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II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 14 May 1973

adopting a research and training programme for the European Atomic Energy
Community

(73/124/Euratom)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 7 thereof;

Having regard to the proposal from the Commission, submitted after consultation with the Scientific and Technical Committee;

Having regard to the Council Resolution of 17 December 1970 on the detailed rules for the adoption of research and education programmes;

Whereas in the context of the common policy in science and technology the multi-annual research and training programme is one of the principal means whereby the Community can contribute to the rapid formation and expansion of nuclear industries and also to the acquisition and dissemination of knowledge in the nuclear field;

Whereas the Community research and training programme is defined taking account of the undertaking of the Italian Government to take over, for the period from 1 March 1973 to 31 December 1976, the ESSOR complex, made available to it by the Commission under an agreement to be concluded between the interested parties in accordance with Article 6 (c) of the Treaty establishing the European Atomic Energy

Community in order to carry out a research programme;

Whereas the Community research and training programme is defined taking account also of the undertaking of the Belgian Government to take over, for the period from 1 March 1973 to 31 December 1976, the cost of the Euratom staff made available to it for the BR 2 reactor under Article 6 (c) of the Treaty establishing the European Atomic Energy Community;

HAS DECIDED AS FOLLOWS:

Article 1

A research and training programme, composed of a joint programme and supplementary programmes, as indicated in Annexes I, II and III, is hereby adopted for a period of four years from 1 January 1973. The Annexes form an integral part of this Decision.

Article 2

The maximum expenditure and staff necessary for carrying out this programme shall be 137.75 million units of account and 1 226 staff for the duration of the programme.

The allocation of funds and staff, and the establishment of the scales of financial contributions from the Member States for supplementary programmes, are shown in Annexes II and III respectively.

The unit of account is defined in the Financial Regulation on the establishment and implementation of the budget of the European Communities and the responsibility of authorising officers and accounting officers.

Article 3

The programme defined in Annex I shall be subject to review at the beginning of the second year, in accordance with the appropriate procedures, and in the light of the decisions of the Paris Summit Conference.

Done at Brussels, 14 May 1973.

For the Council

The President

R. VAN ELSLANDE

ANNEX I

JOINT MULTI-ANNUAL RESEARCH AND TRAINING PROGRAMME
AND SUPPLEMENTARY MULTI-ANNUAL PROGRAMMES

DIRECT PROJECTS

1. Handling and disposal of waste

Joint programme

A maximum of 6.9 million units of account shall be allocated to this objective, the number of staff being fixed at 75 (including a programme staff of 40).

The objectives shall include:

- basic studies on the separation of fission products from irradiated fuel by the 'Saltex' process;
- feasibility studies on a system of self-burying capsules for the disposal of radioactive waste;
- studies and research on the chemical separation of actinides from high-level radioactive waste;
- studies of physical measurements to determine the neutronic properties of actinides;
- theoretical studies to reduce actinide concentration in irradiated fuel by optimising reactor operation.

These activities will be conducted for the most part by the Ispra establishment.

2. Plutonium and Transplutonium elements

(a) Joint programme

A maximum of 13 million units of account shall be allocated to this objective, the number of staff being fixed at 126 (including a programme staff of 63). The research constituting the programme based on plutonium and its compounds shall deal with the following:

- phase diagrams, thermodynamic properties and structures of ceramic compounds of plutonium (carbides, nitrides and their combinations);
- energy transport processes (thermal conductivity and diffusibility);
- mechanical properties of ceramic compounds in their microscopic aspects and the effect of irradiation on these properties;
- processes and kinetics of material transport phenomena and the effect of irradiation thereon.

The irradiation required for these basic studies will take place in instrumented capsules.

In addition, certain studies will be carried out on determining the physical properties of certain very high purity actinides and their compounds.

(b) Supplementary programme

A maximum of 8.65 million units of account shall be allocated to this objective, the number of staff being fixed at 84 (including a programme staff of 42). Research for the programme of applied studies will deal with the following:

- the study of the behaviour of advanced fuels in a fast reactor;
- the development of the manufacture of samples of materials of this kind for irradiation;
- the analysis of irradiated materials and fuels in existing power plants;
- work required by the projects.

These activities will be conducted at the European Institute for Transuranium Elements in Karlsruhe.

3. Material science

Joint programme

A maximum of 8.5 million units of account shall be allocated for this objective, the number of staff being fixed at 89 (including a programme staff of 50).

The objective shall include:

- studies of lattice defects;
- studies of surface reactions (particle-surface interaction);
- studies of mechanical behaviour, fractures of metals and compound materials (mechanical properties and structure, physical properties, plastic deformation and fracture);
- studies of the physical properties of materials at high temperatures (solid and liquid).

These activities will be conducted by the Ispra Establishment.

4. Reactor safety

Joint programme

A maximum of 21.1 million units of account shall be allocated to this objective, the number of staff being fixed at 232 (including a programme staff of 115).

The objective shall include:

- engineering research connected with serious accidents and their prevention;
- research on thermohydraulic phenomena in the coolant associated with accidents;
- early failure detection;
- reliability studies;
- reactor dynamics.

These activities are to be conducted by the Ispra Establishment.

5. Applied data-processing

Joint programme

A maximum of 6.05 million units of account shall be allocated to this objective, the number of staff being fixed at 51 (including a programme staff of 31).

The objective shall include:

- computer programme library activities for the Community (collection, testing and analysis of computer programmes, consultation on their use);
- studies of an integrated system of documentation and automatic translation;
- assistance in computer systems and methods (Caronte modular system, special programming language for experimental mathematics).

These activities will be conducted by the Ispra Establishment.

6. Information Analysis Centre

Joint programme

A maximum of 5·10 million units of account shall be allocated to this objective, the number of staff being fixed at 51 (including a programme staff of 27).

The objective shall include: three units for the compilation, analysis and distribution of scientific and technical information in the following fields:

- shielding of nuclear reactors (ESIS);
- integrated nuclear data (INDAC);
- structural mechanics connected with reactor technology (ESMIS).

These activities will be conducted by the Ispra Establishment.

7. Central Bureau for Nuclear Measurements (CBNM)

Joint programme

A maximum of 20·35 million units of account shall be allocated to this objective, the number of staff being fixed at 170 (including a programme staff of 92).

The objective shall include:

- determining basic neutron data;
- continuation of work in the field of nuclear metrology (measurements of radioactive elements, measurements of the isotopic composition of elements by mass spectrometry, calibration and standardization of methods of dosimetry);
- the preparation and definition of standard specimens and nuclear reference materials.

These activities will be the task of the Central Bureau for Nuclear Measurements at Geel.

8. Technical assistance to nuclear power plant operators

Joint programme

A maximum of 6·1 million units of account shall be allocated for this objective, the number of staff being fixed at 60 (including a programme staff of 23).

The objective is to consist of technical support in the following fields:

- water chemistry;
- in-pile inspection and operations;
- post-irradiation examination of fuel elements;
- methods of quality control for materials and components in stations, establishment of standard techniques, training of operators' personnel.

These activities will be undertaken by the Ispra Establishment.

9. Training

Joint programme

A maximum of 1·45 million units of account shall be allocated for this objective, the number of staff being fixed at 15 (including a programme staff of 10).

This objective includes three courses, at technical standard post-graduate courses and advanced specialized courses.

10. Safeguards and management of fissile materials

Supplementary programme

A maximum of 5.4 million units of account shall be allocated for this objective, the number of staff being fixed at 57 (including a programme staff of 27).

This objective includes:

- systems analysis;
- development of destructive and non-destructive techniques;
- study of fool-proof sealing and identification techniques.

These activities will be carried out mainly by the Ispra Establishment, in cooperation with establishments in the Member States.

11. Contract research

Joint programme

A maximum of 1.85 million units of account shall be allocated for this objective, the number of staff being fixed at 17 per man year (including a programme staff of 5 men per year).

This objective is intended to help make facilities or techniques available to outside parties for payment.

The staff carrying out these activities will be assigned to the Ispra Establishment.

12. Management and coordination

Joint programme

A maximum of 8.1 million units of account shall be allocated for these activities, the number of staff being fixed at 79 (55 of these being for the management itself).

This item covers activities of general management, coordination and management of the Joint Research Centre programmes, and certain investments of a general nature.

13. Operation of the HFR reactor

Supplementary programme

A maximum of 23 million units of account shall be allocated for this objective, the number of staff being fixed at 95.

It covers operation of the reactor and the planning, execution and supervision of experiments for the benefit of the programmes of the participating States. Surplus capacity can be made available to outside parties for payment.

This objective will be carried out at the Petten Establishment.

14. Use of the Ispra I reactor

Joint programme

A maximum amount of 2.2 million units of account shall be allocated for this objective, the number of staff being fixed at 25 (including a programme staff of 15).

It covers operation of the reactor and its use for programmes to be carried out by the Ispra Establishment (in particular: handling and disposal of waste, information analysis centres, environmental protection, standards and reference substances).

ANNEX II

TABLE OF STAFF AND MAXIMUM EXPENDITURE

Objectives	Joint programme		Supplementary programme			Total (in millions of u.a.)
	Amount (in millions of u.a.)	Staff	Amount (in millions of u.a.)	Staff	Partici- pating countries	
DIRECT PROJECTS (JRC)						
Nuclear projects						
Handling and disposal of waste	6·900	75				6·900
Plutonium and transplutonium elements	13·000	126	8·650	84	B/G/F/L/ N/Irl/ D/UK	21·650
Material science	8·500	89				8·500
Reactor safety	21·100	232				21·100
Applied data processing	6·050	51				6·050
Information analysis centres	5·100	51				5·100
Central Bureau for Nuclear Measurements (CBNM)	20·350 ⁽¹⁾	170				20·350 ⁽¹⁾
Technical assistance to nuclear power plant operators	6·100	60				6·100
Training	1·450	15				1·450
Safeguards and management of fissile materials			5·400	57	B/G/I/L/ N/Irl/ D/UK	5·400
Contract research	1·850	17				1·850
Management and coordination	8·100 ⁽¹⁾	79				8·100 ⁽¹⁾
Operation of the HFR reactor			23·000	95	B/G/N	23·000
Use of Ispra I reactor	2·200	25				2·200
Total	100·700	990	37·050	236		137·750
Total joint programme + supplementary programmes	137·750	1 226				

⁽¹⁾ Including certain investments.

ANNEX III

DEFINITION OF THE SCALES FOR FINANCIAL CONTRIBUTIONS FROM MEMBER STATES FOR THE SUPPLEMENTARY RESEARCH PROGRAMMES AND EURATOM INVESTMENT

I. Scales based on 'relative shares'

— Plutonium and transplutonium elements	{	The scale applied corresponds, for each financial year, to the scale resulting from the 'relative shares' of the participating Member States being increased in proportion to the 'relative share' of the Member State (or States) which does (or do) not participate in the programme in question, except that for the new Member States the reduction coefficients provided for in Article 130 of the Accession Treaty are to be applied
— Safeguards and management of fissile materials		

II. Flat-rate scale ⁽¹⁾

— Petten (HFR)	{	Belgium Germany Netherlands	}	100%
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⁽¹⁾ The details of participation in this project, particularly the scale of contributions and the duration of participation, must be adopted before 30 April 1973.

COUNCIL DECISION

of 14 May 1973

adopting a research programme for the European Economic Community in the field of standards and reference substances (certified reference substances)

(73/125/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, in particular Article 235 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Having regard to the Council Resolution of 17 December 1970 on the procedure for adopting research and training programmes;

Whereas, pursuant to Article 3 (a) and (h) of the Treaty establishing the European Economic Community, the activities of the Community shall include the elimination, between the Member States, of quantitative restrictions on the import and export of goods and of all other measures having equivalent effect, together with the approximation of the laws of the Member States to the extent required for the proper functioning of the common market;

Whereas the research projects which are the subject of this Decision therefore appear necessary in order to achieve certain Community objectives in the context of the functioning of the common market;

Whereas the Treaty establishing the European Economic Community made no provision for the powers required for these purposes;

HAS DECIDED AS FOLLOWS:

Article 1

A research programme for the European Economic Community in respect of standards and reference substances (certified reference substances) as set out in the Annex to this Decision is hereby adopted for a period of four years beginning on 1 January 1973. This Annex forms an integral part of this Decision.

Article 2

The upper limit for expenditure commitments and for staff necessary for the implementation of this programme shall be 5.40 million units of account, and 62 staff, the unit of account being defined in the Financial Regulation on the establishment and implementation of the budget of the European Communities and the responsibility of authorizing and accounting officers.

Article 3

The Commission shall ensure that this programme is carried out and, to this end, shall request the assistance of the Joint Research Centre. It shall submit an annual report to the Council on the subject.

Article 4

The programme defined in the Annex shall be subject to review at the beginning of the second year, in accordance with the appropriate procedures, and in the light of the decisions of the Paris Summit Conference.

Article 5

The information resulting from the implementation of the parts of the programme defined in the Annex will be disseminated in accordance with the conditions and within the limits which will be fixed at a later date.

Done at Brussels, 14 May 1973.

*For the Council**The President*

R. VAN ELSLANDE

ANNEX

DIRECT ACTION
NON-NUCLEAR PROJECTSStandards and reference substances
(certified reference substances)*Joint programme*

A maximum of 5.4 million units of account shall be allocated to this objective, the number of staff being fixed at 62 (including a programme staff of 34).

The objective shall include:

- technical assistance tasks for the secretariat of the project: inquiry on the needs of and the situation in the Community in this field, dissemination of information and processing of data;
- experimental work (chemical analysis, physical and technological properties of reference substances) in laboratories participating in the project;
- technical assistance to the Commission (elimination of technical obstacles, Common Customs Tariff, etc).

The experimental work will be carried out, for the time being, by the Ispra establishment.

COUNCIL DECISION

of 14 May 1973

adopting a research programme for the European Economic Community on the protection of the environment

(73/126/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Having regard to the Council Resolution of 17 December 1970 on the procedure for adopting research and education programmes;

Whereas Article 3 of the Treaty establishing the European Economic Community lays down that the activities of the Community shall include the elimination, as between Member States, of customs duties and of quantitative restrictions on the import and export of goods, and of all other measures having equivalent effect, the institution of a system ensuring that competition in the common market is not distorted, and also the approximation of the laws of Member States to the extent required for the proper functioning of the common market; whereas the activities defined in the Annex to this Decision are necessary, among others, for achieving these objectives and promoting, in accordance with Article 2 of the same Treaty, a harmonious development of economic activities throughout the Community and an improvement in conditions of life and employment in the Member States;

Whereas the research projects which are the subject of this Decision therefore appear necessary in order to achieve certain Community objectives in the context of the functioning of the common market;

Whereas the Treaty establishing the European Economic Community made no provision for the powers required for these purposes;

HAS DECIDED AS FOLLOWS:

Article 1

A research programme for the European Economic Community on the protection of the environment as set out in the Annex to this Decision is hereby adopted for a period of four years beginning on 1 January 1973. This Annex forms an integral part of this Decision.

Article 2

The upper limit for expenditure commitments and for staff necessary for the implementation of this programme shall be fixed at 13 million units account and 142 staff, the unit of account being defined in the Financial Regulation on the establishment and implementation of the budget of the European Communities and the responsibility of authorizing and accounting officers.

Article 3

The Commission shall ensure that this programme is carried out and to this end shall request the assistance of the Joint Research Centre. It shall submit an annual report to the Council on the subject.

Article 4

The programme defined in the Annex shall be subject to review at the beginning of the second year, in accordance with the appropriate procedures, and in the light of the decisions of the Paris Summit Conference.

Article 5

The information resulting from the implementation of the parts of the programme defined in the Annex will be disseminated in accordance with the conditions and within the limits laid down by the Commission.

Done at Brussels, 14 May 1973.

For the Council

The President

R. VAN ELSLANDE

ANNEX

DIRECT ACTION
NON-NUCLEAR PROJECTS
ENVIRONMENTAL PROTECTION

Joint programme

A maximum amount of 13.0 million units of account shall be allocated to this objective and the upper limit for staff shall be fixed at 142 staff (including 75 programme staff).

The objective shall be:

- analysis and supervision (particularly development of a multidetection unit; studies on teledetection and measurement of pollution; formation of a data bank for chemicals);
 - spread and effect of pollutants (in particular studies of biological indicators of water pollution, genetic toxicity and bio-telemetry of subacute toxic effects on laboratory animals);
 - model and systems analysis of the process of eutrophication of an alpine lake and of atmospheric pollution;
 - theoretical studies on thermal pollution and the purification of water by catalytic oxidation.
 - These activities will be carried out by the Ispra Establishment.
-

COUNCIL DECISION

of 14 May 1973

adopting a research programme for the European Economic Community in the field of
teledetection of earth resources

(73/127/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular Articles 41 and 235 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Having regard to the Council Resolution of 17 December 1970 on the procedure for adopting research and training programmes;

Whereas Article 2 of the Treaty establishing the European Economic Community assigns to the Community, *inter alia* the task of promoting throughout the Community a harmonious development of economic activities, a continuous and balanced expansion and an accelerated raising of the standard of living; whereas the objectives of the Community's activities for these purposes are set out in Article 3 of the same Treaty;

Whereas the purpose of the projects which are the subject of this Decision is, in the initial phase, to offer to the Community a means of drawing up statistics and forecasts which may be used in various fields including agriculture;

Whereas the problem of evaluating and using natural resources constitutes an important element of these objectives;

Whereas the research projects which are the subject of this Decision seem necessary in order to achieve certain Community objectives in the context of the functioning of the common market;

Whereas the Treaty establishing the European Economic Community made no provision for the powers required for these purposes;

HAS DECIDED AS FOLLOWS:

Article 1

A research programme for the European Economic Community in the field of teledetection of earth

resources, as set out in the Annex to this Decision, is hereby adopted for a period of four years beginning on 1 January 1973. This Annex, forms an integral part of this Decision.

Article 2

The upper limit for expenditure commitments and for staff necessary for the implementation of this programme shall be 1.05 million units of account and 10 staff, the unit of account being defined in the Financial Regulation on the establishment and implementation of the budget of the European Communities and the responsibility of authorizing and accounting officers.

Article 3

The Commission shall ensure that this programme is carried out and, to this end, shall request the assistance of the Joint Research Centre. It shall submit an annual report to the Council on the subject.

Article 4

The programme defined in the Annex shall be subject to review at the beginning of the second year, in accordance with the appropriate procedures, and in the light of the decisions of the Paris Summit Conference.

Article 5

The information resulting from the implementation of the parts of the programme defined in the Annex shall be disseminated in accordance with the conditions and within the limits which are to be fixed at a later date.

Done at Brussels, 14 May 1973.

*For the Council**The President*

R. VAN ELSLANDE

ANNEX

DIRECT ACTION
NON-NUCLEAR PROJECTS
TELEDETECTION OF EARTH RESOURCES

Joint programme

A maximum amount of 1.05 million units of account shall be allocated to this objective and the upper limit for staff shall be fixed at 10 staff (including 4 programme staff).

The objective shall comprise direct support activity to the Directorates-General of the Commission for the purpose of establishing a technique for global analysis of the conditions of the soil and its constituents by aerial and spatial observation.

These activities will be carried out by the Ispra Establishment in conjunction with the Directorates-General concerned.

COUNCIL DECISION

of 14 May 1973

amending the Decision of 21 June 1971 adopting a five-year research and training programme of the European Atomic Energy Community in the field of biology and health physics

(73/128/Euratom)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 7 thereof;

Having regard to the proposal from the Commission submitted after consultation with the Scientific and Technical Committee;

Whereas the programme which is the subject of the Council Decision of 21 June 1971 ⁽¹⁾ adopting a five-year research and training programme of the European Atomic Energy Community in the field of biology and health physics should be adjusted, to take account of the accession of new Member States to the Community;

Whereas the proposal from the Commission constitutes an adequate adjustment which will strengthen the Community's potential in the field of research for the purpose of acquiring the information necessary to guarantee adequate protection of the individual, the general public and the environment against dangers arising from radiation;

Whereas this proposal ensures the continuity necessary for biological research;

Whereas it is in the common interest to amend the Decision of 21 June 1971 with a view to ensuring the active participation of the institutions of the enlarged Community in research work;

Article 1

The programme defined in the Annex to the Decision of 21 June 1971 is replaced by the programme annexed to this Decision.

Article 2

Article 2 of the Decision of 21 June 1971 shall be replaced by the following:

'The upper limit for expenditure commitments and for staff necessary for the implementation of this programme shall be 18·886 million units of account and 97 Community servants in the case of the joint programme and 5·61 million units of account and 10 Community servants in the case of the complementary programme, the unit of account being defined in the Financial Regulation establishing and implementing the budget of the European Communities and concerning the responsibility of authorizing and accounting officers.'

Done at Brussels, 14 May 1973.

*For the Council**The President*

R. VAN ELSLANDE

⁽¹⁾ OJ No L 143, 29. 6. 1971, p. 31.

ANNEX

'BIOLOGY AND HEALTH PHYSICS'
JOINT PROGRAMME AND COMPLEMENTARY PROGRAMME

1. 'Radiation protection' joint programme

An amount of 18·886 million units of account shall be allocated to this objective and the upper limit for staff shall be fixed at 97 servants.

The aim of the work is to acquire and promote the scientific and technical knowledge necessary for the determination of permissible radiation levels in man and contamination of the environment for keeping such knowledge up to date and for the improvement of the practical organization of radiation protection by the Member States.

This aim also includes studies on radioactive contaminants, with particular reference to the path which they follow in man and the environment, on the effects of radiation on living matter and on dosimetric methods and instruments.

These activities shall be carried out mainly under contracts of association or similar contracts and partly by the 'Biology' Group set up at the Ispra Establishment.

2. 'Adaptations' complementary programme

(a) Definition of programme

An amount of 5·610 million units of account shall be allocated to the objective, and the upper limit for staff be 10 Community servants.

The aim of the work consists in the development of nuclear techniques and the application of nuclear methods with a view to their use in agricultural and medical research.

The work shall be carried out under contracts of association or similar contracts.

(b) Financial contributions from the Member States to this programme

Germany	41 %
Italy	23 %
Netherlands	36 %

COUNCIL DECISION

of 14 May 1973

amending the Decision of 21 June 1971 adopting a five-year research and training programme of the European Atomic Energy Community in the field of fusion and plasma physics

(73/129/Euratom)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Article 1

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 7 thereof;

The programme set out in the Annex to the Decision of 21 June 1971 is replaced by the programme annexed to this Decision.

Having regard to the proposal from the Commission submitted after consultation with the Scientific and Technical Committee;

Article 2

Whereas the programme which is the subject of the Council Decision of 21 June 1971 ⁽¹⁾ adopting a five-year research and training programme of the European Atomic Energy Community in the field of fusion and plasma physics, should be adjusted to take account of the Accession of new Member States to the Community;

Article 2 of the Decision of 21 June 1971 shall be replaced by the following:

Whereas the proposal from the Commission constitutes an adequate adjustment which will strengthen the Community's potential in the field of research on controlled thermonuclear fusion and plasma physics;

'The upper limit for expenditure commitments and for staff necessary for the implementation of this programme shall be fixed at 56.196 million units of account and 112 Community servants plus 20 temporary Community servants, the unit of account being defined in the Financial Regulation establishing and implementing the budget of the European Communities and concerning the responsibility of authorizing officers and accounting officers'.

Whereas it is in the common interest to amend the Decision of 21 June 1971 with a view to ensuring the active participation of the institutions of the enlarged Community in research work;

Done at Brussels, 14 May 1973.

For the Council

The President

R. VAN ELSLANDE

⁽¹⁾ OJ No L 143, 29. 6. 1971, p. 33.

ANNEX

FUSION AND PLASMA PHYSICS

1. An amount of 56·196 million units of account shall be allocated to this objective and the upper limit for staff shall be fixed at 112 servants and 20 temporary servants.

This amount is intended to cover the expenditure on equipment concerned with operations accorded priority status and specified in point 5 which are to be carried out during the first three years of execution of the programme, the expenditure throughout the programme on the general activities to be carried out thereunder, and the expenditure for procuring mobility of staff between associated laboratories.

2. The subject-matter of the programme which will be executed by the associated laboratories shall be:

- general physics in the sector concerned, in particular studies of a basic character or relating to confinement of plasmas with suitable devices and to methods for producing and heating plasmas;
- research on the confinement on closed and open-ended configurations of plasmas of widely varying density and temperature;
- production of and research on plasmas of high and very high density;
- improvement of diagnostic methods;
- investigation of technological problems connected with current research and of problems relating to thermonuclear reactor technology.

This work shall be carried out under contracts of association.

3. The programme set out in point 2 shall be part of a long-term cooperative project embracing all work carried out in the Member States in the field of fusion and plasma physics. It is designed to lead in due course to the joint construction of prototypes with a view to their industrial-scale production and marketing.

4. Within the upper limit of 56·196 million units of account:

- (a) a maximum amount of 8·82 million units of account shall be allocated during the first three years of the programme to the financing of equipment for the operations specified in point 5, a standard preferential rate of participation equal to or less than 44 % being applied. In return therefore, all members of the association shall have the right to take part in the experiments carried out with this equipment;
- (b) a maximum amount of 0·45 million units of account shall be set aside for expenditure for procuring mobility of staff between associated laboratories;
- (c) the amount which shall not have been set aside for the operations and expenditure specified in sections (a) and (b) shall form the upper limit of financial participation by the Community in other expenditure of the associations and in their management. This participation shall be at a standard rate of about 25 %. By way of derogation from this principle, this rate shall be increased to a maximum of 30 % for the Euratom/CNEN-CNR Association, which will further benefit from the assumption by the programme of the expenses in respect of the Euratom staff seconded thereto.

5. After conducting a technical examination of the various projects, the Commission will be able to finance during the first three years, within the following upper limits, the operations mentioned below, which are accorded priority status:

- | | |
|---|------------------------------|
| — low-beta stellarator and Tokomak | 6·3 million units of account |
| — screw pinch and high-beta stellarator | 1·7 million units of account |
| — heating and injection processes | 1·3 million units of account |
| — very-high-density processes | 0·8 million units of account |

COUNCIL DECISION

of 14 May 1973

concluding the Protocol relating to Milk Fat negotiated in GATT

(73/30/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113, 114, and 228 thereof;

Having regard to the report from the Commission;

Whereas the GATT Group on Milk Products has agreed upon a Protocol relating to Milk Fat;

Whereas this Protocol generally seems to promote international cooperation and contribute to the achievement of Community aims as regards milk products under commercial policy and the Common Agricultural Policy;

Whereas the last date for the depositing of the instruments of final acceptance of the Protocol is 14 May 1973;

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol relating to Milk Fat negotiated in GATT, the text of which is annexed to this Decision, is concluded on behalf of the European Economic Community.

Article 2

The President of the Council shall be authorized to designate the person empowered to sign the Protocol referred to in Article 1 on behalf of the Community.

Done at Brussels, 14 May 1973.

*For the Council**The President*

R. VAN ELSLANDE

ANNEX

PROTOCOL RELATING TO MILK FAT

The participants to the present Protocol;

Having considered that paragraph 1 of Article 1 of the Arrangement Concerning Certain Dairy Products, done at Geneva on 12 January 1970, provides that the said Arrangement applies to skimmed-milk powder and to such other products as may be added at a later date;

Have, through their representatives, agreed as follows:

Article I

PRODUCT COVERAGE

1. This Protocol applies to:
 - anhydrous milk fat, anhydrous butteroil or anhydrous butterfat having a fat content of not less than 99.8% by weight;
 - ghee, having a milk fat content of not less than 99.6% by weight;
 - butteroil and butterfat, having a fat content of not less than 99.3% by weight.

Article II

PILOT PRODUCT

1. For the purpose of this Protocol a minimum export price shall be established for the pilot product of the following description.

Designation: butteroil or butterfat.

Fat content: 99.3 % by weight.

Packaging: in packages normally used in the trade of a net content by weight of not less than 25 kg or 50 lb, as appropriate.

Terms of sale: fob from the exporting country or, for a land-locked country, fob from one maritime port of its choice to be designated at the time it signifies its acceptance; or free-at-frontier exporting country. Prompt payment against documents.

Article III

MINIMUM PRICE

Level and observance of minimum price

1. Participants undertake to take the steps necessary to ensure that the export price of the product defined in Article II shall not be less than the minimum price applicable under the present Protocol. The participants shall take the steps necessary to avoid the circumvention of the price provisions of this Protocol if the product is exported in the form of goods in which it has been incorporated, or if because of its quality or fat content it differs from the pilot product defined in Article II.

2. The minimum price provided for in paragraph 1 of the present Article applicable at the date of entry into force of this Protocol is fixed at US\$ 68 per 100 kg.

3. The level of the minimum price specified in the present Article can be modified by the Management Committee established in terms of Article VII. However, any such modification may be decided upon only at the time when the question of extension of the duration of this Protocol is being considered in terms of paragraph 2 of Article VIII, or, at other times, only when an emergency situation is deemed to exist.

Adjustment of minimum price

4. If the product actually exported differs from the pilot product type with regard to packaging or terms of sale as specified in Article II, the minimum price shall be adjusted so as to protect the minimum price established in this Protocol for the product specified in Article II according to the following provisions:

Packaging:

if the product is offered otherwise than in packages normally used in the trade of a net content by weight of not less than 25 kg, or 50 lb, as appropriate, the application of the minimum price shall be adjusted so as to reflect the difference in the cost of packaging from the type of package specified above.

Terms of sale:

if sold on terms other than fob from the exporting country or, for a land-locked country, fob from the maritime port of its choice or free-at-frontier exporting country, the minimum price shall be calculated on the basis of the minimum fob price specified in paragraph 2 above plus the real and justified costs of the services provided; if the terms of the sale include credit, this shall be charged for at the prevailing commercial rate.

Special conditions of sales

5. Participants undertake within the limit of their institutional possibilities to ensure that practices such as sales in association with sales of other products, special rebates or discounts do not have the effect of directly or indirectly bringing the export price of the products subject to the minimum price provisions below the agreed minimum price.

Field of application

6. For each participant this Protocol is applicable to exports of the products specified in Article I manufactured or repacked inside its own customs territory, whether the destination is temporary or final.

Transactions other than normal commercial transactions

7. The provisions of paragraphs 1 to 6 of this Article shall not be regarded as applying to donated exports to developing countries or to exports destined for relief purposes or welfare purposes in developing countries. Such exports, and other transactions which are not normal commercial transactions, shall be effected in accordance with the FAO Principles of Surplus Disposal and shall be subject to the procedures for notification, consultation and establishment of usual marketing requirements agreed upon in FAO.

Article IV**PROVISION OF INFORMATION**

1. All participants agree to provide regularly and promptly to the Management Committee established in terms of Article VII of this Protocol details of exports and imports of the products covered by this Protocol, and any other information the Committee requires in order to assess the functioning of this Protocol and the situation in and the evolution of the international market.

Article V**COOPERATION OF IMPORTING COUNTRIES**

1. Participants which import the products covered by this Protocol undertake in particular:

- (a) to cooperate in implementing the minimum price objective of this Protocol and to ensure as far as possible that the products covered by this Protocol are not imported at less than the appropriate customs valuation equivalent to the prescribed minimum price; and
- (b) to supply information concerning imports of the products covered by this Protocol from non-participants; and
- (c) to consider sympathetically proposals for appropriate remedial action if imports at prices inconsistent with the minimum price threaten the functioning of this Protocol.

Article VI**FOOD AID**

The participants agree:

1. In cooperation with FAO and other interested organizations, to foster recognition of the value of dairy products in improving nutritional levels and of ways and means through which they may be made available for the benefit of developing countries.

2. Where possible and appropriate, to incorporate the donation or sale on concessional terms of dairy products or related equipment in their respective aid programmes. Participants should notify the Committee in advance each year of the scale of their proposed contributions of such food aid. It would be understood that contributions could be made bilaterally or through joint projects or through the World Food Programme.

3. Recognizing the desirability of harmonizing their efforts in this field, as well as the need to avoid harmful interference with normal patterns of production and international trade, to exchange views in the Management Committee established in terms of Article VII on their arrangements for the supply of dairy products as food aid or on concessional terms.

*Article VII***ADMINISTRATION OF THIS PROTOCOL****Management Committee**

1. A Management Committee shall be established within the framework of the General Agreement on Tariffs and Trade. The Committee shall comprise representatives of all participants to this Protocol and shall carry out all the functions which are necessary to implement the provisions of this Protocol. The Committee shall be serviced by the GATT secretariat.

Review of market

2. The Committee shall keep under constant review the situation in and the evolution of the international market for the products covered by this Protocol and the conditions under which the provisions of this Protocol are applied by participants, taking into account the evolution of prices in international trade in each of the other dairy products having implications for the trade in products covered by this Protocol.

Regular and special meetings

3. The Committee shall normally meet at least once each quarter. However, the Chairman may call a special meeting of the Committee on his own initiative. Any participant which considers that its commercial interests are being seriously threatened and which is unable to reach a mutually satisfactory solution with the other participant or participants concerned may request the Chairman to convene a special meeting of the Committee on an urgent basis so as to determine as rapidly as possible, and within four working days if requested, any measures which may be required to meet the situation.

Emergency action

4. Any participant, which considers that its interests are seriously endangered by a country not bound by this Protocol, can request the Chairman to convene an emergency meeting of the Committee within two working days to determine and decide whether measures would be required to meet the situation. If such a meeting cannot be arranged within the two working days and the commercial interests of the participant concerned are likely to be materially prejudiced, that participant may take unilateral action to safeguard the position, on the condition that any

other participants likely to be affected are immediately notified. The Chairman of the Committee shall also be formally advised immediately of the full circumstances of the case and shall be requested to call a special meeting of the Committee at the earliest possible moment.

*Article VIII***OTHER PROVISIONS****1. Entry into force**

- (a) This Protocol shall enter into force, for those participants having accepted it, on 14 May 1973. For participants accepting this Protocol after that date, it shall be effective from the date of their acceptance.
- (b) The validity of contracts entered into before the date of entry into force of this Protocol is not affected by this Protocol.

2. Duration

This Protocol shall remain in force for one year. The duration of this Protocol shall be extended for further periods of one year at a time, unless the Management Committee, at least eighty days prior to each date of expiry, decides otherwise.

3. Amendment

The provisions of this Protocol may be amended by the Management Committee established in terms of Article VII.

4. Acceptance

- (a) This Protocol is open for acceptance, by signature or otherwise, to governments (including the competent authorities of the European Communities) members of the United Nations or of one of its specialized agencies.
- (b) This Protocol shall be deposited with the Director-General to the Contracting parties, who shall promptly furnish a certified copy thereof and a notification of each acceptance thereof to each participant to the Protocol.

5. Withdrawal

Any government (including the competent authorities of the European Communities) may withdraw

from this Protocol upon the expiration of sixty days from the day on which written notice of such withdrawal is received by the Director-General to the Contracting parties.

Done at Geneva this second day of April one thousand nine hundred and seventy-three,
in a single copy, in the English and French languages, both texts being authentic.

COUNCIL DIRECTIVE

of 15 May 1973

on the guidance premium provided for in Article 10 of the Directive of 17 April 1972
on the modernization of farms

(73/131/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Council Directive of 17 April 1972 ⁽¹⁾ on the modernization of farms, and in particular Article 10 thereof;

Having regard to the proposal from the Commission;

Whereas according to the abovementioned Directive, where it is provided in the development plan that the farm will concentrate on the production of beef and veal or mutton and lamb, the incentives laid down in Article 8 of that Directive are to be supplemented by a guidance premium;

Whereas in view of the present structure of farms suitable for modernization in accordance with the said Directive by concentrating on the production of beef and veal or mutton and lamb, the guidance premium should be calculated per hectare of land required for such meat production, taking into account the change which the premium is to effect;

HAS ADOPTED THIS DIRECTIVE:

Article 1

The guidance premium referred to in Article 10 of the Council Directive of 17 April 1972 on the modernization of farms shall be calculated per hec-

tare of farm land required for the production of beef and veal or mutton and lamb on a farm, the development plan for which provides that at its term the share of earnings from cattle and sheep sales shall exceed 50% of earnings from all farm sales.

The amount of this premium shall be:

- 45 u.a. per hectare within a ceiling of 4 000 u.a. per farm in the first year,
- 30 u.a. per hectare within a ceiling of 3 000 u.a. per farm in the second year,
- 15 u.a. per hectare within a ceiling of 1 500 u.a. per farm in the third year.

Article 2

This Directive is addressed to the Member States.

Done at Brussels, 15 May 1973.

For the Council

The President

A. LAVENS

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

COUNCIL DIRECTIVE

of 15 May 1973

on the statistical surveys to be carried out by the Member States on bovine livestock,
on forecasts on the availability of bovine animals for slaughter and on statistics on slaugh-
tered bovine animals

(73/32/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 209 thereof;

Having regard to Council Regulation (EEC) No 805/68 ⁽¹⁾ of 27 June 1968 on the common organization of the market in beef and veal, as last amended by Regulation (EEC) No 187/73 ⁽²⁾, and in particular Article 2 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas in order to fulfil the task assigned to it under the Treaty and by Regulation (EEC) No 805/68, the Commission requires precise information on trends in bovine livestock and the production of beef and veal in the Member States and must also have a short-term forecast, established on the basis of this trend, of the availability of beef and veal on the market;

Whereas surveys on bovine livestock at present carried out in the Member States do not enable precise and standard short-term observations to be made of the market; whereas monthly statistics on animals slaughtered are not sufficient for this purpose and short-term forecasts on the availability of cattle and calves intended for immediate slaughter are made at regular intervals in only some of the Member States;

Whereas surveys should be carried out in all Member States on bovine livestock, on the basis of standard categories and with a similar degree of precision; whereas monthly statistics on animals slaughtered should be supplemented and standardized and fore-

casts by category covering identical periods in each Member State should be made on the production of bovine animals for slaughter;

Whereas, in the case of sample surveys, sampling criteria should be kept up to date and fixed margins of error should be observed in order to ensure that there is a similar degree of precision; whereas observational errors should be reduced as much as possible and an assessment should be made of their size;

Whereas since the structure and regional distribution of the rearing of bovine animals are constantly changing, the regional distribution should be recorded annually and a special analysis of the results of the survey should be made by size-of-herd class at least every two years;

Whereas both the statistics on animals slaughtered and forecasts of production of bovine animals for slaughter should be broken down into categories in order to enable the market to be observed with a distinction being made on the basis of the types of meat;

Whereas, since the results of the surveys, forecasts and statistics on animals slaughtered are intended to serve as a basis for decisions adopted within the framework of the common organization of the market in beef and veal, they must be communicated to the Commission as soon as possible and at the same dates;

Whereas the procedure to be followed by the Standing Committee for Agricultural Statistics set up by the Council Decision of 31 July 1972 ⁽³⁾ should be laid down, so as to ensure that when this Directive is applied cooperation between the Member States and the Commission will be as effective as possible;

Whereas, since the statistics proposed here constitute only a minimum programme, the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 25, 30, 1. 1973, p. 23

⁽³⁾ OJ No L 179, 7. 8. 1972, p. 1.

must submit a report every three years so that the extent to which the measures proposed have enabled the objectives of this Directive to be attained may be examined, and it must, if necessary, propose that the methods used be harmonized or improved;

Whereas the financial contribution of the Community towards the expenditure incurred by the Member States in carrying out the surveys provided for under this Directive must be defined;

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Each year the Member States shall carry out a statistical survey of total cattle numbers, using the reference date any day in December.
2. The first survey shall take place in 1973.

Article 2

1. For the purposes of this Directive 'cattle' means domestic animals of the bovine species falling under heading 01.02 A of the Common Customs Tariff.
2. The surveys referred to in Article 1 shall cover all cattle on holdings of an agricultural or industrial type.

For the purposes of this Directive holdings of an agricultural or industrial type are holdings with a utilized agricultural area of not less than 1 hectare or those with not less than one cow or three other cattle, provided these are not raised for private consumption.

3. Member States whose surveys concern, in addition, holdings other than those referred to in paragraph 2 shall also supply data relating to those holdings.

Article 3

1. Statistics of cattle numbers shall be so compiled as to show a breakdown at least into the following categories:

A. Cattle of less than 12 months:

- (a) Intended for slaughter as calves
- (b) Other:
 - (aa) males
 - (bb) females

B. Cattle under 2 years but not under 1 year:

- (a) males
- (b) females:
 - (aa) slaughter animals
 - (bb) other

C. Cattle of 2 years and over:

- (a) males
- (b) females:
 - (aa) heifers:
 - (1) slaughter animals
 - (2) other
 - (bb) cows:
 - (1) dairy cows
 - (2) other

D. Buffaloes:

- (a) female breeding animals
- (b) buffaloes, other.

2. If necessary, the categories referred to in paragraph 1 may be altered in accordance with the procedure laid down in Article 9.

3. The categories shall be defined by the Commission after consulting the Standing Committee on Agricultural Statistics set up by the Council Decision of 31 July 1972, hereinafter called 'Committee'.

Article 4

1. The surveys shall be carried out in the form of exhaustive surveys or by random sampling.
2. As regards the basis on which the sampling is to be carried out, the Member States shall take whatever measures they deem appropriate for the purpose of maintaining the quality of survey results.
3. Sampling errors shall not exceed 1% of the total number of cattle or 1.5% of the total number of cows in each of the Member States, these percentages representing a confidence margin of 68%.

Notwithstanding the provisions of the foregoing subparagraph, sampling errors of 1.5% and 2.5% shall be acceptable in respect of Italy up to and including 1975, unless the Council, on a proposal from the Commission, decides to extend this period.

4. The Member States shall take appropriate measures to assess and limit errors of observation.

Article 5

1. The Member States shall notify the Commission of the provisional results of the surveys without regional subdivision, not later than six weeks after the reference month of the survey.

Notwithstanding the provisions of the foregoing subparagraph, Italy shall be permitted to notify the results in question not later than eight weeks after the reference month of the survey.

2. The final results shall be notified with subdivision for the following territories not later than ten weeks after the reference month.

Germany:	Regierungsbezirke
France:	Régions de programme
Italy:	Regioni
Netherlands:	Provincies
Belgium:	Provinces/Provincies
Luxembourg:	—
Denmark:	—
Ireland:	—
United Kingdom:	Scotland, Northern Ireland, Wales, English agricultural regions.

3. As from the survey of 1975 the results at national level shall be compiled and notified by the Member States at least every two years according to the size of the herd kept, in accordance with the tables drawn up following the procedure laid down in Article 9.

The Member States shall first draw up and notify the Tables referring to the survey of 1973 or, failing this, 1974.

4. However, any Member State which obtains results relevant to paragraphs 2 and 3 from another survey carried out in the course of the reference year may continue to use these results until a date in 1975 if not later.

5. Should it prove very difficult to implement the provisions of this Directive on the prescribed date as a result of obstacles preventing compliance with the timetable fixed in paragraph 1 for forwarding the provisional data, transitional measures shall be adopted in accordance with the procedure laid down in Article 9.

Article 6

1. The Member States shall, on the basis of the results of the surveys and of other available data, estimate potential supplies of slaughter cattle for the calendar year following the month when the survey is completed.

2. Estimates of potential supplies of slaughter cattle shall be drawn up for the following categories:

- A. Calves.
- B. Heifers.
- C. Cows.
- D. Bulls and bullocks.

These categories shall be defined by the Commission after consulting the Committee.

3. The Member States shall inform the Commission of the forward estimates at the same time as the results of the surveys.

Article 7

1. The Member States shall draw up monthly statistics relating to the number and carcase weight of animals slaughtered in their territory.

If necessary they shall, every four months, supply additional information, for each month separately, particularly on the numbers of slaughtered animals not included in the monthly statistics referred to in the foregoing subparagraph, so that the latter may be compared and supplemented in order to include all the animals slaughtered.

2. The slaughter statistics provided for in paragraph 1 shall be drawn up for the following categories:

- A. Calves.
- B. Heifers.
- C. Cows.
- D. Bulls.
- E. Bullocks.

3. The Commission, after consulting the Committee, shall define the carcase weight referred to in paragraph 1, and the categories referred to in paragraph 2.

4. The Member States shall inform the Commission of the slaughter figures which they have compiled not later than six weeks after the months to which they refer.

Article 8

The adjustment of the foreign trade statistics to take account of the categories mentioned in Articles 3, 6 and 7 shall be carried out after a joint consultation of the Committee and the NIMEXE Committee, in accordance with the procedure laid down in Article 5 of the Regulation (EEC) No 1445/72 ⁽¹⁾.

⁽¹⁾ OJ No L 161, 17. 7. 1972, p. 1.

Article 9

1. Where the procedure laid down in this Article is invoked, the Chairman shall refer the matter to the Committee, either on his own initiative or at the request of a representative of a Member State.

2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall give its Opinion on the draft within a time limit to be set by the Chairman in accordance with the urgency of the matter. It shall act by a majority of forty-one votes and the votes of Member States shall be weighted as laid down in Article 148 (2) of the Treaty. The Chairman shall not vote.

3. (a) The Commission shall adopt the proposed measures if they conform to the Committee's Opinion.

(b) If the proposed measures are not in accordance with the Committee's Opinion, or in the absence of such Opinion, the Commission shall submit to the Council forthwith a proposal relating to the measures to be adopted. The Council shall act by the qualified majority.

(c) If, after three months have expired since the matter was brought before the Council, the latter has not taken a Decision, the proposed measures shall be adopted by the Commission.

Article 10

The Commission shall submit to the European Parliament and to the Council every three years and for the first time in 1976 a report on the experience gained from the surveys and the forward estimates provided for in this Directive.

The Commission shall, if necessary, submit proposals to the Council, especially with a view to further harmonizing or improving methods.

The Council shall act on these proposals in accordance with the voting procedure laid down in Article 43 (2) of the Treaty.

Article 11

1. The necessary expenditure for carrying out the surveys provided for in this Directive shall for the years 1973, 1974 and 1975 be charged as a fixed sum to the budget of the European Communities.

2. The continuation of these surveys after 31 December 1975 shall be conditional on a Decision of the Council, acting before that date on a proposal from the Commission, on the methods of financing such surveys.

Article 12

This Directive is addressed to the Member States.

Done at Brussels, 15 May 1973.

For the Council

The President

A. LAVENS

COMMISSION

COMMISSION RECOMMENDATION

of 19 March 1973

to the Government of the Italian Republic concerning three Bills on the organization of the market for the carriage of goods by road in Italy

(73/133/EEC)

In accordance with Article 1 of the Council Decision of 21 March 1962 ⁽¹⁾ instituting a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States, the Italian Government has communicated to the Commission, by letter of 18 January 1973 from the Office of its Permanent Representative to the European Communities, the following three Bills:

- Bill establishing a national register of road haulage operators working for hire or reward;
- Bill establishing rules for the carriage of goods by road;
- Bill establishing a system of bracket rates for the carriage of goods by road.

The Commission received the letter from the Office of the Permanent Representative on 19 January 1973. The Italian Government has also communicated the Bills to the other Member States.

Pursuant to Article 2 (3) of the Council Decision of 21 March 1962, the Commission consulted the Member States on the provisions in question at a meeting held in Brussels on 1 March 1973.

By agreement with the Italian Government, the period of one month within which the Commission must deliver its Opinion under the Council Decision of 21 March 1962 has been extended until 19 March 1973, in accordance with Article 2 (4) of the Decision.

Under the terms of Article 2 of the Council Decision of 21 March 1962, the Commission makes the following recommendation:

I

1. The Commission notes that the purpose of the proposed legal provisions is the complete reorganization of the domestic road haulage market, with the following salient features:

- (i) the establishment of a national register of road haulage operators and the creation of a central committee, and of provincial, inter-provincial and regional committees;
- (ii) a new definition of the system for the carriage of goods by road and of regulations governing load-capacity;
- (iii) establishment of a compulsory bracket tariff system with a spread of 23 % for road transport within Italy.

These Provisions are consistent with the guidelines of the Common Transport Policy, as they appear from the general aims and principles laid down by the Community institutions.

However, the adoption of such measures at the initiative of some Member States within their own national legislation would not assist the implementation of the Common Transport Policy. If such a policy is to be established and its objectives achieved, such measures must be adopted at Community level in the institutional framework of the Treaty, and must be implemented simultaneously and in a uniform manner in all Member States.

⁽¹⁾ OJ No 23, 3. 4. 1962, p. 720/62.

The Commission recalled this approach in its Memoranda of 20 September 1971 and 8 November 1971 on the common organization of the transport market and on the development of the common transport policy.

2. As the Commission has pointed out several times, for instance in its memorandum on the general aims and trend of the Common Transport Policy and in its action programme thereon, as well as in the above-mentioned Memoranda of 20 September 1971 and 8 November 1971, regulation at Community level of both access to the transport market and price formation constitutes the essential factor of the common organization of transport, which must make it possible to regulate competition, to promote the integration of the market and to liberalize the provision of services and the right of establishment in the transport business.

Concurring with the views expressed by the Commission, the Council, at its session of 22 June 1965, agreed to the implementation of a system based on a common organization of the goods market and an alignment of the operating conditions of national markets. Access to the market and price formation are included as essential elements in this system.

Furthermore, in its Resolution of 20 October 1966, the Council stressed the importance of adopting provisions on the inspection of load capacity and on the right to engage in haulage operations, and asked the Commission to put forward its proposals for domestic and international transport operations as soon as possible. As early as 1967 ⁽¹⁾ the Commission put forward proposals containing provisions both for transport for hire and reward and for own-account transport, on which both the European Parliament and the Economic and Social Committee delivered a favourable Opinion.

II

3. As regards the Bill on the establishment of a national register of road haulage operators, the Commission notes that engagement in the business of road haulage will henceforth be subject to certain conditions and that the undertaking must be registered.

⁽¹⁾ Proposal for a Council Regulation on the Introduction of Common Rules for Access to the National and International Road Haulage Profession and the Control of Capacity in the Road Haulage Sector (OJ No 254, 20. 10. 1967, p. 3).

This registration, and checks on the subsequent operation of the undertaking, both as regards continued compliance with the required conditions and observance by the undertaking of the laws, regulations and contractual provisions which govern the business, become the responsibility of a central committee and of regional, inter-provincial and provincial committees.

The Commission notes, first, that the conditions governing the right to engage in road haulage do not fully coincide with Community requirements and, secondly, that a Directive on conditions governing the right to engage in road haulage should shortly be adopted, given the present state of progress of the work.

Furthermore, the independent adoption of diverging conditions by Member States would hinder the achievement of the right of establishment in the near future.

In the light of all these considerations, the Commission asks the Italian Government to delay the adoption of these conditions, or at least to adjust them to conform with those planned at Community level.

4. The Commission also notes that among the conditions laid down in Article 14 of the Bill concerning the registration of undertakings, Italian nationality is required. Under Article 15, foreign undertakings with functioning administrative officers in Italy may also be registered, provided that there is reciprocal treatment in the State in which their head offices are situated.

The Commission draws the attention of the Italian Government to the fact that haulage operators from other Member States who meet the conditions of establishment in Italy must be eligible for registration under the same conditions as Italian haulage operators. Further, the reciprocity clause may not be invoked against other Member States.

Pending the adoption by the Council of Directives on the abolition of restrictions to freedom of establishment as regards the carriage of goods by road, the Commission draws the attention of the Italian Government to the provisions of Articles 53 and 76 of the EEC Treaty.

The text of Article 15 should be amended accordingly.

III

5. The Commission notes that the Bill on the carriage of goods by road defines own-account transport and transport for hire or reward, and lays down the conditions for the issue of transport authorizations.

The Commission observes that the definition of own-account transport differs in several respects from that used at Community level, as set out in Article 9 of Council Regulation No 11 ⁽¹⁾ of 27 June 1960. Furthermore, the Bill contains no provisions on treating transport by means of hired vehicles on the same footing as own-account transport. Having regard to the principle that the implementation of divergent measures in Member States should be avoided, the Commission considers that the Italian Government should model its definition on the one referred to above.

Furthermore, in view of the economic importance in some cases of the hiring of vehicles, the Bill should adopt the provisions set out in Article 32 (2) of the abovementioned proposal by the Commission of 14 June 1967. Finally, in the interests of harmonization and liberalization, the maximum useful load to qualify for exemption under the authorization system should be raised from 2 500 kg to 3 000 kg.

As regards transport for hire or reward, the Commission considers that a positive definition unavoidably leads to divergent interpretations, for instance concerning the agreed concept of remuneration, whereas a negative definition would have fostered harmonization while eliminating the possibility of divergent interpretations.

As for the quota system, the Italian Government provides for authorizations to be issued in respect of vehicles, while Community measures provide for the issue of authorizations to undertakings. The Commission asks the Italian Government to amend its relevant provisions accordingly.

Finally, the Commission notes that the Bill no longer provides, as under the present system, for a quota exemption for vehicles with a useful load of less than 5 000 kg. In the Commission's view an exemption for vehicles of low tonnage should be maintained.

⁽¹⁾ Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79 (3) of the Treaty establishing the European Economic Community (OJ No 52, 16. 8. 1960, p. 1121/60).

IV

6. As regards the Bill on the establishment of a compulsory bracket rate system for the domestic carriage of goods by road, the Commission notes that by and large this Bill is consistent with the general aims and principles of the Common Transport Policy as defined by the Council Agreement of 22 June 1965 on the organization of the transport market.

It notes, however, that the proposed system departs from the principles governing rates as established by the agreement in that the Bill does not allow for individual contracts with prices falling outside the brackets.

The Commission also notes that:

- there is an inconsistency between Article 3 of the Bill, which stipulates the compulsory inclusion of commercial costs in the basic rates, and Article 6, which lays down reduced rates, not including commercial costs, where auxiliary transport services have been provided;
- it is not clear from the terms of Article 8 of the Bill whether, as the supervision of a compulsory rate system implies and as is the practice in other Member States, checks are permitted on the premises of undertakings, not only of the haulage operators but also of their partners (consignors, consignees, transport auxiliaries).

Finally, the Commission reminds the Italian Government that it should ensure that, in the enforcement order which it will make under Article 11 of the Bill, the information to be given in the consignment note meets the requirements not only of the provisions of the Bill under discussion but also of Article 6 of Council Regulation No 11/60/EEC of 27 June 1960.

Subject to the foregoing comments, the Commission delivers a favourable Opinion on this third Bill.

V

7. Having regard to the considerations set out above, the Commission considers:

- that the proposed Italian measures should be implemented within a Community framework by the adoption of measures consistent with the

principles defined by the Council in its Agreement of 22 June 1965 and in conformity with its Resolution of 20 October 1966;

— that the proposed measures should in any case be in line with the general aims and principles of the Common Transport Policy, as recalled in this Recommendation.

VI

8. The Commission shall inform the other Member States of the Recommendation.

Done at Brussels, 19 March 1973.

For the Commission
The President
François-Xavier ORTOLI

COMMISSION OPINION

of 4 April 1973

to be addressed to the German Government concerning the draft Regulation amending
the implementing Regulation of 22 August 1969

(73/134/EEC)

1. By letters of 8 January 1973 and 22 February 1973 the German Government sent to the Commission the draft text of a Regulation amending the implementing Regulation of 22 August 1969, together with an explanatory memorandum.

2. The German Draft Regulation utilizes the power conferred by Council Regulation (EEC) No 515/72 of 28 February 1972 to grant exemptions and provides in particular for:

- (1) an exemption in respect of breaks in driving;
- (2) exemptions in respect of the transport of harvest produce;
- (3) exemptions in respect of the transport of milk.

3. The Commission finds that the Draft Regulation is in accordance with Regulation (EEC) No 515/72.

4. The Commission accordingly delivers a favourable Opinion concerning the Draft Regulation.

Done at Brussels, 4 April 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 67, 20. 3. 1972, p. 11.

COMMISSION DECISION

of 17 April 1973

fixing the maximum amounts for the deliveries fob of butteroil to the World Food Programme under the tender proceedings referred to in Regulations (EEC) Nos 787/73 and 821/73

(Only the German text is authentic)

(73/135/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 the Act ⁽²⁾ annexed to the Treaty ⁽³⁾ concerning the Accession of new Member States to the European Economic Community and the European Energy Community signed at Brussels on 22 January 1972, and in particular Article 6 ⁽⁷⁾ thereof;

Whereas pursuant to Commission Regulations (EEC) Nos 787/73 ⁽⁴⁾ of 22 March 1973 and 821/73 ⁽⁵⁾ of 26 March 1973 concerning the supply of butteroil for shipment to certain third countries as a measure of Community aid to the World Food Programme, the German intervention agency has called for tenders for the manufacture and delivery fob to the World Food Programme of 2 113 metric tons and 2 413 metric tons of butteroil respectively;

Whereas the tendering procedure to be followed is set forth in Commission Regulation (EEC) No 2537/72 ⁽⁶⁾ of 4 December 1972 concerning invitations to tender for the supply of butteroil for the World Food Programme; whereas Article 7 of this Regulation provides that, account being taken of tenders received, a maximum amount should be set for the goods to be delivered fob in respect of which tenders are called for;

Whereas the aforementioned intervention agency has received, in response to the aforementioned invitations to tender, the tenders for the figures which may be set as the maximum amounts;

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

The maximum amounts for the award of the contract put out to tender under Regulation (EEC) No 787/73 are fixed at:

- (a) 1 193 342 units of account for 500 metric tons to Mexico,
- (b) 1 193 345 units of account for 500 metric tons to Mexico,
- (c) 1 692 106 units of account for 709 metric tons to the Arab Republic of Egypt,
- (d) 964 221 units of account for 404 metric tons to various third countries.

Article 2

The maximum amounts for the award of the contract put out to tender under Regulation (EEC) No 821/73 are fixed at:

⁽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 75, 22. 3. 1973, p. 22.

⁽⁵⁾ OJ No L 80, 28. 3. 1973, p. 16.

⁽⁶⁾ OJ No L 272, 5. 12. 1972, p. 15.

(a) 2 310 340 units of account for 960 metric tons to Jordan,

Article 3

(b) 1 090 191 units of account for 453 metric tons to various third countries,

This Decision is addressed to the Federal Republic of Germany.

(c) 1 203 303 units of account for 500 metric tons to Mexico,

Done at Brussels, 17 April 1973.

For the Commission

(d) 1 196 721 units of account for 500 metric tons to Mexico.

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 18 April 1973

fixing the maximum amount of the refund for the twenty-ninth partial invitation to tender for white sugar issued under Regulation (EEC) No 1897/72

(73/136/EEC)

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 17 (4) thereof;

Whereas Commission Regulation (EEC) No 1897/72 ⁽³⁾ of 1 September 1972 on a standing invitation to tender to determine the export refund for white sugar, as last amended by Regulation (EEC) No 2847/72 ⁽⁴⁾, requires Member States to issue partial invitations to tender for the export of white sugar;

Whereas, pursuant to Article 4 (3) of Council Regulation (EEC) No 766/68 ⁽⁵⁾ of 18 June 1968 laying down general rules for granting export refunds on sugar, as last amended by Regulation (EEC) No 73 ⁽⁶⁾, the maximum amount of the refund is fixed for partial invitations to tender within three working days following the expiry of the time limit for the submission of tenders;

Whereas, when the maximum amount of the refund is being calculated, account must be taken of the

supply situation and prices within the Community, prices and potential outlets on the world market and costs incurred in exporting sugar;

Whereas, following an examination of the tenders submitted in response to the twenty-ninth partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount of the export refund for the twenty-ninth partial invitation to tender for white sugar issued under Regulation (EEC) No 1897/72 is hereby fixed at 5.844 units of account per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 April 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 201, 2. 9. 1972, p. 8.

⁽⁴⁾ OJ No L 299, 31. 12. 1972, p. 4.

⁽⁵⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁶⁾ OJ No L 86, 31. 3. 1973, p. 30.

COMMISSION DECISION

of 18 April 1973

fixing a maximum for the denaturing premium for white sugar payable under the second partial invitation to tender issued by the new Member States pursuant to Regulation (EEC) No 622/73

(Only the Danish and English texts are authentic)

(73/137/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty ⁽¹⁾ concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed in Brussels on 22 January 1972, and in particular Article 63 (1) of the Act ⁽²⁾ annexed thereto;

Having regard to Council Regulation No 1009/67/EEC ⁽³⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 174/73 ⁽⁴⁾, and in particular Article 9 (8) thereof;

Whereas Commission Regulation (EEC) No 622/73 ⁽⁵⁾ of 1 March 1973 on the opening by the new Member States of a standing invitation to tender for the purpose of determining denaturing premiums for white sugar for feeding to bees provides that those States are to issue partial invitations to tender for the purpose of determining the said premiums;

Whereas Article 4 (3) of Council Regulation (EEC) No 2049/69 ⁽⁶⁾ of 17 October 1969 laying down general rules on the denaturing of sugar for animal feed, as amended by Regulation (EEC) No 2863/71 ⁽⁷⁾, provides that where denaturing premiums are fixed following an invitation to tender the criteria set out in Article 3 thereof must be taken into

account in fixing a maximum for such premiums; whereas, having regard to the criteria and following an examination of the tenders submitted, the maximum for denaturing premiums should be fixed at the level specified in Article 1 of this Decision;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum denaturing premium payable under the second partial invitation to tender issued pursuant to Regulation (EEC) No 622/73, the time limit for the submission of tenders having expired on 18 April 1973, shall be 8.549 units of account per 100 kilogrammes of white sugar.

Article 2

This Decision is addressed to Denmark, Ireland and the United Kingdom.

Done at Brussels, 18 April 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽⁴⁾ OJ No L 25, 30. 1. 1973, p. 1.

⁽⁵⁾ OJ No L 58, 3. 3. 1973, p. 12.

⁽⁶⁾ OJ No L 263, 21. 10. 1969, p. 1.

⁽⁷⁾ OJ No L 288, 31. 10. 1971, p. 1.

COMMISSION DECISION
of 18 April 1973
appointing the official responsible for financial control
(73/138/ECSC, EEC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Financial Regulation of 23 October 1961 on the establishment and implementation of the research and investment budget of the European Atomic Energy Community and on the responsibility of authorizing officers and accounting officers, and in particular Article 24 thereof (OJ No 74, 16 November 1961, p. 1433/61);

Having regard to the Financial Regulation of 30 July 1968 on the establishment and implementation of the Budget of the European Communities and on the responsibility of authorizing officers and accounting officers, and in particular Article 24 thereof (OJ No L 199, 10 August 1968, p. 1);

Having regard to the Financial Regulation of the European Development Fund of 1 June 1964 set up by the internal agreement on the financing and administration of Community aid, and in particular Article 13 thereof (OJ No 93, 11 June 1964, p. 1498/64.);

Having regard to the Financial Regulation of the European Development Fund (1969) of 26 January 1971 set up by the internal agreement on the financing and administration of Community aid, and in particular Article 13 thereof (OJ No 31, 8 February 1971 p. 1);

Whereas it is necessary to appoint the official responsible for the control of commitments and authorization of expenditure voted under that part of the Budget of the Communities which relates to the Commission;

Whereas Mr Facini, who until his appointment as acting financial controller performed the duties of Director in the Directorate-General of the Budget, possesses the experience and ability required to be appointed financial controller of the Commission in accordance with the Financial Regulations cited above;

HAS DECIDED:

1. Mr. Carlo Facini is appointed financial controller of the Commission as from 1 May 1973.
2. He may authorize the officials of the Directorate-General for Financial Control responsible for the different categories of expenditure to approve under his responsibility the commitments and authorizations relating thereto.
3. This Decision shall be communicated to the Council and to the Audit Board of the Communities.

Done at Luxembourg, 18 April 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 24 April 1973

fixing the maximum amount of the refund for the thirtieth partial invitation to tender
for white sugar issued under Regulation (EEC) No 1897/72

(73/139/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the Euro-
pean Economic Community;

Having regard to Council Regulation No 1009/67/
EEC ⁽¹⁾ of 18 December 1967 on the common organ-
ization of the market in sugar, as last amended
by Regulation (EEC) No 174/73 ⁽²⁾, and in particular
Article 17 (4) thereof;

Whereas Commission Regulation (EEC) No 1897/
72 ⁽³⁾ of 1 September 1972 on a standing invitation
to tender to determine the export refund for white
sugar, as last amended by Regulation (EEC) No
2847/72 ⁽⁴⁾, requires Member States to issue partial
invitations to tender for the export of white sugar;

Whereas, pursuant to Article 4 (3) of Council Regu-
lation (EEC) No 766/68 ⁽⁵⁾ of 18 June 1968 laying
down general rules for granting export refunds on
sugar, as last amended by Regulation (EEC) No 881/
73 ⁽⁶⁾, the maximum amount of the refund is fixed
for partial invitations to tender within three working
days following the expiry of the time limit for the
submission of tenders;

Whereas, when the maximum amount of the refund
is being calculated, account must be taken of the

supply situation and prices within the Community,
prices and potential outlets on the world market
and costs incurred in exporting sugar;

Whereas, following an examination of the tenders
submitted in response to the thirtieth partial invi-
tation to tender, the provisions set out in Article 1
should be adopted;

Whereas the measures provided for in this Decision
are in accordance with the Opinion of the Manage-
ment Committee for Sugar;

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount of the export refund for the
thirtieth partial invitation to tender for white sugar
issued under Regulation (EEC) No 1897/72 is hereby
fixed at 5.669 units of account per 100 kilogrammes.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 24 April 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 201, 2. 9. 1972, p. 8.

⁽⁴⁾ OJ No L 299, 31. 12. 1972, p. 4.

⁽⁵⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁶⁾ OJ No L 86, 31. 3. 1973, p. 30.

COMMISSION DECISION

of 2 May 1973

fixing the minimum sale price for butter for the twentieth individual invitation to tender
under the standing invitation to tender provided for by Regulation (EEC)

No 1259/72

(73/140/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the Euro-
pean 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 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, pursuant to Commission Regulation (EEC)
No 1259/72 ⁽⁶⁾ of 16 June 1972 on the disposal of
butter at a reduced price to certain Community
processing undertakings, as last amended by Regu-
lation (EEC) No 677/73 ⁽⁷⁾, the intervention agencies
have put up for sale by standing invitation to tender
certain quantities of butter which they hold;

Whereas Article 9 of that Regulation provides that
a minimum selling price must be fixed in the light
of tenders received, and the amount of the process-
ing security must be fixed in the light of the dif-
ference between the minimum price and the market
price of butter, and that a Decision may alternatively
be taken not to proceed with the invitation to tender;

Whereas in the light of the tenders received in re-
sponse to the twentieth individual invitation to tender
the minimum price should be fixed at the level
specified below and the processing security should
be determined in consequence;

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

HAS ADOPTED THIS DECISION:

Article 1

For the twentieth individual invitation to tender
under Regulation (EEC) No 1259/72, in respect of
which the time limit for submission of tenders
expired on 24 April 1973;

- (a) the minimum selling price to be considered
when awarding contracts shall be 55 u.a./100 kg
of butter,
- (b) the processing security shall be 142 u.a./100 kg
of butter.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 May 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽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 139, 17. 6. 1972, p. 18.

⁽⁷⁾ OJ No L 65, 10. 3. 1973, p. 16.

COMMISSION DECISION

of 4 May 1973

authorizing the Italian Republic to allow the marketing of 'certified seed, 2nd generation' of the variety of rice 'Rosa Marchetti', subject to reduced requirements, until 30 June 1973 inclusive

(Only the Italian text is authentic)

(73/141/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITY,

HAS ADOPTED THIS DECISION:

Article 1

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Council Directive of 14 June 1966 ⁽¹⁾ concerning the marketing of cereal seed, as last amended by the Council Directive of 6 December 1972 ⁽²⁾, and in particular Article 17 thereof;

Having regard to the request from the Italian Republic;

Whereas the supplies of seed in the Italian Republic of the variety of rice 'Rosa Marchetti' which conforms to the conditions for analytical purity prescribed for certification are insufficient to meet the needs for the 1973 sowing season;

Whereas it is impossible to supply these needs satisfactorily from seed in other Member States;

Whereas it is consequently appropriate to authorize the Italian Republic to allow the marketing of 'certified seed, 2nd generation' of the variety of rice 'Rosa Marchetti', subject to reduced requirements for analytical purity, until 30 June 1973 inclusive;

Whereas the measures provided in for this Decision are in accordance with the Opinion of the Management Committee for Agricultural, Horticultural and Forestry Seeds and Plants;

The Italian Republic is authorized to allow the marketing in its territory, until 30 June 1973 inclusive, of a maximum of 1 000 tons of 'certified seed, 2nd generation' of rice (*Oryza sativa* L.) of the variety 'Rosa Marchetti' which does not conform to the conditions prescribed in Annex II of the Council Directive of 14 June 1966 for the maximum number of red grains, under the following conditions:

- (a) the number of red grains shall not exceed 10 in a sample of 500 grammes;
- (b) the official label shall show that the analytical purity is reduced:
'maximum number of red grains: 10 per 500 grammes.'

Article 2

The Italian Republic will report to the Commission before 1 October 1973 the quantity of seed subject to reduced requirements which has been allowed to be marketed in its territory in accordance with this Decision. The Commission will inform other Member States of this.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 4 May 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽²⁾ OJ No L 287, 26. 12. 1972, p. 22.

COMMISSION DECISION

of 8 May 1973

fixing the maximum amount of the refund for the thirty-second partial invitation to tender for white sugar issued under Regulation (EEC) No 1897/72

(73/142/EEC)

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 17 (4) thereof;

Whereas Commission Regulation (EEC) No 1897/72 ⁽³⁾ of 1 September 1972 on a standing invitation to tender to determine the export refund for white sugar, as last amended by Regulation (EEC) No 2847/72 ⁽⁴⁾, requires Member States to issue partial invitations to tender for the export of white sugar;

Whereas, pursuant to Article 4 (3) of Council Regulation (EEC) No 766/68 ⁽⁵⁾ of 18 June 1968 laying down general rules for granting export refunds on sugar, as last amended by Regulation (EEC) No 881/73 ⁽⁶⁾, the maximum amount of the refund is fixed for partial invitations to tender within three working days following the expiry of the time limit for the submission of tenders;

Whereas, when the maximum amount of the refund is being calculated, account must be taken of the

supply situation and prices within the Community, prices and potential outlets on the world market and costs incurred in exporting sugar;

Whereas, following an examination of the tenders submitted in response to the thirty-second partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount of the export refund for the thirty-second partial invitation to tender for white sugar issued under Regulation (EEC) No 1897/72 is hereby fixed at 5.199 units of account per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 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 201, 2. 9. 1972, p. 8.

⁽⁴⁾ OJ No L 299, 31. 12. 1972, p. 4.

⁽⁵⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁶⁾ OJ No L 86, 31. 3. 1973, p. 30.

COMMISSION DECISION

of 8 May 1973

fixing the maximum amount of the refund for the first partial invitation to tender for
white sugar issued under Regulation (EEC) No 1101/73

(Only the French text is authentic)

(73/143/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the Euro-
pean Economic Community;

Having regard to Council Regulation 1009/67/
EEC ⁽¹⁾ of 18 December 1967 on the common organ-
ization of the market in sugar, as last amended by
Regulation (EEC) No 174/73 ⁽²⁾, and in particular
Article 10 (3) thereof;

Whereas, in accordance with Commission Regulation
(EEC) No 1101/73 ⁽³⁾ of 26 April 1973 on a
standing invitation to tender for the sale for export
of white sugar held by the French intervention
agency, the said agency is to issue partial invitations
to tender for the sale of white sugar which it holds
and for determining the export refund on such
sugar;

Whereas, in accordance with Article 7 of Commission
Regulation (EEC) No 258/72 ⁽⁴⁾ of 3 February 1972
laying down detailed rules concerning the sale by
tender of sugar by intervention agencies, where the
terms of the invitation to tender do not specify a
maximum amount for the refund, that amount shall
be fixed in accordance with the procedure laid
down in Article 40 of Regulation No 1009/67/EEC,
after examination of the tenders, account being
taken of market conditions and potential outlets;
whereas, applying these criteria, the maximum
amount for the first partial invitation to tender
should be fixed as provided in Article 1;

Whereas the measures provided for in this Decision
are in accordance with the Opinion of the Manage-
ment Committee for Sugar;

HAS ADOPTED THIS DECISION:

Article 1

For the first partial invitation to tender issued under
Regulation (EEC) No 1101/73, for which the period
for submission of tenders expired on 8 May 1973,
the maximum amount of the export refund allowed
upon the award of tender shall be per 100 kilo-
grammes of white sugar at:

- 6 040 units of account for sugar of category 1
and
- 5 441 units of account for sugar of category 2.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 8 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 112, 28. 4. 1973, p. 20.

⁽⁴⁾ OJ No L 31, 4. 2. 1972, p. 22.