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COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 61 final

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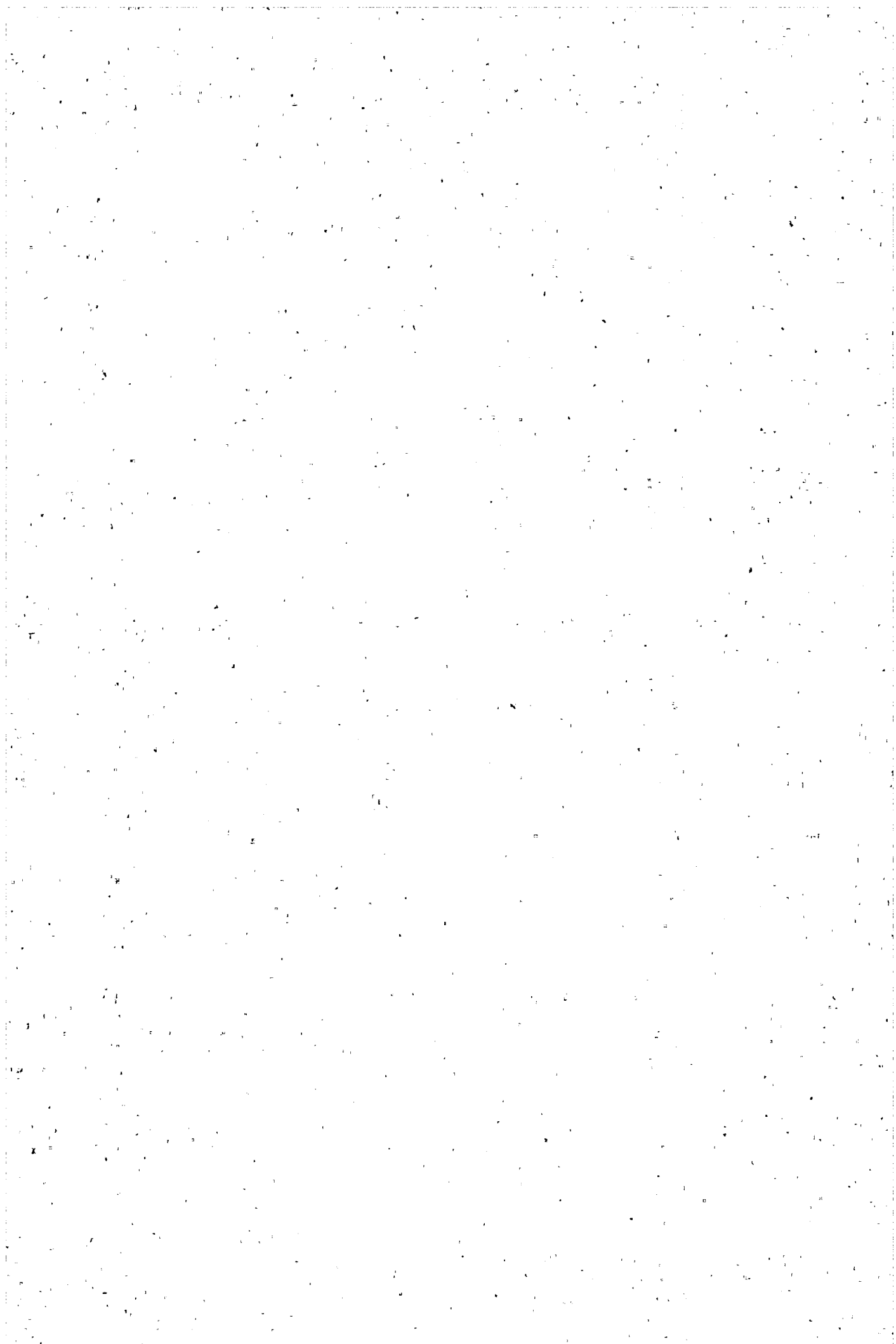
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SERIALS UNIT

Proposal for a
COUNCIL REGULATION (EEC)
amending Regulation (EEC) No 878/77 as regards the
exchange rates to be applied in respect of tomato
concentrates and isoglucose

(submitted to the Council by the Commission)

COM(78) 61 final



EXPLANATORY MEMORANDUM

1. The new representative rate for the Italian lira fixed by Regulation (EEC) No 178/78 (OJ No L 26, 31.1.78, p. 1) applies to peeled tomatoes from 1 February 1978. The new rate does not apply to tomato concentrates until 10 July 1978 (start of the marketing year).

At the meeting of the Special Committee on Agriculture on 7 February 1978, the Italian Delegation asked that the date of application of the new rate for tomato concentrates be brought closer to that for peeled tomatoes so as not to distort competition between the two products.

The other delegations were in favour of this request, and the Commission is therefore proposing to the Council that Regulation (EEC) No 878/77 be amended along these lines with immediate effect.

2. Unlike the sugar sector, the isoglucose sector has no marketing year. The new representative rate for the pound sterling, as fixed by Regulation (EEC) No 179/78 (OJ No L 26, 31.1.1978, n. 3), would therefore apply in the United Kingdom from the entry into force of prices for the 1978/79 milk year, but would apply to the sugar sector from 1 July 1978.

In order to avoid this economically unjustified distinction between two closely-linked sectors, the Commission proposes that the new representative rate for the pound sterling also apply to the isoglucose sector from 1 July 1978.

3. The effect of these proposed measures on the budget is negligible.

COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 878/77
as regards the exchange rates to be
applied in respect of tomato concen-
trates and isoglucose

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 129 on the value of the unit of account and of the exchange rates to be applied for the purpose of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2543/73⁽²⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 878/77 of 26 April 1977 on the exchange rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 179/78⁽⁴⁾, fixed a new representative rate for the Italian lira; whereas pursuant to Article 2⁽⁵⁾ of the said Regulation the new rate applies to skinned tomatoes in Italy with effect from 1 February 1978; whereas, however, in the case of tomato concentrates for which a marketing year exists, the new rate would apply only from the beginning of the said marketing year, that is from 1 January 1978;

Whereas this differential treatment of products in the same sector is contrary to the sound management of the markets of these products; whereas to avoid this the new rate for tomato concentrates should be applied from a date which is as close as possible to that adopted for skinned tomatoes;

Whereas, as regards the minimum price to be observed on importation, such measures should not be applied to operations in respect of which import licences have already been applied for before the entry into force of this Regulation;

(1) OJ No 106, 30.10.1962, p. 2553/62

(2) OJ No L 263, 19.9.1973, p. 1

(3) OJ No L 106, 29.4.1977, p. 27

(4) OJ No L 26, 31.1.1978, p. 3

Whereas the isoglucose sector is closely linked with the sugar sector; whereas, however, no marketing year exists in respect of the former; whereas, in view of the current wording of Article 2(6) of the aforementioned Regulation, it would follow that in the absence of a marketing year, the new representative rate fixed for the pound sterling would not apply to the two abovementioned sectors from the same date; whereas such differentiation should be avoided;

Whereas the Monetary Committee will be consulted, and whereas, in view of the urgency involved, the envisaged measures should be adopted in accordance with the conditions laid down in Article 3(2) of Regulation No 129,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2(5) of Regulation (EEC) No 878/77 points d) and e) are amended and the point f) is added, as follows:

- "d) subject to the provisions laid down under e) and f), the beginning of the 1978/79 marketing year for the other products for which the marketing year has not yet commenced on the day of the entry into force of this Regulation;
- e) February 1978 for tomato concentrates;
- f) the date of the entry into force of this Regulation
 - for milk and milk products, beef and veal and pigmeat, and sugar;
 - for the additional aid referred to in Article 1(2) of Regulation (EEC) No 2511/69(1);
 - in all other cases not mentioned above".

Article 2

Article 2(6) of Regulation (EEC) No 878/77 is amended to read as follows:

- "6. The representative rate for the pound sterling, as fixed by Regulation (EEC) No 179/78, shall apply with effect from
- a) 1 July 1978 for isoglucose;
 - b) 1 August 1978 for eggs, poultry, ovalbumin and lactalbumin;
 - c) 16 December 1978 for wine; however, other dates may be laid down for distillation operations;
 - d) 1 January 1979 for fishery products;
 - e) subject to the provisions laid down under f), the beginning of the 1978/79 marketing year for the other products for which the marketing year has not yet commenced on the day of the entry into force of this Regulation;
 - f) the date of application of the prices for the 1978/79 marketing year for beef and veal and for milk and milk products, and the date applicable to milk and milk products for pigmeat and for all other cases not mentioned above".

Article 3

This Regulation shall enter into force on 1978.

However, as regards the minimum price on importation fixed for tomato concentrates, this Regulation shall apply only to operations carried out under cover of an import licence for which an application is lodged, within the meaning of Article 6 of Regulation (EEC) No 193/75 of 17 January 1975 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽⁵⁾, as last amended by Regulation (EEC) No 1470/77⁽⁶⁾, on or after February 1978.

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

Done at Brussels,

For the Council

(5) OJ No L 25, 31.1.1975, p. 10

(6) OJ No L 162, 1.7.1977, p. 11