# COMMISSION REGULATION (EC) No 975/95

## of 28 April 1995

## on precautionary measures in the fruit and vegetable sector for cauliflowers for the period 1 to 31 May 1995

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Articles 5 and 155 thereof,

Whereas, pursuant to Article 16 (1) of 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 the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94 [2], for each of the products listed in Annex II to the said Regulation a basic price and a buying-in price must be fixed for each marketing year, whereas cauliflowers harvested in a particular production year are marketed from May to the following April;

Whereas the Council has not yet adopted the basic price and buying-in price applicable to cauliflowers from 1 May 1995; whereas the Commission, in line with its responsibilities pursuant to the Treaty, is obliged to adopt the precautionary measures necessary to ensure the continued functioning of the common agricultural policy in the sector in question; whereas these measures are taken as a precaution and without prejudice to the Council's subsequent decisions on prices for the 1995/96 marketing year;

Whereas these precautionary measures should aim at ensuring the continuity of the intervention arrangements provided for in Articles 15 and 19 of Regulation (EEC) No 1035/72; whereas, to that end, the amounts to be used to calculate the prices for the abovementioned intervention measures should be fixed for the period 1 to 31 May; whereas the amounts correspond to the basic and buying-in prices proposed to the Council by the Commission,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the period 1 to 31 May 1995, the intervention measures provided for in Articles 15 and 19 of Regulation (EEC) No 1035/72 shall be carried out for cauliflowers at prices determined on the basis of the following amounts expressed in ecus per 100 kg net weight:

— basic price: 36,90,

— buying-in price: 16,06.

These prices shall refer to packed, trimmed cauliflowers of quality class I.

These prices shall not include the cost of the packaging in which the product is presented.

*Article 2*

This Regulation shall enter into force on 1 May 1995.

This Regulation shall apply without prejudice to any subsequent decisions to be adopted by the Council pursuant to Article 16 (1) of Regulation (EEC) No 1035/72.

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

Done at Brussels, 28 April 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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[1] OJ No L 118, 20. 5. 1972, p. 1.
[2] OJ No L 349, 31. 12. 1994, p. 105.