# COMMISSION REGULATION (EEC) No 171/77

## of 27 January 1977

## introducing a countervailing charge on certain varieties of sweet oranges originating in Algeria and in Greece

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 the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0·50 unit of account below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances;

Whereas Commission Regulation (EEC) No 2755/76 of 11 November 1976 fixing the reference prices for sweet oranges for the 1976/77 marketing year [3] fixed the reference price for Class I products of Group II at 16·28 units of account per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available, less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas it is necessary to record the prices to be taken into consideration on the representative markets referred to in Regulation (EEC) No 2118/74 [4], as amended by Regulation (EEC) No 385/75 [5], and to affect this price where applicable by the coefficients fixed in Article 1 (4) of Regulation (EEC) No 2755/76;

Whereas, for oranges from Algeria and Greece of the varieties listed in Article 1 (3) (c) of Regulation (EEC) No 2755/76, the entry prices calculated in this way have remained at least 0·50 unit of account below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for certain varieties of sweet oranges originating in Algeria and in Greece;

Whereas the entry prices available at present for these two exporting countries allow the application of one charge, equal to the difference between the reference price and the arithmetic mean of the average entry prices established for each exporting country; whereas Commission Regulation (EEC) No 132/77 of 24 January 1977 introducing a countervailing charge on certain varieties of sweet oranges originating in Algeria [6] should therefore be repealed;

Whereas, if the system is to operate normally, the entry prices should be calculated:

— 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 of 1·58 units of account per 100 kilograms net is applied to fresh sweet oranges (subheading ex 08.02 A I of the Common Customs Tariff) orginating in Algeria and in Greece other than the varieties Moro, Tarocco, Biondo comune (Blanca comuna, Blonde commune), Grano de Oro (Imperial, Sucrena), Baladi, Pera, Macetera,

[1] OJ No L 118, 20. 5. 1972, p. 1.
[2] OJ No L 93, 8. 4. 1976, p. 6.
[3] OJ No L 312, 13. 11. 1976, p. 37.
[4] OJ No L 220, 10. 8. 1974, p. 20.
[5] OJ No L 44, 18. 2. 1975, p. 8.
[6] OJ No L 21, 25. 1. 1977, p. 34.

Pineapple, Blood oval (Doblefina, Double fine), Portuguese sanguine, Sanguina redonda (Entrefina), Surinam varieties and the ordinary Sanguina variety, with the exception of Navel sanguines (improved Double fine, Washington sanguina, Sanguina grande) and Maltese sanguines.

2. Regulation (EEC) No 132/77 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 29 January 1977.

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

Done at Brussels, 27 January 1977.

*For the Commission*

Finn GUNDELACH

*Vice-President*