

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(75) 356 final

Brussels, 8 July 1975

PROPOSAL FOR A
REGULATION (EEC) OF THE COUNCIL

amending Regulation (EEC) No 2511/69 laying down special measures for
improving the production and marketing of Community citrus fruit.

PROPOSAL FOR A
REGULATION (EEC) OF THE COUNCIL

amending Regulation (EEC) No 2601/69 laying down special measures to
encourage the processing of certain varieties of oranges

PROPOSAL FOR A
REGULATION (EEC) OF THE COUNCIL

amending Council Regulation (EEC) No 1035/72 of 18 May 1972 on the
common organization of the market in fruit and vegetables

PROPOSAL FOR A
REGULATION (EEC) OF THE COUNCIL

fixing the minimum price and the special minimum price for tomato concentrates

(submitted by the Commission to the Council)

COM(75) 356 final

EXPLANATORY MEMORANDUM

At the Council meeting of 23 and 24 June 1975, during which the Council examined the measures to be taken regarding fruit and vegetables as part of its "overall approach to the Mediterranean countries", a compromise involving a number of provisions was adopted.

I. In respect of fresh fruit and vegetables, those provisions are the following :

A. The amendment of the version of Regulation (EEC) No 2511/69 contained in Document R/442/74 (AGRI 126) as follows :

1) For the marketing year 1975/1976

a) an 11% increase in the amount of the market promotion premiums, resulting in the following levels :

	<u>in u.a./100 kg</u>
- Moro, Tarocco, Ovale calabrese, Belladona, Navel, Valencia late	7.8
- Sanguinello	6.7
- Sanguigno, Biondo comune	4.4
- Mandarines	6.7
- Clementines	3.9

b) the fixing of a market promotion premium of 4.7 u.a. per 100 kg for lemons.

2) For the following marketing years, the fixing of market promotion premiums for oranges, mandarines and clementines by adapting them by a percentage not exceeding the variations in the basic and purchase prices for the products in question.

B. The amendment of Regulation (EEC) No 2601/69 to extend the granting of financial compensation to all quantities of oranges intended for processing.

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C. The amendment of Regulation (EEC) No 1035/72 as follows :

- 1) the amendment of Article 23(2) in order to take into account, for the marketing year 1975/1976, the fact that transport costs are not included in the reference price for lemons.
- 2) the inclusion of an Article 25a providing for, in addition to the provisions at present in force, the possibility of making imported products subject to a countervailing charge where, for a certain period, the entry prices are alternatively higher and lower than the reference price.

The purpose of these draft proposals for regulations is therefore to amend the regulations listed to under A, B and C according to the compromise referred to above, the application of the proposed new system being linked with the entry into force of the agreements with the Mediterranean countries.

II. In respect of products processed from fruit and vegetables,

the compromise adopted by the Council includes the amendment of the draft regulation relating to the common trading system with non-member countries, involving in particular the fixing of a minimum import price for tomato concentrates.

The purpose of the attached proposal for a regulation is therefore to fix the minimum price for the marketing year 1975/1976 at 580 u.a. per metric ton, a figure already put forward at the discussions held on this point in the Council.

FICHE FINANCIERE		Annexe au Doc.	
		Date 27 juin 1975	
1. Ligne budgétaire concernée : article 681 poste 6811 Budget 1975			
2. Intitulé de l'action : Proposition de règlement du Conseil, modifiant le règlement (CEE) n° 2511/69 prévoyant des mesures spéciales en vue d'amélioration de la production et de la commercialisation dans le secteur des agrumes communautaires ainsi que proposition modifiant le règlement 2601/69 (primes de transformation).			
3. Base juridique : art. 43 du Traité proposition faite à la suite de l'accord intervenu au sein du Conseil des 23 et 24 juin 1975 au sujet de l'approche globale méditerranéenne			
4. Objectifs de l'action : Assurer l'écoulement, compte tenu des importations des pays tiers notamment les pays du bassin de la Méditerranée, de la production communautaire vers les autres Etats membres ou vers la transformation			
5.0 Coût de l'action (coûts supplément.)	pendant la campagne	exercice en cours (75)	exercice suivant (76)
à la charge du Budget de la CE à la charge des administrations nationales à la charge d'autres secteurs nationaux	13 MUC	max. 1 à 4 MUC	9 à 12 MUC
5.1 Echéancier pluriannuel	année 76 • 9 à 12 MUC	année 77 • 3,4 MUC	année 78 • 3,4 MUC
5.2 Mode de calcul (pour 12 mois)			avec incidence double taux
Citrons : prime de pénétration :	47 U.C. x 150.000 T = 7,05 MUC		9,98
Oranges : augmentation prime de pénétration de 11,6%	11 % des dépenses prévisibles - 0,4 MUC		0,54
Oranges : extension prime pour oranges transformés	100.000 T x 21 UC/T = 2,1 MUC		2,86
			<u>12,98</u>
6.1	Voir (note 2) Financement possible par crédits inscrits au chapitre concerné dans le Budget en cours d'exécution oui non		
6.2	Financement possible par virement entre chapitres du Budget en cours d'exécution oui non		
6.3	Nécessité d'un Budget supplémentaire oui non		
6.4	Crédits à inscrire dans les budgets futurs oui		
Observations : (1) Poste 6811 Mesures spéciales secteur fruits et légumes (MUC)			
	1974	1975	
crédits	8,0	7,7	
dépenses	3,8	1,1 (6 mois)	
(2) Comme l'entrée en vigueur des propositions en question est subordonnée à l'entrée en vigueur des accords avec les pays de la Méditerranée, l'augmentation des dépenses au titre du budget 1975 est difficilement chiffrable. Le montant de 1 à 4 MUC est donc un chiffre maximal.			

Preposal for a
REGULATION (EEC) OF THE COUNCIL

amending Regulation (EEC) No 2511/69 laying down special measures for improving the production and marketing of Community citrus fruit

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;

Having regard to the Opinion of the European Parliament,

Whereas Article 7 of Council Regulation (EEC) No 2511/69¹ of 9 December 1969 laying down special measures for improving the production and marketing of Community citrus fruit, as last amended by Regulation (EEC) No², fixed the financial compensation applicable to certain citrus fruits;

Whereas these amounts were determined on the basis of the situation on the market in citrus fruits during the 1973/74 marketing year; whereas since then the prices for Community citrus fruits have risen considerably, that causing difficulties in disposing of these products on the Community import markets; whereas in consequence, the amounts valid for the next marketing year should be adjusted;

Whereas during the last two marketing years there have also been problems as regards the distribution of Community lemon production on the Community import markets; whereas, therefore, it is advisable to grant financial compensation in respect of this product for the remainder of the 1975/76 marketing year;

¹ OJ No L 318 of 18 December 1969, p. 1

² Council Regulation adopted on 18 February 1974, Doc. R/442/74 (Agri 1926) (Fin 109); not yet published.

Whereas in order to ensure the effectiveness of such a system provision should be made for bringing up to date the amounts fixed in respect of oranges, mandarins and clementines, taking into account the trend of the basic and buying in prices for the products concerned;

HAS ADOPTED THIS REGULATION :

Article 1

The text of Article 6 of Regulation (EEC) No 2511/69 is replaced by the following :

"Sellers in the producer Member States shall receive, in accordance with the conditions set out below, financial compensation in respect of Community oranges, mandarins, clementines and lemons marketed in the other Member States.

However, as regards lemons this financial compensation shall only be granted for the 1975/76 marketing year."

Article 2

The text of Article 7 of Regulation (EEC) No 2511/69 is replaced by the following :

"1. For the 1975/76 marketing year the financial compensation shall be fixed as follows :

- 7.8 u.a./100 kg net for oranges of the Moro, Tarocco, Oval calabrese, Belladonna, Navel and Valencia late varieties;
- 6.7 u.a./100 kg net for oranges of the Sanguigno varieties;
- 4.4 u.a./100 kg net for oranges of the Sanguigno and Biondo commune varieties;
- 6.7 u.a./100 kg net for mandarins;
- 3.9 u.a./100 kg net for clementines;
- 4.7 u.a./100 kg net for lemons.

2. In subsequent marketing years the amount of financial compensation for oranges, mandarins and clementines shall be fixed each year before 1 August for the marketing year beginning during the following year according to the procedure laid down in Article 43(2) of the Treaty, taking into account both their previous levels and the trend of the basic and buying in prices for the products concerned. However the percentage of the variation of the financial compensation by comparison with the preceding marketing year may not exceed the percentage of the variation of the basic and buying in prices.
3. Financial compensation shall only be granted in respect of products belonging to quality classes Extra and I.

Article 3

This Regulation shall enter into force on

It shall apply :

- in respect of oranges, mandarins and clementines from the beginning of the 1975/76 marketing year;
- in respect of lemons from the date of its entry into force.

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

Done at Brussels,
For the Council
The President

Proposal for a
REGULATION (EEC) OF THE COUNCIL

amending Regulation (EEC) No 2601/69 laying down special measures to encourage the processing of certain varieties of oranges

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;

Having regard to the Opinion of the European Parliament;

Whereas Council Regulation (EEC) No 2601/69 of 18 December 1969 laying down special measures to encourage the processing of certain varieties of orange¹ as amended by Regulation (EEC) No 176/73² instituted a system of financial compensation for the processing of certain varieties of orange subject to contracts which will ensure regular supplies to the processing industries at a minimum purchase price to the producer; whereas according to Article 2 of that Regulation the contracts shall relate to tonnage in excess of the average quantities processed by industries during the three marketing years preceding the 1969/1970 marketing year, or in the case of more recent industries, quantities to be determined on the basis of their processing capacity;

Whereas in order on the one hand to promote the processing of certain varieties of oranges and on the other to improve the competitive position of the finished product in relation to imports from non-member countries, the system of financial compensation should be extended to cover all quantities of oranges used by the processing industry;

¹ OJ No L 324, 25 December 1969, p. 21

² OJ No L 25, 30 January 1973, p. 3

HAS ADOPTED THIS REGULATION

Article 1

Article 2 of Regulation (EEC) No 261/69 is amended as follows :

1) Paragraph 1 is replaced by the following text :

" 1. The measures referred to in Article 1 shall be based on contracts between Community producers and processors. Such contracts shall be concluded before the beginning of each marketing year, shall specify the quantities to which they relate, the intervals between deliveries to processors and the price to be paid to the producers. As soon as they have been concluded, the contracts shall be sent to the competent authorities of the Member States in question who shall be responsible for checking the quality and quantity of deliveries to the processors".

2) The second paragraph of 2, is replaced by the following text :

" The minimum price shall be fixed before the beginning of each marketing year".

3) Paragraph 3 is replaced by the following text :

" 3. Detailed rules for the application of paragraphs 1 and 2 shall be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72; the minimum price shall be fixed in accordance with the same procedure.

Article 2

Article 3 of Regulation (EEC) No 2601/69 is amended as follows :

1) The last paragraph of paragraph 1 is replaced by the following text :

"The amount of such financial compensation shall be fixed before the beginning of each marketing year".

2) Paragraph 2 is replaced by the following text :

" 2. Detailed rules for the application of paragraph 1 shall be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72; the amount of the financial compensation shall be fixed in accordance with the same procedure".

Article 3

This Regulation shall enter into force on

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

Done at Brussels,
For the Council
The President

Proposal for a
REGULATION (EEC) OF THE COUNCIL

amending Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common
organisation of the market in fruit and vegetables

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the
European Community, and in particular Articles
42 and 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European
Parliament;

Whereas Article 23 of Council Regulation (EEC) No 1035/72⁽¹⁾ of 18 May 1972
on the common organization of the market in fruit and vegetables, as last
amended by Regulation (EEC) No 2745/72⁽²⁾, provides for criteria for fixing
reference prices; whereas, as regards oranges, mandarins and clementines, the
annual financial compensation provided for in Regulation (EEC) No 2511/69⁽³⁾
laying down special measures for improving the production and marketing of
Community citrus fruit, as last amended by Regulation (EEC) No /75⁽⁴⁾,
makes it possible to maintain a more exact relationship between the price of
Community products and that of imported products; whereas, under such
conditions, the aim of the reference price may be reached by reducing, where
necessary, the variation in the reference prices to a percentage not exceeding
the difference between the percentage used for the variation in basic and
buying-in prices and that used for the variation in financial compensation;

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- (1) OJ No L 118, 20 May 1972, p. 1
(2) OJ No L 291, 28 December 1972, p. 147
(3) OJ No L 318, 18 December 1972, p. 1
(4) OJ No L , , p.

Whereas Article 23 (2) of Regulation (EEC) No 1035/72 provides that transport costs for oranges, mandarins, satsumas, clementines and tangerines and other similar citrus hybrids are not to be taken into account when calculating the reference price, since special measures are taken to guarantee the disposal of certain of these products produced in the Community; whereas, since for a part of the 1975/1976 marketing year similar measures were taken in respect of lemons, transport costs for that period should not be taken into account when calculating the reference price for that product;

Whereas Article 25 of Regulation (EEC) No 1035/72 lays down the conditions under which a countervailing charge may be introduced to obviate disturbances on the Community market caused by offers from non-member countries at abnormal prices; whereas experience has shown that alternance of entry prices above and below the reference price causes disturbances which cannot be remedied by applying Article 25; whereas, therefore, appropriate measures should be taken;

HAS ADOPTED THIS REGULATION :

Article 1

Article 23 (2) of Regulation (EEC) No 1035/72 is replaced by the following :

" 2. Reference prices shall be fixed :

- on the basis of the arithmetic mean of producer prices in each Member State plus, except in the case of oranges, mandarins, satsumas, clementines, tangerines and other similar citrus hybrids, and also of lemons for the period from ⁽¹⁾ to 31 May 1976, the amount fixed in paragraph 4,

(1) Entry into force of the draft Regulation (EEC) No of the Council of amending Regulation (EEC) No 2511/69 laying down special measures for improving the production and marketing of Community citrus fruit.

- by taking into account average trends of basic and buying-in prices.

Moreover, beginning with the 1975/1976 marketing year, reference prices for oranges, mandarines, satsumas, Clementines, tangerines and other similar citrus hybrids shall be fixed at a level equal to that of the previous marketing year, adjusted as necessary by a percentage not exceeding the difference between the percentages representing respectively the variation in basic and buying-in prices and in the financial compensation provided for by Regulation (EEC) No 2511/69, compared with the preceding marketing year."

Article 2

Regulation (EEC) No 1035/72 is supplemented by Article 25a, which shall read as follows :

*Article 25a

1. When it is noted that for a given product from a given exporting country, entry prices are alternatively above and below the reference price, even when during two consecutive market days the entry prices are above or below the reference price without this having led to Article 25 being applied, a countervailing charge shall, notwithstanding the provisions of this Article, be introduced in respect of the exporting country, save in exceptional circumstances.

The charge shall be introduced when :

- three entry prices fall below the reference price;
- and on condition that one of these entry prices is at least 0.5 units of account below the reference price.

It shall be equal to the difference between the reference price and the last available entry price at least 0.5 units of account below the reference price.

2. The provisions of Article 25 (2) shall not apply to charges introduced in implementation of paragraph 1 of this Article.
3. The countervailing charge introduced in implementation of paragraph 1 of this Article, which shall be the same for all Member States, shall be levied in addition to customs duties in force."

Article 3

Article 26 of Regulation (EEC) No 1035/72 is replaced by the following :

"Article 26

1. The charge introduced in implementation of Article 25 shall not be altered so long as :
 - from the time it actually comes into force and during three consecutive market days, the variation of the factors used for calculating it does not alter its amount by more than 1 unit of account.
 - the regrouping of exporting countries does not become necessary.

A decision to withdraw the charge for an exporting country shall be taken when the entry price has been at least equal to the reference price for two consecutive market days. This decision shall also be taken if there are no prices in respect of that country for six consecutive market days, except where the provisions of Article 24 (4) are applied and where application of the first indent of the first subparagraph would cause the amount of the charge to be fixed at zero.

2. The charge introduced in application of Article 25a shall be applied for six days.

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It may not be withdrawn before the end of that period unless :

- the application of Article 25 (1) leads to the fixing of a new higher countervailing charge, or
- the entry price for five consecutive market days is at least equal to the reference price."

Article 4

This Regulation shall enter into force on

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

Done at Brussels,
For the Council
The President

Proposal for a
REGULATION (EEC) OF THE COUNCIL

fixing the minimum price and the special minimum price for tomato concentrates

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 865/68¹ of 28 June 1968 on the common organization of the market in products processed from fruit and vegetables, as last amended by Regulation (EEC) No 1420/75²;

Having regard to Council Regulation (EEC) No /75 of concerning the system of trade with third countries in the market in products processed from fruit and vegetables³, and in particular Article 2(4) thereof;

Having regard to the proposal from the Commission;

Whereas Article 2(1) of Regulation (EEC) No /75 lays down that a minimum price must be fixed for tomato concentrate to be respected when this product is imported; whereas, under paragraph 3 of that Article, a special minimum price must be fixed at the same time for imports into the New Member States; whereas the fixing of these prices is intended to limit the danger of the market in tomato concentrates being disturbed by imports from non-member countries at abnormally low prices;

¹ O.J. No L 153, 1 July 1968, p. 8

² O.J. No L 141, 3 June 1975, p. 1

³ O.J. No L

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Whereas the minimum price must be fixed in the light of the criteria laid down in Article 2(2) of Regulation (EEC) No /75; whereas, in accordance with Article 2(4) of that Regulation, the minimum price must be fixed for a product with given commercial characteristics;

Whereas the special minimum price should be established for the first time on the basis of the price level resulting from Council Regulation (EEC) No 543/75¹ of 13 February 1975 concluding the two Agreements in the form of exchanges of letters relating to Articles 2 and 3 of Protocol No 8 of the Agreement between the EEC and the Portuguese Republic;

HAS ADOPTED THIS REGULATION :

Article 1

For imports of the following product :

Common Customs Tariff heading No .	Description	Quality	Packaging
ex 20.02 C	Tomato concentrates	Dried extract 28/30%	In immediate packaging of not less than 4 kg

- the minimum price is fixed at 58.0 units of account per 100 kg, immediate packing included
- the special minimum price is fixed at 30,0 units of account per 100 kg, immediate packing included.

These prices shall include customs duties.

They shall be applicable from

until 30 June 1976

¹ O.J. No L 62, 7.3.1975, p. 1

Article 2

This Regulation shall enter into force on

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

Done at Brussels,
For the Council
The President

