COMMISSION REGULATION (EEC) No 639/76

of 23 March 1976

repealing Regulation (EEC) No 607/76 and introducing a new countervailing charge on imports of cucumbers originating in Bulgaria

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 March 1972 on the common organization of the market in fruit and vegetables [1], as last amended by Regulation (EEC) No 2482/75 [2], and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Regulation (EEC) No 607/76 [3] introduced a countervailing charge on imports of cucumbers originating in Bulgaria, pursuant to Article 25a of Regulation (EEC) No 1035/72;

Whereas Regulation (EEC) No 1035/72 laid down the conditions under which a charge may be introduced, altered or abolished; whereas it is laid down in Article 26 (2) of that Regulation that the charge introduced pursuant to Article 25a is to be applied for six days and that that charge may be revoked before the end of that period only if the application of Article 25 (1) results in the fixing of a new countervailing charge of a higher amount;

Whereas, in respect of cucumbers from Bulgaria, the present trend in the prices recorded on the representative markets referred to in Regulation (EEC) No 2118/74 [4], as amended by Regulation (EEC) No 385/75 [5], and recorded or calculated in accordance with Article 5 of the abovementioned Regulation, shows that the entry prices on two consecutive market days require the fixing of a charge exceeding the amount of the charge already introduced by Regulation (EEC) No 607/76;

Whereas, consequently, the conditions laid down in the first indent of Article 26 (2) of Regulation (EEC) No 1035/72 are fulfilled in order, on the one hand, for the charge introduced pursuant to Article 25a of that Regulation to be revoked and, on the other, for a new charge to be introduced pursuant to Article 25 of that Regulation;

Whereas, if the system is to operate normally, the entry price 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,

HAS ADOPTED THIS REGULATION:

Article 1

1. A countervailing charge the amount of which is fixed at 27·12 units of account per 100 kilogrammes net shall be levied on imports of cucumbers (subheading ex 07.01 P of the Common Customs Tariff) originating in Bulgaria.

2. Regulation (EEC) No 607/76 is repealed.

Article 2

This Regulation shall enter into force on 24 March 1976.

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

Done at Brussels, 23 March 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

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(1) OJ No L 118, 20. 5. 1972, p. 1.
(2) OJ No L 254, 1. 10. 1975, p. 3.
(3) OJ No L 72, 18. 3. 1976, p. 12.
(4) OJ No L 220, 10. 8. 1974, p. 20.
(5) OJ No L 44, 18. 2. 1975, p. 8.