

Official Journal

of the European Communities

ISSN 0378-6978

L 314

Volume 33

14 November 1990

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 3268/90 of 13 November 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 3269/90 of 13 November 1990 fixing the premiums to be added to the import levies on cereals, flour and malt	3
★ Commission Regulation (EEC) No 3270/90 of 13 November 1990 laying down definitive measures on the issuing of STM licences for beef and veal	5
Commission Regulation (EEC) No 3271/90 of 13 November 1990 fixing the amount of the subsidy on oil seeds	6
Commission Regulation (EEC) No 3272/90 of 13 November 1990 fixing the aid for soya beans	10

II *Acts whose publication is not obligatory*

Commission

90/554/EEC :

- ★ Commission Decision of 14 February 1990 on the Spanish draft ministerial order on logistic support for the fishing fleet in 1988 13

90/555/ECSC :

- ★ Commission Decision of 20 June 1990 concerning aid which the Italian authorities plan to grant to the Tirreno and Siderpotenza steelworks (N 195/88 — N 200/88) 17

Contents (continued)

90/556/EEC :

- ★ **Commission Decision of 31 October 1990 making an initial allocation to France of part of the resources to be charged to the 1991 budget year for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community 19**

Corrigenda

Corrigendum to Commission Regulation (EEC) No 3171/90 of 31 October 1990 fixing the amount of aid for peas, field beans and sweet lupins (OJ No L 304 of 1.11.1990) 20

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3268/90

of 13 November 1990

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1801/90⁽⁵⁾ and subsequent amending Regulations;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in

the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

— for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 12 November 1990;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1801/90 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 November 1990.

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

Done at Brussels, 13 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 167, 30. 6. 1990, p. 8.

ANNEX

to the Commission Regulation of 13 November 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	28,53	142,09 ⁽²⁾ ⁽³⁾
0712 90 19	28,53	142,09 ⁽²⁾ ⁽³⁾
1001 10 10	22,76	195,79 ⁽¹⁾ ⁽³⁾
1001 10 90	22,76	195,79 ⁽¹⁾ ⁽³⁾
1001 90 91	29,00	166,68
1001 90 99	29,00	166,68
1002 00 00	53,97	161,02 ⁽⁶⁾
1003 00 10	45,30	148,84
1003 00 90	45,30	148,84
1004 00 10	36,94	143,28
1004 00 90	36,94	143,28
1005 10 90	28,53	142,09 ⁽²⁾ ⁽³⁾
1005 90 00	28,53	142,09 ⁽²⁾ ⁽³⁾
1007 00 90	45,30	144,99 ⁽⁴⁾
1008 10 00	45,30	60,98
1008 20 00	45,30	129,71 ⁽⁴⁾
1008 30 00	45,30	60,73 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	45,30	60,73
1101 00 00	53,48	247,03
1102 10 00	89,24	239,68
1103 11 10	48,54	317,45
1103 11 90	57,03	266,06

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by ECU 1,81/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 3269/90

of 13 November 1990

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1802/90⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 12 November 1990;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from Portugal shall be zero.

2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 November 1990.

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

Done at Brussels, 13 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.⁽⁵⁾ OJ No L 167, 30. 6. 1990, p. 11.

ANNEX

to the Commission Regulation of 13 November 1990 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	11	12	1	2
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	23,41
1001 90 99	0	0	0	23,41
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	32,78

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	11	12	1	2	3
1107 10 11	0	0	0	41,67	41,67
1107 10 19	0	0	0	31,14	31,14
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3270/90

of 13 November 1990

laying down definitive measures on the issuing of STM licences for beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 85 (3) thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade⁽¹⁾, as last amended by Regulation (EEC) No 3296/88⁽²⁾, and in particular Article 7 (1) thereof,Whereas Commission Regulation (EEC) No 4026/89⁽³⁾ sets the indicative ceiling for imports into Spain of certain beef and veal products for 1990; whereas these ceilings have been raised by Commission Regulation (EEC) No 2858/90⁽⁴⁾;

Whereas applications for STM licences lodged in the week 1 to 5 October 1990 for live animals are for quantities far higher than those fixed by Regulation (EEC) No 2858/90;

Whereas the Commission accordingly adopted by an emergency procedure appropriate interim protective measures by Regulation (EEC) No 2950/90⁽⁵⁾; whereas definitive measures must be adopted; whereas, in view of

the situation of the market in Spain, an increase in the indicative ceiling cannot be contemplated;

Whereas, as a definitive measure as mentioned in Article 85 (3) of the Act, suspension of the issuing of STM licences provided for in Article 1 (2) of Regulation (EEC) No 2950/90 should be extended in order to prevent any disturbance on the Spanish market;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

The issuing of STM licences for the beef and veal products referred to in Regulation (EEC) No 2950/90 is hereby suspended.

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

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

Done at Brussels, 13 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.⁽³⁾ OJ No L 382, 30. 12. 1989, p. 62.⁽⁴⁾ OJ No L 274, 4. 10. 1990, p. 8.⁽⁵⁾ OJ No L 282, 13. 10. 1990, p. 9.

COMMISSION REGULATION (EEC) No 3271/90

of 13 November 1990

fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation 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 2902/89⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 3136/90⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 2828/90⁽⁷⁾, as last amended by Regulation (EEC) No 3210/90⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2828/90 to the infor-

mation known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁹⁾ are as set out in the Annexes hereto.

2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86⁽¹⁰⁾ is as set out in Annex III for sunflower seed harvested in Spain.

3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87⁽¹¹⁾, for sunflower seed harvested and processed in Portugal is as set out in Annex III.

Article 2

This Regulation shall enter into force on 14 November 1990.

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

Done at Brussels, 13 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 299, 30. 10. 1990, p. 42.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 268, 29. 9. 1990, p. 76.

⁽⁸⁾ OJ No L 307, 7. 11. 1990, p. 17.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

Aids to colza and rape seed other than 'double zero'

(amounts per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4
1. Gross aids (ECU):						
— Spain	0,000	0,000	0,000	0,000	0,000	0,000
— Portugal	0,000	0,000	28,629	28,318	28,596	28,874
— Other Member States	22,095	21,877	21,659	21,348	21,626	21,904
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	52,02	51,50	50,99	50,26	50,91	51,62
— Netherlands (Fl)	58,61	58,03	57,45	56,63	57,36	58,19
— BLEU (Bfrs/Lfrs)	1 072,85	1 062,27	1 051,68	1 036,58	1 050,08	1 064,10
— France (FF)	174,45	172,73	171,01	168,56	170,75	172,95
— Denmark (Dkr)	198,41	196,45	194,50	191,70	194,20	196,70
— Ireland (£ Irl)	19,417	19,225	19,033	18,760	19,004	19,249
— United Kingdom (£)	16,980	16,800	16,615	16,338	16,556	16,724
— Italy (Lit)	38 919	38 535	38 151	37 603	38 093	38 583
— Greece (Dr)	4 726,83	4 649,76	4 560,90	4 454,21	4 517,05	4 497,99
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	0,00	0,00	0,00	0,00	0,00	0,13
— in another Member State (Pta)	54,75	23,68	0,00	0,00	0,00	0,13
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	5 971,57	5 895,26	5 953,31	5 980,78
— in another Member State (Esc)	6 071,41	6 026,20	5 971,57	5 895,26	5 953,31	5 980,78

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4
1. Gross aids (ECU):						
— Spain	0,000	0,000	1,969	1,658	1,936	2,214
— Portugal	1,030	1,030	31,129	30,818	31,096	31,374
— Other Member States	24,595	24,377	24,159	23,848	24,126	24,404
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	57,90	57,39	56,87	56,14	56,80	57,51
— Netherlands (Fl)	65,24	64,66	64,08	63,26	64,00	64,82
— BLEU (Bfrs/Lfrs)	1 194,24	1 183,66	1 173,07	1 157,97	1 171,47	1 185,49
— France (FF)	194,19	192,47	190,75	188,29	190,49	192,68
— Denmark (Dkr)	220,86	218,90	216,95	214,15	216,65	219,15
— Ireland (£ Irl)	21,613	21,422	21,230	20,957	21,201	21,446
— United Kingdom (£)	18,929	18,749	18,564	18,287	18,505	18,673
— Italy (Lit)	43 323	42 939	42 555	42 007	42 497	42 986
— Greece (Dr)	5 284,09	5 207,03	5 118,17	5 011,47	5 074,31	5 055,26
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	0,00	0,00	370,67	318,36	360,71	382,37
— in another Member State (Pta)	436,99	405,92	370,67	318,36	360,71	382,37
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	214,94	214,94	6 493,26	6 416,95	6 475,00	6 502,47
— in another Member State (Esc)	6 593,10	6 547,89	6 493,26	6 416,95	6 475,00	6 502,47

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
1. Gross aids (ECU):					
— Spain	8,600	8,600	29,226	29,557	29,888
— Portugal	0,000	0,000	38,235	38,566	38,897
— Other Member States	26,680	26,636	25,995	26,326	26,657
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	62,81	62,71	61,20	61,98	62,76
— Netherlands (Fl)	70,77	70,65	68,95	69,83	70,71
— BLEU (Bfrs/Lfrs)	1 295,48	1 293,35	1 262,22	1 278,29	1 294,37
— France (FF)	210,66	210,31	205,25	207,86	210,47
— Denmark (Dkr)	239,58	239,19	233,43	236,40	239,38
— Ireland (£ Irl)	23,446	23,407	22,844	23,135	23,426
— United Kingdom (£)	20,501	20,459	19,933	20,166	20,425
— Italy (Lit)	46 995	46 918	45 789	46 372	46 955
— Greece (Dr)	5 705,30	5 665,23	5 465,70	5 510,88	5 585,70
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 314,91	1 314,91	4 537,63	4 581,04	4 631,46
— in another Member State (Pta)	4 709,77	4 704,68	4 607,22	4 650,85	4 701,28
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	7 975,62	8 031,96	8 101,08
— in Spain (Esc)	8 310,64	8 301,46	8 153,84	8 211,43	8 282,10
— in another Member State (Esc)	8 128,99	8 120,01	7 975,62	8 031,96	8 101,08
3. Compensatory aids:					
— in Spain (Pta)	4 685,34	4 679,02	—	—	—
4. Special aid:					
— in Portugal (Esc)	8 128,99	8 120,01	—	—	—

(1) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0223450.

ANNEX IV

Exchange rate of the ecu to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of ECU 1)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4
DM	2,057940	2,055010	2,052680	2,050220	2,050220	2,043900
Fl	2,320400	2,316900	2,313390	2,310550	2,310550	2,302980
Bfrs/Lfrs	42,417500	42,371400	42,322200	42,275000	42,275000	42,169400
FF	6,900620	6,898600	6,896110	6,895150	6,895150	6,891050
Dkr	7,866180	7,865250	7,864840	7,865450	7,865450	7,869970
£Irl	0,767265	0,767874	0,767795	0,768286	0,768286	0,769677
£	0,699701	0,701830	0,703570	0,705133	0,705133	0,708627
Lit	1 544,21	1 544,62	1 545,51	1 546,44	1 546,44	1 549,51
Dr	208,73200	211,41000	213,83300	215,69600	215,69600	221,79100
Esc	181,34400	182,09500	182,98200	183,81700	183,81700	186,09400
Pta	129,02800	129,48400	129,90900	130,30700	130,30700	131,43600

COMMISSION REGULATION (EEC) No 3272/90
of 13 November 1990
fixing the aid for soya beans

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 2217/88 ⁽²⁾, and in particular Article 2 (7) thereof,

Having regard to Council Regulation (EEC) No 2286/88 of 19 July 1988 providing for the granting of special aid for soya beans produced and processed in Portugal ⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 2 (1) of Regulation (EEC) No 1491/85, aid is to be granted for soya beans harvested within the Community where the guide price for a marketing year exceeds the world price; whereas the said aid is to be equal to the difference between those two prices;

Whereas the guide price for soya beans for the 1990/91 marketing year was fixed by Council Regulation (EEC) No 1319/90 ⁽⁴⁾; whereas, pursuant to Articles 95 (2) and 293 (2) of the Act of Accession of Spain and Portugal, aid for soya beans harvested in these two Member States is to be introduced in accordance with the provisions of paragraphs 2 and 3 of the said Articles from the beginning of the 1986/87 marketing year;

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1756/90 of 27 June 1990 establishing the guide price fixed in ecus by the Council in the soya bean sector and reduced as a result of the monetary realignment of 5 January 1990 ⁽⁵⁾;

Whereas, pursuant to Article 1 of Regulation (EEC) No 2286/88, soya beans produced and processed in Portugal shall be eligible for special aid equal to the difference between the guide price for such beans in Portugal and the price of imported soya beans;

Whereas, pursuant to Council Regulation (EEC) No 2194/85 of 25 July 1985 adopting general rules concerning special measures for soya beans ⁽⁶⁾, as last amended by Regulation (EEC) No 1231/89 ⁽⁷⁾, the world price for soya beans is to be determined on the basis of the most favourable actual purchasing possibility, with the exception of offers and prices which may not be considered as representative of the actual market trend; whereas account is to be taken of offers made on the world market as well as the prices quoted on exchanges which are important in terms of international trade; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the identification day; whereas such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 33 of Commission Regulation (EEC) No 2537/89 of 8 August 1989 laying down detailed rules for the application of the special measure for soya beans ⁽⁸⁾, as last amended by Regulation (EEC) No 2427/90 ⁽⁹⁾;

Whereas, pursuant to Regulation (EEC) No 2537/89, the world market price is to be fixed per 100 kilograms and calculated on the basis of the most favourable offers and quotations for delivery within 30 days following the date when the said offers and quotations were recorded;

Whereas, where the offers and quotations do not comply with the said conditions, the necessary adjustments must be carried out, particularly those referred to in Article 40 of Regulation (EEC) No 2537/89;

Whereas the abatement of the subsidy for soya seed which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 marketing year, has been fixed by Commission Regulation (EEC) No 3217/90 ⁽¹⁰⁾;

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

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 11.

⁽³⁾ OJ No L 201, 27. 7. 1988, p. 2.

⁽⁴⁾ OJ No L 132, 23. 5. 1990, p. 13.

⁽⁵⁾ OJ No L 162, 28. 6. 1990, p. 19.

⁽⁶⁾ OJ No L 204, 2. 8. 1985, p. 1.

⁽⁷⁾ OJ No L 128, 11. 5. 1989, p. 24.

⁽⁸⁾ OJ No L 245, 22. 8. 1989, p. 8.

⁽⁹⁾ OJ No L 228, 22. 8. 1990, p. 15.

⁽¹⁰⁾ OJ No L 308, 8. 11. 1990, p. 19.

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾,
- for the other currencies, an exchange rate based on an average of the ecus rates published in the 'C' series of the *Official Journal of the European Communities* over a period to be determined, multiplied by the factor referred to in the preceding indent;

Whereas the aid shall be fixed as often as the market situation so requires and so that it can be applied at least twice a month, one of which times shall be from the first day of each month;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the

subsidy on soya beans should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the aid provided for in Article 2 of Regulation (EEC) No 1491/85 and the amount of the special aid provided for in Article 1 of Regulation (EEC) No 2286/88 in the case of Portugal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 November 1990.

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

Done at Brussels, 13 November 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 13 November 1990 fixing the aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in current period			
— Spain	0,000	23,771	23,771
— Portugal	18,227	23,771 (*)	23,771
— another Member State	18,227	23,771	23,771
Seed processed in first period			
— Spain	0,000	23,701	23,701
— Portugal	18,157	23,701 (*)	23,701
— another Member State	18,157	23,701	23,701
Seed processed in second period			
— Spain	17,959	23,503	23,503
— Portugal	17,959	23,503	23,503
— another Member State	17,959	23,503	23,503
Seed processed in third period			
— Spain	17,789	23,333	23,333
— Portugal	17,789	23,333	23,333
— another Member State	17,789	23,333	23,333
Seed processed in fourth period			
— Spain	17,659	23,203	23,203
— Portugal	17,659	23,203	23,203
— another Member State	17,659	23,203	23,203
Seed processed in fifth period			
— Spain	17,838	23,382	23,382
— Portugal	17,838	23,382	23,382
— another Member State	17,838	23,382	23,382

(*) Special aid.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 February 1990

on the Spanish draft ministerial order on logistic support for the fishing fleet in 1988

(Only the Spanish text is authentic)

(90/554/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 93 (2) thereof,

Having given formal notice to the parties concerned to submit their comments, in accordance with the first subparagraph of Article 93 (2) of the Treaty,

Whereas, in the light of the following:

I. Background and description — Procedure

By letters from its Permanent Representation to the European Communities dated 29 September 1988 and 30 January 1989, recorded as received by the Commission on 4 October 1988 and 1 February 1989 respectively, the Spanish Government notified the Commission, pursuant to Article 93 (3) of the EEC Treaty, of a draft ministerial order on logistic support for the fishing fleet in 1988 and supplied additional information requested by the Commission on 25 October 1988.

Aid for logistic support for the fishing fleet

To facilitate supplies to the Spanish fishing fleets operating in distant areas and hence experiencing supply difficulties, the Spanish Government had allocated a budget of about ECU 750 000 for assisting supply operations for fishing vessels by means of logistic support vessels

(supplying victuals, fuel, etc.). The draft order lays down the procedure for processing such aid.

The aid, intended to cover up to 75 % of the costs of logistic support vessels, was to be granted by way of priority to supply operations for fishing vessels which operated permanently in fishing zones where they could not obtain supplies at Community ports and which, by reason of the difficulties they experienced in obtaining supplies at foreign ports, were obliged to resort to logistic support vessels.

Owners of fishing vessels belonging to a producers' organization recognized by Spain for deep-sea fishing would be able to submit applications for the aid in question accompanied by documentary evidence of the supply operation involving a logistic support vessel. Applications which were approved would be eligible for partial reimbursement by the Spanish authorities of the cost of the logistic support vessel used.

The aid provided for in the abovementioned aid scheme would apply primarily to fleets of seiners and freezer-trawlers (tuna boats and cod, mollusc and crustacean fishing units). The draft concerns supplies to fishing vessels using logistic supply vessels in ordinary circumstances, it does not refer to emergencies.

Examination by the Commission

After its first examination, the Commission took the view that the aid for logistic support for the fishing fleet constituted an operating aid not requiring the beneficiaries to provide anything in return, the result of which would be to reduce production costs. Such aid had a

marked direct effect on competition and trade between Member States. It was thus considered incompatible with the common market under Article 92 of the EEC Treaty.

The Commission therefore decided to initiate the procedure laid down in Article 93 (3) of the Treaty in respect of the aid in question and, by letter of 31 March 1989, gave notice to the Spanish Government to submit its comments.

Comments of interested parties

Only one Spanish producers' organization submitted its comments to the Commission. It regretted the delay between the first notification and the Commission's decision to initiate the procedure laid down in Article 92 (2) of the Treaty. Stressing that it was exceptional for logistic support vessels to be used to supply fishing vessels and that this happened only where distant ports did not provide supply facilities or did so at exorbitant prices, it took the view that the draft aid notified constituted an aid to technical assistance at sea as referred to in point II.B.5 of the guidelines for the examination of state aid in the fisheries sector⁽¹⁾.

II. Comments by the Spanish Government

By letter of 10 May 1989, in reply to the Commission's letter of 31 March 1989 giving notice to the Spanish Government to submit its comments, the Spanish Government submitted several comments on the principle and advisability of the aid scheme.

The Spanish Government took the view that this was aid for supplying fishing vessels and confined to immediate needs which the fishing vessels could not normally meet by their own means as regards equipment and supplies. Such aid did not distort or threaten to distort competition between Member States and in any case did not adversely affect trading conditions to an extent contrary to the common interest. The aid in question could therefore be regarded as aid to technical assistance at sea as provided for in point II.B.5 of the abovementioned guidelines. In this respect there was a linguistic inconsistency between the Commission's letter of 31 March 1989 and the Spanish and French texts of the guidelines concerning the words 'aux cas d'urgence' ('in emergencies'), which were translated in the Spanish version of the guidelines by 'a la necesidades inmediatas' and in the letter by 'situación de emergencia'.

As for the advisability of granting the aid in question, the Spanish Government indicated the following reasons:

- The long-distance fleet was at a disadvantage compared with owners obtaining supplies at Commu-

nity ports as regards the distance from supply ports and the prices charged at those ports.

- The long-distance fleet was at a relative competitive disadvantage on the Community market compared with the Community inshore and high-sea fishing fleets (fresh substitute products), compared with the fleets operating near the usual fishing zones, which benefited from preference at the Community frontier and compared with the fleets of the State-trading countries, which were heavily subsidized and which carried on their activities benefiting from the same conditions of access to the traditional fishing zones.

III. Legal assessment

The reimbursement of part of the cost of the support vessel used to supply a fishing vessel as provided for in the draft order notified may be granted to owners who are members of a producers' organization recognized for deep-sea fishing. In accordance with Article 1 of Council Regulation (EEC) No 105/76 of 19 January 1976 on the recognition of producers' organizations in the fishing industry⁽²⁾, the Member State is responsible for the recognition of the producers' organizations referred to in Article 5 of Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products⁽³⁾.

In principle this reimbursement is confined to owners involved in deep-sea fishing using a logistic support vessel to supply their fishing vessel. Preference will be given to applications relating to supply operations for vessels which operate permanently in fishing zones with no possibility of obtaining supplies at Community ports and which, by reason of the difficulties they experience in obtaining supplies at foreign ports, are obliged to resort to logistic support vessels.

These are supply operations inherent in the fishing activity of the vessel in question which do not solely concern emergencies or unforeseen situations.

The logistic operations play an important role in general, in particular in the operation of vessels engaged in deep-sea fishing. Owners of such vessels have to seek a balance between, on the one hand, maximizing the number of fishing days for the sake of the return on the fishing activity of the vessel and, on the other hand, minimizing the number of days when the vessel is unable to engage in fishing because it must attend to needs such as supplies, replacement of the crew, transport of catches and maintenance of the vessel and fishing gear; in this connection they have to choose between the facilities offered by the coastal states and using a support vessel.

⁽¹⁾ OJ No C 313, 8. 12. 1988, p. 21.

⁽²⁾ OJ No L 20, 28. 1. 1976, p. 39.

⁽³⁾ OJ No L 379, 31. 12. 1981, p. 1.

Under these circumstances reimbursement of part of the cost of the support vessel used to supply his fishing boat is therefore likely to reduce the production costs and boost the income of the beneficiary of this reimbursement.

The objective of the draft order is to enable the deep-sea fishing fleet to benefit from supply costs similar to those prevailing in Community ports. In view of this objective and the rules of application laid down in the draft order notified, the Commission takes the view that reimbursement of part of the cost of the support vessel used for supplying the fishing vessel constitutes an operating aid without any real reciprocity on the part of the beneficiary.

This aid, applying to the Spanish deep-sea fishing fleet, which consists of seiners and freezer-trawlers (tuna boats and cod, mollusc and crustacean fishing units) is likely to strengthen the competitive position of eligible Spanish shipowners *vis-à-vis* owners of fishing vessels in other Member States, e.g. Italy and France, engaged in deep-sea fishing. The Spanish fleet is the largest deep-sea fishing fleet (in terms of production and the number of vessels) of this type in the Community with a production figure for 1988 of about 185 000 tonnes of frozen tuna, 60 000 tonnes of molluscs and crustaceans and 120 000 tonnes of frozen cod. Out of the total landings of these products by the Community fishing fleet, the Spanish fleet accounts for over 60 % and for some of these products, such as frozen cod, the percentage is as much as 80 %. The aid does therefore distort competition in the fishing sector.

Intra-Community trade in the products in question is substantial. Spanish imports from and exports to other Member States in 1988 totalled 9 800 tonnes and 54 000 tonnes of tuna respectively, 154 000 and 48 000 tonnes of molluscs and crustaceans and 74 000 and 19 700 tonnes of cod. The aid does therefore affect trade between Member States.

Under these circumstances, these aids, by affecting trade between Member States, distort or threaten to distort competition, particularly *vis-à-vis* shipowners in other Member States engaged in deep-sea fishing who face a similar situation to Spanish shipowners. The aid cannot be regarded as compatible with the common market on the grounds of the disadvantages cited by the Spanish Government or the translation of certain words referring to a category of aid which definitely does not cover the aid in question.

IV.

The aid provided for in the draft order notified constitutes support measures financed by State resources and streng-

thening the competitive position of certain Spanish shipowners compared with those in other Member States and as such is subject to Article 92 (1) of the Treaty, which sets out the principle of incompatibility of such aid with the common market.

The exceptions to this principle listed in Article 92 (2) of the EEC Treaty do not apply in this case in view of the nature and the objectives of the aid envisaged, nor are they invoked by the Spanish Government.

The exceptions provided for in Article 92 (3) of the Treaty refer to objectives pursued in the interest of the Community not just that of particular sectors of a national economy. These exceptions must be strictly interpreted when any regional or sectoral aid scheme is considered. They can be granted only in cases in which the Commission can establish that the aid is necessary to achieve the objectives specified in those provisions.

Granting the said exemptions to aid without reciprocity would be tantamount to allowing damage to trade between Member States and distortions of competition unjustified in the Community interest.

Reciprocity has been found to be lacking in the case in point and the Spanish Government has not been able to give, nor the Commission to find, a justification other than granting a financial advantage to the entire deep-sea fishing fleet encountering supply difficulties. This does not qualify the aid in question for one of the exceptions provided for in Article 92 (3) of the Treaty.

As regards the derogation for aid to promote the development of certain economic activities, the aid provided for in the draft in question is not likely to have the effect of economic development within the meaning of Article 92 (3) (c) of the Treaty. Furthermore, the volume of intra-Community trade in fishery products precludes the view that trading conditions would not be affected to an extent contrary to the common interest.

This is not operating aid directly connected with a restructuring plan deemed compatible with the common market.

The general character of the aid precludes; from being regarded as aid to technical assistance at sea, compatible with the common market in so far as such assistance is provided only in emergencies which cannot be coped with by means of the equipment and supplies normally found on fishing vessels as referred to in point II.B.5 of the guidelines. The abovementioned point in the guidelines covering aid to fishing at sea actually concerns technical assistance at sea in really exceptional circumstances.

In the light of the foregoing, the aid provided for in the draft order does not satisfy the conditions qualifying it for exceptions under Article 92 (2) and (3) and it is therefore incompatible with the common market,

HAS ADOPTED THIS DECISION:

Article 1

The aid for supply operations for fishing vessels engaged in deep-sea fishing involving logistic support vessels provided for in the Spanish draft ministerial order on logistic support for the fishing fleet in 1988, notified on 29 September 1988, is incompatible with the common market under Article 92 of the Treaty in so far as it is not granted for the purpose of technical assistance at sea only in emergencies which cannot be coped with by means of the equipment and supplies normally found on fishing vessels as provided for in the guidelines on State aids in

the fisheries sector. The aid in question shall not be put into effect and shall not be granted.

Article 2

Spain shall inform the Commission within two months from the notification of this Decision of the measures taken to comply with this Decision.

Article 3

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 14 February 1990.

For the Commission

Manuel MARÍN

Vice-President

COMMISSION DECISION

of 20 June 1990

concerning aid which the Italian authorities plan to grant to the Tirreno and Siderpotenza steelworks (N 195/88 — N 200/88)

(Only the Italian text is authentic)

(90/555/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 3484/85/ECSC of 27 November 1985 establishing Community rules for aid to the steel industry⁽¹⁾, and in particular Article 6 (4) thereof,

Having given the interested parties notice to submit their comments in accordance with the abovementioned Article, and having regard to those comments,

Whereas :

I

1. By letter dated 20 April 1988, the Italian authorities notified the Commission, pursuant to Article 6 (1) of Decision No 3484/85/ECSC, of two plans to grant aid to the Tirreno and Siderpotenza steelworks.

As regards the Tirreno steelworks, the aid concerns an investment of Lit 1 671 million (approximately ECU 1,1 million) for energy conservation, which would benefit from a soft loan of Lit 668 million, representing an interest subsidy of Lit 501 million (approximately ECU 330 000) borne by the State, and a public subsidy of Lit 334 million (approximately ECU 220 000).

As regards the Siderpotenza steelworks, the aid concerns an investment of Lit 2 550 million (approximately ECU 1,68 million) for improving the environment, which would benefit from a soft loan of Lit 1 021 million, representing an interest subsidy of Lit 867 million (approximately ECU 570 000) borne by the State, and a public subsidy of Lit 765 million (approximately ECU 504 000).

2. By letter dated 22 June 1988, the Commission requested further details concerning the planned aid, i.e. the nature of the investments aided, and the exact terms (rates, duration) of the loans applied for. The letter also pointed out that aid for investment in energy conservation does not qualify for any of the exceptions provided for in the steel aid code. The Italian authorities were also

asked to state whether, as regards Siderpotenza, the aid was to be granted under a general scheme aimed at bringing plants into line with new environmental standards, and to describe the standards in question. Provision for such aid is made by Article 3 of Decision No 3484/85/ECSC and is the only possible provision under which exemption could be granted for aid to protect the environment, provided that the aid intensity does not exceed 15 % net grant equivalent of the investment.

II

The Italian authorities did not reply to that letter. As a result, the Commission was unable immediately to assess whether the proposed aid was compatible with the common market. It therefore decided to open the procedure provided for in Article 6 (4) of Decision No 3484/85/ECSC and informed the Italian authorities thereof by letter dated 13 January 1989. The other Member States and interested parties were informed through the publication of a notice in the *Official Journal of the European Communities*⁽²⁾.

3. By telex message dated 9 August 1989, the Italian authorities informed the Commission, as part of the procedure, that it was planned to grant Tirreno a subsidized loan, not yet paid, of Lit 688 million at 4,25 % over a period of nine years. The total public contribution, including interest, would be Lit 387,44 million, or approximately ECU 255 000.

Siderpotenza was to receive a subsidized loan, not yet paid, of Lit 1 020 million at 4,25 % over a period of 10 years. The interest borne by the State would total Lit 673,2 million, or approximately ECU 438 000. The telex message also stated that the aid would be granted under the general aid scheme for the development of the Mezzogiorno established by Law No 183 of 2 May 1976 and would, according to the Italian authorities, therefore comply with the steel aid code. Although the Law on the Mezzogiorno generally allows aid to be granted for environmental protection, it does not specifically include the provisions of the steel aid code on this matter.

⁽¹⁾ OJ No L 340, 18. 12. 1985, p. 1.

⁽²⁾ OJ No C 73, 23. 3. 1990, p. 5.

4. By letter dated 18 October 1989, the Commission informed the Italian authorities that their reply was not satisfactory as it failed either to mention the new environmental standards, compliance with which the investments were intended to achieve, or the way in which the intensity ceiling of 15 % net grant equivalent would be respected. The Commission also stated that, failing a suitable reply within fifteen working days, it would be entitled to adopt a final decision solely on the basis of the information in its possession. No reply was received to that letter.

III

The Tirreno steelworks produce steel beams, whilst Siderpotenza produces concrete reinforcing bars. These products, listed in Annex I to the ECSC Treaty (code 4.400), are thus covered by the rules of the ECSC Treaty.

Article 4 (c) of the ECSC Treaty states that 'subsidies or aids granted by States, or special charges imposed by States, in any form whatsoever', are recognized as incompatible with the common market for coal and steel and shall accordingly be abolished and prohibited within the Community.

The prohibition concerns both aid specifically intended for the steel industry and the application of general, regional or other schemes to the steel industry.

The only possible exceptions to the abovementioned general ban are enumerated in Decision No 3484/85/ECSC and in Commission Decision No 322/89/ECSC⁽¹⁾ which has taken the place of the former since 1 January 1989. The exceptions were established in order to avoid discriminating against steel in relation to other industries as regards access to public financing for research and development, environmental protection and plant closures.

The exceptions are not intended in any way whatsoever to constitute a relaxation of the Community rules on aid to the steel industry, which are justified by the serious distortions of competition which could be caused by aid that is incompatible with the common market in a sector which, despite the recent restructuring, is still sensitive. It is therefore necessary to maintain the Community discipline, which means that aid to a steel undertaking cannot be authorized unless the Commission has had an opportunity to verify that the conditions described in the steel aid code have in fact been fulfilled.

As regards the Tirreno steelworks, it is clear that this is not the case, since energy conservation is not a possible reason for exemption. Having drawn the attention of the Italian authorities to this fact, the Commission received

no information from them which could have led it to revise its initial opinion.

As regards Siderpotenza, the Italian authorities have also failed to demonstrate to the Commission that the relevant conditions have been satisfied, both as regards the existence of new environmental protection standards, compliance with which the investment in question was intended to achieve, or as regards compliance with the intensity ceiling of 15 % net grant equivalent of the investment.

The Commission has estimated a maximum net grant equivalent of 43,42 %, i.e. a maximum of 13,42 % for the soft loan plus a grant of not more than 30 % net grant equivalent of the investment, which greatly exceeds the abovementioned ceiling.

In conclusion, the necessary conditions have not been satisfied in either of the two cases,

HAS ADOPTED THIS DECISION:

Article 1

The aid which the Italian authorities propose to grant to the Tirreno steelworks in the form of a subsidized loan of Lit 688 million over a period of nine years at a rate of 4,25 % and a subsidy of Lit 334 million is incompatible with the common market and may not be granted.

The aid which the Italian authorities propose to grant to the Siderpotenza steelworks in the form of a subsidized loan of Lit 1 020 million over a period of nine years at a rate of 4,25 % and a subsidy of Lit 765 million is incompatible with the common market and may not be granted.

Article 2

The Italian Government shall inform the Commission, within two months of the date of notification of this Decision, of the steps it has taken to comply therewith.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 20 June 1990.

For the Commission

Leon BRITTAN

Vice-President

⁽¹⁾ OJ No L 38, 10. 2. 1989, p. 8.

COMMISSION DECISION

of 31 October 1990

making an initial allocation to France of part of the resources to be charged to the 1991 budget year for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community

(90/556/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to the most deprived persons in the Community⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3744/87 of 14 December 1987 laying down the detailed rules for the supply of food from intervention stocks to the most deprived persons in the Community⁽²⁾, as last amended by Regulation (EEC) No 2736/89⁽³⁾, and in particular Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 2205/90⁽⁵⁾, and in particular Article 2 (4) thereof,

Whereas on 10 October 1990, France requested Commission authorization to initiate already in 1990 the action on its territory to be financed by resources chargeable to the 1991 budget and indicated the quantities of produce that it wished to distribute; whereas it is desirable to initiate the scheme now in France by making an allocation to that country; whereas this allocation shall not exceed 50 % of the resources allocated by Commission decision to France in respect of the plan for 1990;

Whereas in order to facilitate the implementation of this scheme it is necessary to specify the rate of exchange to be employed in converting the ecu into the national currency and to do so at a rate which reflects economic reality,

HAS ADOPTED THIS DECISION:

Article 1

1. The allocation for France of the appropriations referred to in Article 2 (3) of Regulation (EEC) No 3744/87 to be charged to the 1991 budget shall be ECU 12 760 000.

This sum shall be converted into national currency at the rate applicable on 3 January 1990 and published in the C series of the *Official Journal of the European Communities*.

2. Subject to the limit set out in paragraph 1, the following quantities of produce may be withdrawn from intervention for distribution in France:

- 1 800 tonnes of soft wheat,
- 3 500 tonnes of durum wheat,
- 1 400 tonnes of butter,
- 2 000 tonnes of beef.

3. The withdrawals referred to in paragraph 2 may be made from 15 October 1990.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 31 October 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 352, 15. 12. 1987, p. 1.

⁽²⁾ OJ No L 352, 15. 12. 1987, p. 33.

⁽³⁾ OJ No L 263, 9. 9. 1989, p. 19.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3171/90 of 31 October 1990 fixing the amount of aid for peas, field beans and sweet lupins

(Official Journal of the European Communities No L 304 of 1 November 1990)

On page 39, Annex III, Products harvested in Ireland (£ Irl), column '2nd period':

for: '8,844',

read: '7,844'.

On page 40, Annex V, Products harvested in Ireland (£ Irl), column '6th period':

for: '3,361',

read: '8,361'.
