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REGULATION (EEC) No 1738/71 OF THE COMMISSION

of 6 August 1971

on the non-application of the system of import licences for imports of tomato concentrates from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 865/68[1] of 28 June 1968 on the common organisation of the market in products processed from fruit and vegetables, as last amended by Regulation (EEC) No 1425/71[2];

Having regard to Council Regulation (EEC) No 1427/71[3] of 2 July 1971 introducing protective measures for products processed from fruit and vegetables, and in particular Article 1 (2) thereof;

Whereas Commission Regulation (EEC) No 1558/71[4] of 20 July 1971 laying down protective measures applicable to imports of tomato concentrates established a system of import licences for imports of tomato concentrates; whereas, however, Article 1 (4) of that Regulation states that the import licence shall not be required for imports from third countries willing and in a position to guarantee that on importation into the Community of products from their territory the price will not be below a certain minimum level and that all deflection of trade will be prevented;

Whereas the Spanish Government, the Government of the Republic of Portugal and the Government of the Kingdom of Morocco have declared that they are willing to give this guarantee for exports of tomato concentrates to the Community from 9 August 1971 and to take the necessary measures to this effect; whereas, consequently, the provisions of Article 1 (4) of Regulation (EEC) No 1558/71 apply to imports from these third countries;

Whereas it should be specified that the quantities imported from the above-mentioned third countries and those imported from Greece must not be used when the reference quantities mentioned in Article 3 of Regulation (EEC) No 1558/71 are being determined;

HAS ADOPTED THIS REGULATION:

Article 1

The import licence provided for in Article 1 (1) of Regulation (EEC) No 1558/71 shall not be required for imports of tomato concentrates from the following third countries:

1. Spain.
2. Portugal.
3. Morocco.

Article 2

When the reference quantity mentioned in Article 3 of Regulation (EEC) No 1558/71 is being determined, account shall not be taken of imports from the third countries listed in Article 1 of this Regulation or of imports from Greece.

Article 3

This Regulation shall enter into force on 7 August 1971.

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[1] OJ No L 153, 1.7.1968, p. 8.
[2] OJ No L 151, 7.7.1971, p. 1.
[3] OJ No L 151, 7.7.1971, p. 5.
[4] OJ No L 164, 22.7.1971, p. 14.

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

Done at Brussels, 6 August 1971.

For the Commission

The President

Franco M. MALFATTI