

COMMISSION REGULATION (EEC) No 1217/91

of 8 May 1991

fixing for the 1991 marketing year the Community offer prices for peaches
including nectarines applicable with regard to Spain and Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulations (EEC) No
3709/89 ⁽¹⁾ and No 3648/90 ⁽²⁾, laying down general rules
for implementing the Act of Accession of Spain and
Portugal as regards the compensation mechanism on
imports of fruit and vegetables originating respectively in
Spain and Portugal, and in particular Article 4 (1) thereof,

Whereas, Commission Regulation (EEC) No 3820/90 ⁽³⁾,
lays down detailed rules for the application of the
compensation mechanism to imports of fruit and vegetab-
les from Spain and Portugal,

Whereas, pursuant to Article 152 and Article 318 of the
Act of Accession, a compensation mechanism is to be
introduced on imports into the Community as constituted
at 31 December 1985, hereinafter referred to as the
'Community of Ten', of fruit and vegetables from Spain
and Portugal for which a reference price is fixed with
regard to third countries; whereas, Community offer
prices for peaches including nectarines coming from
Spain and Portugal should be fixed only during the
period where reference prices are fixed with regard to
third countries, namely from 11 June up to and including
30 September;

Whereas, in accordance with Articles 152 (2) (a) and 318
(1) (a) of the Act of Accession, a Community offer price is
to be calculated annually on the basis of the arithmetic
mean of the producer prices in each Member State of the
Community of Ten, plus transport and packaging costs
incurred by the products from the production regions to
the representative consumption centres of the Commu-
nity and taking account of developments in the cost of
production in the fruit and vegetable sector; whereas the
abovementioned producer prices correspond to the
average prices recorded during the three years preceding
the date of fixing of the Community offer price; whereas,
however, the annual Community offer price cannot
exceed the reference price applied in respect of third
countries;

Whereas, in order to take account of seasonal variations in
prices, the marketing year should be divided into one or

more periods and a Community offer price should be
fixed for each of them;

Whereas, in accordance with Article 1 of Regulations
(EEC) No 3709/89 and (EEC) 3648/90, the producer
prices to be used for the determination of the Community
offer price are to be those of a domestic product defined
by its commercial characteristics recorded on the repre-
sentative market or markets located in the product areas
where prices are lowest for products or varieties represent-
ing a considerable proportion of production marketed
throughout the year or during a part of the latter and
which meet Quality Class I requirements and conditions
laid down as regards packaging; whereas the average price
for each representative market must be established after
disregarding prices which may be considered excessively
high or excessively low compared with the normal fluctu-
ations recorded on the market; whereas, moreover, if the
average price for a Member State shows excessive varia-
tions with respect to normal price fluctuations, it shall not
be taken into account;

Whereas the application of the abovementioned criteria
results in Community offer prices being fixed for peaches
including nectarines for the period 11 June to 30
September 1991 at the levels set out hereinafter;

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

For the 1991 marketing year, the Community offer prices
for peaches including nectarines falling within CN code
0809 30 00 applicable with regard to Spain and Portugal,
expressed in ecus per 100 kilograms net of packed
products of Class I, of all sizes shall be as follows:

— June (11 to 20):	69,04
(21 to 30):	60,33
— July:	58,14
— August:	56,36
— September:	55,13.

Article 2

This Regulation shall enter into force on 11 June 1991.

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 16.

⁽³⁾ OJ No L 366, 29. 12. 1990, p. 43.

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

Done at Brussels, 8 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission
