REGULATION (EEC) No 500/73 OF THE COMMISSION

of 15 February 1973

fixing the reference prices for pears for the rest of season 1972/73

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 Article 27 (1) thereof ;

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72 and to Article 1 (1) of Commission Regulation (EEC) No 1291/70 [3] of 1 July 1970 laying down detailed rules for the application of that Article, reference prices for the whole Community are fixed each year before the beginning of the marketing year ; whereas for the present marketing year, however, since the Treaty [4] concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, is to apply to this sector from 1 February 1973, reference prices for pears were fixed up to 31 January 1973 only ; whereas these prices should therefore be fixed for the rest of the marketing year, account being taken of conditions of production in respect of the products in question in the new Member States ;

Whereas pursuant to Article 57 of the Act annexed to the aforesaid Treaty, prices in the new Member States are to be reduced by the compensatory amounts ;

Whereas for a home-grown product with defined commercial characteristics the reference price is equal to the arithmetic mean of the producer prices in each Member State, plus an amount, based on marketing costs, calculated with a view to enabling the reference price and prices of imported products to be compared at the same markeing stage ; whereas, under Article 1 (1) of Regulation (EEC) No 1291/70, the prices to be used in determining those producer prices must relate to the 'ex-producers group' stage or to any other comparable marketing stage ; whereas, under the first subparagraph of Article 24 (2) of Regulation (EEC) No 1035/72, the entry prices of imported products must be calculated at or converted to the 'import/wholesale' stage ; whereas these prices are then directly comparable with the arithmetic mean of the producer prices and therefore do not need to be increased by the amount referred to above ;

Whereas Article 23 (2) of Regulation (EEC) No 1035/72 provides that producer prices in each Member State are to correspond to the average of the prices recorded during the three years prior to the date of fixing the reference price, on the representative market or markets situated in the production areas where prices are lowest ; whereas the prices on which calculations are based, must, under Article 1 (1) of Regulation (EEC) No 1291/70, relate to Class I products, of all sizes, packed, the packing costs being included in the price ;

Whereas Article 23 (3) of Regulation (EEC) No 1035/72 further provides that only prices recorded for products or varieties representing a considerable proportion of the production marketed for part of the year or throughout the whole year shall be used ;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Fruit and Vegetables ;

HAS ADOPTED THIS REGULATION :

Article 1

The reference prices for pears other than perry pears (subheading ex 08.06 B II of the Common Custions Tariff), expressed in units of account per 100 kg net, shall in respect of variety Groups I, II

(1) OJ No L 118, 20. 5. 1972, p. 1.
(2) OJ No L 291, 28. 12. 1972, p. 147.
(3) OJ No L 144, 2. 7. 1970, p. 10.
(4) OJ No L 73, 27. 3. 1972, p. 5.

and III, for Class I products of all sizes, packed, be as follows :

February	15·0
March	15·0
April	15·0
May	—

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*. It shall apply until 31 May 1973.

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

Done at Brussels, 15 February 1973.

For the Commission

The President

François-Xavier ORTOLI