COMMISSION REGULATION (EC) No 1837/2002

of 15 October 2002

fixing the production levies and the coefficient for the additional levy in the sugar sector for the marketing year 2001/02

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ([1]), as amended by Commission Regulation (EC) No 680/2002 ([2]), and in particular the second and third indents of Article 15(8) and Article 16(5) thereof,

Whereas:

(1) Article 8 of Commission Regulation (EC) No 314/2002 of 20 February 2002 laying down detailed rules for the application of the quota system in the sugar sector ([3]) provides that the basic production levy and the B levy together with, if required, the coefficient referred to in Article 16(2) of Regulation (EC) No 1260/2001 for sugar, isoglucose and inulin syrup shall be fixed before 15 October in respect of the preceding marketing year and, secondly, that the Member States shall determine for each undertaking the balance of the levies outstanding for payment.

(2) Commission Regulation (EC) No 1628/2001 of 9 August 2001 revising the maximum amount for the B production levy and amending the minimum price for B beet in the sugar sector for the marketing year 2001/02 ([4]) increased, for the marketing year 2001/02, the maximum amount referred to in the first indent of Article 15(4) of Regulation (EC) No 1260/2001 to 37,5 % of the intervention price for white sugar.

(3) For the marketing year 2001/02, the estimate of the overall loss recorded in accordance with Article 15(1) and (2) of Regulation (EC) No 1260/2001 shall require, in accordance with paragraphs 4 and 5 of that Article, the adoption of the maximum amounts of 2 % for the basic levy and 37,5 % for the B levy, fixed respectively in the first indent of the second subparagraph of paragraph 3 of that Article and in Article 1 of Regulation (EC) No 1628/2001.

(4) Article 16(1) of Regulation (EC) No 1260/2001 provides that an additional levy shall be charged where the overall loss recorded in accordance with Article 15(1) and (2) is not covered in its entirety by the receipts from the basic production levy and the B levy. For the marketing year 2001/02, as this uncovered overall loss amounts to EUR 63 899 203, the coefficient referred to in Article 16(2) of that Regulation should be fixed at an amount of 0,08319 which represents the ratio, less 1, between the abovementioned loss and revenue.

(5) Article 48 of Regulation (EC) No 1260/2001 provides for the balance remaining from the compensation system for storage costs applied during the marketing year 2000/01 to be charged or credited, as appropriate, under the system referred to in Articles 15 and 16 of that Regulation for the marketing year 2001/02.

(6) The application of Commission Regulation (EC) No 1667/2001 of 17 August 2001 postponing the date by which the sugar storage levy must be paid ([5]) and Commission Regulation (EC) No 1878/2001 of 26 September 2001 laying down transitional measures in connection with the compensation system for storage costs for sugar ([6]) produces a positive balance of EUR 31 276 971 for the compensation system for storage costs during the marketing year 2000/01.

(7) Since this positive balance comes from the storage levies paid by sugar-producing undertakings when disposing of their A and B sugar, provision should therefore be made for it to be reimbursed, on the basis of their production of A and B sugar in the marketing year 2001/02, to the undertakings in question which, in accordance with Articles 15 and 16 of Regulation (EC) No 1260/2001, bear the costs of the levies for that marketing year.

(8) The Management Committee for Sugar has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The production levies in the sugar sector for the 2001/02 marketing year shall be as follows:

(a) EUR 12,638 per tonne as the basic production levy on A sugar and B sugar;

(b) EUR 236,963 per tonne of white sugar as the B levy on B sugar;

(c) EUR 5,330 per tonne of dry matter as the basic production levy on A isoglucose and B isoglucose;

([1]) OJ L 178, 30.6.2001, p. 1.
([2]) OJ L 104, 20.4.2002, p. 26.
([3]) OJ L 50, 21.2.2002, p. 40.
([4]) OJ L 216, 10.8.2001, p. 8.
([5]) OJ L 223, 18.8.2001, p. 9.
([6]) OJ L 258, 27.9.2001, p. 9.