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Proposal for a
COUNCIL REGULATION (EEC)

extending the provision allowing for the application of Class III to
certain fruit and vegetables

(submitted to the Council by the Commission)

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EXPLANATORY MEMORANDUM

SUBJECT : Proposal for a Council Regulation extending the provision allowing for the application of Class III to certain fruit and vegetables

The common organization of the market in fruit and vegetables governed by Council Regulation (EEC) No 1035/72 of 18 May 1972 provides for the introduction of common quality standards for a number of products.

For several of them, the quality standards include a Class III which was defined when standardization became compulsory for products marketed in the Community, i.e. from 1 January 1967 for cauliflowers, tomatoes, apples and pears, peaches, citrus fruit and table grapes and from 1 July 1969 for lettuces, curled-leaved endives and broad-leaved (Belgian) endives, onions, witloof chicory, cherries, strawberries, asparagus and cucumbers.

In respect to Brussels sprouts, a Class III was added in 1974 at the request of the United Kingdom (see Annex II to the Act concerning the conditions of accession and the adjustments to the Treaties).

The possibility of applying Class III should normally expire on 31 December 1977 in respect of the former products, pursuant to the second subparagraph of Article 4 (2) of Regulation (EEC) No 1035/72, and on 31 December 1979 in respect of Brussels sprouts, pursuant to the first subparagraph of paragraph 2 of the same Article.

On the basis of the foregoing, the Commission believes it advisable to propose to the Council that this possibility be extended for a specified period as provided for in the abovementioned Article and that Brussels sprouts be included with the other products in such extension:

1. According to information received, Class III, depending on the product, represents between 1 and 14 % of the value of the products concerned and a corresponding percentage of the producer's income.

This percentage is highest for products for which there is no Class II (cherries: 13.5 %; witloof chicory: 10.5 %; table grapes: 10.7 % and strawberries: 14.2 %), and for oranges: 8.9 %; it is particularly low in the case of asparagus: 1.1 %.

2. These are average figures but it is certain that at a time of low production, particularly at the beginning of the marketing year, this percentage would be considerably higher so that it would be more in the producer's interest to be able to market Class III products.
3. In this time of economic difficulty it seems essential for persons with modest incomes to have the possibility of obtaining supplies at the lowest prices.

PROPOSAL FOR A COUNCIL REGULATION

of

extending the provision allowing for the application of Class III to certain fruit and vegetables

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 177⁽²⁾, and in particular the first subparagraph of Article 4(2) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 1035/72 provides that, unless an extension is decided upon in accordance with the voting procedure laid down in Article 43(2) of the Treaty, Class III may not be applied beyond the fifth year following the date of entry into force of the Regulation which defines it; whereas, however, in respect of cauliflowers, tomatoes, apples and pears, peaches, citrus fruit, table grapes, lettuces, curled-leaved endives and broad-leaved (Batavian) endives, onions, witloof chicory, cherries, strawberries, asparagus and cucumbers, Class III may be made applicable until 31 December 1977;

Whereas the marketing of Class III represents a large share of producers' incomes where there is no Class II for the product; whereas, where there is a Class II, the share of Class III in producers' incomes is considerably lower, although not negligible, particularly at certain times of the year;

(1) OJ No L 118 of 20.5.1972, p. 1

(2)

Whereas, further, the marketing of Class III products enables certain consumers with modest incomes to obtain supplies of those products;

Whereas it seems advisable, therefore, to provide for the application of Class III for a limited period beyond 31 December 1977;

Whereas, with respect to Brussels sprouts, Class III as defined by Commission Regulation (EEC) No 75/74 of 9 January 1974⁽¹⁾ can be made applicable until 31 December 1979; whereas, for the sake of simplification, it is advisable to provide here and now for Class III to be applicable until the date fixed for the other products,

HAS ADOPTED THIS REGULATION :

Article 1

Class III of the quality standards for fruit and vegetables to be delivered fresh to the consumer may be made applicable until 31 December 1982.

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 January 1978.

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

Done at Brussels,

For the Council
The President

(1) OJ No L 9, 11.1.1974, p. 35

