

**REGULATION (EEC) No 840/75 OF THE COMMISSION**

of 26 March 1975

fixing for the 1975 marketing year the reference prices for tomatoes

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<sup>(1)</sup> of 18 May 1972 on the common organization of the market in fruit and vegetables, as last amended by Regulation (EEC) No 2745/72<sup>(2)</sup>, and in particular Article 27 (1) thereof;

Having regard to Council Regulation (EEC) No 474/75<sup>(3)</sup> of 27 February 1975 fixing the basic prices and buying-in prices for fruit and vegetables for the 1975/76 marketing year and derogating for this marketing year from Article 23 of Regulation (EEC) No 1035/72 as regards certain reference prices, and in particular Article 11 thereof;

Whereas, pursuant to Article 23(1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas tomatoes are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas tomatoes harvested during a given crop year are marketed from January to December; whereas the quantities harvested from January to March and during the last 10 days of December are so small that there is no need to fix reference prices for the whole year; whereas reference prices should be fixed only for the period from the beginning of April up to and including 20 December;

Whereas pursuant to Article 23(2) of Regulation (EEC) No 1035/72 the reference prices are to be equal to the arithmetic mean of producer prices in each Member State plus an amount representing the costs of transporting Community products from the production areas to Community marketing centres; whereas the trend of average basic prices and buying-in prices must also be taken into account;

Whereas, to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas up to 10 July Community-produced tomatoes are grown mainly under glass; whereas the reference prices for the first part of the marketing year must therefore be fixed for a product of that type; whereas, taking into account the increase in production costs consequent principally upon higher fuel costs, there is reason to provide for this period an additional increase in the reference price; whereas tomatoes imported from certain third countries will have been grown in the open; whereas, although such tomatoes may be classed in Class I, their quality and price are not comparable with those of products grown under glass; whereas the prices for tomatoes not grown under glass should therefore be adjusted by a conversion factor;

Whereas, from October to December inclusive, tomatoes imported from certain third countries will have been cultivated under glass; whereas a conversion factor should also be applied to the prices of these tomatoes to make them comparable with the reference prices calculated during this period on the basis of prices of Community products cultivated in the open;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Fruit and Vegetables,

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 292, 28. 12. 1972, p. 147.

<sup>(3)</sup> OJ No L 52, 28. 2. 1975, p. 24.

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For the 1975 marketing year, the reference prices for tomatoes (subheading 07.01 M of the Common Customs Tariff), expressed in units of account per 100 kg net of packed products of Class I, of all sizes, shall be as follows:

— April :	89.95
— May :	67.38
— 1 June to 10 July :	49.17
— 11 July to 31 August :	16.69
— September :	18.21
— 1 October to 20 December :	20.77

2. For the purpose of calculating the entry price:

- (a) the prices for tomatoes not produced under glass and imported from third countries, shall, after deduction of customs duties, be multiplied during the period 1 April to 10 July by a conversion factor of 1.80.
- (b) the price for tomatoes produced under glass and imported from third countries shall, after deduction of customs duties, be multiplied during the period 1 October to 20 December by a conversion factor of 0.55.

*Article 2*

This Regulation shall enter into force on 1 April 1975.

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

Done at Brussels, 26 March 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*