REGULATION (EEC) No 295/74 OF THE COMMISSION

of 4 February 1974

fixing the export refunds on fruit and vegetables

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 30 (4) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade and prices in the Community for the products referred to in that Article may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 [3] of 9 December 1969 laying down general rules for granting export refunds on fruit and vegetables and criteria for fixing the amount of such refunds as amended by Regulation (EEC) No 2455/72 [4] provides that, when refunds are being fixed, account must be taken of the current situation or foreseeable developments with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the prices and quotations referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it necessary to vary the refund for a given product according to the destination of that product;

Whereas economically significant quantities of 'Extra' Class, Class I and Class II sweet fresh oranges, fresh mandarins, fresh lemons and apples, of 'Extra' Class and Class I hothouse grapes, of shelled hazelnuts and of unshelled walnuts can be exported at the present time;

Whereas exports of these products to certain destinations cannot be routed through the Suez Canal and whereas the consequent detour via the Cape of Good Hope entails additional transport costs; whereas the refund can therefore be justifiably increased where exports have to be transported via the latter route;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

— in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2·25 %, a rate of exchange based on their effective parity;

— for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph;

Whereas it follows from applying these rules and criteria to the present situation on the market of the prospective development of this situation, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refund should be fixed as indicated below;

Whereas the Management Committee for Fruit and Vegetables has not delivered an opinion within the time limit set by its Chairman,

(1) OJ No L 118, 20. 5. 1972, p. 1.
(2) OJ No L 291, 28. 12. 1972, p. 147.
(3) OJ No L 318, 18. 12. 1969, p. 17.
(4) OJ No L 266, 25. 11. 1972, p. 7.

HAS ADOPTED THIS REGULATION :

Article 1

1. The export refunds on fruit and vegetables are hereby fixed at the amounts indicated in the Annex.

2. If apples are shipped to their destination via the Cape of Good Hope, the amount indicated in the Annex shall be increased by 4 u.a./100 kg.

3. The provisions of Article 2b of Commission Regulation (EEC) No 497/70 (1) of 17 March 1970 on rules for the application of export refunds on fruit and vegetables, as supplemented by Regulation (EEC) No 316/71 (2), shall apply to the sweet oranges, mandarins, unshelled walnuts and apples set out in the Annex.

Article 2

This Regulation shall enter into force on 5 February 1974.

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

Done at Brussels, 4 February 1974.

For the Commission

The President

François-Xavier ORTOLI

(1) OJ No L 62, 18. 3. 1970, p. 15.

(2) OJ No L 36, 13. 2. 1971, p. 11.

ANNEX

to the Commission Regulation of 4 February 1974 fixing the export refunds on fruit and vegetables

(u.a./100 kg net)

CCT heading No	Description of goods	Refund
ex 08.02 A I	Sweet fresh oranges :	
	— Of the varieties Moro, Tarocco, Sanguinello ('Extra' Class, Class I and Class II)	6·00
	— Of other varieties ('Extra' Class, Class I and Class II)	4·00
ex 08.02 B	Fresh manderins ('Extra' Class, Class I and Class II)	6·00
ex 08.02 C	Fresh lemons ('Extra' Class, Class I and Class II)	1·44
ex 08.04 A I	Table grapes, fresh, hothouse ('Extra' Class and Class I)	16·00
ex 08.05 B	Unshelled walnuts	8·00
ex 08.05 G	Shelled hazelnuts	4·00
ex 08.06 A II	Apples ('Extra' Class, Class I and Class II) other than cider apples :	
	— for export to countries and territories of Africa (with the exception of South Africa), countries of the Arabian peninsula, Syria, countries or states with a planned economy in central and eastern Europe, Sweden, Norway, Finland, Iceland, Brazil, Venezuela and Peru	3·00