REGULATION (EEC) No 184/73 OF THE COUNCIL

of 23 January 1973

fixing the basic price and the buying-in price for pears from 1 February to 30 April 1973

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 [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 Article 16 (1) and Article 35 thereof;

Having regard to the proposal from the Commission;

Whereas the marketing of pears harvested during a given year of production is spread between June and May of the following year;

Whereas under Article 16 (1) of Regulation (EEC) No 1035/72, the basic price and the buying-in price of the product for the marketing year must be fixed annually; whereas, however, for the current year, and since the Treaty concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community [3], signed at Brussels on 22 January 1972, applies to this market from 1 February 1973, these prices have been fixed only until 31 January 1973; whereas the basic and buying-in prices must, therefore, be fixed for the remainder of the marketing year, taking into account data relating to the production of the products in question in the new Member States;

Whereas under the second subparagraph of Article 16 (1) of Regulation (EEC) No 1035/72, each marketing period at the beginning and at the end of the marketing year is to be disregarded; whereas at the end of the marketing year the quantities marketed in May are only a small percentage of the metric tonnage marketed throughout the whole year; whereas, therefore, this month should be disregarded;

Whereas pears produced within the Community include several varieties; whereas different quotations according to varieties are recorded on the market; whereas a sufficiently representative variety should, therefore, be selected for the application of the intervention system; whereas passe crassane pears, quality Class I, satisfy this requirement for the period in question;

Whereas the surplus production areas to be used for fixing the basic price in accordance with Article 16 (2) of Regulation (EEC) No 1035/72 are, for February, March and April, those situated in the Italian provinces of Ravenna, Bologna and Ferrara;

Whereas, taking account of the method of calculating the basic price referred to in Article 16 (2) of Regulation (EEC) No 1035/72, the level of this price is such that the application of the criterion referred to in Article 16 (3) of that Regulation, limiting the level of the buying-in price to 55 % of the basic price, would result in fixing the latter for the remainder of the current marketing year at a substantially lower level than for last year; whereas this would be disadvantageous to producers and should be avoided; whereas recourse should be had to Article 35 of this Regulation to fix the buying-in price at a higher level for the part of the year in question than the abovementioned limit in order, as a general rule, to ensure compensation for producers' organizations at least equal to that of last year;

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period from 1 February to 30 April 1973, the basic and buying-in price for pears, other than perry pears, in units of account per 100 kg net, are fixed as follows:

	Basic price	*Buying-in price*
February, March, April	11·0	6·8

2. The prices quoted in paragraph 1 are those for passe crassane pears, quality Class I, size equal to or larger than 70 mm, packed.

[1] OJ No L 118, 20. 5. 1972, p. 1.
[2] OJ No L 291, 28. 12. 1972, p. 147.
[3] Special Edition, 27. 3. 1972, p. 5.

Article 2

The prices referred to in Article 1 (1) do not include the cost of the packing in which the product is presented.

If the price ascertained for a particular product on a representative market, in accordance with Article 17 of Regulation (EEC) No 1035/72, includes all or part of the cost of the packing in which the product is presented, the price shall be reduced by the cost of the packing included.

Article 3

The information to be communicated under Article 17 (1) of Regulation (EEC) No 1035/72 shall include prices exclusive of packing recorded for the variety referred to in Article 1 (2).

Article 4

This Regulation shall enter into force on 1 February 1973.

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

Done at Brussels, 23 January 1973.

For the Council

The President

L. TINDEMANS