REGULATION (EEC) No 2046/75 OF THE COMMISSION

of 25 July 1975

on special detailed rules for the application of the system of advance fixing certificates for products processed from 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 865/68 (1) of 28 June 1968 on the common organization of the market in products processed from fruit and vegetables, as last amended by Regulation (EEC) No 981/75 (2), and in particular Articles 5 (3) and 6 (3) thereof;

Whereas special detailed rules for the application of the system of advance fixing certificates for products processed from fruit and vegetables were laid down by Commission Regulation (EEC) No 2637/70 (3) of 23 December 1970 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products, as last amended by Regulation (EEC) No 1807/75 (4);

Whereas Regulation (EEC) No 2637/70 also laid down special detailed rules for the application of the system of import and export licences and advance fixing certificates established for other products; whereas that Regulation has been amended many times; whereas experience has shown that its composite nature can make it difficult to administer; whereas, therefore, in the interests of clarity and sound administration, the legislation applicable to each sector should be consolidated and published in the form of a separate Regulation;

Whereas this Regulation should comprise those provisions peculiar to products processed from fruit and vegetables which are required for the application of the system of certificates in this sector;

Whereas such provisions either supplement or derogate from the provisions of Commission Regulation (EEC) No 193/75 (5) of 17 January 1975 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down special detailed rules for the application of the system of advance fixing certificates established by Article 6 of Regulation (EEC) No 865/68.

Article 2

Member States shall, at the request of the party concerned, apply the system of advance fixing of levies and refunds provided for in Article 5 of Regulation (EEC) No 865/68.

Article 3

Certificates shall be valid from their day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75 until the end of the fifth month following that of issue.

Article 4

When a product is imported which is subject to quantitative restrictions in a Member State, the certificate shall apply in that Member State only if a State document equivalent to prior authorization of importation can be produced.

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(1) OJ No L 153, 1. 7. 1968, p. 8.
(2) OJ No L 95, 17. 4. 1975, p. 2.
(3) OJ No L 283, 29. 12. 1970, p. 15.
(4) OJ No L 184, 15. 7. 1975, p. 33.
(5) OJ No L 25, 31. 1. 1975, p. 10.

Article 5

Where the certificate is used in respect of products falling within Tariff heading No 20.07, a tolerance of 0·03 in relation to the Tariff specification shall be acceptable as regards the density of the product.

Section 20 of the certificate in the case of imports and section 18 of the certificate in the case of exports shall contain one of the following endorsements:

'Density tolerance 0·03'

'tolerance for vægtfylde på 0·03'

'Toleranzdichte 0·03'

'tolérance densité de 0·03'

'Tolleranza densità 0·03'

'Dichtheidstolerantie 0·03'

2. In the case of exports section 12 of the certificate shall indicate the basic product or products (sugar, glucose or glucose syrup) for which the refund is fixed in advance.

Article 6

The amount of the security for each product shall be as shown in the following table:

CCT heading No	Description of goods	Amount of security in u.a./100 kg net
ex 13.03 B	Pectin	0·15
ex 20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, whether or not containing salt, spices or mustard, with sugar	0·15
ex 20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid, with sugar	0·15
20.03	Fruit preserved by freezing, containing added sugar	0·60
20.04	Fruit, fruit-peel, and parts of plants, preserved by sugar (drained, glacé or crystallized)	1·50
ex 20.05	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, containing added sugar:	
	1. Chestnut purée and paste	1·50
	2. Other:	
	— With a sugar content exceeding 30 % by weight	1·50
	— Other	0·25
ex 20.06	Fruit otherwise prepared or preserved, containing added sugar	0·25
ex 20.07	Fruit juices (including grape must) and vegetable juices, containing added sugar, but unfermented and not containing spirit:	
	— With an added sugar content exceeding 30 % by weight	1·50
	— Other	0·25

Article 7

1. Article 1, in so far as it concerns products processed from fruit and vegetables, and Articles 44 to 48 of Regulation (EEC) No 2637/70 are hereby repealed.

2. All references in Community instruments to one of the abovementioned Articles of Regulation (EEC) No 2637/70 shall be treated as references to the corresponding Article of this Regulation.

Article 8

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*. It shall apply with effect from 1 September 1975.

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

Done at Brussels, 25 July 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission