COMMISSION REGULATION (EEC) No 1826/92

of 3 July 1992

amending Regulation (EEC) No 1596/70 on preventive withdrawals of apples and pears

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 of 18 May 1972 on the common organization of the market in fruit and vegetables (1), as last amended by Regulation (EEC) No 1754/92 (2), and in particular Article 15a (2) thereof,

Whereas the basic production referred to in Commission Regulation (EEC) No 1596/79 (3), as last amended by Regulation (EEC) No 1508/91 (4), relates to the production in the Community excluding the territory of the new German Länder;

Whereas to take account of production in the new German Länder the basic production of apples and pears should be amended;

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

Regulation (EEC) No 1596/79 is hereby amended as follows:

1. Article 1 is replaced by the following:

   'Article 1

   Preventive withdrawals may be authorized only if the crop is expected to exceed by 5 % or more a basic production of:

   — 7 660 000 tonnes for apples,

   — 2 360 000 tonnes for pears.'

2. Article 3 (1) is replaced by the following:

   '1. Preventive withdrawals of apples may not exceed 30 % of an expected surplus of up to 766 000 tonnes; they may not exceed 40 % of an expected surplus of between 766 000 and 1 150 000 tonnes and not exceed 50 % of an expected surplus of over 1 150 000 tonnes, the expected surplus being the difference between the expected crop and the basic production of 7 660 000 tonnes.

   Preventive withdrawals of pears may not exceed 30 % of an expected surplus of up to 236 000 tonnes; they may not exceed 40 % of an expected surplus of between 236 000 and 354 000 tonnes and not exceed 50 % of an expected surplus of over 354 000 tonnes, the expected surplus being the difference between the expected crop and the basic production of 2 360 000 tonnes.'

Article 2

This Regulation shall enter into force on the third 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, 3 July 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 118, 20. 5. 1972, p. 1.
(2) OJ No L 180, 1. 7. 1992, p. 23.
(3) OJ No L 189, 27. 7. 1979, p. 47.
(4) OJ No L 141, 5. 6. 1991, p. 13.