

Official Journal

of the European Communities

Volume 16 No L 128

15 May 1973

English Edition

Legislation

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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 1237/73 OF THE COMMISSION

of 10 May 1973

amending Regulation (EEC) No 1259/72 on the disposal of butter at a reduced price to certain Community processing undertakings

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 the Treaty ⁽³⁾ concerning 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⁾ 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 7a thereof;

Whereas experience of the application of Commission Regulation (EEC) No 1259/72 ⁽⁶⁾ of 16 June 1972, as last amended by Regulation (EEC) No 1175/73 ⁽⁷⁾, has shown that certain control documents which must accompany the product should be altered and may be specified; whereas the conditions for the refund of the processing deposit must consequently be altered; whereas, furthermore, the third indent of Article 6 (1) (c) lays down that powder for the preparation of edible ices shall have a milk-fat content of less than 32 %; whereas it appears that this content may be as high as 33 %;

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

In the third indent of Article 6 (1) (c) of Regulation (EEC) No 1259/72 the words '33 % or less' are substituted for the words 'less than 32 %'.

Article 2

1. In Article 17 (1) (a) (aa) of Regulation (EEC) No 1259/72 the following is substituted for the text of the second and third indents;

'The date on which the butter was taken over and one of the following phrases shall be entered in section 106;

— 'for smør, der har været genstand for den i rubrik 104 nævnte forarbejdning, skal der:

— enten udstedes et eller flere nye kontroleksemplarer nr. 5, hvis det skal sendes til en anden medlemsstat,

— eller i modsat fald foretages en toldkontrol eller en administrativ kontrol, der giver tilsvarende sikkerhed.'

— 'für die Butter, die wie in Feld 104 angegeben verarbeitet worden ist,

— sind entweder ein oder mehrere neue Kontroll-exemplare Nr. 5 zu erteilen, wenn sie in einen anderen Mitgliedstaat versandt wird,

⁽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 169, 18. 7. 1968, p. 1.

⁽⁵⁾ OJ No 291, 28. 12. 1972, p. 15.

⁽⁶⁾ OJ No L 162, 18. 7. 1972, p. 1.

⁽⁷⁾ OJ No L 119, 5. 5. 1973, p. 12.

- oder ist andernfalls eine Zollkontrolle oder eine Verwaltungskontrolle mit gleichwertiger Sicherheit durchzuführen.'
- 'in the case of butter which has undergone the processing referred to in section 104, either :
 - one or more new No 5 control copies should be issued if the butter is to be sent to another Member State ;
 - if the opposite is true, the butter must be subject to customs or equivalent administrative control ;
- 'le beurre ayant subi la transformation visée dans la case 104 doit faire l'objet :
 - soit de la délivrance d'un ou de plusieurs nouveaux exemplaires de contrôle n° 5, s'il doit être expédié vers un autre État membre,
 - soit d'un contrôle douanier ou d'un contrôle administratif présentant des garanties équivalentes dans le cas contraire.'
- 'il burro che ha subito la trasformazione di cui alla casella 104 deve essere oggetto :
 - o del rilascio di uno o di più nuovi esemplari di controllo n. 5, se deve essere spedito verso un altro Stato membro,
 - ovvero di un controllo doganale o di un controllo amministrativo che presenti garanzie equivalenti nel caso contrario.'
- 'voor de boter die de in vak 104 bedoelde verwerking heeft ondergaan :
 - moeten of één of meer nieuwe controle-exemplaren nr. 5 worden afgegeven, indien zij wordt vervoerd naar een andere Lid-Staat,
 - of moet in het tegenovergestelde geval een douanecontrole of een administratieve controle met gelijke waarborg plaatsvinden.'

The number(s) of the new control copy or copies of the national document(s) shall be placed under the heading 'Remarks' in the 'Control as to use and/or destination' section of the form.'

2. The following indent is to be added to Article 17 (1) (a) (bb) of Regulation (EEC) No 1259/72 :

'When one or more national documents are used, they must include the same phrases as those appearing in sections 103, 104 and 106 of the control copy referred to above.'

Article 3

The text of Article 18 (2) of Regulation (EEC) No 1259/72 is replaced by the following :

'2. Except in cases of *force majeure* the processing deposit referred to in Article 12 shall be released only for quantities in respect of which

the successful tenderer has furnished the proof that the conditions referred to in Article 6 have been met.

This proof shall be furnished, according to each case, in accordance with the following provisions :

- (a) where the operations referred to in subparagraphs (a) (b) and (c) Article 6 (1) or in Article 6 (2) have been carried out in the selling Member State, proof shall be furnished by the production of a document drawn up by the selling Member State ;
- (b) where the operations referred to in subparagraphs (a) and (b) of Article 6 (1) have taken place in the selling Member State, and the operations referred to in subparagraph (c) of Article 6 (1) have taken place in another Member State, or the operation referred to in Article 6 (2) has taken place in a Member State other than the selling Member State, proof shall be furnished by the control copy or copies referred to in subparagraph (b) of Article 17 (1) and in Article 17 (2) ;
- (c) where the operations referred to in subparagraphs (a) (b) and (c) of Article 6 (1) have taken place in a Member State which is not the selling Member State, proof shall be furnished by the production of a document drawn up by the Member State in which the processing has taken place ;
- (d) where the operations referred to in subparagraphs (a) and (b) of Article 6 (1) have taken place in a Member State other than the selling Member State and the operations referred to in subparagraph (c) of Article 6 (1) takes place in a Member State other than the one in which the transactions referred to in subparagraphs (a) and (b) of Article 6 (1) have taken place, proof shall be furnished by the control copy or copies referred to in Article 17 (1) (a) (bb).

The Member States may provide for the proof to be considered as furnished if the seller submits a statement from the final user in which the latter

- confirms his undertaking, appearing in the contract of sale, to process the products referred to in subparagraph (b) of Article 6 (1) into the products referred to in the three indents of subparagraph (c) of Article 6 (1) within the prescribed time limit, and
- states that he is aware of the sanctions he may incur, determined by the Member State concerned, if it transpires that he has not fulfilled the conditions to which he has agreed.

The Member States shall determine the maximum quantity for which they shall decide that this statement may apply.'

Article 4

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

However, at the request of those concerned, the undertakings made pursuant to Article 6 of Regulation (EEC) No 1259/72, with regard to tenders made after that date, shall be adapted to the provisions of Article 1.

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

Done at Brussels, 10 May 1973.

For the Commission

The President

François-Xavier ORTOLI

REGULATION (EEC) No 1238/73 OF THE COMMISSION**of 14 May 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 ;

Having regard to the Opinion of the Monetary Committee ;

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, if the levy system is to operate normally, levies should be calculated on the basis of an exchange rate which is based, in the case of currencies

which are floating or whose central rate differs from the official parity, on the effective rate or the central rate of these currencies and, in the case of the US dollar, on the change in parity announced on 13 February 1973 ;

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 15 May 1973.

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

Done at Brussels, 14 May 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 14 May 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	42.55
10.01 B	Durum wheat	41.78 ⁽¹⁾ (⁴)
10.02	Rye	46.49 ⁽⁵⁾
10.03	Barley	37.09
10.04	Oats	28.90
10.05 B	Maize other than hybrid maize for sowing	25.86 ⁽²⁾ (³)
10.07 A	Buckwheat	0
10.07 B	Millet	28.27
10.07 C	Grain sorghum	27.31
10.07 D	Canary seed ; other cereals	0 ⁽⁴⁾
11.01 A	Wheat or meslin flour	77.73
11.01 B	Rye flour	75.45
11.02 A I a	Durum wheat groats and meal	73.68
11.02 A I b	Common wheat groats and meal	82.86

⁽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 1239/73 OF THE COMMISSION**of 14 May 1973****fixing the premiums to be added to the levies on cereals, flour 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 ;

Having regard to the Opinion of the Monetary Committee ;

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 ;

Whereas, if the levy system is to operate normally, the levies should be calculated on the basis of an exchange rate which is based, in the case of currencies which are floating or whose central rate differs from

the official parity, on the effective rate or the central rate of these currencies and, in the case of the US dollar, on the change in parity announced on 13 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 15 May 1973.

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

Done at Brussels, 14 May 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 14 May 1973 fixing the premiums to be added to the levies on cereals, flour and malt

A. Cereals and flour ⁽¹⁾

(u.a./ton)					
CCT heading No	Description of goods	Current 5	1st period 6	2nd period 7	3rd period 8
10.01 A	Common wheat, and meslin	0	0.84	0.84	0.96
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	4.48	4.48	4.06
10.03	Barley	0	1.66	1.66	2.49
10.04	Oats	0	0.41	0.41	0.83
10.05 B	Maize other than hybrid maize for sowing	0	2.74	2.74	4.97
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0.83
10.07 C	Grain sorghum	0	2.28	2.28	4.14
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	1.17	1.17	1.35

⁽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 5	1st period 6	2nd period 7	3rd period 8	4th period 9
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0.150	0.150	0.171	0.171
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0.112	0.112	0.128	0.128
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0.295	0.295	0.443	0.443
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0.221	0.221	0.331	0.331
11.07 B	Roasted malt	0	0.257	0.257	0.386	0.386

REGULATION (EEC) No 1240/73 OF THE COMMISSION**of 14 May 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;

Having regard to the Opinion of the Monetary Committee;

Whereas, the corrective amount applicable to the refund on cereals was fixed by Regulation (EEC) No 1206/73⁽⁴⁾ and subsequent amending Regulations;

Whereas, if the refund system is to operate normally, the refund should be calculated on the basis of an exchange rate which is based, in the case of currencies which are floating or whose central rate differs from

the official parity, on the effective rate or the central rate of these currencies and, in the case of the US dollar, on the change in parity announced on 13 February 1973;

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 15 May 1973.

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

Done at Brussels, 14 May 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 125, 11. 5. 1973, p. 5.

ANNEX

to the Commission Regulation of 14 May 1973 altering the corrective amount applicable
to the refund on cereals

(u.a./ton)

CCT heading No	Description of goods	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9	5th period 10	6th period 11
10.01 A	Common wheat, and mes- lin	—	—	—	—	—	—	—
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	—	—	—	—	—	—	—

REGULATION (EEC) No 1241/73 OF THE COMMISSION

of 14 May 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;

Having regard to the Opinion of the Monetary Committee;

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

Whereas, if the levy system is to operate normally, levies should be calculated on the basis of an exchange rate which is based, in the case of currencies which are floating or whose central rate differs from the official parity, on the effective rate or the central rate of these currencies and, in the case of the US

dollar, on the change in parity announced on 13 February 1973;

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 15 May 1973.

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

Done at Brussels, 14 May 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	(u.a./100 kg) Levy
17.01	Beet sugar and cane sugar, solid : A. Denatured : I. White sugar II. Raw sugar B. Undenatured : I. White sugar II. Raw sugar	6.25 4.91 ⁽¹⁾ 6.25 4.91 ⁽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 1242/73 OF THE COMMISSION

of 14 May 1973

authorizing the French intervention agency to restrict to specific uses the invitation to tender in respect of a further 50 700 tons of common wheat

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⁾ concerning 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 7(5) thereof;

Whereas in accordance with Article 3(4) of Commission Regulation (EEC) No 376/70⁽⁴⁾ of 27 February 1970 laying down the procedures and conditions for the disposal of cereals held by intervention agencies, as last amended by Regulation (EEC) No 129/73⁽⁵⁾, the invitation to tender may in exceptional cases, at the request of a Member State, be restricted to specific uses;

Whereas due to bad weather during the 1972 harvest, the common wheat harvested in certain parts of France is of two low a quality for the production of flour suitable for breadmaking; whereas it is therefore necessary to turn this common wheat harvested in those parts into wheat suitable for flour milling by mixing it with common wheat of high breadmaking

quality available from the stocks of the intervention agency;

Whereas, to avoid speculative purchases by the trade, the French Republic has consequently requested that the French intervention agency be authorized to restrict to specific uses the invitation to tender in respect of a maximum quantity of 50 700 tons of common wheat of high breadmaking quality;

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

HAS ADOPTED THIS REGULATION:

Article 1

Upon offering common wheat for sale on the internal market the French intervention agency is authorized for the 1972/73 marketing year to restrict the invitation to tender for a further 50 700 tons of common wheat to use for the sole purpose of producing flour suitable for breadmaking.

Article 2

This Regulation shall enter into force on the day following 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, 14 May 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽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 47, 28. 2. 1970, p. 49.

⁽⁵⁾ OJ No L 17, 20. 1. 1973, p. 17.

REGULATION (EEC) No 1243/73 OF THE COMMISSION

of 14 May 1973

on a standing invitation to tender for the mobilization of white sugar as food aid for UNRWA

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 1052/73 ⁽¹⁾ of 17 April 1973 on the supply of sugar to UNRWA as food aid pursuant to the Agreement with that agency dated 18 December 1972, and in particular Article (3) thereof,

Whereas Article 1 of Regulation (EEC) No 1052/73 provides that 2 150 metric tons of white sugar produced and in free circulation in the Community be placed at the disposal of the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) as food aid for the sugar marketing year 1972/73 ; whereas, in view of its destination, this white sugar must be Grade 1 sugar as defined by Regulation (EEC) No 1280/71 ⁽²⁾ of the Commission of 18 June 1971 laying down detailed rules for the buying-in of sugar by intervention agencies, as amended by Regulation (EEC) No 2417/71 ⁽³⁾ ;

Whereas Article 2 of Regulation (EEC) No 1052/73 provides in particular that the Community shall finance the cif value of the sugar ;

Whereas since the contract for the mobilization of the goods cif to the port of unloading is to be awarded under a tendering procedure, it would seem desirable to apply, in an appropriate form, the detailed rules governing sales by tender after intervention or for export within the framework of the common organization of the market in sugar ;

Whereas, for the avoidance of doubt, it should be specified that the system of monetary compensatory amounts for export to third countries because of their nature does not apply to this invitation to tender ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Member States shall issue a standing invitation to tender for the supply of white sugar as food aid

to UNRWA and, during the period of validity of the standing invitation, they shall issue partial invitations to tender.

2. The invitation to tender shall relate to the price of the total quantity of 2 150 metric tons of white sugar of Grade 1 as defined by Article 11 (1) of Regulation (EEC) No 1280/71 to be supplied cif to the Lebanese and Israeli ports of unloading referred to in Article 9.

3. No refund shall be granted in respect of the export of the quantity referred to in paragraph 2.

Article 2

The standing invitation to tender, that is the first partial invitation and all of the possibly following partial invitations, shall be organized in accordance with the following provisions.

Article 3

The standing invitation to tender shall remain valid until a date to be determined at a later stage.

Article 4

1. The period for the submission of tenders in response to the first partial invitation shall :

(a) begin at 10 a.m. on 17 May 1973,

(b) expire at 10 a.m. on 23 May 1973.

2. The periods for the submission of tenders in response to the second and subsequent partial invitations shall :

(a) begin on the first working day following the end of the previous period, and

(b) expire at 10 a.m. on the Wednesday of the following week.

3. During the period in which Summer Time applies in Italy, the time limits laid down in this Article shall be understood in that Member State to be extended by one hour.

Article 5

1. The Member States shall draw up an invitation to tender. The invitation to tender shall be published in the *Official Journal of the European Communities*. Member States may also publish the invitation to tender or have it published elsewhere.

2. The standing invitation to tender shall be published only for the purpose of issuing it. The invi-

⁽¹⁾ OJ No L 105, 20. 4. 1973, p. 1.

⁽²⁾ OJ No L 133, 19. 6. 1971, p. 34.

⁽³⁾ OJ No L 250, 11. 11. 1971, p. 30.

tation as published may be amended during the period of validity of the standing invitation. It shall be amended if the terms of the invitation to tender are amended during that period of validity.

3. The invitation shall indicate in particular :

- (a) the name and address of the competent body issuing the invitation to tender ;
- (b) the terms of the invitation to tender ;
- (c) the time limit for the submission of tenders.

Article 6

1. Tenderers shall either deliver written tenders to the competent body against a receipt, or address tenders to the competent body by registered letter, telex or telegram.

Tenders shall be submitted in the Member State from which export is to be effected.

2. Tenders shall indicate :

- (a) the invitation to which the tender relates ;
- (b) the name and address of the tenderer ;
- (c) the price proposed, in the currency of the Member State of the competent body to which the tender is submitted.

3. A tender shall be valid only if :

- (a) it relates to a price for the total quantity of 2 150 tons of Grade 1 white sugar ;
- (b) proof is furnished before the period for the submission of tenders expires that the deposit required by the invitation to tender has been lodged ;
- (c) it includes a declaration by the tenderer that he will, if awarded the contract, supply the sugar in accordance with the provisions of this Regulation.

4. A tender which is not submitted in accordance with the provisions of this Article, or which contains terms other than those indicated in the invitation to tender, shall not be taken into consideration.

5. Once a tender has been submitted it may not be withdrawn.

Article 7

1. The deposit required by the invitation to tender shall be 21 500 units of account.

2. The tenderer may lodge the deposit either in cash or in the form of a guarantee by an establishment complying with criteria laid down by the Member State in which the tender is submitted.

3. Except in cases of *force majeure*, the deposit shall only be released if :

- (a) the successful tenderer supplies the sugar in accordance with the provisions hereof ;
- or

(b) the tender is not accepted.

In cases of *force majeure* the competent body shall determine the measures necessary in view of the circumstances invoked by the tenderer.

4. In the case of paragraph 3(a) the deposit shall be released when payment is made under Article 10 (1) ; in the case of paragraph 3 (b) the deposit shall be released immediately.

Article 8

1. Tenders shall be examined in private session by the competent body. Persons present at the examination shall be sworn to secrecy.

2. The Commission shall be informed without delay of the tenders submitted.

Article 9

1. The price relates to the delivery cif on quay of 1 350 metric tons to Beirut and 800 metric tons to Ashdod.

2. The sugar shall be supplied in new jute sacks of a minimum weight of 450 g lined with a polyethylene bag and with a net weight of 50 kg.

The following shall be printed on the outside of the sacks : 'White Sugar — Gift of the European Community'.

3. The sugar must have been produced and put in free circulation in the Community, except that sugar in free circulation in the United Kingdom can not be exported under the terms of this regulation.

4. The sugar shall be supplied cif on quay before 11 July 1973.

5. The taking of samples and analysis of the goods shall be effected by experts recognized by the competent authorities of the Member State concerned. All the costs of weighing, taking samples and quality control upon loading shall be paid by the Member State concerned. That Member State shall obtain from the successful tenderer a lump sum refund for the costs referred to above (2 500 units of account), a sum which must therefore be quoted in the tender.

Article 10

1. The Member State concerned shall pay the successful tenderer subject to any adjustment necessary under Article 15 (2) the price quoted in this tender pro rata for the quantity actually supplied, reduced by the sum of 2 500 units of account referred to in Article 9 (5). Such quantity shall be the quantity notified to the Commission by UNRWA ; the Commission shall inform the Member State concerned of this quantity immediately.

2. The system of monetary compensatory amounts for export to third countries shall not apply in this case.

3. The accessional compensatory amounts for export to third countries shall be applied.

Article 11

The maximum price for supplying the sugar shall be fixed, after examination of the tenders, in accordance with the procedure laid down in Article 40 of Regulation No 1009/67/EEC ⁽¹⁾, as last amended by Regulation (EEC) No 1014/73 ⁽²⁾.

However, a decision may be taken to make no award.

Article 12

1. Except where a decision is taken to make no award in respect of a partial invitation to tender, and without prejudice to the provisions of paragraph 2, the award shall be made to the tenderer whose bid is converted into units of account, the lowest.

2. If several tenderers propose the same price and that price is accepted, the successful tenderer shall be chosen by drawing lots.

Article 13

1. An award shall :

- (a) confer the right to the issue, in respect of the quantity concerned, of an export licence indicating that the system of monetary compensatory amounts for export to third countries does not apply in this case and bearing the words : 'for export without refund' ;
- (b) entail the obligation to apply for such a licence in respect of Grade 1 sugar and to supply such sugar in accordance with the terms of the invitation to tender.

2. Rights and obligations arising from awards shall not be transferable.

Article 14

1. The competent bodies shall immediately notify all tenderers of the outcome of their participation in

the tendering procedure. The body concerned shall also send a statement of award to the successful tenderer.

2. Statements of award shall indicate at least :

- (a) the invitation to which the tender relates ;
- (b) the price accepted.

Article 15

1. The competent body of the Member State from whose territory the sugar concerned is to be exported shall verify whether the conditions relating to the supply of the sugar have been fulfilled.

The successful tenderer shall be responsible for all operations relating to the invitation to tender issued pursuant to this Regulation, in particular the notification of the information provided for in Articles 2 and 3 of the Annex to the Agreement the EEC and UNRWA ⁽³⁾. This information shall be communicated simultaneously to the Commission.

2. Without prejudice to Article 7 (3), the amount of the price accepted shall be reduced by :

- (a) 1.00 unit of account per 100 kg of sugar, if the sugar is Grade 2 sugar ;
- (b) 0.10 unit of account per 100 kg of sugar and per day if the sugar is supplied after 11 July 1973, except if the delay is due to a case of *force majeure* recognized by the competent body.

3. If the sugar is of a grade lower than that specified in paragraph 2 (a) it shall be rejected with no compensation to the tenderer.

Article 16

This Regulation shall enter into force on 15 May 1973.

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

Done at Brussels, 14 May 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 106, 20. 4. 1973, p. 1.

⁽³⁾ OJ No L 304, 31. 12. 1972, p. 24.

REGULATION (EEC) No 1244/73 OF THE COMMISSION

of 14 May 1973

altering the import levies on products processed from cereals and rice

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 14 ⁽⁴⁾ thereof ;

Having regard to Council Regulation No 359/67/EEC ⁽⁴⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by the Act annexed to the Treaty 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 12 ⁽⁴⁾ thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 1124/73 ⁽⁵⁾, as last amended by Regulation (EEC) No 1236/73 ⁽⁶⁾ ;

Whereas, if the levy system is to operate normally, levies should be calculated on the basis of an

exchange rate which is based, in the case of currencies which are floating or whose central rate differs from the official parity, on the effective rate or the central rate of these currencies and, in the case of the US dollar, on the change in parity announced on 13 February 1973 ;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 0.25 unit of account per 100 kilogrammes of basic product ; whereas, pursuant to Article 1 of Regulation (EEC) No 1080/68 ⁽⁷⁾, as last amended by Regulation (EEC) No 1047/73 ⁽⁸⁾ the levies at present in force must therefore be altered as shown in the Table annexed to this Regulation ;

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 1052/68 ⁽⁹⁾, as fixed in the Annex to amended Regulation (EEC) No 1124/73, are hereby altered as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 15 May 1973.

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

Done at Brussel, 14 May 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 174, 31. 7. 1967, p. 1.

⁽⁵⁾ OJ No L 115, 1. 5. 1973, p. 14.

⁽⁶⁾ OJ No L 126, 12. 5. 1973, p. 37.

⁽⁷⁾ OJ No L 181, 27. 7. 1968, p. 6.

⁽⁸⁾ OJ No L 104, 19. 4. 1973, p. 30.

⁽⁹⁾ OJ No L 179, 25. 7. 1968, p. 8.

ANNEX

to the Commission Regulation of 14 May 1973 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./100 kg	
	Third countries (other than AASM and OCT, Tanzania, Uganda and Kenya)	AASM, OCT, Tanzania, Uganda and Kenya
07.06 A	0.675 ⁽¹⁾	0.555 ⁽¹⁾
11.01 C ⁽²⁾	7.252	6.752
11.02 A III ⁽²⁾	7.252	6.752
11.02 B I a) 1 ⁽²⁾	6.252	6.002
11.02 B I b) 1 ⁽²⁾	6.252	6.002
11.02 C III ⁽²⁾	9.878	9.378
11.02 D III ⁽²⁾	4.076	3.826
11.02 E I a) 1 ⁽²⁾	4.076	3.826
11.02 E I b) 1 ⁽²⁾	8.002	7.502
11.02 F III ⁽²⁾	7.252	6.752
11.06 A	0.925	0.495
11.07 A II a)	7.577	6.677
11.07 A II b)	5.889	4.989
11.07 B	6.714	5.814

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes.

⁽²⁾ For the purpose of distinguishing between products falling within headings Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

— a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight

— an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

REGULATION (EEC) No 1245/73 OF THE COMMISSION
of 14 May 1973
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 136/66/EEC ⁽¹⁾ of 22 September 1966 on the establishment of a common organization of the market in oils and fats, 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 27 (4) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 704/73 ⁽⁴⁾ and subsequent amending Regulations ;

Whereas, if the subsidy system is to operate normally, the subsidy should be calculated on the basis of an exchange rate which is based, in the case of currencies which are floating or whose central rate differs from the official parity, on the effective rate or the central rate of these currencies and, in the case of the US dollar, on the change in parity announced on 13 February 1973 ;

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

704/73 to the information at present available to the Commission that the amount of the subsidy at present in force should be altered as shown in the Annex to this Regulation ;

Whereas in the absence of the indicative price for the 1973/1974 marketing year for colza and rape seed in case of pre-fixation for the months of July, August, September and October 1973 the amount of subsidy on these products has been obtainable only on the basis of the indicative price for the months of July, August, September and October 1972, this amount may, therefore, be applied only on a temporary basis and should be confirmed or replaced when the indicative price for the 1973/1974 marketing year is known ;

HAS ADOPTED THIS REGULATION :

Article 1

1. The amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC is hereby fixed as shown in the Table annexed to this Regulation.

2. The amount of the subsidy for the months of July, August, September and October 1973 will, however, as for colza and rape seeds, be confirmed or replaced as from 15 May 1973 to take into account the indicative price which is fixed for these products for the 1973/1974 marketing year.

Article 2

This Regulation shall enter into force on 15 May 1973.

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

Done at Brussel, 14 May 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 67, 14. 3. 1973, p. 22.

ANNEX

to the Commission Regulation of 14 May 1973 fixing the amount of the subsidy on oil seeds

Subsidy applicable from 15 May 1973 to colza and rape seeds (CCT heading No ex 12.01)
and sunflower seeds (CCT heading No ex 12.01) (u.a./100 kg)

	Colza and rape seed	Sunflower seed
Subsidy	4.869	2.382
Subsidy in the case of advance fixing :		
— for the month of May	4.869	2.382
— for the month of June	4.827	2.239
— for the month of July	3.884	2.098
— for the month of August	4.008	2.028
— for the month of September	4.534	—
— for the month of October	4.811	—

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**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).

Restricted procedure

1. Direction Départementale de l'Équipement, Cité Administrative — 17ème étage, 59048 Lille-Cedex.
 - base of sand-gravel mix with ash and lime : 57 700 tons,
 - asphaltic concrete : 26 000 tons.
2. Restricted invitation to tender after invitation for applications (art. 93 to 97 of the Public Contracts Code).
3. a) The Lille — Villeneuve d'Ascq eastern ring road will join the A 27 Autoroute (Quatre Cantons intersection) to the A 1 Autoroute (Wasquehal intersection, situated 10 km to the north of the centre of Lille).
- b) the work consists of :
 - the completion of general earthworks and formation level drainage, north of the Lille — Baisieux railway line
 - the execution of earthworks, drainage and pavement work, and the restoration of communications
 - the construction of the pavement of a first section of the Lille eastern ring road.

Part of the work must be completed within a fixed period ; another of the same size may be postponed, depending on conditions.

importance of the work in the fixed lot:

 - excavation : 113 000 m³,
 - lime treatment : of the fills : 55 000 m³,
of the improved subgrade : 58 000 m²,
 - headers of various diameters : 5 000 m,
 - kerbs of all types : 12 000 m,
 - gutters : 8 000 m,
 - pavements : 200 000 m²,
 - foundation of ash-lime-gypsum : 82 000 tons,
base of sand-gravel mix with ash and lime : 100 000 tons,
asphaltic concrete : 49 000 tons.

Conditional lot :

 - excavation : 243 000 m³,
 - Lime treatment of the fills : 56 000 m³,
 - headers of various diameters : 2 000 m,
 - kerbs of all types : 3 000 m,
 - pavements : 96 000 m²,
 - foundation of ash-lime-gypsum : 35 600 tons
4. Fixed lot : 185 calendar days from the order to start work in the fixed lot.

If the conditional lot is confirmed the work will have to be carried out within 185 calendar days from the order to start work.
5. Joint and several consortia.
6. a) 23 May 1973.
 - b) Monsieur le Directeur Départemental de l'Équipement, Bureau des Marchés, Cité Administrative — 17^e étage, 59 048 Lille-Cedex.
 - c) French.
7. 15 June 1973.
8. The enterprises or consortia should send complete details of the following at the time of their application to participate in the restricted tender :
 - legal capacity of the enterprise,
 - list of staff and qualifications,
 - list of materials relevant to the work,
 - financial and technical references in civil engineering or the information list provided for in the instruction issued by the Ministre de l'économie et des finances, dated 14 March 1973. (Official Journal of 10 April 1973).
 - declaration to be signed by candidates for State contracts (art. 41-2 of the Public Contracts Code).
9. Criteria provided for in article 97 of the Public Contracts Code.
- 10.
11. 2 May 1973.

Restricted procedure**Construction of the Centre Beaubourg, Paris**

1. Établissement Public du Centre Beaubourg, 35, Boulevard de Sébastopol, Paris.
 - b) Monsieur le Président de l'Établissement Public du Centre Beaubourg, 35, Boulevard de Sébastopol, 75 004 Paris.
 - c) French.
 2. Restricted invitation to tender.
 3. a) 75 004 Paris, Centre Beaubourg, in the area bounded by the following streets: Rue du Renard, Rue Rambuteau, Rue St. Martin and Rue St. Merri.
 - b) Centralization of controls, alarms, equipment tests.
 4. In the course of 1974/1975.
 5.
 - EPCB, Tel. 508 25 00, Ext 290/297, M. Simon.
 6. a) 21 May 1973.
 7. Beginning of June 1973.
 8. Detailed references on projects recently carried out; turnover in the last three years.
 9. Only applicants with the financial and technical capacities and the professional expertise required for this project will be invited to tender.
 10. Further information may be obtained by telephoning:
 - EPCB, Tel. 508 25 00, Ext 290/297, M. Simon.
 11. 8 May 1973.
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CORRIGENDA

Corrigendum to Council Regulation (EEC) No 181/73 of 23 January 1973 laying down general rules for a system of compensatory amounts for beef and veal

(Official Journal of the European Communities No L 25 of 30 January 1973, p. 9)

Page 11, Article 5 (1) (b) :

Point (b) should read as follows :

‘(b) the amount of Customs duty to be added to the basic compensatory amount shall be equal to the difference between the guide price in the importing Member State and a price which, with the addition of the Customs duty applied by that Member State, would be equal to that same guide price.’
