

**REGULATION (EEC) No 2118/74 OF THE COMMISSION**  
of 9 August 1974

**laying down detailed rules for the application of the system of reference prices  
for fruit and vegetables**

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> 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 ;

Whereas, provision should be made to define the  
characteristics of the product in respect of which  
prices are to be recorded in order to fix the reference  
price and the stage at which these should be recorded,  
and to specify the amount to be taken into account in  
respect of transport costs ;

Whereas the data to be communicated to the Commis-  
sion by the Member States for the purpose of fixing  
the reference price should be specified in detail ;

Whereas, with a view to making the price of imported  
produce and the reference price comparable, the  
manner in which the prices of imported produce are  
to be recorded and calculated should be specified in  
detail ; whereas provision should be made to specify  
the deductions required in order to adjust the prices  
of imported produce to the import/wholesale stage  
where the only data available in respect of those prices  
relates to a later stage of sale ;

Whereas a list should be drawn up of the representa-  
tive import markets on which the prices of imported  
products are to be recorded ; whereas in addition to  
these prices the Member States must communicate to  
the Commission all other information necessary for  
the calculation of the entry price ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

1. The prices to be used in fixing the reference  
prices shall relate to the 'ex-producers' association'

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

<sup>(2)</sup> OJ No L 291, 28. 12. 1972, p. 147.

stage, or to any other comparable marketing stage, and  
to quality class I products, of all sizes, packed, packing  
costs being included in the price.

2. The amount to be added in respect of transport  
costs to the arithmetic mean of the producer prices in  
each Member State shall be calculated at a standard  
rate for each product when reference prices are fixed.

*Article 2*

For the purpose of fixing the reference price, the  
Member States shall each year communicate to the  
Commission the following information :

- the prices as referred to in Article 1 (1), broken  
down by periods of one month or 10 days,  
recorded over the three preceding marketing years  
on each representative market in the production  
areas where prices are lowest ;
- the arithmetic mean of the prices recorded on the  
same markets and broken down in the same  
manner over the five marketing years prior to the  
date on which the reference price is fixed.

*Article 3*

1. The prices to be taken into account for the  
purpose of calculating the entry price shall be the  
prices recorded on the representative import markets  
specified in Article 4.

In the event, however, that on a particular day no  
price can be quoted for a particular product or a parti-  
cular country of despatch on the representative  
markets of a Member State, but it is found that busi-  
ness is being transacted on other markets of that  
Member State, the prices to be taken into account for  
the purpose of calculating the entry price shall be  
those recorded on one or more of those markets.

2. These prices shall be recorded and calculated as  
provided in Article 5.

*Article 4*

The following markets shall be considered to be representative within the meaning of the first subparagraph of Article 3(1):

The Kingdom of Belgium and the Grand Duchy of Luxembourg	Antwerp, Brussels
The Kingdom of Denmark	Copenhagen
The Federal Republic of Germany	Hamburg, Munich, Frankfurt, Düsseldorf, Cologne
The French Republic	Paris-Rungis, Marseilles, Rouen, Dieppe, Perpignan, Nantes, Bordeaux, Lyons, Toulouse
Ireland	Dublin
The Italian Republic	Milan
The Kingdom of the Netherlands	Rotterdam
The United Kingdom of Great Britain and Northern Ireland	London, Liverpool, Glasgow.

*Article 5*

1. On each representative import market, for each product and for each country of dispatch, the prices of imported produce shall be recorded in the following manner:

- (a) they shall be recorded
  - for each variety or type of the product concerned; and
  - for all available sizes;
- (b) they must relate:
  - to quality class I products; or to
  - products marketed in class II where quality class I products are not available; or to
  - consignments comprising products both of quality class I and of quality class II where quality class I products represent less than 50 % of the total quantity of that product sold on the market in question from the country of dispatch.
- (c) they shall be recorded at the importer/wholesaler stage, or at the wholesaler/retailer stage if prices at the importer/wholesaler stage are not available.

2. Where prices recorded in accordance with paragraph 1 are taken at the wholesaler/retailer stage, they shall be reduced by 9 % to take into account the profit margin of the wholesaler, and by an amount equal to 0.5 u.a./100 kg to take into account handling and marketing charges.

*Article 6*

Member States shall on each market day communicate to the Commission, in respect of each product, each representative market and each country of dispatch:

- (a) the prices as defined in Article 5, adjusted where necessary to the importer/wholesaler stage and broken down:
  - in the case of summer pears, oranges and small citrus fruits for which a reference price has been fixed, by variety;
  - in the case of cucumbers and tomatoes, by type of cultivation;
  - in the case of peaches, by type of colour (white-fleshed, yellow-fleshed);
  - in the case of apples and plums, by variety group;
  - in all other cases, by product,

prices in respect of products coming within the third, fourth or fifth indent being equal to the weighted average of the prices recorded for each variety;

- (b) the amounts to be deducted from these prices in respect of customs duties;
- (c) in so far as possible, the prices as multiplied by the conversion factors in force, after deduction of customs duties;
- (d) the amounts to be deducted in respect of import charges other than customs duties, where the amount thereof is included in the prices;
- (e) in so far as possible, the prices to be used in calculating the entry price;
- (f) the total quantities sold on this market, broken down where necessary by variety, variety group or type;
- (g) where the prices communicated relate to quality class I, the quantities marketed in that quality class.

*Article 7*

Regulation (EEC) No 1291/70 is hereby repealed.

This Regulation shall enter into force on 19 August 1974.

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

Done at Brussels, 9 August 1974.

*For the Commission*

*The President*

François-Xavier ORTOLI

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