

**COMMISSION REGULATION (EEC) No 550/79
of 22 March 1979**

**introducing a countervailing charge on certain varieties of apples 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
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 325/79⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Article 25 (1) of Regulation (EEC) No
1035/72 provides that, if the entry price of a product
imported from a third country remains at least 0.50
unit of account below the reference price for two
consecutive market days, a countervailing charge must
be introduced in respect of the exporting country
concerned, save in exceptional circumstances;
whereas this charge is equal to the difference between
the reference price and the arithmetic mean of the
last two entry prices available for that exporting
country;

Whereas Commission Regulation (EEC) No 1532/78
of 30 June 1978 fixing the reference prices for apples
for the 1978/79 marketing year⁽³⁾ fixed the reference
price for Class I products of Group II at 19.77 units of
account per 100 kilograms net for March 1979;

Whereas the entry price for a given exporting country
is equal to the lowest representative prices recorded
for at least 30 % of the quantities from the exporting
country concerned which are marketed on all repre-
sentative markets for which prices are available, less
the duties and charges referred to in Article 24 (3) of
Regulation (EEC) No 1035/72; whereas the meaning
of representative price is defined in Article 24 (2) of
Regulation (EEC) No 1035/72;

Whereas in accordance with Article 3 (1) of Regula-
tion (EEC) No 2118/74⁽⁴⁾, as last amended by Regula-

tion (EEC) No 668/78⁽⁵⁾, the prices to be taken into
consideration must be recorded on the representative
markets or, in certain circumstances, on other
markets;

Whereas, for apples from Poland of the varieties listed
in Article 1 (3) (b) of Regulation (EEC) No 1532/78,
the entry price calculated in this way has remained at
least 0.50 unit of account below the reference price
for two consecutive market days; whereas a counter-
vailing charge should therefore be introduced for
certain varieties of apples originating in Poland;

Whereas if the system is to operate normally the entry
prices should be calculated on the following basis:

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2.25 %, a rate of exchange based on
their effective parity,
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each
of these currencies recorded for a given period in
relation to the Community currencies referred to
in the previous indent,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 7.23 units of account per
100 kilograms net is applied to apples originating in
Poland (subheading ex 08.06 A II of the Common
Customs Tariff) and specified in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 March
1979.

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

Done at Brussels, 22 March 1979.

For the Commission
Finn GUNDELACH
Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.
⁽²⁾ OJ No L 45, 22. 2. 1979, p. 1.
⁽³⁾ OJ No L 179, 1. 7. 1978, p. 26.
⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 90, 5. 4. 1978, p. 5.

ANNEX

All varieties of apples with the exception of the following :

Golden Delicious, Red Delicious, Richared, Stark Delicious, Starking, Starkrimson, Yellow Transparent Klarapfel, James Grieve, Belle de Boskoop, Stayman Winesap, Stayman red, Black winesap, Granny Smith, Dunn's Seedling, King Cole, Cleopatra, Democrat, Yellow Newton, Crofton, Ingrid Marie, Sturmer, Laxton's superb, Scarlet pearmain, White winter pearmain, Geeveston Fanny, Tydemann's early Worcester, Benoni, Stark earliest, Winston, Reinette du Canada, Berlepsch, Annurca, Lodi, Gravensteiner, Miller's Seedling, Worcester pearmain, Weißwinterglockenapfel, Cortland, Spartan, Red MacIntosh, various varieties of Cox's varieties, Abbondanza (Belfort), Rambour d'hiver, Brettacher, Horneburger, Kruegers Dickstiel, Kirchenwerder, Finkenweder, Winter Banana, Limoncella, Commercio, Reinette Clochard, Ontario, Reinette du Mans, Lemoenapfel, Bramley's Seedling (Triomphe de Kiel), Pella, and mutations of the above varieties.
