# COMMISSION REGULATION (EEC) No 1946/76
## of 5 August 1976
## 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 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 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 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 (3), 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 tomatoes, fresh lemons and apples and peaches of the common quality standards 'Extra' Class, Class I and Class II, 'Extra' Class and Class I hothouse and open ground grapes, almonds, shelled hazelnuts, and shelled walnuts may at present be exported in economically significant quantities;

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 measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

(1) OJ No L 118, 20. 5. 1972, p. 1.
(2) OJ No L 93, 8. 4. 1976, p. 6.
(3) OJ No L 318, 18. 12. 1969, p. 17.
(4) OJ No L 266, 25. 11. 1972, p. 7.

2. The provisions of Article 6 (1) (b) of Commission Regulation (EEC) No 192/75 of 17 January 1975 laying down detailed rules for the application of export refunds in respect of agricultural products [1], as amended by Regulation (EEC) No 2818/75 [2], shall apply to exports of unshelled walnuts, shelled hazelnuts, apples and peaches set out in the Annex.

*Article 2*

This Regulation shall enter into force on 6 August 1976.

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

Done at Brussels, 5 August 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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(1) OJ No L 25, 31. 1. 1975, p. 1.
(2) OJ No L 280, 31. 10. 1975, p. 31.

*ANNEX*

**to the Commission Regulation of 5 August 1976 fixing the export refunds on fruit and vegetables**

*(u.a./100 kg net)*

| CCT heading No | Description of goods | Refund |
|---|---|---|
| ex 07.01 M II | Tomatoes 'Extra' Class, Class I and Class II | 4·00 |
| ex 08.02 C | Fresh lemons ('Extra' Class, Class I and Class II) for export to : | |
| | — Countries or States with a planned economy in central and eastern Europe | 2·50 |
| | — Other destinations | 1·44 |
| ex 08.04 A I | Table grapes : | |
| | — fresh, open ground 'Extra' Class and Class I | 4·00 |
| | — fresh, hothouse 'Extra' Class and Class I | 16·00 |
| ex 08.05 A II | Shelled almonds other than bitter almonds | 8·00 |
| ex 08.05 B | Walnuts unshelled | 10·00 |
| ex 08.05 G | Shelled hazelnuts | 8·00 |
| ex 08.06 A II | Apples ('Extra' Class, Class I and Class II) other than cider apples : | |
| | — for export to Botswana, Lesotho, Swaziland, Zambia, Malawi, Mozambique, Tanzania, Kenya, Rwanda, Burundi, Uganda, Somalia, Madagascar, Comore Islands, Mauritius, Sudan, Ethiopia, the French territory of the Afars and Issas, the countries of the Arabian peninsula (1) Iran and Iraq | 7·00 |
| | — for export to countries and territories of Africa other than those mentioned above and South Africa, Syria, Jordan, countries with a planned economy in central and eastern Europe, Bolivia, Brazil, Venezuela, Peru, Panama, Iceland, Finland, Norway and Sweden | 3·00 |
| ex 08.07 B | Peaches (excluding nectarins) 'Extra' Class, Class I and Class II | 8·00 |

(1) For the purpose of this Regulation the 'countries of the Arabian peninsula' are considered to be the following, including the territories attached thereto : Saudi Arabia, Bahrain, Qatar, Kuwait, the Sultanate of Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Ummal-Quaiwain, Fujairah, Ras Al Kaiman) Yemen Arab Republic (North Yemen) and the People's Democratic Republic of Yemen (South Yemen).