COMMISSION REGULATION (EEC) No 2720/79

of 4 December 1979

fixing the amount of the production levy for the 1978/79 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 (3), as last amended by Regulation (EEC) No 114/79 (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;

Whereas Article 27 (2) of Regulation (EEC) No 3330/74 provides that the production levy shall be calculated per unit of weight by dividing total losses incurred in marketing the quantity produced in the Community outside the guaranteed quantity by the sum of the quantities produced outside the basic quota by Community undertakings and that the guaranteed quantity shall be equal to human consumption in the Community less the quantity imported on preferential terms during the same period; whereas, however, the guaranteed quantity may not be less than the sum of the basic quotas; whereas the result of the last-mentioned calculation is less than this sum; whereas, therefore, the guaranteed quantity is equal to 9 136 000 tonnes;

Whereas Article 27 (3) of Regulation (EEC) No 3330/74 provides that the production levy may not exceed a certain maximum amount; whereas Council Regulation (EEC) No 1399/78 (5) fixed the maximum amount of the production levy at 12·15 ECU per 100 kilograms of white sugar;

Whereas the amount which results from the calculation of the levy is higher than the maximum amount; whereas, therefore, the levy should be fixed at 12·15 ECU per 100 kilograms of white sugar;

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

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the production levy for the 1978/79 sugar marketing year shall be 12·15 ECU 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, 4 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

(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 17, 24. 1. 1979, p. 7.
(5) OJ No L 170, 27. 6. 1978, p. 6.