEC) No 201/90 ⁽⁶⁾;

Whereas the scheme provided for in Regulation (EEC) No 1346/90 constitutes an alternative to the specific scheme

for small producers of cereals; whereas the abovementioned Regulation provides for the possibility of the Member States' continuing to apply the abovementioned specific scheme, while making it impossible to qualify simultaneously under the two schemes,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2727/75 is hereby amended as follows:

1. the first indent of the second subparagraph of Article 4 (1) shall be replaced by the following:

— without prejudice to Article 4 (1) of Regulation (EEC) No 1346/90 ^(*), small producers on conditions adopted by the Council by a qualified majority on a proposal from the Commission;

^(*) OJ No L 134, 28. 5. 1990, p. 10.'

2. in Article 6 (1), 'Article 7 (4)' shall be replaced by 'Article 7 (3)';
3. the following Article shall be inserted:

'Article 10b

1. Aid shall be granted for the production of buckwheat, canary seed and millet. The aid may be granted in respect of certain varieties only.

The aid shall be granted subject to the conclusion of a cultivation contract.

2. The aid shall be fixed per hectare of area sown and harvested. It shall be paid in respect of no more than 10 hectares per holding.

3. The aid shall be fixed in accordance with the procedure laid down in Article 43 (2) of the Treaty at a level ensuring an income per hectare for the producers concerned which is comparable with that obtained from the production of cereals in direct competition with buckwheat, canary seed and millet in traditional regions of production of the latter cereals.

4. Detailed rules for the application of this Article and in particular, as and when necessary, details of the

⁽¹⁾ OJ No C 49, 28. 2. 1990, p. 1.

⁽²⁾ OJ No C 96, 17. 4. 1990.

⁽³⁾ OJ No C 112, 7. 5. 1990, p. 34.

⁽⁴⁾ See page 10 of this Official Journal.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 22, 27. 1. 1990, p. 7.

varieties which may qualify for the aid shall be laid down in accordance with the procedure provided for in Article 26.

5. At the end of the 1991/92 marketing year, the Council shall review the scheme provided for by this Article on the basis of a report presented by the Commission.³

Article 2

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

It shall apply from the 1990/91 marketing year.

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

Done at Brussels, 14 May 1990.

For the Council
The President
D. J. O'MALLEY

COUNCIL REGULATION (EEC) No 1341/90

of 14 May 1990

fixing the prices applicable to cereals for the 1990/91 marketing year

THE COUNCIL 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, and in particular Article 89 thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular Article 3 (5) thereof,Having regard to the proposal from the Commission⁽³⁾,Having regard to the opinion of the European Parliament⁽⁴⁾,Having regard to the opinion of the Economic and Social Committee⁽⁵⁾,

Whereas the markets and prices policy, based on modern farms, is the main instrument of the common agricultural policy; whereas full advantage cannot be drawn from such a policy unless it is integrated into an overall policy which includes a dynamic social and structural policy and the application of the rules on competition contained in the Treaty;

Whereas, in many cases, surpluses can no longer be disposed of on normal terms either inside or outside the Community; whereas, in order to reduce the cost to the budget of disposing of surpluses on markets of third countries and to encourage greater consumption within the Community, the restrictive price policy should continue to be applied; whereas, given the further application of the stabilizing mechanism indicated in Article 4b (3) of Regulation (EEC) No 2727/75, this aim may be achieved by maintaining for 1990/91 the intervention prices for common wheat, barley, rye, maize and sorghum applied during the previous marketing year;

Whereas, as part of a quality policy, production of common wheat of higher breadmaking quality and production of rye

of breadmaking quality should be supported; whereas, accordingly, the special premiums should be continued for common wheat of breadmaking quality at the same level and should be fixed for rye of breadmaking quality at a reduced level to take account of the ensuing reduction in the intervention price provided for in Article 4b of Regulation (EEC) No 2727/75;

Whereas in 1986/87 the Council began a process of aligning the intervention price of durum wheat on that of common wheat; whereas, in view of, on the one hand, the present ratio between the prices of those cereals and, on the other, the imbalance recorded on the durum wheat market, it is advisable to pursue that process; whereas, accordingly, the intervention price of durum wheat should be further reduced;

Whereas application of Article 68 of the Act of Accession of Spain and Portugal has meant that prices in Spain differ from the common prices; whereas, pursuant to Article 70 (1) of the Act of Accession, Spanish prices should be aligned with common prices each year at the start of the marketing year; whereas the common prices were applied in Spain during the preceding marketing year for all cereals except durum wheat; whereas the rules for the alignment referred to above give the Spanish intervention price for durum wheat indicated below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/91 marketing year, the prices applicable in the cereals sector shall be as indicated in the Annex hereto.

Article 2

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

It shall apply from the beginning of the 1990/91 marketing year.

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

Done at Brussels, 14 May 1990.

For the Council
The President
D. J. O'MALLEY

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No C 49, 28. 2. 1990, p. 3.

⁽⁴⁾ OJ No C 96, 17. 4. 1990.

⁽⁵⁾ OJ No C 112, 7. 5. 1990, p. 34.

ANNEX

	ECU/tonne		ECU/tonne
COMMON WHEAT		MAIZE	
Intervention price ⁽¹⁾	174,06	Intervention price	174,06
Common target price	241,08	Common target price	219,46
RYE		SORGHUM	
Intervention price ⁽²⁾	165,36	Intervention price	165,36
Common target price	219,46	Common target price	219,46
BARLEY		DURUM WHEAT	
Intervention price	165,36	Intervention price:	
		— Community of Ten	243,68
		— Spain	219,67
Common target price	219,46	Common target price	295,99

⁽¹⁾ The price shall be increased by ECU 3,48/tonne for common wheat of breadmaking quality which meets the specific quality requirements provided for in Regulation (EEC) No 1570/77.

⁽²⁾ The price shall be increased by ECU 8,44/tonne for rye of breadmaking quality which meets the specific quality requirements provided for in Regulation (EEC) No 1570/77.

COUNCIL REGULATION (EEC) No 1342/90

of 14 May 1990

fixing the amount of the co-responsibility levy for cereals for the 1990/91 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular Article 4 (2) thereof,Having regard to the proposal from the Commission⁽³⁾,Having regard to the opinion of the European Parliament⁽⁴⁾,Having regard to the opinion of the Economic and Social Committee⁽⁵⁾,

Whereas the amount of the co-responsibility levy referred to in Article 4 of Regulation (EEC) No 2727/75 is to be determined on the basis of cereal production, the quantities of cereals used in the Community without financial intervention and of imports of the substitute products shown in Annex D to the abovementioned Regulation; whereas,

however, in view of the cereal production situation in the Community and of the application of the stabilizing mechanism indicated in Article 4b (3) of Regulation (EEC) No 2727/75, the co-responsibility levy for the 1990/91 marketing year should be set at the level indicated below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/91 marketing year, the amount of the co-responsibility levy referred to in Article 4 of Regulation (EEC) No 2727/75 shall be ECU 5,07/tonne.

*Article 2*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply from the beginning of the 1990/91 marketing year.

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

Done at Brussels, 14 May 1990.

*For the Council**The President*

D. J. O'MALLEY

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ See page 1 of this Official Journal.⁽³⁾ OJ No C 49, 28. 2. 1990, p. 5.⁽⁴⁾ OJ No C 96, 17. 4. 1990.⁽⁵⁾ OJ No C 112, 7. 5. 1990, p. 34.

COUNCIL REGULATION (EEC) No 1343/90

of 14 May 1990

fixing for the 1990/91 marketing year the amount of the aid for durum wheat

THE COUNCIL 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, and in particular Article 89 (1) thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽²⁾, and in particular Article 10 (3) thereof,Having regard to the proposal from the Commission ⁽³⁾,Having regard to the opinion of the European Parliament ⁽⁴⁾,Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas the purpose of the aid for durum wheat is to ensure a fair standard of living for farmers in regions of the Community where such production constitutes a traditional and important part of agricultural production; whereas these areas were specified by Council Regulation (EEC) No 3103/76 of 16 December 1976 on aid for durum wheat ⁽⁶⁾, as last amended by Regulation (EEC) No 1216/89 ⁽⁷⁾; whereas, to cushion the impact of the

reduction in the intervention price for durum wheat on producers' incomes, the aid for the 1990/91 marketing should be increased;

Whereas the rules regarding the alignment of aid as laid down in Article 79 (2) of the Act of Accession mean that for Spain the amount of aid to be fixed should be that laid down in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/91 marketing year, the aid for durum wheat referred to in Article 10 of Regulation (EEC) No 2727/75 is hereby fixed for the regions listed in the Annex to Regulation (EEC) No 3103/76 at:

- ECU 171,43 per hectare for the Community of Ten, and
- ECU 110,88 per hectare for Spain.

Article 2

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

It shall apply from the beginning of the 1990/91 marketing year.

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

Done at Brussels, 14 May 1990.

For the Council

The President

D. J. O'MALLEY

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No C 49, 28. 2. 1990, p. 6.

⁽⁴⁾ OJ No C 96, 17. 4. 1990.

⁽⁵⁾ OJ No C 112, 7. 5. 1990, p. 34.

⁽⁶⁾ OJ No L 351, 21. 12. 1976, p. 1.

⁽⁷⁾ OJ No L 128, 11. 5. 1989, p. 5.

COUNCIL REGULATION (EEC) No 1344/90

of 14 May 1990

fixing the monthly price increases for cereals, wheat and rye flour and wheat groats and meal
for the 1990/91 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

in accordance with the last subparagraph of Article 5 (1) of Regulation (EEC) No 2727/75,

Having regard to the Treaty establishing the European Economic Community,

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽²⁾, and in particular Article 6 (2) thereof,

Article 1

For the 1990/91 marketing year, the monthly increases to be applied to the target price, threshold price, intervention price and to the buying-in price of the products referred to in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in this Regulation.

Having regard to the proposal from the Commission ⁽³⁾,

Article 2

Whereas, when the number and amount of the monthly increases are fixed, and the first month in which they are to apply is determined, account should be taken of the storage costs and financing charges for storing cereals in the Community and of the need to ensure that the disposal of stocks of cereals is in line with market requirements;

The monthly increases to be applied to the target price, threshold price, intervention price and to the buying-in price for common wheat, rye, barley, maize, sorghum and durum wheat, operative for the first month of the marketing year, shall be as follows:

Whereas, as regards the threshold prices for maize and sorghum, the monthly increases are, moreover, determined

(ECU/tonne)

Period	Monthly increases in respect of the intervention price and the buying-in price		Monthly increases in respect of the target and threshold prices	
	Common wheat, rye, barley, maize and sorghum	Durum wheat	Common wheat, rye, barley, maize and sorghum	Durum wheat
July 1990	—	—	—	—
August 1990	—	—	1,50	2,03
September 1990	—	—	3,00	4,06
October 1990	—	—	4,50	6,09
November 1990	1,50	2,03	6,00	8,12
December 1990	3,00	4,06	7,50	10,15
January 1991	4,50	6,09	9,00	12,18
February 1991	6,00	8,12	10,50	14,21
March 1991	7,50	10,15	12,00	16,24
April 1991	9,00	12,18	13,50	18,27
May 1991	10,50	14,21	15,00	20,30
June 1991	—	—	15,00	20,30

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No C 49, 28. 2. 1990, p. 7.

In the case of maize and sorghum, the monthly increase for August and September shall not apply to the threshold price.

Article 3

The monthly increases to be applied to the threshold prices for meslin, oats millet, canary seed and buckwheat, applicable for the first month of the marketing year, shall be the same as those applicable to common wheat.

Article 4

The monthly increases to be applied to the threshold price for wheat flour, meslin flour and rye flour and to the threshold price for groats and meal of common and of durum wheat, applicable for the first month of the marketing year, shall be as follows:

Period	(ECU/tonne)	
	Wheat flour, meslin flour and rye flour, groats and meal of common wheat	Groats and meal of durum wheat
July 1990	—	—
August 1990	2,27	3,21
September 1990	4,54	6,42
October 1990	6,81	9,63
November 1990	9,08	12,84
December 1990	11,35	16,05
January 1991	13,62	19,26
February 1991	15,89	22,47
March 1991	18,16	25,68
April 1991	20,43	28,89
May 1991	22,70	32,10
June 1991	22,70	32,10

Article 5

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

It shall apply from the beginning of the 1990/91 marketing year.

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

Done at Brussels, 14 May 1990.

For the Council
The President
D. J. O'MALLEY

COUNCIL REGULATION (EEC) No 1345/90

of 14 May 1990

fixing the production aid for certain cereals sown in the 1990/91 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽²⁾, and in particular Article 10b (3) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas the objective of production aid for certain cereals provided for in Article 10b of Regulation (EEC) No 2727/75 is to encourage the production of buckwheat, canary seed and millet in the Community as an alternative to the production of surplus cereals; whereas the aid must be of

an amount which permits that objective to be attained without resulting in production out of proportion with the actual requirements of the Community market,

HAS ADOPTED THIS REGULATION:

Article 1

The production aid for buckwheat, canary seed and millet provided for in Article 10b of Regulation (EEC) No 2727/75 and sown during the 1990/91 marketing year shall be ECU 50 per hectare.

Article 2

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

It shall apply from 1 July 1990.

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

Done at Brussels, 14 May 1990.

For the Council
The President
D. J. O'MALLEY

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No C 49, 28. 2. 1990, p. 9.

⁽⁴⁾ OJ No C 96, 17. 4. 1990.

⁽⁵⁾ OJ No C 112, 7. 5. 1990, p. 34.

COUNCIL REGULATION (EEC) No 1346/90

of 14 May 1990

instituting aid for small producers of certain arable crops

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the reduction in support granted to the markets in most agricultural products and in particular the introduction of the stabilizers have considerable effects on the income of small producers of arable crops; whereas, in accordance with the content of the Commission's communication on rural development, measures should be introduced to alleviate those effects, the scope of which is wider than simply the aid granted to small producers of cereals, which was introduced to reduce the impact of the co-responsibility levy;

Whereas, with a view to achieving the abovementioned objectives, provision should be made for the granting of aid per hectare, intended to offset loss of income, to producers of the products listed in Article 1 (a) and (b) of Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽⁴⁾, as last amended by Regulation (EEC) No 1340/90 ⁽⁵⁾, of the products listed in Article 1 of Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins ⁽⁶⁾, as last amended by Regulation (EEC) No 1104/88 ⁽⁷⁾, and of certain products listed in Article 1 (2) of Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽⁸⁾, as last amended by Regulation (EEC) No 1225/89 ⁽⁹⁾;

Whereas, for the purposes of applying the abovementioned aid scheme and with a view to its objectives, the recipients should be defined in terms of the actual structures in the Community and taking account of the specific provisions laid down in Council Regulation (EEC) No 797/85 of 12 March

1985 on improving the efficiency of agricultural structures ⁽¹⁰⁾, as last amended by Regulation (EEC) No 752/90 ⁽¹¹⁾;

Whereas the scheme provided for by Regulation (EEC) No 2727/75 for small producers of cereals constitutes an alternative, for Member States, to the scheme provided for by this Regulation; whereas eligibility under these two schemes taken together should be excluded;

Whereas it is for the Council to decide, before 31 March 1992 on the basis of a report from the Commission on the operation of the present aid scheme, what arrangements should be applied as from the 1992/93 marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

1. Direct aid shall be granted to small producers of the products listed in Article 1 (a) and (b) of Regulation (EEC) No 2727/75 and in Article 1 of Regulation (EEC) No 1431/82 and of the products falling within CN codes 1201 00 90, 1205 00 90 and 1206 00 90 and listed in Article 1 (2) of Regulation No 136/66/EEC.
2. The aid shall be fixed, per hectare of area sown and harvested, in accordance with the procedure laid down in Article 43 (2) of the Treaty. The aid may vary by area of production.
3. The aid to be paid to each recipient shall be calculated on the basis of the area cultivated. However, the aid shall be paid in respect of no more than 10 hectares per farmer.

Article 2

1. Any farmer:
 - whose utilized agricultural area does not exceed 30 hectares, including areas which are the subject of set-aside under Regulation (EEC) No 797/85,
 - whose main source of agricultural income is the production of the products referred to in Article 1,
 - who practises farming as his main occupation or who meets the conditions laid down in Article 2 (1) (a) of Regulation (EEC) No 797/85,

shall be deemed a small producer.

⁽¹⁾ OJ No C 49, 28. 2. 1990, p. 10.

⁽²⁾ OJ No C 96, 17. 4. 1990.

⁽³⁾ OJ No C 112, 7. 5. 1990, p. 34.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁵⁾ See page ... of this Official Journal.

⁽⁶⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽⁷⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽⁸⁾ OJ No L 172, 30. 9. 1966, p. 3025/66.

⁽⁹⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽¹⁰⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽¹¹⁾ OJ No L 83, 30. 3. 1990, p. 1.

2. Farmers with less than one hectare of utilized agricultural area shall not be eligible for the aid.

However, the Member States where the average area of holdings is less than the Community average may fix the limit referred to above at 0,5 hectares.

Article 3

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 or the corresponding procedures laid down in Regulations No 136/66/EEC and (EEC) No 1431/82. In this context, the Commission will provide, in particular, for the possibility for Member States to exclude from the calculation of the surface criterion the fallow land in regions where fallowing is a normal part of the crop rotational system and where the producers are not benefiting from set-aside under Regulation (EEC) No 797/85.

Article 4

1. The aid scheme provided for in this Regulation shall be applicable as from the 1990/91 marketing year. It shall not be applicable in Member States which decide to apply the system provided for in the first indent of the second subparagraph of Article 4 (1) of Regulation (EEC) No 2727/75.

Member States shall inform the Commission by 31 May 1990 of the system they intend to apply.

2. The Council, according to the procedure provided for in Article 43 (2) of the Treaty and on the basis of a report from the Commission on the operation of the aid scheme provided for in this Regulation, shall decide, before 31 March 1992, on the arrangements to be applied as from the 1992/93 marketing year.

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, 14 May 1990.

For the Council

The President

D. J. O'MALLEY

COUNCIL REGULATION (EEC) No 1347/90

of 14 May 1990

amending Regulation (EEC) No 729/89 laying down general rules for the special arrangements applicable to small producers as part of the co-responsibility arrangements in the cereals sector

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular Article 4 thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 2727/75 provides for the introduction of a basic co-responsibility levy and of an additional co-responsibility levy and for the exemption of small producers from those levies under conditions to be determined;

Whereas in order to keep the aid system within acceptable financial limits, provision has been made in Regulation (EEC) No 729/89⁽³⁾ for an overall amount of ECU 220 million, determined, on the one hand, on the basis of the total sum of the co-responsibility levies payable by producers marketing no more than 25 tonnes and, on the other hand, on the basis of a basic co-responsibility levy and an additional co-responsibility levy, each of which is equal to 3 % of the intervention price for common wheat;

Whereas the additional co-responsibility levy is fixed, as from the 1990/91 marketing year, on the basis of a flat rate of 1,5 %, adjusted, where appropriate, to take account of the degree by which the maximum guaranteed amount was exceeded in the preceding marketing year; whereas fixing that levy may result in a different estimated total amount; whereas account should be taken thereof;

Whereas the introduction of the system of aid to small producers of arable holdings represents an alternative for

the Member States to the current special arrangements applicable to small cereal producers; whereas the Member States which apply the new arrangements should not be eligible for their share in the overall amount of ECU 220 million,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (3) and (4) of Regulation (EEC) No 729/89 shall be replaced by the following:

3. The overall amount as well as the amounts allocated to the Member States shall be weighted by a coefficient to take account of the level of the additional co-responsibility levy actually applied during a marketing year. That coefficient shall be equal to the relation between, on one hand, the sum of the basic co-responsibility levy and the additional co-responsibility levy actually applied and, on the other hand, the sum of the basic co-responsibility levy and 3 % of the intervention price for common wheat.

4. The overall amount shall be apportioned between all the Member States in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, taking into account sales made by producers marketing no more than 25 tonnes. Only those Member States which have informed the Commission of their intention to continue applying the arrangements provided for under this Regulation may benefit therefrom.

Article 2

This Regulation shall enter into force on the day of 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, 14 May 1990.

For the Council
The President
D. J. O'MALLEY

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No L 80, 23. 3. 1989, p. 5.

COUNCIL REGULATION (EEC) No 1348/90

of 14 May 1990

fixing the aid for small producers of certain arable crops sown in the 1990/91 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation (EEC) No 1346/90 of 14 May 1990 instituting aid for small producers of certain arable crops ⁽¹⁾, and in particular Article 1 (2) thereof,

Having regard to the proposal from the Commission ⁽²⁾,

Having regard to the opinion of the European Parliament ⁽³⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁴⁾,

Whereas the aim of the aid for small producers of certain arable crops is to alleviate the effects of the stabilizers on the income of the small producers in question; whereas the natural conditions prevailing in mountain and hill areas and in the less-favoured areas of the Community contribute towards a lower average income for the producers in the areas concerned than that for producers in the rest of the

Community; whereas account should be taken of this when the aid is fixed,

HAS ADOPTED THIS REGULATION:

Article 1

For areas sown in the 1990/91 marketing year, the aid provided for in Article 1 (2) of Regulation (EEC) No 1346 shall be:

- ECU 50 per hectare in mountain and hill areas and in the less-favoured areas referred to in Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas ⁽⁵⁾, as last amended by Regulation (EEC) No 797/85 ⁽⁶⁾,
- ECU 30 per hectare in the rest of the Community.

Article 2

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

It shall apply from 1 July 1990.

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

Done at Brussels, 14 May 1990

For the Council

The President

D. J. O'MALLEY

⁽¹⁾ See page 10 of this Official Journal.

⁽²⁾ OJ No C 49, 28. 2. 1990, p. 12.

⁽³⁾ OJ No C 96, 17. 4. 1990.

⁽⁴⁾ OJ No C 112, 7. 5. 1990, p. 34.

⁽⁵⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽⁶⁾ OJ No L 93, 30. 3. 1985, p. 1.

COUNCIL REGULATION (EEC) No 1349/90

of 14 May 1990

fixing the production aid for certain varieties of high-quality flint maize sown in the 1990/91 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽²⁾, and in particular Article 10a ⁽⁴⁾ thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas the objective of the production aid for certain varieties of high-quality flint maize is to encourage the growing of this type of maize; whereas the aid must be set at a

level permitting greater quantities of the crop to be grown but not resulting in production out of proportion to the actual requirements of the Community market,

HAS ADOPTED THIS REGULATION:

Article 1

The production aid for high-quality flint maize provided for in Article 10a of Regulation (EEC) No 2727/75 shall be ECU 125 per hectare for maize sown during the 1990/91 marketing year.

Article 2

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

It shall apply from 1 July 1990.

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

Done at Brussels, 14 May 1990.

For the Council

The President

D. J. O'MALLEY

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No C 49, 28. 2. 1990, p. 13.

⁽⁴⁾ OJ No C 96, 17. 4. 1990.

⁽⁵⁾ OJ No C 112, 7. 5. 1990, p. 34.

COUNCIL REGULATION (EEC) No 1350/90

of 14 May 1990

amending Regulation (EEC) No 1008/86 laying down detailed rules for production refunds applicable to potato starch

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽²⁾, and in particular Article 11a (2) thereof,Having regard to the proposal from the Commission ⁽³⁾,

Whereas, in view of the special situation in the potato-starch sector, Regulation (EEC) No 2727/75 makes provision for taking whatever measures may be necessary in that sector;

Whereas Regulation (EEC) No 1008/86 ⁽⁴⁾, as amended by Regulation (EEC) No 1223/89 ⁽⁵⁾, provides for the payment of a premium to potato-starch producers for the 1989/90 marketing year;

Whereas the specific constraints, in particular of a structural nature, affecting the potato-starch industry justify the maintenance, for two marketing years, of a corrective provision in favour of that industry, providing for the payment of a suitable special premium;

Whereas the grant of that premium to the potato-starch industry must be subject to the payment of the minimum price to the potato producer,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 1008/86 is hereby replaced by the following:

'Article 2'

For the 1990/91 and 1991/92 marketing years, the Member States shall pay producers of potato starch a premium of ECU 18,70 per tonne of potato starch produced.

The premium shall be granted on condition that the potato-starch manufacturer has paid the potato producer the minimum price laid down in Article 1.'

*Article 2*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 July 1990.

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

Done at Brussels, 14 May 1990.

*For the Council**The President*

D. J. O'MALLEY

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ See page 1 of this Official Journal.⁽³⁾ OJ No C 49, 28. 2. 1990, p. 14.⁽⁴⁾ OJ No L 94, 9. 4. 1986, p. 5.⁽⁵⁾ OJ No L 128, 11. 5. 1989, p. 13.

COUNCIL REGULATION (EEC) No 1351/90

of 14 May 1990

fixing the minimum price for potatoes to be paid by the starch manufacturer to the potato producer for the 1990/91 cereals marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1008/86 of 25 March 1986 laying down detailed rules for production refunds applicable to potato starch⁽¹⁾, as last amended by Regulation (EEC) No 1350/90⁽²⁾, and in particular Article 1 (1) thereof,

Having regard to the proposal from the Commission⁽³⁾,

Whereas, as provided for in Regulation (EEC) No 1008/86, the Council is to fix a minimum factory-gate price to be paid by the starch manufacturer to the potato producer for potatoes used to manufacture potato starch; whereas the premium is to be granted to the starch manufacturer subject to the payment of that minimum price;

Whereas the link between the supply prices of raw materials for the manufacture of cereals starch and potato starch should be maintained, in order to ensure equality in the conditions for competition between the potato and cereals starch industries,

Article 1

The minimum factory-gate price for potatoes to be paid by the starch manufacturer to the potato producer for the quantity of potatoes required to manufacture one tonne of potato starch shall be ECU 249,10 for the 1990/91 cereal marketing year.

This price shall be adjusted on the basis of the potato starch content.

Article 2

The detailed rules for implementing this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽⁴⁾, as last amended by Regulation (EEC) No 1340/90⁽⁵⁾.

Article 3

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

It shall apply from 1 July 1990.

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

Done at Brussels, 14 May 1990.

For the Council

The President

D. J. O'MALLEY

⁽¹⁾ OJ No L 94, 9. 4. 1986, p. 5.

⁽²⁾ See page 15 of this Official Journal.

⁽³⁾ OJ No C 49, 28. 2. 1990, p. 15.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁵⁾ See page 1 of this Official Journal.

COUNCIL REGULATION (EEC) No 1352/90

of 14 May 1990

fixing rice prices for the 1990/91 marketing year

THE COUNCIL 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, and in particular Article 89 (1) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular Article 3 (3) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas the markets and prices policy, based on modern farms, is the main instrument of the incomes policy in agriculture; whereas full advantage cannot be drawn from such a policy unless it is integrated into the common agricultural policy as a whole, including a dynamic social and structural policy and the application of the rules on competition contained in the Treaty;

Whereas the intervention price for paddy rice must be fixed at a rate which takes account of the policy in respect of rice production, with a view to the uses to which it is put;

Whereas the target price for husked rice must be derived from the intervention price for paddy rice, in accordance with the criteria set out in Article 4 (3) of Regulation (EEC) No 1418/76;

Whereas, for the products referred to in this Regulation, the application of the criteria for the fixing of the different prices

and the application of the measures provided for in respect of the exchange rates to be applied in agriculture entail fixing those prices at the levels indicated below;

Whereas, under Article 68 of the Act of Accession of Spain and Portugal, prices in Spain were set at a level differing from that of the common prices; whereas, pursuant to Article 70 (1) of the Act, these prices should be aligned with the common prices in annual steps at the beginning of each marketing year; whereas the rules on this alignment laid down give the Spanish prices set below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/91 marketing year, rice prices shall be as follows:

1. Community of Ten:
 - (a) intervention price,
paddy rice: ECU 314,19 per tonne;
 - (b) target price, husked rice: ECU 546,88 per tonne.
2. Spain:
 - (a) intervention price,
paddy rice: ECU 292,41 per tonne;
 - (b) target price, husked rice: ECU 546,88 per tonne.

Article 2

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

It shall apply from 1 September 1990.

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

Done at Brussels, 14 May 1990.

For the Council

The President

D. J. O'MALLEY

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No C 49, 28. 2. 1990, p. 16.

⁽⁴⁾ OJ No C 96, 17. 4. 1990.

⁽⁵⁾ OJ No C 112, 7. 5. 1990, p. 34.

COUNCIL REGULATION (EEC) No 1353/90

of 14 May 1990

fixing the monthly price increases for paddy rice and husked rice for the 1990/91 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation EEC No 1806/89 ⁽²⁾, and in particular Article 7 (2) thereof,Having regard to the proposal from the Commission ⁽³⁾,

Whereas, when the number and amount of the monthly increases and the first month during which these increases are to apply are fixed, account should be taken of the storage costs and financing charges for storing rice in the Community and of the need to ensure that the disposal of stocks of rice conforms to market requirements,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1990/91 marketing year, the amount of each of the monthly increases provided for in Article 7 (1) of Regulation (EEC) No 1418/76 shall be:

— ECU 2,07 per tonne for the intervention price and for the purchase price,

— ECU 2,58 per tonne for the target price.

2. The monthly increases shall apply to the intervention price and the purchase price from 1 January 1991 to 1 July 1991, the prices thus obtained for July 1991 remaining valid until 31 August 1991.

The monthly increases shall apply to the target price from 1 October 1990 to 1 July 1991, the price thus obtained for the month of July 1991 remaining valid until 31 August 1991.

Article 2

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

It shall apply from 1 September 1990.

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

Done at Brussels, 14 May 1990.

For the Council

The President

D. J. O'MALLEY

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No C 49, 28. 2. 1990, p. 17.

COUNCIL REGULATION (EEC) No 1354/90

of 14 May 1990

fixing the amount of the production aid for certain varieties of rice sown in the 1990/91 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1806/89⁽²⁾, and in particular Article 8 (a) (3) thereof,Having regard to the proposal from the Commission⁽³⁾,Having regard to the opinion of the European Parliament⁽⁴⁾,Having regard to the opinion of the Economic and Social Committee⁽⁵⁾,Whereas Council Regulation (EEC) No 1423/88 of 24 May 1988 on the granting of aid for certain varieties of rice of the Indica type or profile in Portugal⁽⁶⁾ extended the application of Article 8a of Regulation (EEC) No 1418/76 to Portugal;

Whereas the objective of the production aid is to encourage varietal conversion of rice production to certain types of rice for which greater demand exists on the Community market; whereas the varieties for which demand exists normally have lower crop yields than those of the varieties that are traditionally grown;

Whereas the production aid should be fixed at a level that, while reflecting the smaller return resulting from the lower yields of the varieties in question, will secure development of production in line with actual possibilities for disposal;

Whereas Council Regulation (EEC) No 3878/87 of 18 December 1987 on the production aid for certain varieties of rice⁽⁷⁾, as last amended by Regulation (EEC) No 823/89⁽⁸⁾, determines in particular the areas of the Community which may benefit from the aid,

HAS ADOPTED THIS REGULATION:

Article 1

The production aid for certain varieties of rice sown in 1990/91 referred to in Article 8a of Regulation (EEC) No 1418/76 shall be ECU 250 per hectare for the countries referred to in Annex A to Regulation (EEC) No 3878/87.

Article 2

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

It shall apply from 1 September 1990.

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

Done at Brussels, 14 May 1990.

For the Council

The President

D. J. O'MALLEY

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No C 49, 28. 2. 1990, p. 18.

⁽⁴⁾ OJ No C 96, 17. 4. 1990.

⁽⁵⁾ OJ No C 112, 7. 5. 1990, p. 34.

⁽⁶⁾ OJ No L 131, 27. 5. 1988, p. 1.

⁽⁷⁾ OJ No L 365, 24. 12. 1987, p. 3.

⁽⁸⁾ OJ No L 86, 31. 3. 1989, p. 63.

COUNCIL REGULATION (EEC) No 1355/90

of 14 May 1990

fixing the guide price for unginned cotton for the 1990/91 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece, and in particular paragraph 8 of Protocol No 4 on cotton, as last amended by Regulation (EEC) No 4006/87 ⁽¹⁾,

Having regard to the proposal from the Commission ⁽²⁾,

Having regard to the opinion of the European Parliament ⁽³⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁴⁾,

Whereas paragraph 8 of Protocol No 4 states that the guide price for cotton that has not been ginned is to be fixed annually by reference to the criteria laid down in paragraph 2 of that Protocol;

Whereas reference to these criteria leads to the fixing of the guide price as indicated below,

Article 1

1. For the 1990/91 marketing year the guide price for unginned cotton shall be ECU 96,02 per 100 kg.

2. The price referred to in paragraph 1 shall be for cotton:

- of sound, genuine and merchantable quality,
- containing 14 % moisture and 3 % of inorganic extraneous matter,
- with the characteristics required to yield, after ginning, 54 % of seed and 32 % of fibres of grade No 5 (white middling), with a length of 28 mm (1-3/32").

Article 2

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

It shall apply from 1 September 1990.

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

Done at Brussels, 14 May 1990.

For the Council

The President

D. J. O'MALLEY

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No C 49, 28. 2. 1990, p. 25.

⁽³⁾ OJ No C 96, 17. 4. 1990.

⁽⁴⁾ OJ No C 112, 7. 5. 1990, p. 34.

COUNCIL REGULATION (EEC) No 1356/90

of 14 May 1990

fixing the maximum guaranteed quantity of cotton and the minimum price for unginned cotton
for the 1990/91 marketing year.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece, and in particular Protocol 4 on cotton, as last amended by Regulation (EEC) No 4006/87 ⁽¹⁾,Having regard to Council Regulation (EEC) No 1964/87 of 2 July 1987 adjusting the system of aid for cotton introduced by Protocol 4 annexed to the Act of Accession of Greece ⁽²⁾, and in particular Article 2 (1) thereof,Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽³⁾, as last amended by Regulation (EEC) No 791/89 ⁽⁴⁾, and in particular Article 9 (1) thereof,Having regard to the proposal from the Commission ⁽⁵⁾,

Whereas, pursuant to Article 2 (1) of Regulation (EEC) No 1964/87, a maximum guaranteed quantity of cotton is to be determined annually in the light of production during a reference period and the foreseeable trend of demand;

Whereas, pursuant to Article 9 (2) of Regulation (EEC) No 2169/81, the Council is to fix a minimum price for unginned cotton each year at a level enabling producers to sell at a price as close as possible to the guide price; whereas that price must take account of market fluctuations and the cost of transporting the unginned cotton from the production areas to the ginning areas; whereas that price must be fixed for the quality to which the guide price relates and must apply at the farm gate;

Whereas the application of the abovementioned criteria results in fixing of the maximum guaranteed quantity and the minimum price at the levels given below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/91 marketing year, the maximum guaranteed quantity of cotton provided for in Article 2 (1) of Regulation (EEC) No 1964/87 shall be 752 000 tonnes.

Article 2

For the 1990/91 marketing year, the minimum price for unginned cotton provided for in Article 9 (1) of Regulation (EEC) No 2169/81 shall be ECU 91,23 per 100 kg. That price shall apply to goods at the farm gate.

*Article 3*The quantity fixed in Article 1 and the price fixed in Article 2 shall be for unginned cotton meeting the quality indicated in Article 1 (2) of Regulation (EEC) No 1355/90 fixing the guide price for unginned cotton for the 1990/91 marketing year ⁽⁶⁾.*Article 4*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 September 1990.

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

Done at Brussels, 14 May 1990.

*For the Council**The President*

D. J. O'MALLEY

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.⁽²⁾ OJ No L 184, 3. 7. 1987, p. 14.⁽³⁾ OJ No L 211, 31. 7. 1981, p. 2.⁽⁴⁾ OJ No L 85, 30. 3. 1989, p. 7.⁽⁵⁾ OJ No C 49, 28. 2. 1990, p. 28.⁽⁶⁾ See page 20 of this Official Journal.

COUNCIL REGULATION (EEC) Nr. 1357/90

of 14 May 1990

amending Regulation (EEC) No 1964/87 adjusting the system of aid for cotton introduced by
Protocol No 4 annexed to the Act of Accession of Greece

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece, and in particular paragraph 11 of Protocol No 4 on cotton annexed to it, as amended by Protocol No 14 attached to the Act of Accession of Spain and Portugal,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas Regulation (EEC) No 1964/87 ⁽³⁾ provides in Article 2 (2) thereof that when the production of estimated unginned cotton exceeds the maximum guaranteed quantity, the amount of aid is to be reduced; whereas that reduction has been limited for the 1987/88 to 1989/90 marketing years to a certain percentage of the norm price; whereas in view of the present market situation for this sector and taking

into account the arrangements for guaranteed quantities, the limitation of the reduction of the amount of aid should be extended by a marketing year;

HAS ADOPTED THIS REGULATION:

Article 1

The second subparagraph of Article 2 (2) of Regulation (EEC) No 1964/87 shall be replaced by the following:

'However for the 1987/88, 1988/89, 1989/90 and 1990/91 marketing years, this reduction in the amount of aid may not be greater than 15 %, 20 %, 25 % and 25 % respectively of the norm price;'

Article 2

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

It shall apply with effect from the 1990/91 marketing year.

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

Done at Brussels, 14 May 1990.

For the Council

The President

D. J. O'MALLEY

⁽¹⁾ OJ No C 96, 17. 4. 1990.

⁽²⁾ OJ No C 112, 7. 5. 1990, p. 34.

⁽³⁾ OJ No L 184, 3. 7. 1987, p. 14.

COUNCIL REGULATION (EEC) No 1358/90

of 14 May 1990

fixing the amounts of aid for fibre flax and hemp and the amount withheld to finance measures
to promote the use of flax fibre for the 1990/91 marketing year

THE COUNCIL 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, and in particular Article 89 (1) and 234 (2) thereof,

Having regard to Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp ⁽¹⁾, as last amended by Regulation (EEC) No 3995/87 ⁽²⁾, and in particular Articles 2 (3) and 4 (3) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas Article 4 of Regulation (EEC) No 1308/70 provides that the amounts of aid for flax grown mainly for fibre and for hemp grown in the Community are to be fixed each year;

Whereas, in accordance with Article 4 (2) of that Regulation, this amount shall be fixed per hectare of area sown and harvested so as to ensure an even balance between the volume of production required in the Community and the amount that can be marketed; whereas it must be fixed, taking into account the price for flax and hemp fibres and hemp seed on the world market, the price for other competing natural products and the guide price for flaxseed;

Whereas Article 2 (3) of Regulation (EEC) No 1308/70 provides that the portion of aid for financing Community measures to encourage the use of flax fibre is to be fixed when aid is fixed for the marketing year in question in accordance with the criteria referred to in that paragraph; whereas it is to be fixed in the light of trends on the market in flax, the amount of the aid for flax and the cost of the measures to be introduced;

Whereas Articles 79 and 246 of the Act of Accession of Spain and Portugal established the criteria for fixing the amount of aid for fibre flax and hemp in these two Member States;

Whereas application of the abovementioned criteria entails fixing the amounts of aid and the portions of the aid to be used for financing measures to promote the use of flax fibre at the levels set out below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/91 marketing year, the aid provided for in Article 4 of Regulation (EEC) No 1308/70 shall be:

(a) as regards flax:

- ECU 263,59 per hectare for Spain and Portugal,
- ECU 375 per hectare for the other Member States;

(b) as regards hemp:

- ECU 239,11 per hectare for Spain and Portugal,
- ECU 340 per hectare for the other Member States.

Article 2

For the 1990/91 marketing year, the amounts of the aid for flax to be used to finance the measures to promote the use of flax fibre referred to in Article 2 of Regulation (EEC) No 1308/70 shall be:

- ECU 26,36 per hectare for Spain and Portugal,
- ECU 37,50 per hectare for the other Member States.

Article 3

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

It shall apply from 1 August 1990.

⁽¹⁾ OJ No L 146, 4. 7. 1970, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 34.

⁽³⁾ OJ No C 49, 28. 2. 1990, p. 29.

⁽⁴⁾ OJ No C 96, 17. 4. 1990.

⁽⁵⁾ OJ No C 112, 7. 5. 1990, p. 34.

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

Done at Brussels, 14 May 1990.

For the Council

The President

D. J. O'MALLEY

COUNCIL REGULATION (EEC) No 1359/90

of 14 May 1990

fixing the amount of aid in respect of silkworms for the 1990/91 rearing year

THE COUNCIL 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, and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to Council Regulation (EEC) No 845/72 of 24 April 1972 laying down special measures to encourage silkworm rearing ⁽¹⁾, as last amended by Regulation (EEC) No 4005/87 ⁽²⁾, and in particular Article 2 (3) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas Article 2 of Regulation (EEC) No 845/72 provides that the amount of aid for silkworms reared within the Community must be fixed each year in such a way as to help ensure a fair income for silkworm rearers, taking into account the state of the market in cocoons and raw silk, of foreseeable trends on that market and of import policy;

Whereas Articles 79 and 246 of the Act of Accession of Spain and Portugal establish the criteria for fixing the amount of aid in respect of silkworms in these two Member States;

Whereas application of the abovementioned criteria entails fixing the amount of aid at the level mentioned below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/91 rearing year, the amount of aid in respect of silkworms as referred to in Article 2 of Regulation (EEC) No 845/72 shall be fixed per box of silkworm eggs used at:

- ECU 79,84 for Spain and Portugal,
- ECU 112 for the other Member States.

Article 2

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

It shall apply from 1 April 1990.

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

Done at Brussels, 14 May 1990.

For the Council
The President
D. J. O'MALLEY

⁽¹⁾ OJ No L 100, 27. 4. 1972, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 48.

⁽³⁾ OJ No C 49, 28. 2. 1990, p. 31.

⁽⁴⁾ OJ No C 96, 17. 4. 1990.

⁽⁵⁾ OJ No C 112, 7. 5. 1990, p. 34.