COMMISSION REGULATION (EEC) No 1538/78

of 3 July 1978

fixing, for certain products processed from fruit and vegetables, the export refunds provided for in Article 6 of Regulation (EEC) No 516/77

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables [1], as amended by Regulation (EEC) No 1152/78 [2], and in particular the fourth subparagraph of Article 6 (2) thereof,

Whereas Article 6 of Regulation (EEC) No 516/77 provides that, where required in order to permit the exportation on the basis of prices ruling in international trade of economically important products not containing added sugar being products listed in Article 1, the difference between the aforesaid prices and Community prices may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 519/77 of 14 March 1977 laying down general rules for granting export refunds on products processed from fruit and vegetables and criteria for fixing the amount of such refunds [3] provides that refunds are to be fixed taking into account the existing situation and future trends with regard, on the one hand, to prices and availabilities on the Community market of products processed from fruit and vegetables and, on the other hand, to prices ruling in international trade; whereas account also has to be taken of the costs referred to in (b) of the said Article and of the economic aspect of the proposed exports;

Whereas Article 3 of Regulation (EEC) No 519/77 provides that when prices on the Community market are being determined account shall be taken of the ruling prices which are most favourable from the point of view of exportation; whereas when prices in international trade are being determined account is to be taken of the prices referred to in paragraph 2 of the said Article;

Whereas peeled tomatoes, tomato concentrates, tomato juice, orange juice and stalked and stoned cherries preserved in a sulphurous solution are economically important products to which no sugar has been added;

Whereas it follows from applying these rules and criteria to the present situation on the market, and in particular to prices within the Community and on the world market for products processed from fruit and vegetables, 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 Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds provided for in Article 6 of Regulation (EEC) No 516/77 shall be as specified in the Annex hereto.

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 [4], as last amended by Regulation (EEC) No 2838/77 [5], shall apply to exports of tomato concentrate of the kinds specified in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 July 1978.

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

Done at Brussels, 3 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

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(1) OJ No L 73, 21. 3. 1977, p. 1.
(2) OJ No L 144, 31. 5. 1978, p. 1.
(3) OJ No L 73, 21. 3. 1977, p. 24.
(4) OJ No L 25, 31. 1. 1975, p. 1.
(5) OJ No L 327, 20. 11. 1977, p. 23.

ANNEX

to the Commission Regulation of 3 July 1978 fixing, for certain products processed from fruit and vegetables, the export refunds provided for in Article 6 of Regulation (EEC) No 516/77

CCT heading No	Description	Amount in u.a./100 kg of product (including immediate packings)
ex 08.11 E	Stalked and stoned cherries preserved in a sulphurous solution	4·00 (1)
ex 20.02 C	Peeled tomatoes from the 1977 crop (2)	10·00 (1)
ex 20.02 C	Tomato concentrate from the 1977 crop (2) :	
	— Dry extract content :	
	— 12 % and over, but less than 18 %	11·26 (1)
	— 18 % and over, but less than 28 %	17·25 (1)
	— 28 % and over, but less than 36 %	21·00 (1)
	— 36 % and over, but less than 95 %	27·02 (1)
	— 95 % and over	71·40 (1)
ex 20·07	Tomato juice from the 1977 crop (2)	5·00
ex 20.07	Pure orange juice, with no other substances added :	
	— Not concentrated (between 10 and 12 degrees Brix value)	1·74
	— Concentrated :	
	— Per unit of concentration (11 degrees Brix value)	1·74

(1) For exports to all third countries, with the exception of North America.
(2) Applicable until 20 August 1978.