COUNCIL REGULATION (EEC) No 1779/76

of 20 July 1976

amending Regulation (EEC) No 1930/75 laying down special provisions applicable to trade in tomato concentrates between the Community as originally constituted and the new Member States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (1),

Whereas Regulation (EEC) No 1930/75 (2) established a system of compensatory amounts between the Community as originally constituted and the new Member States;

Whereas, despite the introduction of that system, it has not been possible for the Community as originally constituted to maintain its former volume of consignments to the new Member States; whereas this state of affairs results from a widening of the difference between non-member countries' offer prices and the Community cost price; whereas the compensatory amounts should therefore be increased in order to protect the competitive position on the markets of the new Member States of producers in the Community as originally constituted;

Whereas, as a result of market trends in recent years, large stocks of Community-produced peeled tomatoes still remain to be disposed of; whereas at the end of the present marketing year Community stocks of about 200 000 metric tons may well have to be carried over; whereas offer prices on the market of the three new Member States are lower than the price obtaining on markets in the Community as originally constituted; whereas, since the markets of the new Member States are an important traditional outlet for Community peeled tomatoes, this difference in prices could harm the competitive position on those markets of producers in the Community as originally constituted;

Whereas, under these circumstances, the system of compensatory amounts should be extended to apply to peeled tomatoes to safeguard the competitive position of the said producers; whereas those amounts should be fixed at a level such as to facilitate the sale of peeled tomatoes on the markets of the new Member States,

(1) Opinion delivered on 8 July 1976 (not yet published in the Official Journal)
(2) OJ No L 198, 29. 7. 1975, p. 15.

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1930/75, the words 'and peeled tomatoes' shall be inserted after 'tomato concentrates'.

Article 2

Article 4 of Regulation (EEC) No 1930/75 is hereby amended to read as follows:

'*Article 4*

1. The compensatory amount for tomato concentrates shall be equal to 50 % of the export refund referred to in Article 1. The compensatory amount shall be reduced in two stages.

The two reductions shall be such as to reduce the level of the compensatory amounts to 25 % and 0 % respectively of the said refunds and shall be made on 1 July 1977 and 1 January 1978.

When the first reduction is made, the compensatory amount, based on the level of the export refunds, shall in no case be fixed at a level such as to allow exportation to the new Member States at a price below the special minimum price referred to in Article 2 (3) of Council Regulation (EEC) No 1927/75 of 22 July 1975 concerning the system of trade with third countries in the market in products processed from fruit and vegetables (1).

2. The compensatory amount for peeled tomatoes shall be equal to 25 % of the export refund referred to in Article 1. The compensatory amount shall be reduced in two stages.

The two reductions shall be such as to reduce the level of the compensatory amounts to 12·50 % and 0 % respectively of the said refunds and shall be made on 1 July 1977 and 1 January 1978.

(1) OJ No L 198, 29. 7. 1975, p. 7.'

Article 3

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, 20 July 1976.

For the Council

The President

A. P. L. M. M. van der STEE