COMMISSION REGULATION (EEC) No 2889/78

of 7 December 1978

fixing the amount of the production levy for the 1977/78 sugar marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar (1), as last amended by Regulation (EEC) No 1396/78 (2), and in particular Article 27 (7) thereof,

Whereas Article 7 (1) of Commission Regulation (EEC) No 700/73 of 12 March 1973 laying down certain detailed rules for the application of the quota system for sugar (3), as amended by Regulation (EEC) No 1573/76 (4), provides that the amount of the production levy must be fixed for each sugar marketing year; whereas the criteria for fixing the said amount are laid down in Article 27 (2) of Regulation (EEC) No 3330/74 and in Article 7 (2) of Regulation (EEC) No 700/73;

Whereas the total Community sugar production for the 1977/78 sugar marketing year, including quantities carried forward pursuant to Article 31 of Regulation (EEC) No 3330/74, is 11 566 334·8 tonnes; whereas the quantities carried forward to the 1978/79 sugar marketing year amounted to 23 256·7 tonnes and the quantities produced during the sugar year in question but not carried forward exceeded the maximum quotas by 793 424·9 tonnes;

Whereas pursuant to Article 27 (2) of Regulation (EEC) No 3330/74, the guaranteed quantity is to be equal to human consumption in the Community less the quantity imported on preferential terms during the same period; whereas the guaranteed quantity may not be less than the sum of the basic quotas;

Whereas the quantity disposed of for human consumption in the Community during the period 1 October 1977 to 30 September 1978 may be estimated at 9 462 000 tonnes; whereas preferential imports totalled 1 321 243·3 tonnes, expressed as white sugar; whereas therefore, the guaranteed quantity is 9 136 000 tonnes;

Whereas Article 7 (2) (b) of Regulation (EEC) No 700/73 provides that a fixed amount shall be calculated on the basis of the average of losses incurred in disposing of sugar during the period from 1 October of the relevant marketing year to 30 September of the following year;

Whereas 2 930 670·3 tonnes of surplus production were disposed of between 1 October 1977 and 30 September 1978; whereas the fixed amount calculated on the above basis is 23·117 units of account per 100 kilograms;

Whereas the total losses incurred in disposing of production in excess of the guaranteed quantity can thus be assessed at 367 887 715·24 units of account;

Whereas the total production above basic quotas but within maximum quotas and not carried forward was 1 886 937·0 tonnes; whereas the amount of the production levy is calculated by dividing the total losses by the lastmentioned quantity; whereas the amount so calculated is 19·50 units of account per 100 kilograms;

Whereas Council Regulation (EEC) No 1113/77 of 17 May 1977 fixing, for the 1977/78 sugar marketing year, the derived intervention prices, the intervention price for raw beet sugar, the minimum prices for beet, the threshold prices, the maximum amount of the production levy and the amount of the repayment to offset storage costs (5), fixed the maximum amount of the production levy at 9·85 units of account per 100 kilograms of white sugar; whereas the levy should thus be fixed at 9·85 units of account;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

(1) OJ No L 359, 31. 12. 1974, p. 1.
(2) OJ No L 170, 27. 6. 1978, p. 1.
(3) OJ No L 67, 14. 3. 1973, p. 12.
(4) OJ No L 172, 1. 7. 1976, p. 52.
(5) OJ No L 134, 28. 5. 1977, p. 11.

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the production levy for the 1977/78 sugar marketing year shall be 9·85 units of account per 100 kilograms of white sugar.

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities.*

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

Done at Brussels, 7 December 1978.

For the Commission

Finn GUNDELACH

Vice-President