COMMISSION REGULATION (EEC) No 3123/78

of 29 December 1978

fixing the rate of the additional aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder [1], and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 5 (1) of Regulation (EEC) No 1117/78 when the guide price is higher than the average world market price a supplementary aid is given for dried fodder as described under Article 1 (a), (b) and (c) of that Regulation obtained from fodder plants harvested in the Community; whereas this aid is equal to a percentage of the difference between these two prices;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1118/78 of 22 May 1978 fixing the flat-rate production aid and the guide price for dried fodder for the 1978/79 marketing year [2];

Whereas the average world market price is determined for a bulk pelleted product delivered Rotterdam of the standard quality for which the guide price has been fixed;

Whereas under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder [3], the average world market price for the products described in the first indent of Article 1 (b) Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the supplementary aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above;

Whereas when no offer of or quotation for the products described in the first indent of Article 1 (b) of Regulation (EEC) No 1117/78 can be used to determine the average world market price it is to be determined from offers on the world market of and quotations on the exchanges important for international trade for the products described in the second indent of Article 1 (b) of Regulation (EEC) No 1117/78;

Whereas under Article 3 of Regulation (EEC) No 1417/78 when no offer or quotation can be used to determine the average world market price it is determined from the last average world market price determined, this being adjusted on the basis of price developments for the same products of Community origin and world prices of competing products;

Whereas the adjustments referred to above were set out in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder [4], as last amended by Regulation (EEC) No 3074/78 [5];

Whereas under Article 11 of Regulation (EEC) No 1417/78 when forward prices differ from that applying in the month when the application is lodged the supplementary aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas the correcting amount is equal to the difference between the average world market price and the average forward world market price multiplied by the percentage fixed in Article 3 of Regulation (EEC) No 1118/78; whereas when for one of the months following that of the introduction of supplementary aid the average forward world market price cannot be determined by applying the criteria specified in Article 1 of Regulation (EEC) No 1417/78 the price determined for the previous month is used to calculate the difference; whereas when for two or more consecutive months following that of the introduction of supplementary aid the average forward world market prices cannot be determined by applying the criteria set out in Article 1 of Regulation (EEC) No 1417/78 the prices previously determined for these months, adjusted on the basis of the difference between the average world market price and the last forward price determined for the month, are used to calculate the differences for the months in question;

(1) OJ No L 142, 30. 5. 1978, p. 1.
(2) OJ No L 142, 30. 5. 1978, p. 6.
(3) OJ No L 171, 28. 6. 1978, p. 1.
(4) OJ No L 179, 1. 7. 1978, p. 10.
(5) OJ No L 367, 28. 12. 1978, p. 1.

Whereas when the average world market price is determined in accordance with Articles 2 and 3 of Regulation (EEC) No 1417/78 the correcting amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria specified in Articles 1 and 2 of the said Regulation and valid for delivery during a month other than that of the introduction of the supplementary aid, multiplied by the percentage fixed in Article 3 of Regulation (EEC) No 1118/78 for the product concerned; whereas when for one or more months the average forward world market price cannot be determined by applying the criteria specified in Articles 1 and 2 of Regulation (EEC) No 1417/78 the correcting amount is to be fixed for the month(s) in question to give a nil rate for the supplementary aid;

Whereas, if the aid system is to operate normally, refunds 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 effective parity;

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent;

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, in the absence of the guide price for the 1979/80 marketing year for dried fodder, in the case of advance fixing for the months of April, May, June, July, August, September and October 1979, the amount of subsidy on these products has been obtainable only on the basis of the guide price; whereas, therefore this amount may be applied on a temporary basis and should be confirmed or replaced when the guide price for the 1979/80 marketing year is known;

Whereas as a result of the application of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

Article 2

2. The amount of the subsidy for the months of April, May, June, July, August, September and October 1979 will, however, as for dried fodder, be confirmed or replaced as from 1 January 1979 to take into account the guide price which is fixed for these products for the 1979/80 marketing year.

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 29 December 1978 fixing the rate of the additional aid for dried fodder

Additional aid applicable from 1 January 1979 to dried fodder

(u.a./tonne)

CCT heading No	Dehydrated fodder ex 12.10 B Protein concentrates ex 23.07 C	Fodder otherwise dried ex 12.10 B
Additional aid	18·775	10·729

Additional aid in case of advance fixing for the month of:

February 1979	18·709	10·691
March 1979	18·571	10·612
April 1979	18·503	10·573
May 1979	18·186	10·393
June 1979	17·358	9·919
July 1979	17·358	9·919
August 1979	17·358	9·919
September 1979	17·358	9·919
October 1979	17·358	9·919