

Official Journal

of the European Communities

ISSN 0378 - 6978

L 162

Volume 34

26 June 1991

English edition

Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1703/91

of 13 June 1991

introducing a temporary set-aside scheme for arable land for the 1991/92 marketing year and laying down special measures for that marketing year under the set-aside scheme provided for in Regulation (EEC) No 797/85

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 production of certain arable crops is continuing to rise, thereby worsening the imbalance between supply and demand; whereas this increasing threat of imbalance can only be contained if action is taken in relation to the area of land under production; whereas such action can be taken under the set-aside scheme provided for in Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures ⁽⁴⁾, as last amended by Regulation (EEC) No 3577/90 ⁽⁵⁾; whereas, however, the multiannual set-aside scheme is concerned with long-term farm management planning; whereas, in view of the problems arising in the short term, consideration should be given to a specific scheme with the aim of reducing the areas sown for the 1992 harvest;

Whereas in the five new *Länder* of Germany, for the 1991 harvest, a national set-aside scheme is being applied in order to facilitate the integration of their agriculture into the common agricultural policy; whereas in order to avoid a major portion of land set aside under that scheme being cultivated again for the 1992 harvest, it is appropriate to make such land eligible for the proposed scheme, subject to certain conditions;

Whereas for the scheme to be effective, a minimum proportion of the arable land cultivated in 1991 should be withdrawn from production; whereas, to that end, provision should be made that producers interested in the scheme in question submit their cultivation plans at appropriate dates to the method of monitoring applied in the different Member States, the choice being left to the latter, taking into account the specific means they may use on their territory;

Whereas for the purposes of protecting the environment and natural resources, provisions should be made for maintaining areas set aside;

Whereas the scheme for the temporary set-aside of arable land should be applied throughout the Community in accordance with the criteria applicable under the scheme for the set-aside of arable land provided for in Regulation (EEC) No 797/85; whereas, however, the latter scheme does not apply to certain regions of the Community; whereas special provisions should be laid down, therefore, for those regions;

Whereas care should be taken to avoid harming the interests of producers who take part in the multiannual set-aside scheme for land and who thus contribute to the stabilization of agricultural markets; whereas, to that end, it is appropriate not to apply to the producers in question the increase of the co-responsibility levy that is taking place for the 1991/92 marketing year.

HAS ADOPTED THIS REGULATION:

Article 1

1. A temporary set-aside aid scheme for arable land is hereby introduced for the period from 1 September 1991 to 31 August 1992.

2. The scheme referred to in paragraph 1 shall comprise the grant of aid for the set-aside of arable land which has actually been cultivated in preparation for the 1991 harvest. Land given over to products that are not subject to a common organization of the market shall be excluded from the said scheme. The Commission may, for the period referred to in paragraph 1, exclude certain crops from the said scheme

⁽¹⁾ OJ No C 104, 19. 4. 1991, p. 1.

⁽²⁾ OJ No C 158, 17. 6. 1991.

⁽³⁾ OJ No C 159, 17. 6. 1991.

⁽⁴⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽⁵⁾ OJ No L 353, 17. 12. 1990, p. 23.

under the procedure laid down in 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 3577/90.

For the purposes of applying this Regulation, Germany may take into account, in the five new *Länder*, the areas of arable land subject in 1990/91 to the national set-aside scheme, which have previously been used as arable land as defined in Article 32b (1) (a) and (b) of Regulation (EEC) No 797/85.

3. The arable land withdrawn from production must represent, on each farm, at least 15 % of the arable land referred to in paragraph 2. The area remaining under cultivation, down to eligible crops within the meaning of paragraph 2 in preparation for the 1992 harvest, must not exceed the area used for the same purposes in 1991, less the area left fallow pursuant to this Regulation, and may not, as regards cereals, be greater than 85 % of cereal area cultivated in 1991.

4. (a) The areas set aside must be subject to maintenance by means of appropriate plant cover. However, in regions where it is not possible, for climatic reasons, to meet this requirement, it shall be replaced by other more appropriate measures seeking inspiration from the measures envisaged in the five-year set-aside scheme provided for in Article 4 of Commission Regulation (EEC) No 1272/88 ⁽²⁾ adapted where necessary, to the conditions of an annual scheme. The regions concerned shall be determined in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75.

If that condition is not met, the aid referred to in Article 2 (a) and in Article 3 shall be reduced by 10 %.

(b) Member States shall apply appropriate measures in favour of the environment that correspond to the specific situation of the areas set aside. These measures may also concern plant cover. Member States shall decide on penalties that are appropriate and proportionate to the seriousness of the consequences of failure to comply upon the environment. These penalties may provide for a reduction, and if necessary, the cancellation of the advantages of the scheme provided for under this Regulation. The Member States shall inform the Commission of the measures taken pursuant to this provision.

Article 2

The aid scheme referred to in Article 1 (1) shall consist of:

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 121, 11. 5. 1988, p. 36.

- (a) the grant of a premium per hectare set aside, equivalent to the part financed by the Community of the aid which would be granted in respect of the same area of land by the Member State concerned, pursuant to Article 1a (4) of Regulation (EEC) No 797/85. Where it proves necessary, particularly because of regional production conditions, for ensuring that the scheme provides a sufficient incentive, the Member States may increase the premium up to the amount they grant as their national contribution under the abovementioned Regulation;
- (b) entitlement to reimbursement of the basic co-responsibility levy referred to in Article 4 of Regulation (EEC) No 2727/75 levied on sales of cereals by the producer concerned during the 1991/92 marketing year.

Article 3

For regions in which the set-aside scheme provided for in Regulation (EEC) No 797/85 does not apply pursuant to Article 32a of that Regulation, the maximum amount of the premium to be granted shall be fixed in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 taking into consideration the criteria laid down in Article 1a (4) (a) of Regulation (EEC) No 797/85. That amount shall be financed by the Community in accordance with the rates set out in Annex III to Commission Regulation (EEC) No 223/90 ⁽³⁾; the remaining part may, under the conditions referred to in the second sentence of Article 2 (a) above, be financed by the Member States. In these regions, the area eligible for aid is limited per holding to 20 % of the area of arable land referred to in Article 1 (2).

Article 4

Producers receiving a premium pursuant to this Regulation shall be excluded in 1991/92 from the scheme provided for in Council Regulation (EEC) No 1346/90 of 14 May 1990 instituting aid for small producers of certain arable crops ⁽⁴⁾.

Article 5

- 1. Member States shall take all action necessary to ensure that the provisions of this Regulation are fully respected.
- 2. In order to qualify pursuant to this Regulation, the producers in question must submit to the competent authorities a utilization plan of their farmland, showing the

⁽³⁾ OJ No L 22, 27. 1. 1990, p. 62.
⁽⁴⁾ OJ No L 134, 28. 5. 1990, p. 10.

areas under cultivation in preparation for the 1991 harvest. This plan shall be submitted, as the Member State chooses and on a date to be determined by the latter, not later than:

- either 31 July 1991; it shall be supplemented later by a request for aid to be submitted on a date to be determined,
- or 15 December 1991, together at the same time with a request for aid.

Article 6

The measures defined in Article 2 and 3 shall be deemed to be intervention intended to stabilize the agricultural markets within the meaning of Article 3 (1) of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2048/88⁽²⁾.

Article 7

The producers participating throughout the period referred to in Article 1 (1) in the set-aside scheme provided for by Regulation (EEC) No 797/85 shall benefit, without prejudice to the provisions laid down in Article 1a of the said Regulation, for the quantities of cereals sold during the 1991/92 marketing year, from reimbursement of that part of the basic co-responsibility levy that exceeds the rate applied during the 1990/91 marketing year.

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

Done at Luxembourg, 13 June 1991.

Article 8

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, and in particular:

- those relating to the minimum area to be set aside; such rules shall take particular account of the monitoring requirements and of the sought-after effectiveness of the scheme in question,
- those relating to monitoring; such rules shall include *inter alia*, in the case referred to in Article 5 (2), second indent, the use of means of remote sensing and/or plausibility monitoring on the basis of binding official documents that are already available in the national administrations.

Article 9

Member States shall decide not later than:

- 1 July 1991, the choice being made in accordance with Article 5 (2),
- 1 September 1991, the total amount of the applicable premium referred to in Article 2 (a) and in Article 3.

Article 10

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
A. BODRY

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 185, 15. 7. 1988, p. 1.

COUNCIL REGULATION (EEC) No 1704/91

of 18 June 1991

fixing the prices applicable to cereals for the 1991/92 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 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/91⁽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 is the main instrument of the common agricultural policy;

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, this aim may be achieved by maintaining for 1991/92 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 application of special premiums should be continued for common wheat of breadmaking quality;

Whereas, as from the 1986/87 marketing year, 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 Article 70 (1) of the Act of Accession lays down the provisions for aligning Spanish prices with common prices; whereas the rules for the alignment referred to above give the Spanish intervention price for durum wheat indicated below;

Whereas the common prices were applied in Spain in the preceding marketing year for all cereals with the exception of durum wheat; whereas the prices for durum wheat should be aligned in accordance with Article 70 (1) of the Act of Accession;

Whereas the provisions on prices applicable in Portugal for cereals were laid down by Council Regulation (EEC) No 3653/90 of 11 December 1990 introducing transitional measures governing the common organization of the market in cereals and rice in Portugal⁽⁶⁾; whereas, as regards common wheat, the intervention price must be fixed in accordance with the second indent of Article 2 (2) of that Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 marketing year, the prices applicable in the cereals sector shall be as indicated in the Annex.

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 from the beginning of the 1991/92 marketing year.

(¹) OJ No L 281, 1. 11. 1975, p. 1.

(²) OJ No L 353, 17. 12. 1990, p. 23.

(³) OJ No C 104, 19. 4. 1991, p. 5.

(⁴) Opinion delivered on 12 June 1991 (not yet published in the Official Journal)

(⁵) OJ No C 159, 17. 6. 1991.

(⁶) OJ No L 362, 27. 12. 1990, p. 28.

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

Done at Luxembourg, 18 June 1991.

For the Council

The President

R. STEICHEN

ANNEX

	(ECU/tonne)		(ECU/tonne)
COMMON WHEAT		MAIZE	
Intervention price ⁽¹⁾		Intervention price	168,55
— Community except Portugal	168,55	Common target price	212,33
— Portugal	210,80		
Target price	233,26	GRAIN SORGHUM	
		Intervention price	160,13
RYE		Common target price	212,33
Intervention price ⁽²⁾	160,13		
Common target price	212,33	DURUM WHEAT	
		Intervention price	
BARLEY		— Community except Spain	227,70
Intervention price	160,13	— Spain	216,48
Common target price	212,33	Target price	277,21

⁽¹⁾ The price is increased by ECU 3,37 per tonne for common wheat of breadmaking quality which meets the specific quality requirements laid down in Regulation (EEC) No 1570/77.

⁽²⁾ The price shall be increased by ECU 4,22/tonne for rye of breadmaking quality which meets the specific quality requirements provided for in Regulation (EEC) No 1570/77.

COUNCIL REGULATION (EEC) No 1705/91

of 18 June 1991

fixing for the 1991/92 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 3577/91⁽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 3656/90⁽⁷⁾; whereas, to cushion the impact of the

reduction in the intervention price for durum wheat on producers' incomes, the aid for the 1991/92 marketing year 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 1991/92 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 181,88 per hectare for the Community except Spain, and
- ECU 146,34 per hectare for Spain.

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 from the beginning of the 1991/92 marketing year.

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

Done at Luxembourg, 18 June 1991.

For the Council

The President

R. STEICHEN

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No C 104, 19. 4. 1991, p. 8.

⁽⁴⁾ OJ No C 158, 17. 6. 1991.

⁽⁵⁾ OJ No C 159, 17. 6. 1991.

⁽⁶⁾ OJ No L 351, 21. 12. 1976, p. 1.

⁽⁷⁾ OJ No L 362, 27. 12. 1990, p. 34.

COUNCIL REGULATION (EEC) No 1706/91

of 13 June 1991

fixing the monthly price increases for cereals, wheat and rye flour and wheat groats and meal
for the 1991/92 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 3577/90 ⁽²⁾, and in particular Article 6 (2) thereof,

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

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;

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

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

Whereas, as regards products obtained from the processing of common wheat, meslin and rye, account should be taken of progress in cultivation and milling methods,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 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.

Article 2

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:

(in ecus per tonne)

Period	Monthly increase in intervention and buying-in prices		Monthly increase in target and threshold prices	
	Common wheat, rye, barley, maize and grain sorghum	Durum wheat	Common wheat, rye, barley, maize and grain sorghum	Durum wheat
July 1991	—	—	—	—
August 1991	—	—	1,50	2,03
September 1991	—	—	3,00	4,06
October 1991	—	—	4,50	6,09
November 1991	1,50	2,03	6,00	8,12
December 1991	3,00	4,06	7,50	10,15
January 1992	4,50	6,09	9,00	12,18
February 1992	6,00	8,12	10,50	14,21
March 1992	7,50	10,15	12,00	16,24
April 1992	9,00	12,18	13,50	18,27
May 1992	10,50	14,21	15,00	20,30
June 1992	—	—	15,00	20,30

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No C 104, 19. 4. 1991, p. 9.

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 for groats and meal of common and of durum wheat, applicable for the first month of the marketing year, shall be as follows:

(in ecus per tonne)		
Period	Wheat, meslin and rye flour, groats and meal of common wheat	Groats and meal of durum wheat
July 1991	—	—
August 1991	2,10	3,21
September 1991	4,20	6,42
October 1991	6,30	9,63
November 1991	8,40	12,84
December 1991	10,50	16,05
January 1992	12,60	19,26
February 1992	14,70	22,47
March 1992	16,80	25,68
April 1992	18,90	28,89
May 1992	21,00	32,10
June 1992	21,00	32,10

Article 5

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 1991/92 marketing year.

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

Done at Luxembourg, 13 June 1991.

For the Council
The President
A. BODRY

COUNCIL REGULATION (EEC) No 1707/91

of 13 June 1991

fixing the production aid for certain cereals sown in the 1991/92 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 3577/90 ⁽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; whereas, to that end, aid should be maintained at the same level,

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 1991/92 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 1991.

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

Done at Luxembourg, 13 June 1991.

For the Council
The President
A. BODRY

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No C 104, 19. 4. 1991, p. 11.

⁽⁴⁾ OJ No C 158, 17. 6. 1991.

⁽⁵⁾ OJ No C 159, 17. 6. 1991.

COUNCIL REGULATION (EEC) No 1708/91

of 13 June 1991

fixing the overall amount of the aid granted to small producers under 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 3577/90 ⁽²⁾, and in particular Article 4 thereof,

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

Whereas, in accordance with Council Regulation (EEC) No 729/89 of 20 March 1989 laying down general rules for the special arrangements applicable to small producers as part of the co-responsibility arrangements in the cereals sector ⁽⁴⁾, as last amended by Regulation (EEC) No 1347/90 ⁽⁵⁾, the overall amount of the aid must be established on the basis of the total sum of the co-responsibility levies borne by producers marketing no more than 25 tonnes; whereas that amount was fixed for the 1989/90, 1990/91 and 1991/92 marketing years on the

basis of a basic co-responsibility levy corresponding to 3 % of the intervention price for common wheat; whereas, in view of the fixing for the 1991/92 marketing year of a basic co-responsibility levy corresponding to 5 % of the intervention price for common wheat, the overall amount of that aid should be adjusted pursuant to Article 2 (2) of Regulation (EEC) No 729/89,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 2 (2) of Regulation (EEC) No 729/89, the overall amount of the aid is hereby fixed at ECU 293 million.

Article 2

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 Luxembourg, 13 June 1991.

For the Council
The President
A. BODRY

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No C 104, 19. 4. 1991, p. 12.

⁽⁴⁾ OJ No L 80, 23. 3. 1989, p. 5.

⁽⁵⁾ OJ No L 134, 28. 5. 1990, p. 12.

COUNCIL REGULATION (EEC) No 1709/91

of 13 June 1991

fixing the aid for small producers of certain arable crops sown
in the 1991/92 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 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; whereas, to that end, the aid should be
maintained at the same level,

HAS ADOPTED THIS REGULATION:

Article 1

For areas sown in the 1991/92 marketing year, the aid
provided for in Article 1 (2) of Regulation (EEC)
No 1346/90 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 1991.

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

Done at Luxembourg, 13 June 1991.

For the Council

The President

A. BODRY

⁽¹⁾ OJ No L 134, 28. 5. 1990, p. 10.

⁽²⁾ OJ No C 49, 28. 2. 1990, p. 12.

⁽³⁾ OJ No C 158, 17. 6. 1991.

⁽⁴⁾ OJ No C 159, 17. 6. 1991.

⁽⁵⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽⁶⁾ OJ No L 93, 30. 3. 1985, p. 1.

COUNCIL REGULATION (EEC) No 1710/91

of 13 June 1991

fixing the production aid for certain varieties of high-quality flint maize sown
in the 1991/92 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 3577/90⁽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 is to encourage
the growing of high-quality flint 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 100 per hectare for maize sown during the 1991/92
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 1991.

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

Done at Luxembourg, 13 June 1991.

For the Council
The President
A. BODRY

(¹) OJ No L 281, 1. 11. 1975, p. 1.

(²) OJ No L 353, 17. 12. 1990, p. 23.

(³) OJ No C 104, 19. 4. 1991, p. 14.

(⁴) OJ No C 158, 17. 6. 1991.

(⁵) OJ No C 159, 17. 6. 1991.

COUNCIL REGULATION (EEC) No 1711/91

of 13 June 1991

fixing the minimum price for potatoes to be paid by the starch manufacturer to the potato producer for the 1991/92 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 248,67 for the 1991/92 cereals 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 3577/90 ⁽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 1991.

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

Done at Luxembourg, 13 June 1991.

For the Council

The President

A. BODRY

⁽¹⁾ OJ No L 94, 9. 4. 1986, p. 5.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 15.

⁽³⁾ OJ No C 104, 19. 4. 1991, p. 15.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁵⁾ OJ No L 353, 17. 12. 1990, p. 23.

COUNCIL REGULATION (EEC) No 1712/91

of 13 June 1991

fixing rice prices for the 1991/92 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,

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 EEC 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 the second indent of Article 2 (3) of Council Regulation (EEC) No 3653/90 of 11 December 1990 introducing transitional measures governing the common organization of the market in cereals and rice in Portugal ⁽⁶⁾ lays down the rules for aligning the Portuguese prices for rice on the common prices; whereas those rules result in the fixing of the Portuguese prices at the levels set out below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 marketing year, rice prices shall be as follows:

1. *Community except Portugal:*

- (a) intervention price, paddy rice: ECU 313,65 per tonne;
- (b) target price, husked rice: ECU 546,13 per tonne.

2. *Portugal:*

- (a) intervention price, paddy rice: ECU 338,39 per tonne;
- (b) target price, husked rice: ECU 546,13 per 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 1 September 1991.

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

Done at Luxembourg, 13 June 1991.

For the Council
The President
A. BODRY

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No C 104, 19. 4. 1991, p. 16.

⁽⁴⁾ OJ No C 158, 17. 6. 1991.

⁽⁵⁾ OJ No C 159, 17. 6. 1991.

⁽⁶⁾ OJ No L 362, 27. 12. 1990, p. 28.

COUNCIL REGULATION (EEC) No 1713/91

of 13 June 1991

fixing the monthly price increases for paddy rice and husked rice
for the 1991/92 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 1991/92 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 buying-in price,
- ECU 2,58 per tonne for the target price.

2. The monthly increases shall apply to the intervention price and the buying-in price from 1 January 1992 to 1 July 1992, the prices thus obtained for July 1992 remaining valid until 31 August 1992.

The monthly increases shall apply to the target price from 1 October 1991 to 1 July 1992, the price thus obtained for the month of July 1992 remaining valid until 31 August 1992.

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 1991.

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

Done at Luxembourg, 13 June 1991.

For the Council
The President
A. BODRY

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No C 104, 19. 4. 1991, p. 17.

COUNCIL REGULATION (EEC) No 1714/91

of 13 June 1991

fixing the amount of the production aid for certain varieties of rice sown
in the 1991/92 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 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 loweryields 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 ⁽⁶⁾, as last amended by Regulation (EEC)
No 832/90 ⁽⁷⁾, 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 referred to in
Article 8 a of Regulation (EEC) No 1418/76, sown in
1991/92, shall be ECU 200 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 1991.

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

Done at Luxembourg, 13 June 1991.

For the Council
The President
A. BODRY⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.⁽³⁾ OJ No C 104, 19. 4. 1991, p. 18.⁽⁴⁾ OJ No C 158, 17. 6. 1991.⁽⁵⁾ OJ No C 159, 17. 6. 1991.⁽⁶⁾ OJ No L 365, 24. 12. 1987, p. 3.⁽⁷⁾ OJ No L 86, 31. 3. 1990, p. 46.

COUNCIL REGULATION (EEC) No 1715/91

of 13 June 1991

amending Regulation (EEC) No 3659/90 on products subject to the supplementary trade mechanism during the second stage of Portuguese accession

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 Spain and Portugal, and in particular Article 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas the structural situation in the rice sector in Portugal requires a major adjustment effort; whereas such effort should be helped by applying the supplementary trade mechanism during the second stage to trade throughout the whole marketing year; whereas rice should, therefore, be withdrawn from the list of products for which the application of the supplementary trade mechanism is limited to sensitive periods;

Whereas, moreover, the territories of the Azores and Madeira are characterized by a structural cereal shortfall; whereas the supply of the market in the territories in question is dependent upon imports under specific arrangements; whereas these imports do not influence the marketing of Portuguese production; whereas, therefore, imports of cereals into the territories of the Azores and Madeira should be excluded from the application of the supplementary trade mechanism,

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

Done at Luxembourg, 13 June 1991.

Article 1

1. The second paragraph of Article 1 of Regulation (EEC) No 3659/90 ⁽¹⁾ shall be replaced by the following:

'However, with regard to common wheat, barley and maize, the supplementary trade mechanism shall apply only to products delivered to the mainland territory of Portugal and during those periods which are sensitive as regards the marketing of Portuguese production, as determined according to the procedure provided for in Article 26 of Regulation (EEC) No 2727/75 ⁽²⁾ as last amended by Regulation (EEC) No 3577/90 ⁽³⁾.'

2. Footnotes 2 to 5 shall be replaced by the following footnotes 2 and 3:

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 353, 17. 12. 1990, p. 23.'

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 as from the 1991/92 marketing year. However, the limitation to only the mainland territory of Portugal shall apply as from the entry into force of this Regulation.

For the Council

The President

A. BODRY

⁽¹⁾ OJ No L 362, 27. 12. 1990, p. 38.

COUNCIL REGULATION (EEC) No 1716/91

of 13 June 1991

concerning the alignment of the sugar and beet prices applicable in Spain
on the common prices

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 Act of Accession of Spain and Portugal, and in particular Article 70 (3) (b) and Article 89 (2) thereof,

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

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

Whereas Article 70 (3) (a) of the Act of Accession lays down that where the price of a product in Spain is higher than the common price, the price in that Member State is to be maintained at the level resulting from the application of Article 68 of the Act of Accession, the moves towards alignment having to result from the development of common prices during the seven years following accession; whereas, however, under these provisions, the price in Spain is to be adjusted to the extent necessary to avoid an increase in the variation between that price and the common price;

Whereas, following the application of the relevant provisions of Article 68 and 70 of the Act of Accession, the buying-in price of sugar applicable in Spain for the 1990/91 marketing year is 16,2% higher than the buying-in price fixed for the non-deficit areas, which represents a variation of ECU 8,60 per 100 kilograms for white sugar, and the basic price of beet applicable in Spain is 17,7% higher than the basic price of beet valid in the Community regions other than Spain, which corresponds to a variation of ECU 7,09 per tonne for beet; whereas this situation results from the development of common prices over the first five marketing years following accession; whereas these prices, instead of moving closer to the Spanish prices as implied by the Act of Accession, have either been maintained for several marketing years or been reduced, albeit with the relevant adjustment of the Spanish prices in order to avoid an increase in the variation obtaining between them; whereas, therefore, the substantial variation obtaining at the time of accession has been maintained;

Whereas the foreseeable development of common prices will continue to maintain the said variations at their initial level for several years yet; whereas, therefore, it will not be possible for these variations to be absorbed, at any rate over the period for moves toward price alignment of the first seven

marketing years following accession, as provided for in Article 70 (3) (a) of the Act of Accession, in other words by the 1992/93 marketing year;

Whereas the price of sugar and the price of beet applicable in Spain are significantly higher than the common prices; whereas the analysis of the development of prices after the first five marketing years following accession, carried out in accordance with Article 70 (3) (b) of the Act of Accession on the basis of an opinion from the Commission, shows that it is necessary in the first instance to prolong the period of moves towards price alignment until 1 July 1995 so that the aforementioned variations can be absorbed over a period of five marketing years, a sufficiently long period to prevent farmers, in particular, being affected by too swift a drop in beet prices; whereas, however, the system of production quotas is applicable only for the 1991/92 and 1992/93 marketing years; whereas the prices of sugar and beet are to some extent linked to the existence of quotas; whereas provision should therefore be made for a move towards price alignment in two stages, the first stage ending 30 June 1993; whereas with regard to the second stage covering the 1993/94, 1994/95 and 1995/96 marketing years, the conditions for the moves towards alignment of the Spanish prices on the common prices should be determined particularly in the light of the production arrangements to be applied from 1 July 1993 in this sector, the Community's international commitments and their specific implications for Spain;

The aforementioned analysis clearly shows that Spain is currently in an extremely difficult situation in the sugar sector owing to the structural constraints weighing on the sector in which restructuring measures are in progress; whereas these constraints could lead to shortfalls in the said sector in any marketing year and subject producers to precarious production conditions;

Whereas, for these reasons, a method for moves towards price alignment should be established for the first stage so that, by the end of that stage, the Spanish prices, through a part of the variation having been absorbed, will be aligned on the common prices; whereas, to achieve this, it is appropriate that for this move towards alignment over this period a reference price be used incorporating a fixed component to take into account the specific situation of the market for sugar in Spain;

Whereas moves towards price alignment must also be accompanied for the calculation of accession compensatory amounts applicable to trade between the Community and Spain and between Spain and third countries by a gradual dismantling of the additional transitional component of ECU 1,40 per 100 kilograms for sugar expressed in white sugar and ECU 1,82 per tonne of beet; whereas, to that end, the concept of common prices within the meaning of Article 72 (1) of the Act of Accession should be determined by increasing it by an amount equivalent to the phased reduction

⁽¹⁾ OJ No C 104, 19. 4. 1991, p. 22.

⁽²⁾ OJ No C 158, 17. 6. 1991.

of the transitional component taken into account in the reference price for moves towards alignment of Spanish prices; whereas in order to avoid prejudging the system of moves towards alignment to be applied as from the 1993/94 marketing year, provision should be made for the measure to apply only in the first stage of the said moves towards alignment,

HAS ADOPTED THIS REGULATION:

Article 1

The moves towards the alignment of the prices of sugar and beet applicable in Spain on the common prices shall be accomplished in respect of the 1995/96 marketing year in accordance with the conditions set out in this Regulation.

Article 2

The period for moves towards price alignment in Spain shall be prolonged until 1 July 1995 inclusive. The moves towards alignment referred to in Article 1 shall be carried out in two stages, the first stage covering the 1991/92 and 1992/93 marketing years and the second stage the 1993/94, 1994/95 and 1995/96 marketing years.

Article 3

1. For the purposes of the moves towards alignment relating to the first stage referred to in Article 2, a reference price shall be fixed as regards white sugar, incorporating a fixed component of ECU 1,40 per 100 kilograms of white sugar additional to the buying-in price of white sugar applicable in Spain during the 1990/91 marketing year.

2. Notwithstanding Article 5, the buying-in price of white sugar shall be fixed by reducing the reference price referred to in paragraph 1:

- (a) by ECU 1,72 per 100 kilograms of white sugar, in respect of the 1991/92 marketing year;
- (b) by ECU 3,44 per 100 kilograms of white sugar, in respect of the 1992/93 marketing year.

3. The buying-in prices referred to in paragraph 2 shall be understood as fixed for 100 kilograms of standard quality white sugar as defined in Regulation (EEC) No 793/72⁽¹⁾, unpacked, ex-factory, loaded on to a means of transport chosen by the purchaser.

Article 4

1. For the purpose of the moves towards alignment relating to the first stage referred to in Article 2, a reference price shall be fixed, as regards beet, incorporating a fixed component of ECU 1,82 per tonne of beet additional to the basic price applicable in Spain during the 1990/91 marketing year.

2. Notwithstanding Article 5, the basic price of beet shall be fixed by reducing the reference price referred to in paragraph 1:

⁽¹⁾ OJ No L 94, 21. 4. 1972, p. 1.

(a) by ECU 2,070 per tonne of beet, in respect of the 1991/92 marketing year;

(b) by ECU 2,836 per tonne of beet, in respect of the 1992/93 marketing year.

3. The basic prices referred to in paragraph 2 shall be understood as fixed per tonne of standard quality beet at the stage of delivery to the collection centre.

Standard quality beet shall present the following characteristics:

- (a) of sound, genuine and merchantable quality;
- (b) sugar content of 16 % at the reception point.

4. The minimum prices for A beet and B beet applicable in Spain shall correspond to the basic price, fixed for the marketing year in question in accordance with paragraphs 1 and 2, less an amount equal to the difference between the basic price fixed pursuant to Article 4 of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽²⁾, as last amended by Commission Regulation (EEC) No 464/91⁽³⁾, for the same marketing year and, as appropriate:

- (a) the minimum price of A beet fixed for the said marketing year pursuant to the first subparagraph of Article 5 (2) of Regulation (EEC) No 1785/81;
- (b) the minimum price of B beet fixed for the said marketing year pursuant to the second subparagraph of Article 5 (2) of Regulation (EEC) No 1785/81.

Article 5

The prices calculated in accordance with Articles 3 and 4 of this Regulation, as appropriate, shall be adjusted whenever they are fixed by an amount equal to any increased or decreased amount of the common prices referred to in Article 3 (1) (a) and Article 4 (1) of Regulation (EEC) No 1785/81 respectively, which are fixed in ecus for the 1991/92 and 1992/93 marketing years.

For the fixing of the prices referred to in Articles 3 and 4 in respect of the 1992/93 marketing year, account shall be taken of the adjustment of the prices of the 1991/92 marketing year carried out pursuant to the first subparagraph.

Article 6

The Council, acting by a qualified majority on a proposal from the Commission, shall fix the prices referred to in Articles 3 and 4 of this Regulation at the same time as the corresponding prices referred to in Article 3 (1) (a) of Regulation (EEC) No 1785/81.

⁽²⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽³⁾ OJ No L 54, 28. 2. 1991, p. 22.

Article 7

The Council shall, before 1 January 1993, lay down the conditions for the moves towards alignment of the Spanish prices on the common prices for the period covering the 1993/94, 1994/95 and 1995/96 marketing years, in accordance with the procedure provided for in Article 43 (2) of the Treaty.

Article 8

During the first stage, for the calculation of the accession compensatory amounts referred to in Article 72 (1) of the Act of Accession, 'common prices' within the meaning of that Article mean for Spain:

- (a) for sugar, the intervention price for white sugar fixed for non-deficit areas of the Community, increased by an amount expressed in white sugar of:
 - ECU 0,28 per 100 kilograms in respect of the 1991/92 marketing year,

- ECU 0,56 per 100 kilograms in respect of the 1992/93 marketing year;

- (b) for beet, the basic price for beet fixed by the Community increased by an amount of:

- ECU 0,364 per tonne of beet in respect of the 1991/92 marketing year,
- ECU 0,728 per tonne of beet in respect of the 1992/93 marketing year.

Article 9

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 1991.

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

Done at Luxembourg, 13 June 1991.

For the Council
The President
A. BODRY

COUNCIL REGULATION (EEC) No 1717/91

of 13 June 1991

fixing, for the 1991/92 marketing year, certain sugar prices and the standard quality of beet

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in the sugar sector⁽¹⁾, as last amended by Commission Regulation (EEC) No 464/91⁽²⁾, and in particular Articles 2 (3), 3 (4) 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, when sugar prices are fixed, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are in particular to ensure a fair standard of living for the agricultural community, to assure the availability of supplies and ensure that they reach consumers at reasonable prices;

Whereas, in order to attain these objectives, the target price for sugar must be fixed at a level which, taking into account in particular the resultant level of the intervention price, ensures a fair remuneration for beet and sugar cane producers while at the same time respecting consumers' interests, and which is likely to maintain the balance between the prices of the principal agricultural products;

Whereas, as a result of the characteristics of the sugar market, the risks involved in this trade are relatively slight; whereas, consequently, when the intervention price for sugar is being fixed, the difference between the target price and the intervention price may be fixed at a relatively low level;

Whereas the basic price for beet must take account of the intervention price and of the costs of processing and delivering the beet to factories and be based on an estimated Community yield of 130 kilograms of white sugar per tonne of beet at 16 % sugar content,

HAS ADOPTED THIS REGULATION:

Article 1

1. The target price for white sugar shall be ECU 55,79 per 100 kilograms.
2. The intervention price for white sugar shall be ECU 53,01 per 100 kilograms for the non-deficit areas of the Community with the exception of Spain.

Article 2

The basic price for beet, applicable in the Community with the exception of Spain and Portugal, shall be ECU 40,00 per tonne delivered at the collection centre.

Article 3

Standard quality beet shall:

- (a) be of sound, genuine and merchantable quality;
- (b) have a sugar content of 16 % at the reception point.

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 be applicable for the 1991/92 marketing year.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No C 104, 19. 4. 1991, p. 19.

⁽⁴⁾ OJ No C 158, 17. 6. 1991.

⁽⁵⁾ OJ No C 159, 17. 6. 1991.

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

Done at Luxembourg, 13 June 1991.

For the Council

The President

A. BODRY

COUNCIL REGULATION (EEC) No 1718/91

of 13 June 1991

fixing, for the 1991/92 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices, the amount of compensation for storage costs and the prices to be applied in Spain and Portugal

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 234 (2) thereof,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Commission Regulation (EEC) No 464/91⁽²⁾, and in particular Articles 3 (5), 5 (5), 8 (4) and 14 (5) thereof,

Having regard to Council Regulation (EEC) No 1716/91 of 13 June 1991 concerning the alignment of the prices of sugar and sugar beet applicable in Spain with the common prices⁽³⁾, and in particular Article 6 thereof,

Having regard to the proposal from the Commission⁽⁴⁾,

Whereas Council Regulation (EEC) No 1717/91 of 13 June 1991 fixing, for the 1991/92 marketing year, certain sugar prices and the standard quality of beet⁽⁵⁾, fixed the intervention price for white sugar at ECU 53,01 per 100 kilograms applicable for the non-deficit areas;

Whereas Article 3 (1) of Regulation (EEC) No 1785/81 provides that derived intervention prices for white sugar are to be fixed for each of the deficit areas; whereas, for such fixing, it is appropriate that account be taken of the regional variations which, given a normal harvest and free movement of sugar, might be expected to occur in the price of sugar under natural conditions of price formation on the market;

Whereas a deficit supply situation is to be foreseen in the areas of production in Italy, Ireland and the United Kingdom;

Whereas Article 3 (5) of Regulation (EEC) No 1785/81 provides that an intervention price for raw sugar shall be fixed; whereas such price should be established on the basis of the intervention price for white sugar;

Whereas Regulation (EEC) No 1717/91 fixed the basic price for beet at ECU 40,00 per tonne; whereas Article 5 (2) of

Regulation (EEC) No 1785/81 provides that the minimum price to be fixed for A beet shall be 98 % of the basic price of the beet and the minimum price to be fixed for B beet shall in principle be 68 % of the said basic price, without prejudice to Article 28 (5) of that Regulation;

Whereas Article 14 (2) of Regulation (EEC) No 1785/81 provides that the threshold price for white sugar shall be equal to the target price, plus costs, calculated at a flat rate, of transport from the Community area having the largest surplus to the most distant deficit consumption area in the Community, plus a flat-rate amount which takes into account the storage levy; whereas, given the state of supplies within the Community, account should be taken of transport charges between the departments of northern France and Palermo;

Whereas the threshold price for raw sugar is to be derived from the threshold price for white sugar by reference to a processing margin and a standard yield;

Whereas the threshold price for molasses should be fixed in such a way that the receipts from sales of molasses may reach the level of receipts of undertakings taken into account in the fixing of basic prices for beet;

Whereas Articles 3 and 4 of Regulation (EEC) No 1716/91 provide that, for the first stage of the alignment of the prices for sugar and beet in Spain, an intervention price for white sugar and a basic price and minimum prices for beet are to be fixed taking account in particular of a reducing factor with respect to a reference price; whereas, for the 1991/92 marketing year, the reducing factor with respect to the reference price is ECU 1,72 per 100 kilograms of white sugar and ECU 2,070 per tonne of beet; whereas pursuant to Article 5 of that Regulation account should be taken of the corresponding common prices to be fixed for that marketing year for the purposes of fixing the prices for sugar and beet applicable in Spain;

Whereas Article 5 of Council Regulation (EEC) No 1358/77 of 20 June 1977 laying down general rules for offsetting storage costs for sugar and repealing Regulation (EEC) No 750/68⁽⁶⁾, as last amended by Regulation (EEC) No 3042/78⁽⁷⁾, provides that the amount of repayment in the context of the compensation for storage costs shall be fixed per month and per unit of weight, taking account of financing costs, subject to interest of 10 %, insurance costs and specific storage costs;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ See page 18 of this Official Journal.

⁽⁴⁾ OJ No C 104, 19. 4. 1991, p. 20.

⁽⁵⁾ See page 21 of this Official Journal.

⁽⁶⁾ OJ No L 156, 25. 6. 1977, p. 4.

⁽⁷⁾ OJ No L 361, 23. 12. 1978, p. 8.

Whereas, when the prices to be applied in Portugal are fixed, the prices fixed for that Member State for the 1986/87 marketing year should be aligned with the common prices in accordance with Article 238 of the Act of Accession,

HAS ADOPTED THIS REGULATION:

Article 1

For the deficit areas of the Community, with the exception of Portugal, the derived intervention price for white sugar shall be fixed, per 100 kilograms, at:

- (a) ECU 54,22 for all the areas in the United Kingdom;
- (b) ECU 54,22 for all the areas in Ireland;
- (c) ECU 54,95 for all the areas in Italy.

Article 2

The intervention price of raw sugar shall be ECU 43,94 per 100 kilograms.

Article 3

1. The minimum price for A beet, applicable in the Community with the exception of Spain and Portugal, shall be ECU 39,20 per tonne.
2. Subject to Article 28 (5) of Regulation (EEC) No 1785/81, the minimum price for B beet, applicable in the Community with the exception of Spain and Portugal, shall be ECU 27,20 per tonne.

Article 4

1. The sugar prices to be applied in Spain and Portugal shall be as follows:

— Spain:

- (a) the intervention price for white sugar shall be ECU 61,29 per 100 kilograms;
- (b) the prices for beet shall be:

- ECU 46,84 per tonne for the basic price,
- ECU 46,04 per tonne for the minimum price for A beet,
- ECU 34,04 per tonne for the minimum price for B beet, subject to the application of Article 28 (5) of Regulation (EEC) No 1785/81;

— Portugal:

- (a) the intervention price for white sugar shall be ECU 53,35 per 100 kilograms;
- (b) the prices for beet shall be:
 - ECU 42,83 per tonne for the basic price,
 - ECU 42,03 per tonne for the minimum price for A beet,
 - ECU 30,03 per tonne for the minimum price for B beet, subject to the application of Article 28 (5) of Regulation (EEC) No 1785/81.

2. The beet prices referred to in paragraph 1 shall be for delivery at the collection centre and shall apply to beet of standard quality as defined in Article 3 of Regulation (EEC) No 1717/91.

Article 5

The threshold price shall be:

- (a) ECU 63,90 per 100 kilograms of white sugar;
- (b) ECU 54,60 per 100 kilograms of raw sugar;
- (c) ECU 6,89 per 100 kilograms of molasses.

Article 6

The amount of the reimbursement referred to in Article 8 of Regulation (EEC) No 1785/81 shall be ECU 0,52 per month per 100 kilograms of white sugar.

Article 7

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

It shall apply for the 1991/92 marketing year.

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

Done at Luxembourg, 13 June 1991.

For the Council
The President
A. BODRY

COUNCIL REGULATION (EEC) No 1719/91

of 13 June 1991

laying down general rules on the marketing of preferential sugar in the Community for the 1989/90, 1990/91 and 1991/92 marketing years

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 464/91 ⁽²⁾, and in particular Article 37 (1) (a) thereof,

Whereas, pursuant to Article 1 (1) of Protocol 8 on ACP sugar, hereinafter referred to as 'the Protocol', annexed to the Fourth ACP-EEC Convention, signed at Lomé on 15 December 1989, the Community has undertaken to purchase and import at guaranteed prices specific quantities of cane sugar originating in the ACP States which those States undertake to supply; whereas, pursuant to Article 1 (1) of the Agreement between the European Economic Community and the Republic of India on cane sugar ⁽³⁾, hereinafter referred to as 'the Agreement', the same reciprocal commitments were entered into as regards sugar originating in India; whereas, pursuant to Article 1 (2) of the Protocol and Article 1 (2) of the Agreement, those texts are to be implemented for the sugar in question, hereinafter referred to as 'preferential sugar', within the framework of the common organization of the sugar market;

Whereas the measures to be adopted by the Community to ensure this implementation of the Protocol and the Agreement must be such as to permit the observance of the relevant commitments entered into under those instruments, namely the supply of preferential sugar and the purchase of that sugar and therefore the supply of the Community market and more particularly that of port refineries in the Community;

Whereas, owing to the freeze on guaranteed prices for sugar during several delivery periods, the fall in such prices for the 1989/90 delivery period and the prejudicial effects which those measures will have on the sugar industry of the countries concerned unless accompanying measures are taken, there appears to be a short-term risk that the reciprocal commitments to deliver and import sugar provided for in the Protocol and the Agreement may no

longer be fully observed under these circumstances; whereas almost all those deliveries comprise raw sugar intended for refining; whereas supplies to Community refineries are therefore seriously threatened;

Whereas to that end a special accompanying measure for a limited period involving the granting of a marketing premium for raw preferential sugar intended for refining in the Community would enable the sugar industry in the producing countries to adjust to this new situation during that period,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the 1989/90, 1990/91 and 1991/92 marketing years, a marketing premium for the import of raw preferential cane sugar refined into white sugar during that period in the refineries referred to in the third subparagraph of Article 9 (4) of Regulation (EEC) No 1785/81 shall be granted as an intervention measure.

2. The premium referred to in paragraph 1 may be granted only in respect of the quantities laid down in the Protocol and the Agreement that have been imported and only if the premium is reassigned by the importer to the producer of the preferential sugar in question.

3. The premium referred to in paragraph 1 shall be determined per 100 kilograms of white sugar for each marketing year taking account of a total appropriation of ECU 30 million for the three marketing years referred to in paragraph 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 1989.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 190, 22. 7. 1975, p. 35.

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

Done at Luxembourg, 13 June 1991.

For the Council

The President

A. BODRY

COUNCIL REGULATION (EEC) No 1720/91

of 13 June 1991

amending Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats

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 support schemes for oilseeds applicable from 1 July 1992 need to be adjusted; whereas the Council must accordingly take decisions in good time on the future scheme;

Whereas, if the Council fails to take these decisions in good time, the Commission will have to have the authority to lay down the transitional measures strictly needed in order to avoid market disruption;

Whereas, in view of this reform, the end of the 1991/92 marketing year for sunflower seed should also be brought forward to 30 June 1992;

Whereas the maximum guaranteed quantity system provided for in Article 27 a of Regulation No 136/66/EEC ⁽⁴⁾, as last amended by Regulation (EEC) No 3577/90 ⁽⁵⁾, should be extended for one last marketing year;

Whereas, in order to improve the accuracy of output estimates under this system, the final date for these estimates should be postponed to the end of October;

Whereas the level of support for rapeseed in Spain must be the same as that applicable in the rest of the Community,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 22 (3) of Regulation No 136/66/EEC, the 1991/92 marketing year for sunflower seed shall end on 30 June 1992.

⁽¹⁾ OJ No C 104, 19. 4. 1991, p. 34.

⁽²⁾ OJ No C 158, 17. 6. 1991.

⁽³⁾ OJ No C 159, 17. 6. 1991.

⁽⁴⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽⁵⁾ OJ No L 353, 17. 12. 1990, p. 23.

Article 2

Regulation No 136/66/EEC is hereby amended as follows:

1. The following subparagraph shall be added to Article 27 a (1):

'Notwithstanding the preceding subparagraph, the Council shall fix the maximum guaranteed quantities, for the 1991/92 marketing year only, at the same level as for the 1990/91 marketing year.'

2. In Article 27 a (3) 'estimated before the end of the second month of the marketing year' shall be replaced by 'before the end of October'.

3. The following subparagraph shall be added to Article 27 a (3):

'Notwithstanding the first and second subparagraphs, the adjustment of the amount of aid for rapeseed produced in Spain for the 1991/92 marketing year shall be fixed so that the adjusted target price is the same in Spain as in the Community as constituted at 31 December 1985.'

Article 3

In accordance with the procedure laid down in Article 43 (2) of the Treaty, the Council shall, by 31 October 1991 at the latest, take a decision on the new scheme applicable to oilseeds with effect from 1 July 1992.

Article 4

If the Council fails to take a decision by 31 October 1991, the Commission shall be authorized, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC, to adopt transitional measures strictly needed to avoid market disruption.

Article 5

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

Articles 1 and 2 shall apply:

- from 1 July 1991 as regards rapeseed,
- from 1 August 1991 as regards sunflower seed.

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

Done at Luxembourg, 13 June 1991.

For the Council

The President

A. BODRY

COUNCIL REGULATION (EEC) No 1721/91

of 13 June 1991

fixing the production target price, the production aid and the intervention price for olive oil for the 1991/92 marketing year as well as the maximum guaranteed quantity

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 Act of Accession of Spain and Portugal, and in particular Articles 89 (1), 92 (3), 234 (2) and 290 (3) thereof,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 1720/91 ⁽²⁾, and in particular Article 4 (4) and Article 5 (1) 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, when the production target price for olive oil is fixed, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are, in particular, to ensure a fair standard of living for the agricultural community, to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas the target price referred to above must be fixed in accordance with the criteria laid down in Articles 4 and 6 of Regulation No 136/66/EEC;

Whereas, if the producer is to receive a fair income, production aid must be fixed in the light of the impact which the consumption aid has on part only of the production;

Whereas the intervention price must be fixed in accordance with the criteria laid down in Article 8 of Regulation No 136/66/EEC;

Whereas, pursuant to Article 5 (1) of Regulation No 136/66/EEC, the maximum quantity that may be eligible for the unitary production aid fixed for each of the marketing years in question is to be fixed; whereas, pursuant to the criteria referred to in the said paragraph, the maximum

quantity for each of the 1991/92, 1992/93 and 1993/94 marketing years should be kept as set out below;

Whereas, as a result of the application of Articles 68 and 236 of the Act of Accession, the intervention price for olive oil in Spain and Portugal differs from the common prices; whereas, after the adjustment of the 'acquis communautaire' with relation to vegetable oils and fats, the detailed rules for the alignment of intervention prices for olive oil applicable in Spain and Portugal are those set out in the second indents of Articles 92 (2) and 290 (2) of the Act of Accession;

Whereas Articles 95 and 293 of the Act of Accession provide for the granting of Community aid for the production of olive oil in Spain and in Portugal; whereas, pursuant to Articles 79 and 246 of that Act, the amounts of the Community aid in Spain and Portugal should be aligned on the common aid at the beginning of the marketing year; whereas the rules on this alignment result in the Spanish and Portuguese aid rates shown below;

Whereas the production target price and the intervention price are fixed for a specific standard quality; whereas the reasons which led to the determination of the standard quality for the 1981/82 marketing year are still valid; whereas that standard quality should therefore remain unchanged;

Whereas, pursuant to Article 5 (4) of Regulation No 136/66/EEC, a percentage of the production earmarked for producers may be allocated to the financing of regional measures to improve the quality of olive oil production; whereas such measures are necessary in certain production regions; whereas some of the said aid should therefore be allocated to the financing of such measures;

Whereas, in accordance with Article 20 (d) (1) of Regulation No 136/66/EEC, the percentage of the production aid which may be withheld for recognized organizations of olive oil producers or associations thereof should be so fixed that the resulting amount helps to finance the expenditure incurred in the work done pursuant to Articles 5 (3) and 20c of that Regulation; whereas that percentage should be set at a level which enables foreseeable expenditure in the 1991/92 marketing year to be covered,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 marketing year, the production target price, the production aid and the intervention price for olive oil shall be as follows:

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ See page 27 of this Official Journal.

⁽³⁾ OJ No C 104, 19. 4. 1991, p. 25.

⁽⁴⁾ OJ No C 158, 17. 6. 1991.

⁽⁵⁾ OJ No C 159, 17. 6. 1991.

(a) production target price: ECU 322,01 per 100 kilograms;

(b) production aid:

- for Spain: ECU 45,85 per 100 kilograms,
- for Portugal: ECU 42,53 per 100 kilograms,
- for the Community of Ten: ECU 70,83 per 100 kilograms;

(c) production aid for growers whose average production is less than 500 kilograms of olive oil per year:

- for Spain: ECU 51,81 per 100 kilograms,
- for Portugal: ECU 48,49 per 100 kilograms,
- for the Community of Ten: ECU 81,62 per 100 kilograms;

(d) intervention price:

- for Spain: ECU 185,31 per 100 kilograms,
- for Portugal: ECU 209,65 per 100 kilograms,
- for the Community of Ten: ECU 215,87 per 100 kilograms.

Article 2

The prices referred to in Article 1 shall relate to ordinary virgin olive oil with a free fatty acid content, expressed as oleic acid, of 3,3 grams per 100 grams.

Article 3

For the 1991/92 marketing year, 2 % of the production aid earmarked for olive oil producers shall be allocated to the financing of specific measures to improve the quality of olive oil in each producer Member State.

Article 4

For the 1991/92 marketing year, the percentage of the production aid which may be withheld pursuant to Article 20 (d) (1) of Regulation No 136/66/EEC for organizations of olive oil producers or associations thereof recognized pursuant to the said Regulation shall be 1,5 %.

Article 5

The maximum production of olive oil referred to in Article 5 (1) of Regulation No 136/66/EEC shall be 1 350 000 tonnes for each of the 1991/92, 1992/93 and 1993/94 marketing years.

Article 6

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 November 1991.

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

Done at Luxembourg, 13 June 1991.

For the Council

The President

A. BODRY

COUNCIL REGULATION (EEC) No 1722/91

of 13 June 1991

fixing the target prices and intervention prices for rape and sunflower seed for the 1991/92 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 ⁽¹⁾ thereof,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 1720/91 ⁽²⁾, and in particular Article 22 (4) and Article 24a (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, when the target prices and intervention prices for rape and sunflower seed are fixed, account should be taken of the objectives of the common agricultural policy;

Whereas the intervention price must be fixed in accordance with the criteria laid down in Article 24 (1) of Regulation No 136/66/EEC;

Whereas the prices of rape and sunflower seed must be fixed for specific standard qualities;

Whereas the supplement to be applied to the target price, to the intervention price and to the intervention buying-in price for 'double zero' rape seed must be fixed in accordance with the criteria laid down in Article 24a of Regulation No 136/66/EEC;

Whereas, under Article 68 of the Act of Accession, prices in Spain have been set at a level different from that of the common prices; whereas, pursuant to Article 70 (1) of the Act of Accession, the Spanish prices should be aligned on the common prices each year at the beginning of the marketing year; whereas the criteria envisaged for this alignment give the Spanish prices set out below,

For the 1991/92 marketing year, the target prices and the intervention prices for rape and sunflower seeds shall be as follows:

- (a) target price for rape seed:
 - ECU 41,97 per 100 kilograms for Spain,
 - ECU 44,27 per 100 kilograms for the other Member States;
- (b) intervention price for rape seed:
 - ECU 37,78 per 100 kilograms for Spain,
 - ECU 40,08 per 100 kilograms for the other Member States;
- (c) target price for sunflower seed:
 - ECU 50,65 per 100 kilograms for Spain,
 - ECU 57,38 per 100 kilograms for the other Member States;
- (d) intervention price for sunflower seed:
 - ECU 45,85 per 100 kilograms for Spain,
 - ECU 52,58 per 100 kilograms for the other Member States;

Article 2

The prices referred to in Article 1 shall relate to seeds in bulk which are of sound, genuine and merchantable quality:

- (a) with an impurity content of 2 % and, for seeds as such, moisture and oil contents of 9 % and 40 % respectively in the case of rape seed;
- (b) with an impurity content of 2 % and, for seeds as such, moisture and oil contents of 9 % and 44 % respectively in the case of sunflower seed.

Article 3

For the 1991/92 marketing year, the supplement to be applied to the target price, to the intervention price and to the intervention buying-in price for 'double zero' rape seed shall be ECU 1,25 per 100 kilograms.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ See page 27 of this Official Journal.

⁽³⁾ OJ No C 104, 19. 4. 1991, p. 36.

⁽⁴⁾ OJ No C 158, 17. 6. 1991.

⁽⁵⁾ OJ No C 159, 17. 6. 1991.

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 July 1991 as regards rape seed,
- from 1 August 1991 as regards sunflower seed.

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

Done at Luxembourg, 13 June 1991.

For the Council

The President

A. BODRY

COUNCIL REGULATION (EEC) No 1723/91

of 13 June 1991

fixing the monthly increases in the target price, the intervention price and the intervention buying-in price for rape seed and sunflower seed for the 1991/92 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1720/91⁽²⁾, and in particular Article 25 thereof,

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

Whereas, pursuant to Article 25 of Regulation No 136/66/EEC, the amount by which the target price, the intervention price and the intervention buying-in price for rape seed and sunflower seed are to be increased monthly should be fixed for the 1991/92 marketing year and the number of months during which those increases are to be applied should be laid down;

Whereas those increases, which are to be equal for each month, must be fixed taking account of the average storage costs and interest recorded in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1991/92 marketing year, the monthly increases in the target price, the intervention price and the

intervention buying-in price for rapeseed shall be ECU 0,278 per 100 kilograms.

2. The increases referred to in paragraph 1 shall be applied in accordance with the table given in the Annex.

Article 2

1. For the 1991/92 marketing year, the monthly increases in the target price, the intervention price and the intervention buying-in price for sunflower seed shall be ECU 0,331 per 100 kilograms.

2. The increases referred to in paragraph 1 shall be applied in accordance with the table given in the Annex.

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 1991 for rape seed,
- from 1 August 1991 for sunflower seed.

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

Done at Luxembourg, 13 June 1991.

For the Council
The President
A. BODRY

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ See page 27 of this Official Journal.

⁽³⁾ OJ No C 104, 19. 4. 1991, p. 38.

ANNEX

(ECU/100 kg net)

Product \ Month	July 1991	August 1991	September 1991	October 1991	November 1991	December 1991	January 1992	February 1992	March 1992	April 1992	May 1992	June 1992
Rape seed												
— monthly increase	0	0	0	0	0,278	0,556	0,834	1,112	1,390	1,668	1,946	1,946 ⁽¹⁾
Sunflower seed												
— monthly increase		0	0	0	0,331	0,662	0,993	1,324	1,655	1,986	2,317	2,317 ⁽¹⁾

⁽¹⁾ Applicable only to target price (Regulation No 724/67/EEC, OJ No 252, 19. 10. 1967, p. 10).

COUNCIL REGULATION (EEC) No 1724/91

of 13 June 1991

amending Regulation (EEC) No 1491/85 laying down special measures
in respect of soya beans

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 support schemes for oilseeds applicable from 1 July 1992 need to be adjusted; whereas the Council must accordingly take decisions in good time on the future scheme;

Whereas, if the Council fails to take these decisions in good time, the Commission will have to have the authority to lay down the transitional measures strictly needed in order to avoid market disruption;

Whereas the end of the 1991/92 marketing year for soya beans should accordingly be brought forward to 30 June 1992;

Whereas the maximum guaranteed quantity system provided for in Article 3a of Regulation (EEC) No 1491/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 2217/88 ⁽⁵⁾, should be extended for one last marketing year;

Whereas in order to improve the accuracy of the production estimate under this system, the final date for the said estimate should be postponed to the end of January;

Whereas the support level for soya beans in Spain must be the same for the 1991/92 marketing year as that obtaining in the remainder of the Community, up to the limit of the area sown under contract in Spain for 1990,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 1 (2) of Regulation (EEC) No 1491/85, the 1991/92 marketing year for soya beans shall end on 30 June 1992.

⁽¹⁾ OJ No C 104, 19. 4. 1991, p. 40.

⁽²⁾ OJ No C 158, 17. 6. 1991.

⁽³⁾ OJ No C 159, 17. 6. 1991.

⁽⁴⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽⁵⁾ OJ No L 197, 26. 7. 1988, p. 11.

Article 2

Regulation (EEC) No 1491/85 is hereby amended as follows:

1. The following subparagraph shall be added to Article 3a (1):

'Notwithstanding the preceding subparagraph, the Council shall fix the maximum guaranteed quantity for the 1991/92 marketing year only, at the same level as for the 1990/91 marketing year.'

2. In Article 3a (3), the words 'estimated before the end of the second month of the marketing year' shall be replaced by the words 'before the end of January'.

3. In Article 3a (3), the following subparagraph shall be added:

'Notwithstanding the first and second subparagraphs, the adjustment of the amount of aid for soya beans produced in Spain for the 1991/92 marketing year shall be fixed so that the adjusted guide price is the same in Spain as in the Community as constituted on 31 December 1985, up to the limit of the area sown under contract for 1990.'

Article 3

In accordance with the procedure laid down in Article 43 (2) of the EEC Treaty, the Council shall by 31 October 1991 at the latest take a decision on the new scheme applicable to soya beans with effect from 1 July 1992.

Article 4

If the Council fails to take a decision by 31 October 1991, the Commission shall be authorized, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC, to adopt transitional measures strictly needed in order to avoid market disruption.

Article 5

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

Articles 1 and 2 shall apply from 1 September 1991.

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

Done at Luxembourg, 13 June 1991.

For the Council

The President

A. BODRY

COUNCIL REGULATION (EEC) No 1725/91

of 13 June 1991

amending Regulation (EEC) No 2194/85 adopting general rules concerning special measures
for soya beans

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 1724/91 ⁽²⁾, and in particular Article 2 (6) thereof,Having regard to the proposal from the Commission ⁽³⁾,Whereas Council Regulation (EEC) No 2194/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 1231/89 ⁽⁵⁾, lays down criteria for determining the world market price for soya beans; whereas such criteria should be relaxed in the light of experience with regard to rape seed and sunflower seed,

The following paragraph shall be added to Article 1 of Regulation (EEC) No 2194/85:

'4. The Commission may adjust the world market price by a positive or negative amount. In the case of a negative adjustment, the amount may not exceed the difference between the world price for soya beans, on the one hand, and the price determined, on the basis of the value of the average quantities of oil and soya cake obtained by the processing, in the Community, of 100 kilograms of beans, by lowering that value by an amount corresponding to the cost of processing the said beans into oil and soya cake, on the other.'

*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 with effect from 1 September 1991.

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

Done at Luxembourg, 13 June 1991.

*For the Council**The President*

A. BODRY

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.⁽²⁾ See page 35 of this Official Journal.⁽³⁾ OJ No C 104, 19. 4. 1991, p. 42.⁽⁴⁾ OJ No L 204, 2. 8. 1985, p. 1.⁽⁵⁾ OJ No L 128, 11. 5. 1989, p. 24.

COUNCIL REGULATION (EEC) No 1726/91

of 13 June 1991

fixing the guide price for soya beans for the 1991/92 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 1491/85 of 23 May 1985 laying down special measures for soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 1724/91 ⁽²⁾, and in particular Article 1 (1) and (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, when the guide price for soya beans is fixed on an annual basis, account should be taken of the objectives of the common agricultural policy;

Whereas the guide price must be set for a standard quality;

Whereas, pursuant to Article 68 of the Act of Accession, prices in Spain were set at levels differing from that of the common prices; whereas, pursuant to Article 70 (1) of the Act of Accession, the Spanish prices should be aligned on the

common prices each year at the beginning of the marketing year; whereas the rules laid down for this alignment give the Spanish prices set out below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 marketing year, the guide price for soya beans shall be:

- (a) ECU 48,51 per 100 kilograms for Spain;
- (b) ECU 54,91 per 100 kilograms for the other Member States.

Article 2

The price referred to in Article 1 shall relate to beans:

- in bulk, of sound, genuine, and merchantable quality, and
- with an impurity content of 2 % and, for beans as such, humidity and oil contents of 14 % and 18 % respectively.

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 September 1991.

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

Done at Luxembourg, 13 June 1991.

For the Council
The President
A. BODRY

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ See page 35 of this Official Journal.

⁽³⁾ OJ No C 104, 19. 4. 1991, p. 44.

⁽⁴⁾ OJ No C 158, 17. 6. 1991.

⁽⁵⁾ OJ No C 159, 17. 6. 1991.

COUNCIL REGULATION (EEC) No 1727/91

of 13 June 1991

fixing the minimum price for soya beans for the 1991/92 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 Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 1724/91 ⁽²⁾, and in particular Article 2 (6) thereof,

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

Whereas Article 2 (6) of Regulation (EEC) No 1491/85 provides that the Council shall fix each year a minimum price for soya beans;

Whereas this minimum price must be fixed for a well-defined standard quality and marketing stage;

Whereas, pursuant to Article 68 of the Act of Accession, prices in Spain were set at levels differing from that of the common prices; whereas, pursuant to Article 70 (1) of that Act, the Spanish prices should be aligned on the common prices each year at the beginning of the marketing year; whereas the rules laid down for this alignment give the Spanish prices set out below,

Article 1

For the 1991/92 marketing year, the minimum price for soya beans referred to in Article 2 (6) of Regulation (EEC) No 1491/85 shall be:

- (a) ECU 41,73 per 100 kilograms for Spain;
- (b) ECU 48,13 per 100 kilograms for the other Member States.

Article 2

The price referred to in Article 1 shall apply to beans which meet the criteria referred to in Article 2 of Council Regulation (EEC) No 1726/91 of 13 June 1991 fixing the guide price for soya beans for the 1991/92 marketing year ⁽⁴⁾.

The said price shall relate to goods ready for dispatch from the production areas.

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 September 1991.

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

Done at Luxembourg, 13 June 1991.

For the Council
The President
A. BODRY

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ See page 35 of this Official Journal.

⁽³⁾ OJ No C 104, 19. 4. 1991, p. 45.

⁽⁴⁾ See page 38 of this Official Journal.

COUNCIL REGULATION (EEC) No 1728/91

of 13 June 1991

fixing the guide price for flax seed for the 1991/92 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 Articles 89 (1) and 234 (2) thereof,

Having regard to Council Regulation (EEC) No 569/76 of 15 March 1976 laying down special measures for flax seed ⁽¹⁾, as last amended by Regulation (EEC) No 4003/87 ⁽²⁾, and in particular Article 1 (1) and (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, when the guide price for flax seed is fixed every year, account has to be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are, in particular, to ensure a fair standard of living for the agricultural community and to ensure that supplies are available and reach consumers at reasonable prices;

Whereas the first subparagraph of Article 1 (1) of Regulation (EEC) No 569/76 provides more specifically that this price shall be fixed at a level which is fair to producers, account being taken of the supply requirements of the Community;

Whereas, in accordance with these criteria, the guide price should be fixed at the levels shown in this Regulation;

Whereas, pursuant to Article 68 of the Act of Accession, a price level differing from that of the common prices has been

applied in Spain; whereas, pursuant to Article 70 (1) of the Act of Accession, the Spanish prices should be aligned on the common prices each year at the beginning of the marketing year; whereas the rules laid down for this alignment give the Spanish prices set out below;

Whereas the guide price must be fixed for a standard quality to be determined by reference to the average quality of seeds harvested in the Community; whereas the quality laid down for the 1990/91 marketing year meets this requirement and can accordingly be used for the following marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 marketing year, the guide price for flax seed shall be:

- (a) ECU 50,73 per 100 kilograms for Spain;
- (b) ECU 54,49 per 100 kilograms for the other Member States.

Article 2

The price referred to in Article 1 shall relate to seed:

- in bulk, of sound, genuine and merchantable quality, and
- with an impurity content of 2% and, for seeds as such, humidity and oil contents of 9% and 38% respectively.

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 1991.

⁽¹⁾ OJ No L 67, 15. 3. 1976, p. 29.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 46.

⁽³⁾ OJ No C 104, 19. 4. 1991, p. 31.

⁽⁴⁾ OJ No C 158, 17. 6. 1991.

⁽⁵⁾ OJ No C 159, 17. 6. 1991.

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

Done at Luxembourg, 13 June 1991.

For the Council
The President
A. BODRY

COUNCIL REGULATION (EEC) No 1729/91

of 13 June 1991

fixing the aid for hemp seed for the 1991/92 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 3698/88 of 24 November 1988 laying down special measures for hemp seed ⁽¹⁾, and in particular Article 1 (1) thereof,

The aid for hemp seed for the 1991/92 marketing year shall be ECU 24,59 per 100 kilograms.

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

Article 2

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

The aid indicated in Article 1 shall apply to bulk seed that is of sound, genuine and merchantable quality.

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

Article 3

Whereas Article 1 (1) of Regulation (EEC) No 3698/88 stipulates that aid for hemp seed is to be fixed annually at a level that is fair to producers, account being taken of the supply requirements of the Community.

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

Whereas application of the abovementioned criteria gives the amount indicated below,

It shall apply from 1 August 1991.

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

Done at Luxembourg, 13 June 1991.

For the Council

The President

A. BODRY

⁽¹⁾ OJ No L 325, 29. 11. 1988, p. 2.

⁽²⁾ OJ No C 104, 19. 4. 1991, p. 32.

⁽³⁾ OJ No C 158, 17. 6. 1991.

⁽⁴⁾ OJ No C 159, 17. 6. 1991.