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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 349/73 OF THE COMMISSION

of 31 January 1973

on the sale at reduced prices of intervention butter for direct consumption as concentrated butter

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 804/68 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by the Act ⁽²⁾ annexed to Treaty ⁽³⁾ on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 6 (7) and Article 28 thereof ;

Having regard to Council Regulation (EEC) No 985/68 ⁽⁴⁾ of 15 July 1968 laying down general rules for intervention on the market in butter and cream, as last amended by Regulation (EEC) No 2714/72 ⁽⁵⁾, and in particular Article 7 (a) thereof ;

Having regard to Council Regulation (EEC) No 233/73 of 31 January 1973 laying down general rules for the system of compensatory amounts for milk and milk products ⁽⁶⁾ ;

Whereas a feature of the market in butter in the Community is the existence of stocks built up as a result of intervention on the market in butter made pursuant to Article 6 (1) and (2) of Regulation (EEC) No 804/68 ;

Whereas it will not be possible to dispose of these stocks of butter on normal terms during the present marketing year ; whereas storage should not be pro-

longed because of the high costs involved ; whereas measures should therefore be adopted to facilitate disposal of the butter ;

Whereas nutritional habits in certain Member States make it possible to sell butter at reduced prices for direct consumption as concentrated butter ; whereas experience has shown however that a disadvantage of such an operation is that butter may not be put to the intended use and result in disturbances on the market in butter ; whereas provision should therefore be made for this measure to be taken at the request of a Member State which considers itself in a position to lead it to a successful conclusion ; whereas this measure should be limited to quantities which can normally be disposed of for direct consumption during the period in question ;

Whereas if this operation is extended only to butter in public storage, the removal of butter from private storage might be compromised ; whereas for this reason, butter which has been the subject of a storage contract in accordance with Article 9 (2) of Regulation (EEC) No 985/68 should also be marketed as part of the operation in question ;

Whereas the amount of the reduction in the sale price of butter or the amount of aid must be such as to permit an increase in the consumption of butter ; whereas provision should be made for the price reduction to be reflected down to the retail stage ;

Whereas it is necessary to ensure at all marketing stages the possibility of differentiating between butter sold under the conditions provided for in this Regulation and other butter ; whereas to that end, provisions should be made concerning the composition, the possibility of differentiating between the

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁵⁾ OJ No L 291, 28. 12. 1972, p. 15.

⁽⁶⁾ OJ No L 28, 1. 2. 1973, p. 37.

concentrated butter and other butter and the packing of concentrated butter in small packets; whereas to ensure the smooth functioning of the operation, a time limit should be set for packing;

Whereas a control system should be set up to ensure that the butter is not used for any purpose other than that for which it was intended; whereas the provisions laid down to that effect by Commission Regulation (EEC) No 1259/72 ⁽¹⁾ of 16 June 1972 on the disposal of butter at reduced prices to certain Community processing undertakings, as last amended by Regulation (EEC) No 2815/72 ⁽²⁾ should be resorted to.

Whereas the value of the concentrated butter should be taken into account as regards the compensatory amounts fixed under Regulation (EEC) No 974/71;

Whereas Commission Regulation (EEC) No 2561/72 ⁽³⁾ of 6 December 1972 on the marketing of intervention butter at reduced prices for direct consumption as concentrated butter provided the possibility of making such sales; whereas, in view of the traditions of certain Member States, another possibility should be added to the two methods laid down for the composition of concentrated butter; whereas moreover, as a result of the enlargement of the Community, Regulation (EEC) No 2561/72 should be republished;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Milk and Milk Products;

HAS ADOPTED THIS REGULATION:

Article 1

Member States may, at their request, be authorized:

- (a) To sell at reduced prices butter which has been bought in under Article 6 (1) of Regulation (EEC) No 804/68 and taken into storage at a date to be specified; the butter may be sold in the natural state or after transformation into concentrated butter mentioned in Article 5;

- (b) To grant aid for butter which during the 1972/73 milk year was the subject of a storage contract under Article 8 (2) of Regulation (EEC) No 985/68,

for the purpose of the direct consumption in the Community as concentrated butter of a quantity to be specified of the butter in question.

Article 2

1. Butter covered by Article 1 (a) shall be sold ex-cold storage depot at 76 units of account per 100 kg.
2. It shall be sold in quantities of not less than 5 metric tons.
3. Delivery shall be taken not more than 12 days after the day on which the contract of sale was concluded.

Before taking delivery the buyer shall;

- pay the purchase price of the butter;
- lodge a processing security of 110 units of account per 100 kg.

Except in cases of *force majeure*, if the buyer has not taken delivery of the butter within the prescribed time limit, the sale shall be cancelled in respect of the remaining quantities.

Article 3

1. Butter removed from storage referred to in Article 1 (b) shall benefit from an aid of 110 units of account per 100 kg.
2. The signatory to the storage contract shall inform the intervention agency with which he concluded the contract, of the quantities of butter which he intends to remove from storage, specifying its characteristics in the manner determined by the intervention agency.

The intervention agency shall without delay issue an acknowledgement of receipt.

Article 4

1. The butter must be concentrated and put up, in accordance with Article 5, in the Member State where it was removed from storage, hereinafter called the 'destocking Member State'.
2. These operations must be carried out in an establishment approved for that purpose by the Member State.
3. Packing must take place within a maximum of four weeks from the day:

⁽¹⁾ OJ No L 139, 17. 6. 1972, p. 18.

⁽²⁾ OJ No L 297, 30. 12. 1972, p. 3.

⁽³⁾ OJ No L 274, 7. 12. 1972, p. 12.

- on which delivery was taken in accordance with Article 2 (3), as regards the butter covered by Article 1 (a) ;
- on which the person in question receives the acknowledgement of receipt provided for in Article 3 (2) as regards butter covered by Article 1 (b).

Article 5

1. Concentrated butter must :
 - contain at least 95 % butyric fats ;
 - have been the subject of the incorporation provided for in paragraph 2 ;
 - be marketed in slabs of not more than 250 g, wrapped in paper bearing, on the upper surface and in letters at least five mm high, one or more of the following statements :

'Beurre concentré pour la cuisine',

'Butterreinfett',

'Burro concentrato da cucina',

'Braadboter' or 'Boterconcentraat voor keukengebruik',

'Concentrated butter for cooking',

'Koncentreret smør til husholdningsbrug'.

2. During the melting of the butter there shall be incorporated per 100 kg of butter used : either
 - 2 kg of C_{16} and/or C_{18} fatty acid monoglycerides 90 % at least pure calculated in monoglycerides on the product ready to be incorporated, or
 - 1 kg of pelargonic acid triglycerides (triglycerides of n — nonanoic acid) at least 95 % pure calculated in triglycerides on the product ready to be incorporated, or
 - if the concentrated butter contains at least 99 % butyric fats, 15 gr of stigmasteryl ($C_{29}H_{48}O = \Delta^5-22$ -stigmastene-3- β -ol) at least 95 % pure calculated on the product ready to be incorporated.

The competent agency shall ensure that the quality and characteristics, in particular the degree of purity, of the products to be incorporated into the melted butter have been observed.

Article 6

1. Any person who holds the butter or the concentrated butter must keep records showing for each delivery the name and address of buyers of the butter or the concentrated butter and the quantities purchased.

2. Where the butter is resold, the obligations concerning processing, putting up and the final intended use of the butter shall be mentioned in the contract of sale.

Such contract must be made in writing and specify that the buyer is aware of the penalties imposed by the Member State in question, for breaches of the aforesaid obligations.

3. As regards retail trade, only the quantities bought need be recorded.

Article 7

1. The butter covered by Article 1 shall remain in its original wrappings until it is processed into concentrated butter.

It shall be accompanied by a list of the packets, enabling the butter to be identified and specifying the date on which it was removed from storage.

2. The wrappings of butter removed from storage shall bear one or more of the following statements in letters at least 2 centimeters high :

'Beurre destiné à être transformé en beurre concentré (règlement (CEE) n° 349/73)',

'Butter zur Verarbeitung zu Butterreinfett (Verordnung (EWG) Nr. 349/73)',

'Burro destinato ad essere trasformato in burro concentrato (regolamento (CEE) n. 349/73)',

'Boter bestemd voor verwerking tot braadboter (Verordening (EEG) nr. 349/73)',

or

'Boter bestemd voor verwerking tot boterconcentraat voor keukengebruik (Verordening (EEG) nr 349/73)',

'Butter for processing into concentrated butter (Regulation (EEC) No 349/73)',

'Smør bestemt til forarbejdning til koncentreret smør (forordning (EØF) nr. 349/73)'.

3. The concentrated butter put up in slabs shall be delivered and remain until the retail stage in wrapping bearing one or more of the following statements :

'Beurre concentré pour la cuisine (règlement (CEE) no 349/73)',

'Butterreinfett (Verordnung (EWG) Nr. 349/73)',

'Burro concentrato (regolamento (CEE) n. 349/73)',

'Braadboter (Verordening) (EEG) nr. 349/73)',

or

'Boterconcentraat voor keukengebruik (Verordening (EEG) nr. 349/73)',

'Concentrated butter for cooking (Regulation (EEC) No 349/73)',

'Koncentereret smør til husholdningsbrug (Forordning (EØF) nr. 349/73)'.

Article 8

1. From the moment it leaves storage and until it is processed into concentrated butter, the butter shall be subject to customs or equivalent administrative control.

2. During the processing and packing specified in Article 5, the Member State concerned shall carry out an on the spot inspection throughout the whole operation.

3. At the end of the inspection, the agency in question shall issue a certificate if it establishes that :

- the conditions of processing and putting up, and
- the conditions laid down in Article 6, where the concentrated butter is to be consumed in the destocking Member State,

have been met.

Article 9

Where the concentrated butter is exported to a Member State other than the destocking Member State, spaces 101, 103 and 104 of the control copy provided for in Article 1 of Regulation (EEC) No 2315/69 shall be filled in. Space 104 shall be completed by deleting what does not apply and by making in the second indent, one of the following statements :

'Beurre concentré à prix réduit pour la consommation directe (règlement (CEE) n° 349/73)',

'Butterreinfett zu herabgesetzten Preisen für den unmittelbaren Verbrauch (Verordnung (EWG) Nr. 349/73)',

'Burro concentrato a prezzo ridotto per il consumo diretto (regolamento (CEE) n. 349/73)',

'Boterconcentraat aan verlaagde prijs voor rechtstreeks verbruik (Verordening (EEG) nr. 349/73)',

'Concentrated butter at reduced price for direct consumption (Regulation (EEC) No 349/73)',

'Koncentereret smør tilnedset pris til umiddelbart forbrug (forordning (EØF) nr 349/73)',

Article 10

1. The processing security provided for in the second indent of Article 2 (3), shall be lodged, at the choice of the Member State, either in the form of a cheque made out to the intervention agency, or in the form of a guarantee fulfilling the criteria laid down by the Member State concerned.

2. Except in the case of *force majeure*, the security shall be released only in respect of quantities for which the buyer has supplied the intervention agency with the certificate provided for in Article 8 (3) or, in the case envisaged in Article 9, this certificate and the control copy.

3. The security shall be released forthwith.

Article 11

The aid referred to in Article 3 (1) shall be paid to the signatory to the storage contract only on presentation of the documents referred to in Article 10 (2).

Article 12

The Member States shall adopt all necessary provisions for the amount of the price reduction or the amount of aid to be reflected at the retail stage. To this end, they shall fix a maximum retail price for concentrated butter, the amount of which shall be shown on the wrappings of the slabs together with the statement referred to in Article 5 (1). However, the Member States may in place of this obligation adopt other administrative provisions having equivalent effect.

Article 13

The Member States shall communicate to the Commission on Tuesday of each week :

- the quantities of the butter covered by Article 1 (a) which have been the subject of sale contracts :
- the quantities of the butter covered by Article 1 (b) for which the Member State has issued acknowledgements of receipt.

Article 14

1. The compensatory amounts applicable to concentrated butter shall be equal to those fixed pursuant to Regulation (EEC) No 974/71, weighted by the coefficient 0.4.

Where necessary, the Commission may alter this coefficient.

2. The compensatory amounts provided for in the Act annexed to the Accession Treaty shall not be applied to butter sold under the head of this Regulation.

Article 15

1. Regulation (EEC) No 2561/72 is repealed.
2. It shall remain applicable to authorizations granted and to contracts signed before this Regulation enters into force. However, on application from

the parties concerned, a contract of sale signed before the date on which this Regulation enters into force shall be adjusted in line with the third inset of Article 5 (2).

Article 16

1. This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall apply from 1 February 1973.

2. It shall apply until 31 March 1973.

From that date :

- no delivery of butter covered by Article 1 (a) may be accepted ;
- no acknowledgement of receipt for the butter covered in Article 1 (b) may be issued by the intervention agencies.

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

Done at Brussels, 31 January 1973.

For the Commission

The President

François-Xavier ORTOLI

REGULATION (EEC) No 350/73 OF THE COMMISSION
of 12 February 1973
fixing the levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC ⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by the Act ⁽²⁾ annexed to the Treaty ⁽³⁾ on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 13 ⁽⁵⁾ thereof;

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal, were fixed by Regulation (EEC) No 244/73 ⁽⁴⁾ and subsequent amending Regulations;

Whereas it follows from applying the provisions contained in Regulation (EEC) No 244/73 to the

offer prices and today's quotations known to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (a), (b) and (c) of Regulation No 120/67/EEC are hereby fixed as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 13 February 1973.

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

Done at Brussels, 12 February 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 30, 1. 2. 1973, p. 1.

ANNEX

to the Commission Regulation of 12 February 1973 fixing the levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description of goods	u.a./ton
10.01 A	Common wheat, and meslin	33.07
10.01 B	Durum wheat	34.79 ⁽¹⁾ (⁴)
10.02	Rye	27.27 ⁽⁵⁾
10.03	Barley	16.58
10.04	Oats	8.02
10.05 B	Maize other than hybrid maize for sowing	32.38 ⁽²⁾ (³)
10.07 A	Buckwheat	0
10.07 B	Millet	13.65
10.07 C	Grain sorghum	21.63
10.07 D	Canary seed; other cereals	0 ⁽⁴⁾
11.01 A	Wheat or meslin flour	65.05
11.01 B	Rye flour	48.55
11.02 A I a	Durum wheat groats and meal	62.76
11.02 A I b	Common wheat groats and meal	69.53

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.50 u.a./metric ton.

⁽²⁾ Where maize originating in the AASM and OCT is imported into the French Overseas Departments, the levy is reduced by 6 u.a./metric ton.

⁽³⁾ Where maize originating in Tanzania, Uganda and Kenya is imported into the Community, the levy is reduced by 1 u.a./metric ton.

⁽⁴⁾ Where wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.50 u.a./metric ton.

⁽⁵⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1234/71 and Commission Regulation (EEC) No 2622/71.

REGULATION (EEC) No 351/73 OF THE COMMISSION
of 12 February 1973
fixing the premiums to be added to the levies on cereals and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC ⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by the Act ⁽²⁾ annexed to the Treaty ⁽³⁾ on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 15 (6) thereof;

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 1631/72 ⁽⁴⁾ and subsequent amending Regulations;

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

Done at Brussels, 12 February 1973.

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered as shown in the Tables annexed to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

The scale of the premiums to be added, pursuant to Article 15 of Regulation No 120/67/EEC, to the import levies fixed in advance in respect of cereals and malt is hereby fixed as shown in the Tables annexed to this Regulation.

Article 2

This Regulation shall enter into force on 13 February 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 174, 1. 8. 1972, p. 3.

ANNEX

to the Commission Regulation of 12 February 1973 fixing the premiums to be added to the levies on cereals and malt

A. Cereals ⁽¹⁾

(u.a./ton)

CCT heading No	Description of goods	Current 2	1st period 3	2nd period 4	3rd period 5
10.01 A	Common wheat, and meslin	0	3.22	3.22	2.53
10.01 B	Durum wheat	0	0	0	2.76
10.02	Rye	0	0	0	2.13
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0.92	0.92	0.46
10.07 C	Grain sorghum	0	0.92	0.92	0.92
10.07 D	Other	0	0	0	0

⁽¹⁾ The period of validity of the licence is limited to thirty days in accordance with Regulation (EEC) No 2196/71 (OJ No L 231, 14. 10. 1971, p. 28).

B. Malt

(u.a./100 kg)

CCT heading No	Description of goods	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0.573	0.573	0.450	0.450
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0.428	0.428	0.336	0.336
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

REGULATION (EEC) No 352/73 OF THE COMMISSION
of 12 February 1973

altering the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC ⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by the Act ⁽²⁾ annexed to the Treaty ⁽³⁾ on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular the second sentence of the first subparagraph of Article 16 (4) thereof;

Whereas the corrective amount applicable to the refund on cereals was fixed by Regulation (EEC) No 326/73 ⁽⁴⁾ and subsequent amending Regulations;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered;

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation No 120/67/EEC which is applicable to the export refunds fixed in advance in respect of cereals is hereby altered as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 13 February 1973.

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

Done at Brussels, 12 February 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 37, 9. 2. 1973, p. 5.

ANNEX

to the Commission Regulation of 12 February 1973 altering the corrective amount applicable to the refund on cereals

(u.a./ton)

CCT heading No	Description of goods	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7	6th period 8
10.01 A	Common wheat, and meslin	—	—	—	—	—	—	—
10.01 B	Durum wheat	—	—	—	—	—	—	—
10.02	Rye	—	—	—	—	—	—	—
10.03	Barley	—	—	—	—	—	—	—
10.04	Oats	—	—	—	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	—	—	—	—	—	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—

NB : The zones are those defined in the Annex to Regulation (EEC) No 941/72 (OJ No L 107, 6. 5. 1972).

REGULATION (EEC) No 353/73 OF THE COMMISSION
of 12 February 1973
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 1009/67/EEC ⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 174/73 ⁽²⁾, and in particular Article 14 (7) thereof;

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 254/73 ⁽³⁾ and subsequent amending Regulations;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No

254/73 to the information at present available to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 14 (1) of Regulation No 1009/67/EEC are, in respect of white sugar and standard quality raw sugar, hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 13 February 1973.

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

Done at Brussels, 12 February 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 25, 30. 1. 1973, p. 1.

⁽³⁾ OJ No L 30, 1. 2. 1973, p. 30.

ANNEX

CCT heading No	Description of goods	Levy (u.a./100 kg)
17.01	Beet sugar and cane sugar, solid :	
	A. Denatured :	
	I. White sugar	5.82
	II. Raw sugar	3.92 ⁽¹⁾
	B. Undenatured :	
	I. White sugar	5.82
	II. Raw sugar	3.92 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92%; if the yield is other than 92%, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

REGULATION (EEC) No 354/73 OF THE COMMISSION

of 12 February 1973

applying the duty in the Common Customs Tariff to certain varieties of sweet oranges originating in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2047/70 ⁽¹⁾ of 13 October 1970 on imports of citrus fruit originating in Spain, and in particular Article 5 thereof :

Whereas Article 7 of Annex I to the agreement between the European Economic Community and Spain provides for a reduced rate of duty on imports into the Community of certain citrus fruit originating in Spain ; whereas, during the period in which reference prices are applied, this reduction is dependent on the observance of a specified price on the Community market, whereas detailed rules for the application of this system are contained in Regulation (EEC) No 2047/70 ;

Whereas, in certain respects, these rules refer to provisions of Regulation No 23 which were incorporated in Council Regulation (EEC) No 1035/72 ⁽²⁾ of 18 May 1972 on the common organization of the market in fruit and vegetables, as last amended by Regulation (EEC) No 2745/72 ⁽³⁾ ; whereas, in this case, reference should be made to Regulation (EEC) No 1035/72, in accordance with the Table which appears in Annex IV thereto ;

Whereas Regulation (EEC) No 2047/70 provides that, where one of the products listed in Article 1 of that Regulation is imported, the duty in the Common Customs Tariff is applied where quotations for that product, converted where necessary to Class I in accordance with the provisions of Article 24 (2) of Regulation (EEC) No 1035/72 recorded on the representative Community markets at the importer/wholesaler stage or converted to that stage, adjusted by the conversion factors and following deduction of transport costs and import charges other than customs duties, remain lower than the reference price in force, plus the incidence of the Common Customs Tariff on that price and a standard amount fixed at 1.2 units of account per 100 kilogrammes, for

three consecutive market days on the representative markets of the Community with the lowest quotations :

Whereas the conversion factors, the transport costs and import charges other than customs are those used for the purpose of calculating the entry price referred to in Regulation No 1035/72 ; whereas the method of calculating import charges other than customs duties is, for certain cases, defined in Article 2 (2) of Regulation (EEC) No 2047/70 ;

Whereas application of these rules to quotations recorded for sweet oranges imported into the Community and originating in Spain indicates that the conditions set out in the first paragraph of Article 4 of Regulation (EEC) No 2047/70 are fulfilled, for the varieties listed in Article 2 (1) (c) of Regulation (EEC) No 2522/72 ⁽⁴⁾ fixing reference prices for sweet oranges ; whereas the duty in the Common Customs Tariff should, therefore, be applied to the products question ;

HAS ADOPTED THIS REGULATION :

Article 1

As from 14 February 1973, the duty in the Common Customs Tariff shall be applied to fresh sweet oranges of the following varieties (subheading ex 08.02 A I of the Common Customs Tariff) imported into the Community and originating in Spain : Biondo comune (Blanca comune, comune), Grano de oro (Imperial, Sucrena), Baladi, Pera, Macetera, Pineapple, Blood oval (Dobblefina, Double fine), Portuguese sanguines, Sanguina redonda (Entre-fina), Surinam varieties and the ordinary Sanguina variety, with the exception of Navel sanguines (improved double fine, Washington sanguina, Sanguina grande) and Maltese sanguines.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 12 February 1973.

For the Commission
The President
François-Xavier ORTOLI

⁽¹⁾ OJ No L 228, 15. 10. 1970, p. 2.

⁽²⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽³⁾ OJ No L 291, 28. 12. 1972, p. 147.

⁽⁴⁾ OJ No L 270, 1. 12. 1972, p. 63.

REGULATION (EEC) No 355/73 OF THE COMMISSION
of 12 February 1973

**repealing Regulation (EEC) No 7/73 applying the duty in the Common Customs
Tariff to mandarines, satsumas, clementines, tangerines and other similar citrus hybrids
originating in Spain**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 2047/70 ⁽¹⁾ of 13 October 1970 on imports of citrus fruit originating in Spain, and in particular Article 1 thereof ;

Whereas Commission Regulation (EEC) No 7/73 ⁽²⁾ of 2 January 1973 applied the duty in the Common Customs Tariff to mandarines, satsumas, clementines, tangerines and other similar citrus hybrids originating in Spain ;

Whereas, pursuant to the second paragraph of Article 4 of Regulation (EEC) No 2047/70, this rule remains in force until the quotations referred to in Article 2 (1) of that Regulation, adjusted by the conversion factors and following deduction of transport costs and import charges other than customs duties, remain equal to or higher than the price laid down in Article 3 of that Regulation for three consecutive market days on the representative markets of the Community with the lowest quotations ;

Whereas the conversion factors, the transport costs and import charges other than customs duties are those used for the purpose of calculating the entry price referred to in Council Regulation No 1035/

72 ⁽³⁾ of 18 May 1972 on the common organization of the market in fruit and vegetables as last amended by Regulation (EEC) No 2745/72 ⁽⁴⁾ ; whereas the method of calculating import charges other than customs duties is, for certain cases, defined in Article 2 (2) of Regulation (EEC) No 2047/70 ;

Whereas application of these rules to quotations recorded for mandarines, satsumas, clementines, tangerines and other similar citrus hybrids imported into the Community and originating in Spain indicates that the conditions set out in the second paragraph of Article 4 of Regulation (EEC) No 2047/70 are fulfilled for the products concerned, whereas Regulation (EEC) No 7/73 should therefore be repealed ;

HAS ADOPTED THIS REGULATION :

Article 1

Commission Regulation (EEC) No 7/73 of 2 January 1973 applying the duty in the Common Customs Tariff to mandarines, satsumas, clementines, tangerines and other similar citrus hybrids imported from Spain is hereby repealed.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 12 February 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 228, 15. 10. 1970, p. 2.

⁽²⁾ OJ No L 3, 3. 1. 1973, p. 10.

⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 147.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 29 December 1972

on the disposal of butter to certain categories of consumers in receipt of social security benefits

(73/10/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 804/68 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 1411/71 ⁽²⁾, and in particular Article 12 (3) and Article 28 thereof ;

Whereas Council Regulation (EEC) No 2716/72 ⁽³⁾ of 19 December 1972 laying down general rules on measures to increase butter consumption by certain categories of consumers provides for the possibility of a decision being taken to grant subsidies to allow persons in receipt of social security benefits to buy butter at a reduced price ;

Whereas, in view of existing butter surpluses, Member States should now be allowed to grant such subsidies ;

Whereas the amount of the subsidy should be such as to allow butter to be sold at a price which takes account of the price of the fats normally consumed by these categories of consumer ;

Whereas the quantity of butter sold at a reduced price should be adapted to the needs of these categories of consumers ;

Whereas the most efficient course from the administrative point of view is for the subsidy to be paid to the supplier ;

Whereas, to ensure that it reaches its intended destination, the butter should be sold only on production of a document proving that the person concerned is entitled to buy this butter ;

Whereas Member States must inform the Commission of the provisions they propose to adopt and of the quantities of butter sold under this Decision ;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Management Committee for Milk and Milk Products ;

HAS ADOPTED THIS DECISION :

Article 1

Member States are hereby authorized, under the conditions set out in Articles 2 to 4, to grant a subsidy which should allow certain categories of consumers in receipt of social security benefits to buy butter at a reduced price.

Article 2

1. The subsidy shall not exceed 136 units of account per 100 kg of butter.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 148, 3. 7. 1971, p. 4.

⁽³⁾ OJ No L 291, 28. 12. 1972, p. 18.

2. The subsidy shall be paid to the supplier.

Article 3

Consumers shall obtain butter :

- only on production of a document proving their entitlement,
- up to a maximum of 500 grammes per month.

Article 4

Member States shall notify the Commission :
ensure that subsidies granted benefit only the consumers envisaged by this Decision.

Article 5

Member States shall notify the Commission :

- (a) of the criteria they intend to apply for the purpose of defining the categories of consumers spe-

cified in Article 1 and of the number of beneficiaries envisaged ;

- (b) of steps taken under Article 4 ;

- (c) each month, of the quantities of subsidized butter sold.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 29 December 1972.

For the Commission

The President

S. L. MANSHOLT

PUBLIC WORKS CONTRACTS

(Publication of notices of public works contracts and licences in conformity with Council Directive 71/305/EEC of 26 July 1971 supplemented by Council Directive 72/277/EEC of 26 July 1972)

MODEL NOTICES OF CONTRACTS**A. Open procedures**

1. Name and address of the authority awarding the contract (Article 16e) ⁽¹⁾ :
2. The award procedure chosen (Article 16b) :
3. a) The site (Article 16c) :
b) The nature and extent of the services to be provided and the general nature of the work (Article 16c) :
c) If the contract is subdivided into several lots, the size of the different lots and the possibility of tendering for one, for several, or for all of the lots (Article 16c) :
d) Information relating to the purpose of the contract if the contract entails the drawing up of projects (Article 16c) :
4. Any time limit for the completion of the works (Article 16d) :
5. a) Name and address of the service from which the contract documents and additional documents may be requested (Article 16f) :
b) The final date for making such request (Article 16f) :
c) Where applicable, the amount and terms of payment of any sum payable for such documents (Article 16f) :
6. a) The final date for receipt of tenders (Article 16g) :
b) The address to which they must be sent (Article 16g) :
c) The language or languages in which they must be drawn up (Article 16g) :
7. a) The persons authorized to be present at the opening of tenders (Article 16h) :
b) The date, time and place of this opening (Article 16h) :
8. Any deposits and guarantees required (Article 16i) :
9. The main procedure for financing and payment and/or references to the instruments regulating these (Article 16j) :
10. Where applicable, the specific legal form which must be assumed by the group of contractors to whom the contract is awarded (Article 16k) :
11. The minimum economic and technical standards required of the contractors (Article 16l) :
12. Period during which the tenderer is bound to keep open his tender (Article 16m) :
13. Criteria for the award of the contract. Criteria other than that of the lowest price shall be mentioned if they do not appear in the contract documents (Article 29) :
14. Other information :
15. The date of dispatch of the notice (Article 16a) :

⁽¹⁾ The Articles in brackets refer to Council Directive No 71/305/EEC of 26. 7. 1971 (OJ No L 185, 16. 8. 1971, p. 5).

B. Restricted procedures

1. Name and address of the authority awarding the contract (Article 17a) ⁽¹⁾ :
2. The award procedure chosen (Article 17a) :
3. a) The site (Article 17a) :
b) The nature and extent of the services to be provided and the general nature of the work (Article 17a) :
c) If the contract is subdivided into several lots, the size of the different lots and the possibility of tendering for one, for several or for all of the lots (Article 17a) :
d) Information relating to the purpose of the contract if the contract entails the drawing up of projects (Article 17a) :
4. Any time limit for the completion of the works (Article 17a) :
5. Where applicable, the specific legal form which must be assumed by the group of contractors to whom the contract is awarded (Article 17a) :
6. a) The final date for the receipt of requests to participate (Article 17b) :
b) The address to which they must be sent (Article 17b) :
c) The language or languages in which they must be drawn up (Article 17b) :
7. The final date for the dispatch of invitations to tender (Article 17c) :
8. Information concerning the contractor's personal position, and the minimum economic and technical standards required of him (Article 17d) :
9. The criteria for the award of the contract if these are not stated in the invitation to tender (Article 18d) :
10. Other information :
11. The date of dispatch of the notice (Article 17a) :

⁽¹⁾ The Articles in brackets refer to Council Directive No 71/305/EEC of 26 July 1971 (OJ No L 185, 16. 8. 1971, p. 5).

Open procedure

1. Deutsche Bundespost (Federal Post Office), Oberpostdirektion Regensburg, 84 Regensburg, Domplatz 3, Ref. 47, Dienststelle 47-24 Tel. 0941 5 05 25 74.
2. Public invitation to tender pursuant to the regulations governing construction work contracts — Part A (VOB/A).
3. a) 849 Oberpf., Sudetenstraße.
b) New work on the central office, local calls office and telecommunications centre.
 - 1) about 22 000 cu m cubic content,
 - 2) about 4 000 sq m shell sealing of 2 buildings against water pressure, in accordance with DIN 18 336,
 - 3) about 800 sq m facing slabs in exposed concrete,
 - 4) about 8 000 sq m outside area, with sewage piping, paving and fencing of the yard,
 - 5) about 16 000 cu m excavation and filling work,
 - 6) about 1 000 cu m brickwork,
 - 7) about 10 000 cu m concrete and reinforced concrete work,
 - 8) about 8 000 sq m plastering work.
4. All work on the shell to be completed by October 1973. Full completion by September 1974.
5. a) Oberpostdirektion Regensburg, 84 Regensburg, Domplatz 3, Ref. 47, Dienststelle 47-24 Tel. 0941 5 05 25 74.
b) 15 February 1973.
c) Payment of DM 20 into postal cheque account No 40-858, Nuremberg.
6. a) 15 March 1973 at 11 a. m.
b) Oberpostdirektion Regensburg, 84 Regensburg, Gabelsbergerstraße 11, Dienststelle 41/42-2a.
c) German.
7. a) Tenderers and their agents.
b) 15 March 1973 at 11 a. m.
8. Only guarantees from a credit insurer or credit institution approved in the Federal Republic of Germany may be accepted.
9. Instalments and final payments pursuant to the regulations governing construction work contracts — Part B (VOB/B).
- 10.
11. Details required :
 - a) Average number of employees per year over the past 3 years.
 - b) Technical equipment of bidder.
 - c) Trade register entry.
12. Duration of bidding :
18 workdays from the opening of tendering.
13. In accordance with § 25 VOB/A the contract will be awarded to the bid which, in consideration of all technical and economic aspects, appears the most acceptable.
- 14.
15. 5 March 1973.

Restricted procedure

1. Deutsche Bundespost (Federal Post Office), Oberpostdirektion Köln, Dienststelle 46 A-6, 5 Cologne 1, Clever Str. 32 Tel. (0221) 4 99 24 66.
 2. Restricted invitation to tender pursuant to the regulations governing construction work contracts — Part A (VOB/A).
 3. a) 5159 Kerpen, urban district of Bergheim,
5030 Hürth-Kendenich, urban district of Cologne,
5021 Pesch, urban district of Cologne,
5000 Cologne-Ossendorf, urban district of Cologne,
5160 Düren, urban district of Düren,
5090 Leverkusen.
b) Construction, ready for occupancy, of 6 standardized telephone centres, prefabricated in reinforced concrete, comprising U-shaped sandwich wall elements (3 storeys), twin-web rib plates as ceiling and roof elements, single plates for interior walls and stair elements. The essential characteristic of the building is that it is to be constructed of prefabricated slabs as wall and ceiling elements.
Surface area : $37.83 \text{ m} \times 12.95 \text{ m} = 489.89 \text{ sq m}$.
Cubic content : $489.89 \text{ sq m} \times 11.655 \text{ m} = 5709.77 \text{ cu m}$.
c) All buildings must be tendered for in a single bid quoting a fixed, all-inclusive price.
 4. According to schedule by 29 March 1974.
 - 5.
 6. a) By 27 February 1973.
b) Deutsche Bundespost, Oberpostdirektion Köln, Dienststelle 46 A-6, 5 Cologne 1, Clever Str. 32.
c) German.
 7. 2 March 1973.
 8. a) Turnover in the past three full business years, in so far as it concerns construction and other work comparable to the work being put out to tender, including work done as part of a consortium or with other group bidders.
b) The average number of employees per year over the past three business years divided, if appropriate, into professional categories.
c) Technical equipment at the tenderer's disposal for completion of the contract put out to tender.
d) Details of the trade register entry concerning the tenderer at the tenderer's registered offices or place of residence.
 9. In accordance with § 25 VOB/A the contract will be awarded to the bid which, in consideration of all technical and economic aspects, appears the most acceptable.
 10. Contractual penalty for exceeding the agreed completion deadline : 0.1 % of the fixed all-inclusive price of the building in question, for every calendar day beyond the deadline.
 11. 5 February 1973.
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