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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1329/76

of 9 June 1976

laying down protective measures applicable to imports of dessert apples originating in Chile

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 of 18 May 1972 on the common organization of the market in fruit and vegetables (1), as last amended by Regulation (EEC) No 795/76 (2), and in particular Article 29 (2) thereof,

Whereas Community production of apples was about 7 300 000 metric tons for the 1975/76 marketing year, one of the highest levels reached in recent years; whereas this resulted in withdrawals at the end of May amounting to about 700 000 metric tons, the largest withdrawals of apples since the intervention system was set up;

Whereas, despite the extent of those withdrawals, there are still stocks larger than those recorded at the same period of the 1973/74 marketing year during which the withdrawals effected in June totalled about 40 000 metric tons; whereas it may consequently be predicted that, for the present marketing year, a surplus of at least equal size will be the subject of intervention;

Whereas during this marketing year the prices for Community production have generally been lower than both the basic price and the producer prices recorded for the preceding marketing year;

Whereas considerable imports of apples into the Community have generally been recorded in the second six months of the year; whereas they consist mainly of newly harvested fruit; whereas, however, the two categories of product can, to a large extent, be readily substituted for one another; whereas, therefore, imports from non-member countries during the second six months can provoke a further drop in prices and, in any case, necessitate the withdrawal of larger quantities from the market;

Whereas, in view of the difficulties described above, the main non-member countries which supply the Community, including Chile, stated that they would readjust their programmes for exports to the Community during the last few months of this marketing year by limiting their consignments to quantities lower than those normally exported during the same period in preceding years;

Whereas, up to now, exports from those countries have generally been effected at prices considerably lower than those recorded last year; whereas this price trend, by increasing the possibilities of the substitution of imported apples for Community production, is likely to provoke an increase in imports from countries with substantial availabilities;

Whereas such a situation has already arisen in the case of Chile, whose consignments to the Community in April and May, effected at prices considerably lower than those of preceding years, have already largely exceeded the quantity provided for in that country's export programme for the last few months of the marketing year; whereas, despite the measures taken by the Chilean Government to prevent the worsening of the situation, large consignments of Chilean apples initially intended for destinations other than the Community appear to have been forwarded to the Community market;

Whereas the assessment of the market situation outlined above leads to the conclusion that the Community market is threatened, as a result of the imports of Chilean apples, with serious disturbances likely to endanger the objectives of Article 39 of the Treaty; whereas, in these circumstances, it is necessary to suspend imports of apples originating in Chile

(1) OJ No L 291, 28. 12. 1972, p. 3.
(2) OJ No L 93, 8. 4. 1976, p. 6.

until the end of the marketing period for dessert apples,

HAS ADOPTED THIS REGULATION :

Article 1

The placing in free circulation within the Community of apples other than cider apples (subheading 08.06 A II of the Common Customs Tariff) originating in Chile is suspended until 30 June 1976.

Article 2

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

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

Done at Brussels, 9 June 1976.

For the Commission

Patrick J. HILLERY

Vice-President