REGULATION (EEC) No 1723/74 OF THE COMMISSION

of 3 July 1974

adopting certain protective measures in respect of imports of peaches

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 29 (2) thereof;

Whereas on 2 July 1974 the French Republic notified certain provisional protective measures which it had taken in respect of imports of peaches originating in Spain; whereas, under Article 4 (2) of Council Regulation (EEC) No 2707/72 [3] of 19 December 1972 laying down conditions for applying protective measures for fruit and vegetables, such notification is deemed to be a request within the meaning of Article 29 (2) of Regulation (EEC) No 1035/72; whereas the Commission must therefore assess the situation on the market in this product and determine whether there exists a serious disturbance which may endanger the objectives set out in Article 39 of the Treaty, or the threat of such a disturbance;

Whereas, according to the information at present available, French production of peaches for the present marketing year can be estimated at 432 000 metric tons; whereas this represents a decrease in production by comparison with the 1973 marketing year; whereas, however, there is virtually no decrease as regards early and semi-early varieties of peaches marketed during June and July, which were harvested somewhat late owing to climatic conditions; whereas the quantities marketed in France in July, particularly during the first part of the month, will be more or less equal to those marketed during the same period last year;

Whereas peach production in Spain, the main supplier on the French market, has shown a significant increase by comparison with previous year; whereas, however, as in the case of French production, early and semi-early varieties have been harvested in Spain somewhat late, which has resulted in concentrated marketing of the Spanish product;

Whereas during the last week in June a considerable fall was recorded in production prices on the French markets which was due, in particular, to the increased volume of imports; whereas, besides, the prices recorded on the French market for the imported product are noticeably lower than those during the same periods of the last marketing year;

Whereas, in the light of developments so far during this marketing year, the quantities marketed in France will increase further during the next few days; whereas a further fall in prices on the French market is therefore to be expected;

Whereas during the present marketing year withdrawals from the market began to take place in France from 1 July, whilst during the last marketing year such withdrawals began later on; whereas in view of the foreseeable trend in prices it is likely that there will shortly be withdrawals of French products in large quantities;

Whereas the assessment of the market situation set out briefly above leads to the conclusion that the French market is experiencing serious disturbances which may endanger the objectives set out in Article 39 of the Treaty; whereas in these circumstances protective measures should be taken;

Whereas for this purpose imports of peaches into France should be suspended for as long as is strictly necessary to remove the disturbances described above;

Whereas it appears that the markets in other regions of the Community have up till now not experienced any disturbances by reason of these imports; whereas the protective measure should therefore be limited in its application to imports into France,

HAS ADOPTED THIS REGULATION:

Article 1

The entry into free circulation in France of peaches excluding nectarines (subheading ex 08.07 B of the Common Customs Tariff) originating in third countries is hereby suspended from 4 to 11 July 1974.

Article 2

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

(1) OJ No L 118, 20. 5. 1972, p. 1.
(2) OJ No L 291, 28. 12. 1972, p. 147.
(3) OJ No L 291, 28. 12. 1972, p. 3.

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

Done at Brussels, 3 July 1974.

For the Commission

The President

François-Xavier ORTOLI