

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 624 final

Brussels, 14 November 1979

Proposal for a
COUNCIL REGULATION (EEC)

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

(presented by the Commission to the Council)

COM(79) 624 final



EXPLANATORY MEMORANDUM

SUBJECT : Proposal for a Council Regulation amending Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables.

This proposal essentially gives effect to the guideline adopted by the Council on 18-22 June 1979 with regard to the withdrawal of countervailing charges introduced as part of the reference price system (of. working document No 4, page 7).

It also has the purpose of enabling the Commission to adopt such detailed rules of application as are needed with regard to the rôle of producers' organizations and the duties of their members, including the question of exemption from the obligation to sell through these organizations, and, further it converts into ECU the amounts currently expressed in units of account.

The proposal also supplements the list of possible destinations for the products withdrawn from the market by adding, as beneficiaries of free distributions, prisons, children's holiday camps and certain other organizations to be designated by the Member States. Use of these destinations, which should reduce the risk of the products withdrawn from the market being destroyed, is not to have the effect of reducing the quantities of products normally bought by such institutions.

Finally, the Commission considers it opportune to propose the inclusion of aubergines and courgettes in the list of products subject to quality standards. The products are the subject of sufficiently important production in a number of Member States, and of significant trade, especially on an intra-Community basis.

PROPOSAL FOR COUNCIL REGULATION (EEC)

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

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 13 of Council Regulation (EEC) No 1035/72¹, as last amended by
Regulation (EEC) No 1301/79², defines the rôle of producers' organizations and
the obligations of their member producers; whereas detailed implementing rules
may have to be laid down in this respect;

Whereas Article 21 of Regulation (EEC) No 1035/72 lays down the ways in which
products withdrawn from the market under Article 18 or bought in under Article 19
of that Regulation are to be disposed of; whereas the alternatives at present
available have not allowed disposal of all the products in question; whereas
provision should therefore be made for further ways of disposal whilst ensuring
that they do not compete with normal marketing channels;

Whereas it is necessary to convert into ECU the amounts expressed in units of
account whereas Council Regulation (EEC) No 652/79⁽³⁾ laid down the conversion
coefficient to be used for this purpose;

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1. OJ No L 118, 20.5.72, p. 1
 2. OJ No L 162, 30.6.79, p.26
 3. OJ No L 84, 4.4.79, p. 1

Whereas Article 26(2) of Regulation (EEC) No 1035/72 lays down that a countervailing charge is to be withdrawn when the entry price has been at least equal to the reference price for two consecutive market days; whereas, in order to improve the working of the reference price system, the time from which such entry prices will be taken into consideration should be specified;

Whereas trade in aubergines and courgettes is considerable in certain producer Member States, and is significant at Community level; whereas it is therefore necessary to apply to those products all the provisions of Regulation (EEC) No 1035/72, and particularly to adopt common quality standards; whereas the said products should therefore be added to the list in Annex I to that Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 1035/75 is, hereby amended as follows:

1. The following paragraph shall be added to Article 13
 "Such detailed rules as are needed for the implementation of this Article shall be adopted in accordance with the procedure laid down in Article 33".
2. The following seventh indent shall be added to Article 21(1) (a)
 "- free distribution to prison institutions, children's holiday camps or other organizations designated by Member States, which shall ensure that the quantities thus distributed are in addition to the quantities normally bought by such establishments."
3. In Article 25(1) and in Article 25a(1), the terms "0.5 units of account" shall be replaced by "0.6 ECU".
4. In Article 26(1), the term "1 unit of account" shall be replaced by "1.2 ECU".

5. The second subparagraph of Article 26(1) shall be amended to read as follows:

"A decision to withdraw the charge for a given exporting country shall be taken whenever, from the time of actual application of that charge, the entry price has been at least equal to the reference price for two consecutive market days, or whenever, except where Article 24(4) is applied, there are no prices in respect of that country for six consecutive market days. Such decision shall also be taken if the charge is fixed at zero as a result of application of the first subparagraph."

6. In Annex I the words "Aubergines " and "Courgettes" shall be added under the heading "Vegetables".

Article 2

This Regulation shall enter into force on 1 January 1980.

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

Done at Brussels,

For the Council,

The President

AUBERGINES - COURDS - COURGETTES

x 1000 kg

	1975		1976		1977		1978	
	Auberg.	Courgett.	Auberg.	Courgett.	Auberg.	Courgett.	Auberg.	Courgett.
<u>PRODUCTION</u>								
France (Metropolitaine)	25.620	44.150	23.180	40.970	22.240	42.820		
Italia	331.720	245.800	321.850	238.300	335.760	259.300		
Nederland	4.570	-	4.540	-	4.830	-		
EUR 9	361.910	289.950	349.570	279.270	362.830	302.120		
<u>EXPORT</u>								
Extra EUR 9	2.986		2.754		4.595		3.904	
Switzerland	2.687		2.215		3.148		2.791	
Finland	-		-		740		314	
Austria	216		434		539		657	
<u>IMPORT</u>								
Intra EUR 9	15.970		18.741		22.753		24.425	
Gundoloupe	4.042		3.410		4.151		3.121	
Martinique	2.908		1.623		2.018		1.687	
Extra EUR 9 et DOM.	27.597		28.772		41.245		35.286	
Spain	13.870		16.230		28.135		24.526	
Canary Isl.	1.774		1.976		2.726		2.813	
Morocco	7.528		5.775		4.923		2.479	
Kenya	848		1.060		1.244		1.109	
Cyprus	253		570		1.127		987	
Israel	989		1.304		1.799		1.927	

