REGULATION (EEC) No 134/73 OF THE COMMISSION

of 19 January 1973

introducing a countervailing charge on certain varieties of sweet oranges imported from Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to 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), and in particular the second subparagraph of Article 27 (2) thereof ;

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0·50 unit of account below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances ; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country ;

Whereas Commission Regulation (EEC) No 2522/72 (3) of 30 November 1972 fixing the reference prices for sweet oranges fixed the reference price for Class I products of Group II at 14·8 units of account per 100 kg net ;

Whereas the entry price for a given exporting country is equal to the lowest price or to the arithmetic mean of the lowest prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available, less the duties, charges and transport costs indicated in Article 24 (3) of Regulation (EEC) No 1035/72 ;

Whereas the prices to be taken into consideration are prices on the representative markets referred to in Regulation (EEC) No 1291/70 (4), recorded or calculated in accordance with the provisions of Article 4 of that Regulation, and affected where applicable by the coefficients fixed in Article 2 of Regulation (EEC) No 2522/72 ;

Whereas, if the only prices available in respect of a given product or given exporting country relate to products marketed in a quality class lower than that by reference to which the reference price is fixed, these prices are used as they stand if, by reason of production conditions in the exporting country concerned, such products have been normally or traditionally marketed in that quality class ;

Whereas, for oranges imported from Spain of the varieties listed in Article 2 (1) (c), of Regulation (EEC) No 2522/72, the entry price calculated in this way has remained at least 0·50 unit of account below the reference price for two consecutive market days, whereas a countervailing charge should therefore be introduced for certain varieties of sweet oranges imported from Spain ;

HAS ADOPTED THIS REGULATION :

Article 1

A countervailing charge of 0·60 unit of account per 100 kg net is applied to fresh sweet oranges (subheading ex 08.02 A I of the Common Customs Tariff) imported from Spain other than the varieties Moro, Tarocco, Biondo comune (Blanca comuna, Blonde commune), Grano de oro (Imperial, Sucrena), Baladi, Pera, Macetera, Pineapple, Blood oval (Doblefina, Double fine), Portuguese sanguine, Sanguina redonda (Entrefina), Surinam varieties and the ordinary Sanguina variety, with the exception of Navel sanguines (improved double fine, Washington sanguina, Sanguina grande) and Maltese sanguines.

Article 2

This Regulation shall enter into force on 23 January 1973.

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

Done at Brussels, 19 January 1973.

For the Commission

The President

François-Xavier ORTOLI

(1) OJ No L 118, 20. 5. 1972, p. 1.
(2) OJ No L 291, 28. 12. 1972, p. 147.
(3) OJ No L 270, 1. 12. 1972, p. 63.
(4) OJ No L 144, 2. 7. 1970, p. 10.