COMMISSION REGULATION (EEC) No 1636/79

of 27 July 1979

derogating from Regulation (EEC) No 1102/78 adopting protective measures applicable to imports of preserved mushrooms

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 Article 14 (2) thereof,

Whereas Commission Regulation (EEC) No 1102/78 of 25 May 1978 (3), as last amended by Regulation (EEC) No 1525/79 (4), suspended the issue of import licences for preserved mushrooms originating in the People's Republic of China ;

Whereas, according to the latest information received, the quantities in respect of which import licences have been applied for have not attained the volume which that country undertook to export to the Community ; whereas it is therefore appropriate to allow additional quantities to be imported,

HAS ADOPTED THIS REGULATION :

Article 1

1. Applications for import licences in respect of preserved mushrooms falling within subheading 20.02 A of the Common Customs Tariff originating in the People's Republic of China shall be granted, within the limits of the quantity stated in the application submitted, within the meaning of Article 6 of Regulation (EEC) No 193/75, until 14 August 1979 inclusive and up to 11·5 % of the quantity imported in 1977 from that country by any interested party in the Member State in which the import licence is applied for.

Proof relating to the quantities imported in 1977 as referred to above shall be furnished when the application for a licence is submitted by production of the customs documents for release into free circulation.

2. Where the applications for licences are made by persons who did not import the product in question from the People's Republic of China in 1977, these applications shall be accepted in each Member State within a limit of 2 % of the total quantity in respect of which import licences may be issued in that Member State pursuant to paragraph 1. In such a case, by way of derogation from paragraph 1, the quantities awarded to the operators referred to in that paragraph shall be reduced proportionately.

3. The import licences applied for pursuant to the foregoing paragraphs shall be issued by the Member States on 17 August 1979.

Article 2

This Regulation shall enter into force on the day of 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, 27 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 73, 21. 3. 1977, p. 1.
(2) OJ No L 144, 31. 5. 1978, p. 1.
(3) OJ No L 139, 26. 5. 1978, p. 26.
(4) OJ No L 185, 21. 7. 1979, p. 23.