COMMISSION REGULATION (EEC) No 2276/92

of 4 August 1992

laying down detailed rules for the application of Article 21 of Council Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables

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 1156/92 [2], and in particular Article 21 (4) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy [3], as last amended by Regulation (EEC) No 2205/90 [4], and in particular Article 2 (5) and Article 12 thereof,

Whereas Article 21 of Regulation (EEC) No 1035/72 provides that products withdrawn from the market under Articles 15b and 18 or bought in pursuant to Articles 19 and 19a of that Regulation may be distributed free to various recipients;

Whereas transport costs are incurred in carrying the abovementioned products from the places of withdrawal or buying-in to the places of actual distribution; whereas standard rates should accordingly be fixed for defraying such transport costs;

Whereas, in order to avoid risks of distortion of monetary origin, a rate which is close to the real cost should be used and the conversion rate-correcting factor referred to in Article 2 (2) of Regulation (EEC) No 1676/85 should be applied; whereas Article 3a of Commission Regulation (EEC) No 3152/85 of 11 November 1985 laying down detailed rules for the application of Regulation (EEC) No 1676/85 [5], as last amended by Regulation (EEC) No 3237/90 [6], provides for the pubolication of such rates;

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

Depending on the distance between the point of withdrawal and the place of delivery the following standard amounts shall be charged to the EAGGF Guarantee Section for the costs of transport within national territory of products withdrawn from the market under Articles 15b and 18 of Regulation (EEC) No 1035/72 or bought in under Articles 19 and 19a thereof for free distribution as provided for in the first, fifth and sixth indents of Articles 21 (1) (a) of that Regulation:

(ECU/100 kg gross weight)

— less than 25 km:	1,20
— at least 25 km but less than 200 km:	2,50
— at least 200 km but less than 350 km:	3,50
— at least 350 km but less than 500 km:	5,00
— 500 km or more:	6,50
— supplementary charge in the case of transport by refrigerated wagon or other refrigerated vehicle:	0,60

By way of derogation from Article 2 of Regulation (EEC) No 1676/85, the amounts laid down in the first paragraph shall be converted into national currency using the representative market rate provided for in Article 3a of Regulation (EEC) No 3152/85 and applicable on 1 August 1992.

Article 2

1. The products shall be distributed in such a way as to reduce transport costs to a minimum.

2. The Member States shall monitor the destination and utilization of the products concerned. They shall forward a summary statement to the Commission each month of the quantities of products distributed free pursuant to Articles 21 of Regulation (EEC) No 1035/72.

Article 3

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

[1] OJ No L 118, 20. 5. 1972, p. 1.
[2] OJ No L 180, 1. 7. 1992, p. 23.
[3] OJ No L 164, 24. 6. 1985, p. 1.
[4] OJ No L 201, 31. 7. 1990, p. 9.
[5] OJ No L 310, 21. 11. 1985, p. 1.
[6] OJ No L 310, 9. 11. 1990, p. 18.

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

Done at Brussels, 4 August 1992.

For the Commission
Ray MAC SHARRY
Member of the Commission