

REGULATION (EEC) No 2538/72 OF THE COMMISSION

of 4 December 1972

fixing the conversion factors to be applied to the buying-in price provided for,
in respect of mandarins, by Council Regulation (EEC) No 2431/72

THE COMMISSION OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1035/72¹ of 18 May 1972 on the common organisation of the market in fruit and vegetables, as amended by Regulation (EEC) No 2454/72,² and in particular Article 16 (4) thereof;

Whereas in Regulation (EEC) No 2431/72³ the Council fixed the basic price and buying-in price for mandarins for the period from 16 November 1972 to 28 February 1973; whereas these prices relate to packed products of certain varieties of Quality Class I, of certain sizes; whereas under Article 16 (4) of Regulation (EEC) No 1035/72 the conversion factors by which the prices of products of a different nature are calculated should be fixed; whereas, as regards quality, the provisions of the second subparagraph of Article 19 (2) of Regulation (EEC) No 1035/72 are such that it is enough to fix the conversion factors for Classes II and III;

Whereas the various conversion factors required must be based on prices recorded on the markets;

Whereas, moreover, the packaging in which the product is presented is not taken into consideration in calculating the basic price and buying-in price; whereas, however, products in respect of which intervention may take place as provided for in Articles 18 and 19 of Regulation (EEC)

No 1035/72 may be presented in new packages of the 'Perdu' type; whereas to encourage the disposal of these products in accordance with the first and sixth indents of Article 21 (1) (a) of Regulation (EEC) No 1035/72 the buying-in of these products 'inclusive of packing' should be provided for in this case, when the packing is not retrieved for re-use; whereas such buying-in operations could be carried out only if the use of packing of this type, which is rather expensive, were justified by the trade value of the products in question; whereas the buying-in of products 'inclusive of packing' should therefore be restricted to the Quality Classes 'Extra', 'I' and 'II';

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 conversion factors provided for in Article 16 (4) of Regulation (EEC) No 1035/72 regarding variety, quality class, sizing and form of packing shall be as follows for mandarins:

'Quality class' conversion factor

Quality class	Conversion factor
II	0.75
III	0.45

¹ OJ No L 118, 20.5.1972, p. 1.

² OJ No L 266, 25.11.1972, p. 1.

³ OJ No L 264, 25.11.1972, p. 9.

'Sizing' conversion factor

Sizing	Conversion factor
— more than 69 mm	1.15
— 54 mm/69 mm	1.00
— less than 54 mm	0.80

For mixed sizings, the conversion factor to be used is that relating to the smallest size contained in the package in question.

'Presentation' conversion factor

Presentation	Conversion factor
— packed	1.00
— in bulk in a vehicle	0.95

Article 2

Where, in respect of mandarins of the Quality Classes 'Extra', 'I' and 'II', presented in new packing of the 'Perdu' type, the intervention operations provided for in Articles 18 and 19 respectively of Regulation (EEC) No 1035/72 are carried out 'inclusive of packing', the buying-in price shall be adjusted not only by the conversion factors provided for in Article 1 but also by a packing conversion factor in cases where the products are distributed in accordance with the first and sixth indents of Article 21 (1) (a) of Regulation (EEC) No 1035/72 and the packing is not retrieved for re-use.

The conversion factor provided for in the preceding subparagraph shall be so fixed that when applied to the buying-in price as already adjusted by the other factors it results in an increase in the price of 1.8 units of account per 100 kilogrammes net.

Article 3

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*. It shall apply until 28 February 1973.

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

Done at Brussels, 4 December 1972.

For the Commission

The President

S. L. MANSHOLT