COMMISSION REGULATION (EEC) No 3788/92

of 28 December 1992

amending Commission Regulation (EEC) No 2893/92 on the application of a minimum import price for frozen strawberries originating in Poland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1333/92 of 18 May 1992 on the system of minimum import prices for certain soft fruits originating in Hungary, Poland and Czechoslovakia [1], and in particular Article 2 thereof,

Whereas Article 4 of Commission Regulation (EEC) No 1498/92 of 10 June 1992 laying down detailed rules for the application of the minimum import price system for certain soft fruits originating in Hungary, Poland and the Czech and Slovak Federal Republic and fixing the minimum import prices applicable until 31 May 1993 [2] provides that the Commission is to adopt any necessary measures if the minimum import price is not complied with;

Whereas, by Regulation (EEC) No 2893/92 [3], the Commission introduced a minimum import price applicable until 31 December 1992 to frozen strawberries originating in Poland; whereas information available to the Commission shows clearly that the unit value of frozen strawberries originating in Poland falling within Taric code 0811 10 90 * 10 has, on average, for the second three-month period of the marketing year, remained well below the minimum import price fixed in Regulation (EEC) No 1498/92; whereas, on the other hand, the unit value of frozen strawberries originating in Poland falling within Taric code 0811 10 90 *90 has, on average, for the second three-month period, been above the minimum import prices fixed in Regulation (EEC) No 1498/92; whereas the requirement of a minimum price should therefore be maintained for a further period of three months for frozen strawberries falling within Taric code 0811 10 90 * 10 and abolished for frozen strawberries falling within Taric code 0811 10 90 * 90,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2893/92 is hereby amended as follows:

1. The first paragraph of Article 1 is replaced by the following:

   'A countervailing charge shall be levied on imports into the Community of frozen strawberries falling within CN code ex 0811 10 90 (Taric code 0811 10 90 * 10) and originating in Poland, equal to the difference between the minimum import price as fixed in the Annex to Regulation (EEC) No 1498/92 and the actual import price'.

2. In Article 6 '31 December 1992' is replaced by '31 March 1993'.

Article 2

This Regulation shall enter into force on the day of 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, 28 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

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(1) OJ No L 145, 27. 5. 1992, p. 3.
(2) OJ No L 158, 11. 6. 1992, p. 15.
(3) OJ No L 288, 3. 10. 1992, p. 16.