COMMISSION REGULATION (EEC) No 3008/89

of 5 October 1989

amending Regulation (EEC) No 1901/89 derogating from Regulation (EEC) No 920/89 laying down quality standards for carrots, citrus fruit and dessert apples and pears as regards the sizing of apples for the 1989/90 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 1035/72 on the common organization of the market in fruit and vegetables (1), as last amended by Regulation (EEC) No 1119/89 (2), and in particular the second subparagraph of Article 2 (3) and Article 16 (4) thereof,

Whereas Annex III to Commission Regulation (EEC) No 920/89 (3) lays down quality standards for dessert apples and pears; whereas Commission Regulation (EEC) No 1901/89 (4), as last amended by Regulation (EEC) No 2954/89 (5), derogates from the provisions on sizing for the 1989/90 marketing year by raising the minimum size of apples;

Whereas there was a serious drought in 1989 in certain regions of the Community, which contributed, in the case of certain apple varieties, to a high percentage of small sizes; that Regulation (EEC) No 2954/89 took this situation into account in the case of the Granny Smith variety; whereas, as a result of new informations and for the 1989/90 marketing year, a derogation should be introduced from the minimum size of large fruited varieties of apple for other varieties;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following text replaces the last indent of Article 1 of Regulation (EEC) No 1901/89:

'However, these provisions do not apply to the Granny Smith, Idared, Ingrid Marie and Red Ingrid Marie varieties of apples.'

Article 2

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

It shall apply with effect from 31 July 1989.

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

Done at Brussels, 5 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 118, 20. 5. 1972, p. 1.
(2) OJ No L 118, 29. 4. 1989, p. 12.
(3) OJ No L 97, 11. 4. 1989, p. 19.
(4) OJ No L 184, 30. 6. 1989, p. 19.
(5) OJ No L 281, 30. 9. 1989, p. 87.