COMMISSION REGULATION (EEC) No 859/77

of 27 April 1977

fixing the reference price for tomatoes for the month of May 1977

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 markets in fruit and vegetables (1), as last amended by Regulation (EEC) No 795/76 (2), and in particular Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas tomatoes are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas tomatoes harvested during a given crop year are marketed from January to December; whereas, for the present marketing year, the reference prices have already been fixed up to 30 April by Regulation (EEC) No 608/77 of 23 March 1977 (3); whereas with the information currently available it is not possible to fix reference prices beyond the month of May; whereas reference prices should therefore be fixed only for that month;

Whereas pursuant to Article 23 (2) of Regulation (EEC) No 1035/72 the reference prices are fixed on the basis of the arithmetic mean of producer prices in each Member State plus an amount representing the costs of transporting Community products from the production areas to Community marketing centres; whereas the trend of average basic prices and buying-in prices must also be taken into account;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas, during the month of May, Community-produced tomatoes are grown mainly under glass; whereas the reference price for this month must therefore be fixed for a product of that tyype; whereas tomatoes imported from certain third countries will have been grown in the open; whereas, although such tomatoes may be classed in Class I, their quality and price are not comparable with those of products grown under glass; whereas the price for tomatoes not grown under glass should therefore be adjusted by a conversion facor;

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. For the month of May 1977, the reference price for tomatoes (subheading 07.01 M of the Common Customs Tariff), expressed in units of account per 100 kilograms net of packed products of Class 1, of all sizes, shall be as follows: 76·00.

2. For the purpose of calculating entry prices, the prices for tomatoes, not produced under glass, imported from third countries shall, after deduction of customs duties, be multiplied by a conversion factor of 1·80.

Article 2

This Regulation shall enter into force on 1 May 1977.

(1) OJ No L 118, 20. 5. 1972, p. 1.
(2) OJ No L 93, 8. 4. 1976, p. 6.
(3) OJ No L 76, 24. 3. 1977, p. 22.

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

Done at Brussels, 27 April 1977.

For the Commission

Finn GUNDELACH

Vice-President