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### ***Disclaimer***

Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(83) 91 final

Brussels, 2 March 1983

Proposal for a  
COUNCIL REGULATION (EEC)  
amending Regulation (EEC) No 1035/72 on the common organization  
of the market in fruit and vegetables

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(submitted to the Council by the Commission)

COM(83) 91 final

Explanatory memorandum

In its proposal COM(81) 403 final of 14 October 1981 on the amendment of the acquis communautaire for fruit and vegetables in the context of the enlargement of the Community, the Commission announced its intention of applying reference prices to apricots, artichokes, melons, green beans and lettuces and extending the period of application of the existing reference prices for tomatoes and table grapes. At that time the Commission linked its intention to the suppression of certain residual quantity limits on imports that the member states can still impose on those products under Article 22(1) of Regulation (EEC) No 1035/72.

In the light of the extensive discussions which have already taken place in the Council and of the request of the European Council to the Council of Ministers (Agriculture) to complete before March 1983 the revision of existing provisions on certain Mediterranean agricultural products on the basis of Commission proposals, in preparation for the enlargement of the Community, the Commission now supplements its proposals in COM(81) 403 final of 14 October 1981 and COM(82) 497 final of 28 July 1982 with a view to decisions by the Council of Ministers within the time scale set by the European Council.

The Commission announces that within an enlarged Community it would set reference prices for apricots, artichokes, melons, green beans and lettuce but during the period of accession this extension of the reference price system would not be linked to the proposed changes in the provisions of Article 22 (1) of Regulation No 1035/72.

Reference prices would also be fixed for broad-leaved (Batavian) endives, onions and sweet peppers.

The reference price for aubergines would be applied earlier in the season.

In addition, the Commission proposes changes in the criteria for the adjustment of reference prices from year to year in order to make them more effective. In particular, it is proposed that increases in the costs of production of fruit and vegetables within the Community after taking account of productivity, should be required to be fully reflected in future increases in reference prices and Regulation (EEC) No 1035/72 should be appropriately amended. These changes in the criteria should make it possible

not to erode the application of Community preference.

Proposal for a  
COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 1035/72 on the common organisation  
of the market in fruit and vegetables

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and  
in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (1),

Whereas Article 23 of Council Regulation (EEC) No 1035/72 (2), as last amended  
by Regulation (EEC) No (3), sets out criteria to be used in fixing  
reference prices for fruit and vegetables;

Whereas these reference prices would provide a better guarantee of preference  
for Community products if changes in their levels took more systematic account  
of changes in the costs of production;

Whereas there is substantial trade in melons in certain Member States where  
they are produced and significant trade between Member States; whereas  
common quality standards should be drawn up for the said product and melons  
should, to this end, be added to the list contained in Annex I to Regulation  
(EEC) No 1035/72,

Whereas the provisions of this Regulation form part of the adjustments to Community legislation  
in preparation for the accession of Spain and Portugal, the anticipated date for which at this  
stage is 1 January 1985.

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(1) OJ No C

(2) OJ No L 118, 20.5.1972, p. 1

(3) OJ No L

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1035/72 is hereby amended as follows:

1. The first subparagraph of Article 23(2) is replaced by the following:

"2. Reference prices shall be fixed for the first marketing year of application

- on the basis of the arithmetic mean of producer prices in each Member State plus the amount defined in paragraph 4 and, in the case of clementines, the amount defined in paragraph 2a,
- taking account of changes in production costs in the fruit and vegetable sector.

For subsequent marketing years, reference prices shall be fixed at a level corresponding to that of the previous marketing year plus, after deduction of the amounts referred to in paragraphs 2a and 4,

- a percentage representing the average increase in production costs in the fruit and vegetable sector less a figure corresponding to the growth in productivity;
- the amounts referred to in paragraphs 2a and 4 valid for the marketing year in question."

2. The word "Melons" is added to the 'Fruit' column in Annex I.

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels,

For the Council

The President

# FINANCIAL STATEMENT

Date : 9 February 1983

1. BUDGET HEADING : 100 - levies, monetary compensatory amounts; etc. APPROBATIONS : 1 558.5 mill.ECU  
1983

2. TITLE : Proposal for a Council Regulation amending Reg. 1035/72 on the common organization of the market in fruit and vegetables

3. LEGAL BASIS : Article 43 of the EEC Treaty

4. AIMS OF PROJECT : 1) changes the basis for calculating reference prices  
2) introduces quality standards for melons

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR (1983)	FOLLOWING FINANCIAL YEAR (1984)
<del>5.0 EXPENDITURE</del> - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS) - NATIONAL ADMINISTRATION - OTHER 5.1 RECEIPTS - OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) <del>XXXXXXXXXX</del>	(1)	(1)	(1)
5.0.1 ESTIMATED EXPENDITURE			
5.1.1 ESTIMATED RECEIPTS			

5.2 METHOD OF CALCULATION

6.0 ~~CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET ?~~ YES/NO  
~~XXXX~~

6.1 ~~CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET ?~~ YES/NO  
~~XXXX~~

6.2 ~~IS A SUPPLEMENTARY BUDGET RE NECESSARY ?~~ YES/NO  
~~XXXX~~

6.3 ~~WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY ?~~ YES/NO  
~~XXXX~~

OBSERVATIONS : Non-compliance with reference prices for imports (fixed annually by the Commission) can lead to imposition of countervailing charges which represent revenue for the Community. However, experience has shown that these levies are practically nil.

The introduction of quality standards is a sine qua non for fixing a reference price, but has no direct financial impact.