REGULATION (EEC) No 3367/75 OF THE COMMISSION

of 23 December 1975

fixing for certain products processed from fruit and vegetables the export refunds provided for in Article 3a of Regulation (EEC) No 865/68

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 1420/75 [2], and in particular the first sentence of Article 3a (4) thereof ;

Whereas Article 3a of Regulation (EEC) No 865/68 provides that, where required in order to permit the exportation on the basis of prices ruling in international trade of economically important products not containing added sugar being products listed in Article 1, the difference between the aforesaid prices and Community prices may be covered by an export refund ;

Whereas Article 3a (5) of the said Regulation provides that, where the refund fixed pursuant to Article 3 is not sufficient to permit exports of the products containing added sugar covered by Regulation (EEC) No 865/68, the provisions of Article 3a rather than those of Article 3 shall apply to such products ;

Whereas Article 2 of Council Regulation (EEC) No 1426/71 [3] of 2 July 1971 laying down general rules for granting export refunds on products processed from fruit and vegetables and criteria for fixing the amount of such refunds provides that refunds are to be fixed taking into account the existing situation and future trends with regard, on the one hand, to prices and availabilities on the Community market of products processed from fruit and vegetables and, on the other hand, to prices ruling in international trade ; whereas account also has to be taken of the costs referred to in (b) of the said Article and of the economic aspect of the proposed exports ;

Whereas Article 3 of Regulation (EEC) No 1426/71 provides that when prices on the Community market are being determined account shall be taken of the ruling prices which are most favourable from the point of view of exportation ; whereas when prices in international trade are being determined account is to be taken of the prices referred to in paragraph 2 of the said Article ;

Whereas peeled tomatoes, tomato concentrate and tomato, orange and lemon juice are economically important products not containing added sugar, while in the case of cherries in syrup no refund such as would permit exportation has been fixed pursuant to Article 3 of Regulation (EEC) No 865/68 ; whereas under these circumstances it is necessary to fix for these products the refund provided for in Article 3a of Regulation (EEC) No 865/68 ;

Whereas it follows from applying these rules and criteria to the present situation on the market, and in particular to prices within the Community and on the world market for products processed from fruit and vegetables, that the refund should be fixed as indicated below ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. The export refunds provided for in Article 3a of Regulation (EEC) No 865/68 shall be as specified in the Annex hereto.

2. The provisions of Article 6 (1) (b) of Commission Regulation (EEC) No 192/75 [4] of 17 January 1975 laying down detailed rules for the application of export refunds in respect of agricultural products shall apply to exports of tomato concentrate of the kinds specified in the Annex hereto.

Article 2

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

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[1] OJ No L 153, 1. 7. 1968, p. 8.
[2] OJ No L 141, 3. 6. 1975, p. 1.
[3] OJ No L 151, 7. 7. 1971, p. 3.
[4] OJ No L 25, 31. 1. 1975, p. 1.

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

Done at Brussels, 23 December 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

CCT heading No	Description of goods	Amount in u.a./100 kg of product (including immediate packings)
ex 20.02 C	Peeled tomatoes	7·00 (1)
ex 20.02 C	Tomato concentrate :	
	— Dry extract content :	
	— 12 % and over, but less than 18 %	8·04 (1)
	— 18 % and over, but less than 28 %	12·32 (1)
	— 28 % and over, but less than 36 %	15·00 (1)
	— 36 % and over, but less than 95 %	19·30 (1)
	— 95 % and over	51·00 (1)
ex 20.06 B	Cherries in syrup (weight of fruit, not of juice, not less than 50 % of total weight, not including immediate packing)	4·80 (2)
ex 20.07	Tomato juice	2·00
ex 20.07	Pure orange juice, with no other substances added :	
	— Not concentrated (between 10 and 12 degrees Brix value)	1·74
	— Concentrated :	
	— Per unit of concentration (11 degrees Brix value)	1·74
ex 20.07	Pure lemon juice, with no other substances added :	
	— Not concentrated (between 7 and 11 degrees Brix value)	0·74
	— Concentrated :	
	— Per unit of concentration (9 degrees Brix value)	0·74

(1) For exports to all third countries, with the exception of North America.

(2) This refund replaces that provided for in Article 3 of Regulation (EEC) No 865/68.