COMMISSION REGULATION (EEC) No 2390/81

of 19 August 1981

amending Commission Regulation (EEC) No 818/80 laying down protective measures applicable to imports of cultivated mushrooms in brine

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 last amended by Regulation (EEC) No 1118/81 [2], and in particular Article 14 (2) thereof,

Whereas Commission Regulation (EEC) No 818/80 [3] of 1 April 1980 laid down protective measures applicable to imports of mushrooms in brine;

Whereas, for some time now, imports into the Community of quantities of mushrooms in brine but prepared or preserved in vinegar have been recorded; whereas these quantities are imported freely and used in the Community for manufacturing preserved mushrooms; whereas these imports therefore contribute to reducing the effect of the protective measures laid down for mushrooms in brine and affect the market for preserved mushrooms;

Whereas, in this situation, the measures applicable to mushrooms in brine should be extended to cover mushrooms prepared or preserved in vinegar or in acetic acid;

Whereas account should be taken of the special situation of products in course of consignment to the Community at the time this Regulation is published; whereas, for this purpose, priority should be given to imports of the said products; whereas, however, in order to avoid worsening the market situation, it is necessary to lay down that such imports should be set off against those which may be made for each quarter and defined by Regulation (EEC) No 818/80,

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is hereby added to Article 1 (1) of Regulation (EEC) No 818/80:

'With effect from 1 October 1981, all imports into the Community from non-member countries of cultivated mushrooms prepared or preserved in vinegar or in acetic acid, within subheading 20.01 C of the Common Customs Tariff, shall also be subject to submission of an import licence.'

Article 2

Article 6 of Regulation (EEC) No 818/80 is hereby replaced by the following:

'*Article 6*

1. Notwithstanding Article 3 (4) and Article 5, import licences shall be issued for the quantities of cultivated mushrooms prepared or preserved in vinegar which are en route to the Community on 20 August 1981, provided that the party concerned

— submits an application by 27 August 1981, and

— in so doing provides proof to the satisfaction of the competent authorities of the Member State concerned that the quantities in question were en route to the Community on the date specified above.

These quantities, in respect of which the parties concerned obtained import licences pursuant to paragraph 1, shall be deducted from those in respect of which the party concerned may obtain import licences under Articles 4 or 5 for imports to be effected each quarter.'

Article 3

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

[1] OJ No L 73, 21. 3. 1977, p. 1.
[2] OJ No L 118, 30. 4. 1981, p. 10.
[3] OJ No L 89, 2. 4. 1980, p. 5.

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

Done at Brussels, 19 August 1981.

For the Commission

Poul DALSAGER

Member of the Commission