REGULATION (EEC) No 311/73 OF THE COMMISSION

of 6 February 1973

repealing Regulation (EEC) No 26/73 applying the duty in the Common Customs Tariff to certain varieties of sweet oranges originating in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 2047/70 [1] of 13 October 1970 on imports of citrus fruit originating in Spain, and in particular Article 5 thereof ;

Whereas Commission Regulation (EEC) No 26/73 [2] of 4 January 1973 applied the duty in the Common Customs Tariff to certain varieties of sweet oranges originating in Spain ;

Whereas, pursuant to the second paragraph of Article 4 of Regulation (EEC) No 2047/70, this rule remains in force until the quotations referred to in Article 2 (1) of that Regulation, adjusted by the conversion factors and following deduction of transport costs and import charges other than customs duties, remain equal to or higher than the price laid down in Article 3 of that Regulation for three consecutive market days on the representative markets of the Community with the lowest quotations ;

Whereas the conversion factors, the transport costs and import charges other than customs duties are those used for the purpose of calculating the entry price referred to in Council Regulation No 1035/72 [3] of 18 May 1972 on the common organization of the market in fruit and vegetables as last amended by Regulation (EEC) No 2745/72 [4] ; whereas the method of calculating import charges other than customs duties is, for certain cases, defined in Article 2 (2) of Regulation (EEC) No 2047/70 ;

Whereas application of these rules to quotations recorded for sweet oranges imported into the Community and originating in Spain indicates that the conditions set out in the second paragraph of Article 4 of Regulation (EEC) No 2047/70 are fulfilled for varieties listed in Article 2 (1) (c) of Regulation (EEC) No 2522/72 [5] fixing reference prices for sweet oranges ; whereas Regulation (EEC) No 26/73 should therefore be repealed ;

HAS ADOPTED THIS REGULATION :

Article 1

Commission Regulation (EEC) No 26/73 of 4 January 1973 applying the duty in the Common Customs Tariff to certain varieties of sweet oranges imported from Spain is hereby repealed.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 6 February 1973.

For the Commission

The President

François-Xavier ORTOLI

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[1] OJ No L 228, 15. 10. 1970, p. 2.
[2] OJ No L 5, 5. 1. 1973, p. 26.
[3] OJ No L 118, 20. 5. 1972, p. 1.
[4] OJ No L 291, 28. 12. 1972, p. 147.
[5] OJ No L 270, 1. 12. 1972, p. 63.