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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 2030/73 OF THE COUNCIL**of 24 July 1973****on aid from the European Agricultural Guidance and Guarantee Fund,
Guarantee Section, for the 1967/68 to 1970 accounting periods**

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 the proposal from the Commission;

Having regard to the Opinion of the European Parlia-
ment;

Whereas the Commission has not been able to adopt
the necessary provisions in sufficient time for the
Member States to prepare their applications for reim-
bursement from the European Agricultural Guidance
and Guarantee Fund, Guarantee Section, for the
1967/68 to 1970 accounting periods; whereas, as a
result, the Member States have been unable to submit
their applications within the time limits laid down by
Article 9 (2) (c), 2a (b) and 2b (c) of Council Regula-
tion No 17/64/EEC⁽¹⁾ of 5 February 1964 on the
conditions for granting aid from the European Agricul-
tural Guidance and Guarantee Fund, as last amended
by Regulation (EEC) No 847/72⁽²⁾; whereas,
consequently, no decision on aid has been taken by
the Commission on the dates set by Article 10 (4) (b),
5 (b), 5a (b) and 5b (b) of that Regulation, and whereas
the dates for submission of applications for aid and
decisions to grant aid should be deferred;

Whereas arrangements should be made to set a final
time limit of 31 December 1974 for the ending of
these periods, and whereas appropriate procedures
should be adopted to this end;

Whereas the eligible expenditure which remains
unpaid when the accounts are closed should not be

excluded from Community financing; whereas, for
this purpose, it is necessary to include it in a later
accounting period or year, provided that application of
this provision does not conflict with the provisions of
Article 3 (3) (c), first indent, of the Council Decision
of 21 April 1970⁽³⁾ on the replacement of financial
contributions from Member States by the Communi-
ties' own resources;

Whereas allowance should also be made, during a
subsequent period, for amounts relating to irregulari-
ties or negligence in respect of which recovery proce-
dures are still taking place when the accounts of a
given period are closed;

HAS ADOPTED THIS REGULATION:

Article 1

The dates which the Commission must, in accordance
with Article 10 (4) (b), 5 (b), 5a (b) and 5b (b) of Regula-
tion No 17/64/EEC, decide on the granting of aid
under the European Agricultural Guidance and
Guarantee Fund, Guarantee Section, for the
accounting periods 1967/68, 1968/69, second half of
1969 and the year 1970 respectively, shall be replaced
by the final date of 31 December 1974.

The Decisions will be phased in accordance with a
timetable to be laid down by the procedure set out in
Article 13 of Council Regulation No 729/70 of 21
April 1970⁽⁴⁾ on the financing of the common agricul-
tural policy.

⁽¹⁾ OJ No 34, 27. 2. 1964, p. 586/64.

⁽²⁾ OJ No L 100, 27. 4. 1972, p. 4.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 19.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

Article 2

The time limits provided for in Article 9 (2) (c), 2a (b) and 2b (c) of Regulation No 17/64/EEC for the submission of applications for reimbursement of expenditure chargeable to the Guarantee Section of the Fund for the accounting periods 1967/68 and 1968/69, second half of 1969 and the year 1970 respectively, shall be replaced by those set in accordance with a timetable to be laid down by the procedure set out in Article 13 of Regulation (EEC) No 729/70.

Article 3

1. By way of derogation from Article 9 (1) of Regulation No 17/64/EEC, the refundable portion of the expenditure chargeable to the 1966/67 accounting period not taken into consideration when the accounts for this period are closed, shall be subject to a specific settlement of accounts between Member States according to the scale specified in Article 3 of Council Regulation No 130/66/EEC⁽¹⁾ of 26 July 1966 on the financing of the common agricultural policy and the result thereof shall be included in the

accounts of expenditure for a subsequent accounting period.

2. By way of derogation from Article 2 (1), second indent, and from Article 8 (1) of Council Regulation (EEC) No 728/70⁽²⁾ of 21 April 1970 on additional provisions for the financing of the common agricultural policy, the expenditure chargeable to the accounting periods of the second half of 1969 and the year 1970 respectively, which remain unpaid when the accounts for these periods are closed, shall be carried forward to a later accounting period or year, and shall be included in the expenditure for that period or year.

The decision on the granting of aid taken by the Commission in respect of the year 1970 shall clearly show the amounts carried forward from previous periods which are included therein.

3. Where, in cases of irregularity or negligence, amounts reimbursed by the Fund for the 1967/68 to 1970 accounting periods have to be repaid to the Community by a Member State, the amounts repaid shall be included in the first accounting period or year not yet ended at the time of repayment.

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

Done at Brussels, 24 July 1973.

For the Council

The President

I. NØRGAARD

⁽¹⁾ OJ No 165, 21. 9. 1966, p. 2965/66.

⁽²⁾ OJ No L 94, 28. 4. 1970, p. 9.

REGULATION (EEC) No 2031/73 OF THE COMMISSION

of 27 July 1973

fixing the levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community;

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

Having regard to the Opinion of the Monetary
Committee;

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

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

- in the case of currencies which are maintained in
relation to each other, at any given moment,
within a band of 2.25 %, a rate of exchange based
on their effective parity;

- for other currencies an exchange rate based on the
arithmetic mean of the spot market rates of each
of these currencies recorded for a given period, in
relation to the Community currencies referred to
in the previous subparagraph;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 244/73 to the offer
prices and today's quotations known to the Commis-
sion that the levies at present in force should be
altered as shown in the Annex to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 July
1973.

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

Done at Brussels, 27 July 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 30, 1. 2. 1973, p. 1.

ANNEX

to the Commission Regulation of 27 July 1973 fixing the levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description of goods	u.a./ton
10.01 A	Common wheat, and meslin	25.60
10.01 B	Durum wheat	0 ⁽¹⁾⁽⁴⁾
10.02	Rye	34.51 ⁽⁵⁾
10.03	Barley	7.57
10.04	Oats	18.79
10.05 B	Maize other than hybrid maize for sowing	8.22 ⁽²⁾⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Miller	23.79
10.07 C	Grain sorghum	15.92
10.07 D	Canary seed ; other cereals	0 ⁽⁴⁾
11.01 A	Wheat or meslin flour	53.84
11.01 B	Rye flour	60.02
11.02 A I a	Durum wheat groats and meal	0
11.02 A I b	Common wheat groats and meal	56.94

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

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

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

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

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

REGULATION (EEC) No 2032/73 OF THE COMMISSION**of 27 July 1973****fixing the premiums to be added to the levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community;

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

Having regard to the Opinion of the Monetary
Committee;

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

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

— in the case of currencies which are maintained in
relation to each other, at any given moment,
within a band of 2.25 %, a rate of exchange based
on their effective parity;

— for other currencies an exchange rate based on the
arithmetic mean of the spot market rates of each
of these currencies recorded for a given period, in
relation to the Community currencies referred to
in the previous subparagraph;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 July
1973.

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

Done at Brussels, 27 July 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 174, 1. 8. 1972, p. 3.

ANNEX

to the Commission Regulation of 27 July 1973 fixing the premiums to be added to the levies on cereals, flour and malt

A. Cereals and flour ⁽¹⁾

(u.s./ton)

CCT heading No	Description of goods	Current 7	1st period 8	2nd period 9	3rd period 10
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	1.63
10.04	Oats	0	0	0	0
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Miller	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

(¹) The period of validity of the licence is limited to thirty days in accordance with Regulation (EEC) No 1455/73 (OJ No L 144, 31. 5. 1973, p. 73).

B. Malt

(u.s./100 kg)

CCT heading No	Description of goods	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0.290	0.290
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0.217	0.217
11.07 B	Roasted malt	0	0	0	0.253	0.253

REGULATION (EEC) No 2033/73 OF THE COMMISSION

of 27 July 1973

altering the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

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

Having regard to the Opinion of the Monetary Committee;

Whereas, the corrective amount applicable to the refund on cereals was fixed by Regulation (EEC) No 2015/73⁽⁴⁾;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity;

- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 July 1973.

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

Done at Brussels, 27 July 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 206, 27. 7. 1973, p. 10.

ANNEX

to the Commission Regulation of 27 July 1973 altering the corrective amount applicable
to the refund on cereals

(u.a./ton)

CCT heading No	Description of goods	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12	6th period 1
10.01 A	Common wheat, and mes- lin	—	—	—	—	—	—	—
10.01 B	Durum wheat	—	—	—	—	—	—	—
10.02	Rye	—	—	—	—	—	—	—
10.03	Barley	—	—	—	—	—	—	—
10.04	Oats	—	—	—	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	—	—	—	—	—	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—

REGULATION (EEC) No 2034/73 OF THE COMMISSION

of 27 July 1973

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 1009/67/EEC ⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1928/73 ⁽²⁾, and in particular Article 14 (7) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1738/73 ⁽³⁾ and subsequent amending Regulations ;

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

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity ;
- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each

of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph ;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1738/73 to the information at present available to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation ;

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 28 July 1973.

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

Done at Brussels, 27 July 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ OJ No L 176, 30. 6. 1973, p. 30.

ANNEX

CCT heading No	Description of goods	Levy (u.a./100 kg)
17.01	Beet sugar and cane sugar, solid : A. Denatured : I. White sugar II. Raw sugar B. Undenatured : I. White sugar II. Raw sugar	7.49 6.00 ⁽¹⁾ 7.49 6.00 ⁽¹⁾

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

REGULATION (EEC) No 2035/73 OF THE COMMISSION

of 27 July 1973

fixing the export refunds on beef and veal for the period beginning 1 August 1973

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

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 the first sentence of Article 18 ⁽⁵⁾ thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas Article 18 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market and prices within the Community for the products listed in Article 1 of that Regulation may be covered by an export refund ;

Whereas Council Regulation (EEC) No 885/68 ⁽³⁾ of 28 June 1968 lays down general rules for granting export refunds and criteria for fixing the amount of such refunds ;

Whereas it follows from applying these rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be fixed as indicated below ;

Whereas, in the case of edible meat of domestic bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland ; whereas, to the extent necessary to allow this trade to continue, the refund must be fixed at an amount which will cover the difference between prices on the Swiss market and export prices in the Member States ;

Whereas, in the case of the preserved meats set out in Annex I to Commission Regulation (EEC) No 1082/68 ⁽⁴⁾ of 26 July 1968 fixing coefficients expressing the meat content of preserved meats manufactured from frozen meat, as amended by Regulation (EEC) No 207/70 ⁽⁵⁾, which contain 40 % or more of meat, Community participation in international trade may be ensured by granting a refund which takes account of the refund hitherto granted to exporters ;

Whereas, in the case of other beef and veal products, a refund need not be fixed since Community participation in world trade in these products is not significant ;

Whereas Article 92 of the Act ⁽⁶⁾ annexed to the Treaty ⁽⁷⁾ concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, provides that the refund on exports from the new Member States for the products specified in Article 1 (b) and (c) of Regulation (EEC) No 805/68 shall be corrected by the amount of the difference between the customs duties on the products from which these products are produced ;

Whereas if the refund system is to operate normally, refunds should be calculated on the following basis :

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity ;
- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The list of products on which the export refund referred to in Article 18 of Regulation (EEC) No 805/68 is granted and the amount of that refund is hereby fixed as shown in the Annex.

Article 2

This Regulation shall enter into force on 1 August 1973.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 25, 30. 1. 1973, p. 23.

⁽³⁾ OJ No L 156, 4. 7. 1968, p. 2.

⁽⁴⁾ OJ No L 181, 27. 7. 1968, p. 9.

⁽⁵⁾ OJ No L 28, 5. 2. 1970, p. 10.

⁽⁶⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁷⁾ OJ No L 73, 27. 3. 1972, p. 5.

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

Done at Brussels, 27 July 1973.

For the Commission
The President
 François-Xavier ORTOLI

ANNEX

CCT heading No	Description of goods	Refund in u.a./100 kg Net weight	
ex 02.06 C I a) 2	Edible meat of domestic bovine animals, boned or boneless, salted and dried : — for exports to Switzerland	21.00 ⁽¹⁾	
		Ireland and United Kingdom	Other Member States
ex 16.02 B III b) 1	Other prepared or preserved meat or meat offal, other, containing bovine meat or offal but excluding those containing meat or offals of domestic swine :		
	— preserves, other than homogenized, containing the following percentages of bovine meat :		
	1. 80 % or more of meat, excluding offal and fat	4.95	18.75
	2. 60 % or more but less than 80 % of meat, excluding offal and fat	2.97	11.25
	3. 40 % or more but less than 60 % of meat, excluding offal and fat	1.98	7.50

⁽¹⁾ For Ireland and the United Kingdom the refund fixed above must be reduced by the compensatory amount pursuant to Article 12 (1) of Regulation (EEC) No 181/73 (OJ L 25, 30. 1. 1973, p. 9).

REGULATION (EEC) No 2036/73 OF THE COMMISSION

of 27 July 1973

fixing the refunds on milk and milk products exported in the natural state

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⁾ on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 17 ⁽⁴⁾ thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund ;

Whereas Council Regulation (EEC) No 876/68 ⁽⁴⁾ of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds, as amended by Regulation (EEC) No 2429/72 ⁽⁵⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of :

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade ;
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination ;
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market ;

— the need to avoid disturbances on the Community market ; and

— the economic aspect of the proposed exports ;

Whereas Article 3 (1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of :

- (a) prices ruling on third country markets ;
- (b) the most favourable prices in third countries of destination for third country imports ;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries ; and
- (d) free-at-Community-frontier offer prices ;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination ;

Whereas Article 5 (1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks ; whereas the amount of the refund may, however, remain at the same level for more than four weeks ;

Whereas Article 2 of Commission Regulation (EEC) No 1098/68 ⁽⁶⁾ of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products, as last amended by the Act annexed to the Treaty on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, provides that the

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁵⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁶⁾ OJ No L 184, 29. 7. 1968, p. 10.

refund on products falling within subheading No 04.02 B is equal to the sum of two components, the first representing the quantity of milk products and the second representing the quantity of added sucrose; whereas, however, the latter component applies only if the added sucrose was produced from beet or cane harvested within the Community;

Whereas for the products falling within subheading No 04.02 B II a) or 04.02 B II b) 1 with a fat content not exceeding 9.5 % by weight the first component referred to above is fixed for 100 kg of the whole product; whereas for the other products falling within subheading No 04.02 B this component is calculated by multiplying the basic amount by the milk product content of the product in question; whereas this basic amount is the refund on 1 kilogramme of milk products contained in the product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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 1928/73⁽²⁾;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity;

- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph;

Whereas it follows from applying these rules to the present situation on the market in milk and milk products, and in particular to prices for these products within the Community and on the world market, that the refund should be fixed at the amounts shown in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state are hereby fixed at the amounts shown in the Annex.

Article 2

This Regulation shall enter into force on 30 July 1973.

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

Done at Brussels, 27 July 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

ANNEX

CCT heading No	Description of goods	Code	Refund (in u.s./100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % :		
	I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of 2 litres or less	0110 00	2.47
	b) Other	0120 00	—
	II. Others :		
	a) In immediate packings of a net capacity of 2 litres or less and of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) of a fat content, by weight, not exceeding 1.5 %	0130 10	
	for exports to :		
	— countries near the Community		2.00
	— other destinations		2.42
	(bb) of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0130 22	
	for exports to :		
	— countries near the Community		2.54
	— other destinations		3.64
	(cc) of a fat content, by weight, exceeding 3 %	0130 31	
	for exports to :		
	— countries near the Community		3.57
	— Puerto Rico and the Bahamas		6.60
	— other destinations		5.35
	2. Exceeding 4 %	0140 00	
	for exports to :		
	— countries near the Community		3.55
	— other destinations		4.65
	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) of a fat content, by weight, not exceeding 1.5 %	0150 10	1.59
	(bb) of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0150 21	2.40
	(cc) of a fat content, by weight, exceeding 3 %	0150 31	2.40
	2. Exceeding 4 %	0160 00	2.40
	ex B. Other, excluding whey, of a fat content, by weight :		
	ex I. Exceeding 6 % but not exceeding 21 % :		
	(a) of a fat content, by weight, exceeding 10 % but not exceeding 17 %	0200 10	14.81
	(b) of a fat content, by weight, exceeding 17 %	0200 20	24.18
	II. Exceeding 21 % but not exceeding 45 % :		
	(a) of a fat content, by weight, not exceeding 39 %	0300 10	29.61
	(b) of a fat content, by weight, exceeding 39 %	0300 20	53.80

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01 (cont'd)	III. More than 45 % :		
	(a) Of a fat content, by weight, not exceeding 68 %	0400 11	61.89
	(b) Of a fat content, by weight, exceeding 68 %	0400 21	92.50
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar :		
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight :		
	1. Not exceeding 1.5 % :		
	(aa) in immediate packings of a net capacity of 1 kg or less	0620 10	16.00
	(bb) other	0620 20	—
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) of a fat content, by weight, not exceeding 11 % :		
	(111) in immediate packings of a net capacity of 1 kg or less	0720 11	16.00
	(222) other	0720 16	—
	(bb) of a fat content, by weight, exceeding 11 % but not exceeding 17 %	0720 20	31.24
	(cc) of a fat content, by weight, exceeding 17 % but not exceeding 25 %	0720 30	38.86
	(dd) of a fat content, by weight, exceeding 25 %	0720 40	49.00
	3. Exceeding 27 % but not exceeding 29 %	0820 00	50.86
	4. Exceeding 29 % :		
	(aa) of a fat content, by weight, not exceeding 41 %	0920 10	52.10
	(bb) of a fat content, by weight, exceeding 41 %	0920 20	62.34
	b) Other, of a fat content, by weight :		
	1. Not exceeding 1.5 %	1020 00	—
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) of a fat content, by weight, not exceeding 11 %	1120 10	—
	(bb) of a fat content, by weight, exceeding 11 % but not exceeding 17 %	1120 20	31.24
	(cc) of a fat content, by weight, exceeding 17 % but not exceeding 25 %	1120 30	38.86
	(dd) of a fat content, by weight, exceeding 25 %	1120 40	49.00
	3. Exceeding 27 % but not exceeding 29 %	1220 00	50.86
	4. Exceeding 29 % :		
	(aa) of a fat content, by weight, not exceeding 41 %	1320 10	52.10
	(bb) of a fat content, by weight, exceeding 41 %	1320 20	62.34
	III. Milk and cream, other than in powder or granules :		
	a) In hermetically sealed cans of a net capacity of 454 g or less or in glass containers containing 0.5 litres or less and of a fat content, by weight, not exceeding 11 % :		

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	ex 1. Of a fat content, by weight, not exceeding 8.9 % :		
	(aa) of a fat content, by weight, exceeding 3 % but not exceeding 7.4 %	1420 11	8.15
	(bb) of a fat content, by weight, exceeding 7.4 %	1420 21	14.38
	2. Other	1520 00	16.52
	b) Other, of a fat content, by weight :		
	ex 1. Not exceeding 45 % :		
	(aa) of a fat content, by weight, exceeding 3 % but not exceeding 7.4 %	1620 11	8.15
	(bb) of a fat content, by weight, exceeding 7.4 % but not exceeding 8.9 %	1620 21	14.38
	(cc) of a fat content, by weight, exceeding 8.9 % but not exceeding 11 %	1620 30	16.52
	(dd) of a fat content, by weight, exceeding 11 % but not exceeding 21 %	1620 40	14.81
	(ee) of a fat content, by weight, exceeding 21 % but not exceeding 39 %	1620 50	29.61
	(ff) of a fat content, by weight, exceeding 39 %	1620 60	53.80
	2. Exceeding 45 %	1720 00	61.89
	B. Containing added sugar :		
	I. Milk and cream, in powder or granules :		
	ex b) Other, excluding whey :		
	1. In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2220 00	0.1600 ⁽¹⁾ per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) of a fat content, by weight, not exceeding 11 %	2320 10	0.1600 ⁽¹⁾ per kg
	(22) of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2320 20	0.3124 ⁽¹⁾ per kg
	(33) of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2320 30	0.3886 ⁽¹⁾ per kg
	(44) of a fat content, by weight, exceeding 25 %	2320 40	0.4900 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) of a fat content, by weight, not exceeding 41 %	2420 10	0.5086 ⁽¹⁾ per kg
	(22) of a fat content, by weight, exceeding 41 %	2420 20	0.6234 ⁽¹⁾ per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2520 00	— ⁽¹⁾ per kg

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) of a fat content, by weight, not exceeding 11 %	2620 10	— ⁽¹⁾ per kg
	(22) of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0.3124 ⁽¹⁾ per kg
	(33) of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	0.3886 ⁽¹⁾ per kg
	(44) of a fat content, by weight, exceeding 25 %	2620 40	0.4900 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) of a fat content, by weight not exceeding 41 %	2720 10	0.5086 ⁽¹⁾ per kg
	(22) of a fat content, by weight, exceeding 41 %	2720 20	0.6234 ⁽¹⁾ per kg
	ex II. Milk and cream, excluding whey other than in powder or granules :		
	ex a) In hermetically sealed cans of a net capacity of 454 g or less and of a fat content, by weight, not exceeding 9.5 % :		
	(1) of a fat content, by weight, not exceeding 6.9 % and of a lactic dry matter content, by weight of 15% or more	2810 10	7.27 ⁽²⁾
	(2) of a fat content, by weight, exceeding 6.9 % and of a lactic dry matter content, by weight of 15% or more	2810 20	17.84 ⁽²⁾
	b) Other, of a fat content, by weight :		
	ex 1. Not exceeding 45 % :		
	(aa) of a fat content, by weight, not exceeding 6.9 % and of lactic dry matter content, by weight of 15 % or more	2910 70	7.27 ⁽²⁾
	(bb) of a fat content, by weight, exceeding 6.9 % but not exceeding 9.5 % and of a lactic dry matter content, by weight, of 15 % or more	2910 75	17.84 ⁽²⁾
	(cc) of a fat content, by weight, exceeding 9.5 % but not exceeding 21 % and of a lactic dry matter content, by weight, less than 15 %	2910 80	0.1481 ⁽¹⁾ per kg
	(dd) of a fat content, by weight, exceeding 21 % but not exceeding 39 %	2910 85	0.2961 ⁽¹⁾ per kg
	(ee) of a fat content, by weight, exceeding 39 %	2910 90	0.5380 ⁽¹⁾ per kg
	2. Exceeding 45 %	3010 00	0.6189 ⁽¹⁾ per kg

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.03	Butter :		
	ex A. Of a fat content, by weight, not exceeding 85 % :		
	(I) of a fat content, by weight, of 62 % or more, but less than 78 %	3110 05	90-70
	(II) of a fat content, by weight, of 78 % or more, but less than 80 %	3110 16	114-10
	(III) of a fat content, by weight, of 80 % or more, but less than 82 %	3110 22	117-10
	(IV) of a fat content, by weight, of 82 % or more	3110 32	120-00
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99.5 %	3210 10	120-00
	(II) Exceeding 99.5 %	3210 20	148-00
04.04	Cheese and curd :		
	ex A. Emmentaler and Gruyère, not grated or powdered :		
	II. Other	3800 00	
	for exports to :		
	— Zone D		13-80
	— Liechtenstein and Switzerland		—
	— Austria		29-80
	— other destinations		61-76
	ex C. Blue-veined cheese, not grated or powdered, other than Roquefort	4000 00	50-47
	D. Processed cheese, not grated or powdered :		
	II. Other, of a fat content, by weight :		
	a) Not exceeding 36 % and of a fat content, by weight, referred to dry matter :		
	ex 1. Not exceeding 48 % and of a fat content, by weight, referred to dry matter :		
	(aa) Of 33 % or more but less than 38 %	4410 10	
	for exports to :		
	— Zone D		—
	— Switzerland		14-00
	— other destinations		22-28
	(bb) Of 38 % or more but less than 43 % and of a fat content, by weight, referred to dry matter :		
	(11) Less than 20 %	4410 20	
	for exports to :		
	— Zone D		—
	— Switzerland		14-00
	— other destinations		22-28

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Of 20 % or more for exports to : — Zone D — Switzerland — other destinations	4410 30	— 20-00 31-66
	(cc) Of 43 % or more and of a fat content, by weight, referred to dry matter :		
	(11) Less than 20 % for exports to : — Zone D — Switzerland — other destinations	4410 40	— 14-00 22-28
	(22) Of 20 % or more but less than 40 % for exports to : — Zone D — Switzerland — other destinations	4410 50	— 20-00 31-66
	(33) Of 40 % or more for exports to : — Zone D — Switzerland — other destinations	4410 60	— 26-70 51-70
	ex 2. Exceeding 48 % and of a content, by weight, referred to dry matter :		
	(aa) Of 33 % or more but less than 38 % for exports to : — Zone D — Switzerland — other destinations	4510 10	— 14-00 22-28
	(bb) Of 38 % or more but less than 43 % for exports to : — Zone D — Switzerland — other destinations	4510 20	— 20-00 31-66
	(cc) Of 43 % or more but less than 46 % for exports to : — Zone D — Switzerland — other destinations	4510 30	— 26-70 51-70
	(dd) Of 46 % or more and of a fat content, by weight, referred to dry matter :		
	(11) Less than 55 % for exports to : — Zone D — Switzerland — other destinations	4510 40	— 26-70 51-70

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Of 55 % or more	4510 50	
	for exports to :		
	— Zone D		—
	— Switzerland		31-00
	— other destinations		59-93
	b) Exceeding 36 %	4610 00	
	for exports to :		
	— Zone D		—
	— Switzerland		31-00
	— other destinations		59-93
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the not-fatty matter :		
	ex a) Not exceeding 47 % :		
	(1) Grana, Parmigiano, Reggiano	4710 11	67-93
	(2) Fiore Sardo, Pecorino	4710 16	82-93
	(3) Other, of a fat content, by weight, referred to dry matter of 30 % or more	4710 21	67-93
	b) Exceeding 47 % but not exceeding 72 % :		
	ex 1. Cheddar, including Chester of a fat content, by weight, re- ferred to dry matter of 48 % :	4810 30	
	for exports to :		
	— Zone D		—
	— Switzerland		12-00
	— Zone E ⁽⁴⁾		50-00
	— other destinations		58-08
	ex 2. Tilsit and Butterkäse, of a fat content, by weight, referred to dry matter :		
	ex aa) Exceeding 39 % but not exceeding 48 %		
	(11) Tilsit	4922 10	
	for exports to :		
	— Zone D		—
	— Zone E ⁽⁴⁾		45-00
	— Switzerland		1-00
	— other destinations		54-70
	(22) Butterkäse	4922 20	
	for exports to :		
	— Zone D		—
	— Zone E ⁽⁴⁾		43-00
	— Switzerland		1-00
	— other destinations		49-81

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	bb) Exceeding 48 % :		
	(11) Tilsit	5022 10	—
	(22) Butterkäse	5022 20	
	for exports to :		
	— Zone D		—
	— Zone E ⁽⁴⁾		43-00
	— Switzerland		1-00
	— other destinations		49-81
	ex 5. Other, of a fat content, by weight, referred to dry matter :		
	(aa) Less than 5 % and of a content, by weight referred to		
	dry matter of 32 % or more	5120 11	
	for exports to :		
	— Zone E ⁽⁴⁾		35-00
	— other destinations		26-73
	(bb) Of 5 % or more but less than 19 % and of a content,		
	by weight, referred to dry matter of 32 % or more	5120 15	37-18
	(cc) Of 19 % or more but less than 39 % and of a water		
	content, calculated by weight, of the non-fatty matter		
	not exceeding 62 %	5120 21	
	for exports to :		
	— Switzerland		1-00
	— other destinations		41-81
	(dd) Of 39 % or more :		
	(11) Asiago, Caciocavallo, Provolone, Ragusano	5120 31	
	for exports to :		
	— Switzerland		1-00
	— other destinations		54-38
	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda,		
	Havarti, Maribo, Samsø	5120 43	
	for exports to :		
	— Zone D		—
	— Zone E ⁽⁴⁾		45-00
	— Switzerland		1-00
	— other destinations		54-70
	(33) Esrom, Italico, Kernhem, Saint-Nectaire, Saint-		
	Paulin, Taleggio	5120 53	
	for exports to :		
	— Zone D		—
	— Zone E ⁽⁴⁾		43-00
	— Switzerland		1-00
	— other destinations		49-81

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(44) Cantal, Colby, Monterey for exports to :	5120 57	
	— Zone D		—
	— Zone E (*)		50.00
	— Switzerland		1.00
	— other destinations		54.70
	(55) Other, of a water content, calculated by weight, of the non-fatty matter :		
	(aaa) Exceeding 47 % but not exceeding 52 %	5120 62	
	for exports to :		
	— Switzerland		1.00
	— other destinations		54.38
	(bbb) Exceeding 52 % but not exceeding 62 %	5120 72	
	for exports to :		
	— Zone D		—
	— Zone E (*)		45.00
	— Switzerland		1.00
	— other destinations		54.70
	II. Other :		
	ex a) Grated or powdered, of a dry matter content, by weight, of 85 % or more, of a fat content by weight exceeding 20 % and of a lactose content by weight, less than 5 %	5310 00	
			50.50
23.07	Sweetened forage ; other preparations of a kind used in animal feeding :		
	ex B. Other, containing starch, glucose or glucose syrup falling within subheadings Nos 17.02 B and 17.05 B, or milk products, excluding special compound feedingstuffs (*) :		
	I. Containing starch, or glucose or glucose syrup :		
	a) Containing no starch or containing 10 % or less by weight of starch :		
	3. Containing 50 % or more but less than 75 % by weight of milk products and containing, by weight,		
	(aa) less than 30 %	5700 11	—
	(bb) 30 % or more but less than 40 %	5700 21	—
	(cc) 40 % or more but less than 50 %	5700 31	—
	(dd) 50 % or more but less than 60 %	5700 40	—
	(ee) 60 % or more but less than 70 %	5700 50	—
	(ff) 70 % or more	5700 60	—
	of skimmed-milk powder falling within subheading 04.02 A II b) 1		

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
23.07 (cont'd)	4. Containing 75 % or more by weight of milk products and containing, by weight,		
	(aa) less than 30 %	5800 11	—
	(bb) 30 % or more but less than 40 %	5800 21	—
	(cc) 40 % or more but less than 50 %	5800 30	—
	(dd) 50 % or more but less than 60 %	5800 40	—
	(ee) 60 % or more but less than 70 %	5800 50	—
	(ff) 70 % or more but less than 75 %	5800 60	—
	(gg) 75 % or more but less than 80 %	5800 70	—
	(hh) 80 % or more	5800 80	—
	of skimmed-milk powder falling within subheading 04.02 A II b) 1		
	II. Containing no starch, glucose or glucose syrup, but containing milk products, containing, by weight, skimmed-milk powder falling within subheading 04.02 A II b) 1 :		
	(a) 50 % or more but less than 60 %	5900 10	—
	(b) 60 % or more but less than 70 %	5900 20	—
	(c) 70 % or more but less than 80 %	5900 30	—
	(d) 80 % or more	5900 40	—

(*) The weight of added non-lactic matter and lactose should be disregarded for the purpose of calculating fat content.

The refund on 100 kg of product falling within this subheading is equal to the sum of the following components :

- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
- (b) a component calculated in accordance with the provisions of Article 2 (3) Regulation (EEC) No 1098/68.

(*) The refund on 100 kg of product falling within this subheading is equal to the sum of the following components :

- (a) the amount per 100 kg shown and
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

(*) 'Special compound feedingstuffs' are feedingstuffs containing :

- (a) skimmed-milk powder,
- (b) fish meal and
- (c) active carbon or a mixture of tartrazine yellow (E102) and patent blue V (E131) or cochineal red A (E124) or patent blue V (E131).

(*) Zone E = Territories of the United States of America on the American continent, including Hawaii.

N.B.: For the purposes of this Regulation 'countries near the Community' means : Zone D, Austria, Liechtenstein, Switzerland, Yugoslavia plus the destinations indicated in Article 2 of Regulation No 1041/67/EEC.

Zones A, B, C, D and E are those defined in Regulation (EEC) No 1098/68 as amended (OJ No L 184, 29. 7. 1968, p. 10).

The weight of non-milk fat should be disregarded for the purposes of calculating fat content.

REGULATION (EEC) No 2037/73 OF THE COMMISSION
of 27 July 1973
fixing the export levies on starch products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

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

Having regard to Council Regulation No 371/67/EEC ⁽⁴⁾ fixing production refunds on starches and quellmehl, as last amended by Regulation (EEC) No 179/73 ⁽⁵⁾, and in particular the last sentence of Article 2 (2) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas, pursuant to Article 2 (2) of Regulation No 371/67/EEC, an export levy may be introduced for products falling within subheadings Nos 11.08 A I, III, IV and V, 11.09, 17.02 B II, 17.05 B and 23.03 A I of the Common Customs Tariff when world market prices for maize or common wheat exceed 6.80 units of account;

Whereas, by Regulation (EEC) No 1604/71 ⁽⁶⁾ of 26 July 1971, as amended by Regulation (EEC) No 347/73 ⁽⁷⁾, the Commission laid down detailed rules for the application of the export levy on starch products; whereas Article 2 (1) of that Regulation provides that a levy is introduced when it is found that the import levy is at least 0.30 unit of account/100 kg less than the amount of the production refund valid in the current month and that the average of the levies in the immediately following fortnight is at least 0.30 unit of account/100 kg less than the average of the production refund valid in that fortnight;

Whereas the export levy must be equal, per 100 kg of basic product, to the difference between the production refund valid on the day on which this export levy is fixed and the average of the levies applicable on the seven days preceding the day it comes into force; whereas this difference must then be multiplied for the products mentioned in Article 1 by the coefficients relating to these products shown in column 4 of the Annex to Regulation (EEC) No 1052/68 ⁽⁸⁾, as last amended by Regulation (EEC) No 881/73 ⁽⁹⁾;

Whereas the production refund on maize and common wheat intended for the manufacture of starch and quellmehl is defined in Article 1 of Regulation No 371/67/EEC;

Whereas, pursuant to Article 4 (a) of Regulation (EEC) No 1604/71 for the new Member States the amounts to be considered respectively as import levy and production refund in accordance with the preceding Articles shall be the levy and the production refund for the product in question respectively, minus the applicable compensatory amount;

Whereas the export levy must be fixed once a week; whereas it is altered only if application of Article 2 (2) (a) of Regulation (EEC) No 1604/71 entails an increase or a reduction of more than 0.08 unit of account/100 kg of basic product;

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

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, at rate of exchange based on their effective parity;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph;

Whereas it follows from applying all these provisions to the world market price of maize and common wheat and to the import levies that an export levy should be introduced for the products listed in the Annex;

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

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No 174, 31. 7. 1967, p. 40.

⁽⁵⁾ OJ No L 25, 30. 1. 1973, p. 6.

⁽⁶⁾ OJ No L 168, 27. 7. 1971, p. 11.

⁽⁷⁾ OJ No L 38, 10. 2. 1973, p. 17.

⁽⁸⁾ OJ No L 179, 25. 7. 1968, p. 8.

⁽⁹⁾ OJ No L 86, 31. 3. 1973, p. 30.

HAS ADOPTED THIS REGULATION :

*Article 2**Article 1*

The export levies provided for in Article 2 (2) of Regulation No 371/67/EEC are hereby fixed as shown in the Table annexed to this Regulation for the products listed therein.

This Regulation shall enter into force on 28 July 1973. It shall apply from 28 July 1973 for starch products derived from maize and from 30 July 1973 for starch products derived from soft wheat.

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

Done at Brussels, 27 July 1973.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

CCT heading No	Nomenclature in simplified wording	Export levies in u.a./100 kg		
		Ireland	United Kingdom	Other Member States
11.08 A I	Maize starch	4.477	4.477	4,560
11.08 A III	Wheat starch	6.325	6.215	6,325
11.08 A IV	Potato starch	4.477	4.477	4,560
11.08 A V	Starches other than maize, rice, wheat or potato starch	4.477	4.477	4,560
11.09 A	Dried wheat gluten	11.500	11.300	11,500
11.09 B	Wheat gluten, other than dried	11.500	11.300	11,500
17.02 B II a)	Glucose other than glucose containing, in the dry state, 99 % or more by weight of the pure product, in the form of white crystalline powder, whether or not agglomerated ⁽¹⁾	5.840	5.840	5,947
17.02 B II b)	Glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product, other than glucose in the form of white crystalline powder, whether or not agglomerated ⁽¹⁾	4.477	4.477	4,560
17.05 B I	Flavoured or coloured glucose, in the form of white crystalline powder, whether or not agglomerated	5.840	5.840	5,947
17.05 B II	Flavoured or coloured glucose syrup, other than in the form of white crystalline powder, whether or not agglomerated	4.477	4.477	4,560
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product exceeding 40 % by weight	5.562	5.562	5,664

⁽¹⁾ Pursuant to Regulation No 189/66/EEC, the product falling within subheading No 17.02 B I is subject to the same levy as products falling within subheading No 17.02 B II.

REGULATION (EEC) No 2038/73 OF THE COMMISSION
of 27 July 1973

**fixing for the 1973/74 marketing years the amounts by which import levies and
export refunds fixed in advance for rice are to be adjusted**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community;

Having regard to Council Regulation No 359/
67/EEC⁽¹⁾ of 25 July 1967 on the common organiza-
tion of the market rice, as last amended by the Act⁽²⁾
on the Conditions of Accession and the Adjustments
to the Treaties, and in particular Article 13 (5) and
Article 17 (6) thereof;

Having regard to Council Regulation No 365/
67/EEC⁽³⁾ of 25 July 1967 on rules for the advance
fixing of levies on rice and broken rice, as last
amended by Regulation (EEC) No 2435/70⁽⁴⁾, and in
particular Article 9a (2) thereof;

Whereas the aforesaid Regulation No 365/67/EEC
and Council Regulation No 366/67/EEC⁽⁵⁾ of 25 July
1967 laying down general rules for granting export
refunds on rice and criteria for fixing the amount of
such refunds, as supplemented by Regulation No
1019/67/EEC⁽⁶⁾, provide that when the import levy or
the export refund on rice is fixed in advance, adjust-
ments thereto are to be made on the basis of the
conversion rates for the various stages of processing;
whereas it follows from this provision that the
monthly price increases for paddy rice are to be calcu-
lated by applying the relevant conversion rate to the
amounts of such increases in respect of husked rice
and that the like of increases for semi-milled rice are
to be calculated by applying the relevant conversion
rate to the amounts of such increases in respect of
milled rice;

Whereas for the 1973/74 marketing year the monthly
increases applicable to the threshold price for husked
rice were fixed by Council Regulation (EEC) No
1963/73⁽⁷⁾ of 17 July 1973; whereas, under Commis-
sion Regulation (EEC) No 2024/73⁽⁸⁾ of 25 July 1973
specifying for the 1973/74 marketing year the variety
of long-grained rice representative of Community
production, the difference in value between this rice
and the variety of round-grained rice corresponding to
the standard quality, the threshold prices for milled
rice, the monthly increases applicable to milled rice

were included in the threshold prices for such rice,
such prices being calculated for a variety of round-
grained and a variety of long-grained milled rice;
whereas the conversion rates to be taken into account
were fixed by Commission Regulation No 467/
67/EEC⁽⁹⁾ of 21 August 1967, as last amended by
Regulation (EEC) No 1499/72⁽¹⁰⁾;

Whereas for each stage of processing concerned appli-
cation of the relevant conversion rate to the amounts
of the monthly price increases results in the amounts
shown in the Tables annexed to this Regulation;
whereas the amount of the levy or refund applicable
for the month of importation or exportation will thus
be obtained by adding those amounts to the amount
of the levy or refund in force during the month of
advance fixing;

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

HAS ADOPTED THIS REGULATION:

Article 1

Where the import levy or the export refund on paddy
rice or semi-milled rice is fixed in advance, the adjust-
ment to such levy or refund on the basis of the
threshold price shall for the 1973/74 marketing year
be made as shown in the Tables annexed to this Regu-
lation.

Article 2

Where such advance fixing shall have taken place:

1. Before 1 July 1973 in respect of a transaction to be
effected on or after 1 September 1973, the adjust-
ment on the basis of the threshold price shall be
made as follows:

- (a) Add to the amount of the levy or refund as
fixed in advance the amount shown in the July/
August 1973 column against the month of
advance fixing in the Tables annexed to Regula-
tion (EEC) No 1506/72;

⁽¹⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No 174, 31. 6. 1967, p. 32.

⁽⁴⁾ OJ No L 262, 3. 12. 1970, p. 3.

⁽⁵⁾ OJ No 174, 31. 7. 1967, p. 34.

⁽⁶⁾ OJ No 311, 21. 12. 1967, p. 13.

⁽⁷⁾ OJ No L 201, 21. 7. 1973, p. 2.

⁽⁸⁾ OJ No L 206, 27. 7. 1973, p. 30.

⁽⁹⁾ OJ No 204, 24. 8. 1967, p. 1.

⁽¹⁰⁾ OJ No L 158 12. 7. 1972, p. 22.

- (b) Deduct from the amount obtained :
- in the case of paddy rice, 0.848 units of account per 100 kilogrammes
 - in the case of round-grained semi-milled rice, 1.255 units of account per 100 kilogrammes
 - in the case of long-grained semi-milled rice, 1.453 units of account per 100 kilogrammes ;
- (c) Add the amount, if any, shown in the Tables annexed to this Regulation in the column corresponding to the month in which the transaction is affected.
2. In July or August 1973 in respect of a transaction to be effected on or after 1 September 1973, the adjustment on the basis of the threshold price shall, for paddy rice and for semi-milled rice, be made by deducting from the amount of the levy or refund as fixed in advance the relevant amount shown in paragraph 1 (b) and adding where appropriate, the amount referred to in paragraph 1 (c).

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

Done at Brussels, 27 July 1973.

For the Commission

The President

François-Xavier ORTOLI

[illegible]

Table 3

LONG-GRAINED SEMI-MILLED RICE

(u.a./100 kg)

[illegible]

REGULATION (EEC) No 2039/73 OF THE COMMISSION**of 27 July 1973****amending Regulations (EEC) Nos 565/68 and 2261/69 in respect of the non-fixing of additional amounts for slaughtered ducks imported from Poland and Romania**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 123/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in poultrymeat, as last amended by the Act⁽²⁾ on the Conditions of Accession and the Adjustments to the Treaties, and in particular Article 8(4) thereof;

Whereas the Socialist Republic of Romania and the Polish People's Republic have made use of the possibility provided for in Article 8 of Council Regulation No 123/67/EEC of 13 June of being exempted from an additional levy on top of the normal levy; whereas this exemption is applicable in particular to the import of ducks in any form into the Community;

Whereas Council Regulation (EEC) No 988/73 of 9 April 1973 provides for '63 % ducks' as well as '85 %' and '70 %' ducks; whereas in order to ensure the proper application of Commission Regulation (EEC) No 565/68⁽³⁾ of 24 April 1968 on the non-fixing of additional amounts for slaughtered fowls, ducks and geese imported from Poland, and of Commission Regulation (EEC) No 2261/69⁽⁴⁾ of 13 November 1969 on the non-fixing of additional amounts for slaughtered ducks and geese imported from Romania, these Regulations must be brought into line with the new legal position;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 565/68 is amended to read as follows:

"The levies fixed in accordance with Article 4 of Regulation No 123/67/EEC shall not be increased

by an additional amount in respect of imports of the following products falling within subheading No ex 02.02 of the Common Customs Tariff originating in and coming from the Polish People's Republic:

- (a) Slaughtered fowls, whole, plucked and gutted, with heads and feet, known as "83 % chickens";
- (b) Slaughtered fowls, whole, plucked and drawn, without heads and feet but with hearts, livers and gizzards, known as "70 % chickens";
- (c) Slaughtered fowls, whole plucked and drawn, without heads and feet, and without hearts, livers and gizzards, known as "65 % chickens";
- (d) Slaughtered ducks, whole, plucked, bled, not drawn or gutted, with heads and feet, known as "85 % ducks";
- (e) Slaughtered ducks, whole, plucked and drawn, without heads and feet, with hearts, livers and gizzards, known as "70 % ducks";
- (f) Slaughtered ducks, whole, plucked and drawn, without heads and feet, without hearts, livers and gizzards, known as "63 % ducks";
- (g) Slaughtered geese, whole, plucked, bled, not drawn, with heads and feet, known as "82 % geese";
- (h) Slaughtered geese, whole, plucked and drawn, without heads and feet, with or without hearts and gizzards, known as "75 % geese".

Article 2

Article 1 of Regulation (EEC) No 2261/69 is amended to read as follows:

"The levies fixed in accordance with Article 4 of Regulation No 123/67/EEC shall not be increased by an additional amount in respect of imports of the following products falling within subheading No 02.02 A II and III of the Common Customs Tariff, originating in and coming from the Socialist Republic of Romania:

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2301/67.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁴⁾ OJ No L 286, 14. 11. 1969, p. 24.

- (a) Slaughtered, ducks, whole, plucked, bled, not drawn or gutted, known as "85 %" ducks ;
- (b) Slaughtered ducks, whole, plucked, drawn, without heads and feet, with hearts, livers and gizzards, known as "70 % ducks" ;
- (c) Slaughtered ducks, whole, plucked, drawn, without heads and feet, without hearts, livers and gizzards, known as "63 % ducks" ;
- (d) Slaughtered geese, whole, plucked, bled, not drawn, with heads and feet, known as "82 % geese" ;
- (e) Slaughtered geese, whole, plucked and drawn, without heads and feet, with or without hearts and gizzards, known as "75 % geese".

Article 3

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

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

Done at Brussels, 27 July 1973.

For the Commission

The President

François-Xavier ORTOLI

REGULATION (EEC) No 2040/73 OF THE COMMISSION**of 27 July 1973****amending Regulation (EEC) No 1195/71 laying down detailed rules on aid for flax and hemp**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1308/70 ⁽¹⁾ of 29 June 1970 on the common organization of the market in flax and hemp, as amended by the Act ⁽²⁾ on the Conditions of Accession and the Adjustments to the Treaties, and in particular Article 4(5) thereof;

Whereas Commission Regulation (EEC) No 1195/71 ⁽³⁾ of 8 June 1971, as last amended by Regulation (EEC) No 1033/72 ⁽⁴⁾, laid down detailed rules on aid for flax and hemp for the 1971/72 and 1972/73 marketing years;

Whereas it has been impossible to establish a uniform system for granting the aid for the 1973/74 marketing year; whereas the provisions of Regulation (EEC) No

1195/71 should, therefore, be extended for a further marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

The words: 'For the 1971/72, 1972/73 and 1973/74 marketing years' shall be substituted for the words: 'For the 1971/72 and 1972/73 marketing years' in Article 1 of Regulation (EEC) No 1195/71.

Article 2

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

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

Done at Brussels, on 27 July 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 146, 4. 7. 1970, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 125, 9. 6. 1971, p. 9.

⁽⁴⁾ OJ No L 117, 19. 5. 1972, p. 28.

REGULATION (EEC) No 2041/73 OF THE COMMISSION

of 27 July 1973

making transitional provisions consequential upon the application on 4 June 1973 of the new system of differential amounts for colza and rape seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1569/72⁽¹⁾ of 20 July 1972 laying down special measures for colza and rape seed, as last amended by Regulation (EEC) No 1356/73⁽²⁾, and in particular Article 7 thereof;

Whereas one of the effects of the introduction on 4 June 1973 of the new system of differential amounts for colza and rape seed is that the differential amount in a Member State no longer reflects the relationship of its currency to the US dollar; whereas the fluctuation of the dollar and of all other currencies in relation to the currencies of the Member States taking part in the joint float is taken into consideration in calculating the subsidy and the refund;

Whereas an operator who had fixed a subsidy or refund in advance before the entry into force of the new system of differential amounts may suffer loss as a result of dollar parity changes at the time of transition from one system to the other;

Whereas, in view of the entry into force of the new system on 4 June 1973, it seems fair to provide that, for all operations in respect of which an application for advance fixing of the refund or subsidy was made before that date, the differential amount to be applied

should be that in force on 3 June 1973; whereas, however, this measure should be applied only on request;

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

HAS ADOPTED THIS REGULATION:

Article 1

Upon the application of an interested party, the differential amount for colza and rape seeds in force on 3 June 1973 shall, in lieu of the amount in force either on the date on which part ID of the certificate specified in Article 4 of Regulation (EEC) No 2114/71 is applied for or on the date of exportation, apply to all transactions effected after 3 June 1973 and in respect of which:

- part AP of the said certificate was applied for,
- the export refund was fixed in advance before 4 June 1973.

Article 2

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

2. It shall apply from 4 June 1973.

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

Done at Brussels, 27 July 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 28.

REGULATION (EEC) No 2042/73 OF THE COMMISSION**of 27 July 1973****making transitional provisions consequential upon the application on 4 June 1973 of the new system of monetary compensatory amounts**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 974/71⁽¹⁾ of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States, as last amended by Regulation (EEC) No 1225/73⁽²⁾, and in particular Article 6 thereof;

Whereas one of the consequences of the introduction of the new system of monetary compensatory amounts on 4 June 1973 is that the monetary compensatory amount of a Member State no longer reflects the relationship between its currency and the US dollar; whereas the fluctuation of the dollar and other currencies in relation to the currencies of the Member States taking part in the joint float is taken into consideration in the calculation of levies and refunds; whereas, therefore, under the new system operators have to cover themselves against the risk of exchange fluctuations, while under the former system the risk of changes in the rate of exchange in relation to the dollar was covered by the monetary compensatory amount;

Whereas operators have been aware of the new rules to be applied to parities laid down by Council Regulation (EEC) No 1112/73⁽³⁾ of 30 April 1973, amending Regulation (EEC) No 974/71, on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for certain Member States;

Whereas, however, the date of application of the new system was fixed on 4 June 1973 by Commission Regulation (EEC) No 1463/73⁽⁴⁾ of 30 May 1973 laying down detailed rules for the application of monetary compensatory amounts;

Whereas if an importer or exporter had fixed a levy or refund in advance before that date, he may sustain

loss due to variations in the value of the dollar at the time of the transition from one system to the other;

Whereas, in view of the entry into force of the new system on 4 June 1973, it seems fair to provide that, for all imports or exports in respect of which advance fixing of the levy or refund had been requested before that date, the compensatory amount should be that applicable on 3 June 1973; whereas the award upon tender of a contract for the export of sugar has also the effect of fixing the amount of refund; whereas, therefore, the same consideration should be given to the case of a refund fixed upon an award as to the other cases mentioned; whereas, however, the benefit of this provision should only apply on request;

Whereas the Management Committees for Cereals, for Poultrymeat and Eggs, for Sugar and for Milk and Milk Products have not delivered Opinions within the time limits set by their Chairmen;

HAS ADOPTED THIS REGULATION:

Article 1

At the request of the party concerned the monetary compensatory amount, including the coefficient by which the levy or refund is adjusted, applicable on 3 June 1973 shall, in lieu of the amount applicable on the date of importation or exportation, apply to all transactions carried out before 3 June 1973 in respect of which the levy or refund was fixed in advance before 4 June 1973 or, in the case of sugar, the refund was the subject of an award upon tender made before 4 June 1973.

Article 2

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

2. It shall apply from 4 June 1973.

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

Done at Brussels, 27 July 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 125, 11. 5. 1973, p. 49.

⁽³⁾ OJ No L 114, 30. 4. 1973, p. 4.

⁽⁴⁾ OJ No L 146, 4. 6. 1973, p. 1.

REGULATION (EEC) No 2043/73 OF THE COMMISSION

of 27 July 1973

authorizing the Republic of Italy to place on sale under the conditions provided for in Regulation (EEC) No 1984/73 a supplementary quantity of common wheat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 120/67/EEC ⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by the Act ⁽²⁾ concerning the Conditions of Accession and the Adjustment to the Treaties ;

Having regard to Council Regulation No 132/67/EEC ⁽³⁾ of 13 June 1967 laying down general rules for intervention on the market in cereals, as amended by Regulation (EEC) No 1938/70 ⁽⁴⁾, and in particular Article 4 thereof ;

Having regard to Council Regulation (EEC) No 1984/73 ⁽⁵⁾ of 19 July 1973, defining special conditions for the sale of common wheat held by the Italian intervention agency, and in particular Article 3 thereof ;

Whereas, by reason of the unsatisfactory development of the situation in Southern Italy, it is appropriate to

increase by 60 000 metric tons the quantity of common wheat which the Republic of Italy may sell under the special conditions laid down by Articles 1 and 2 of Council Regulation (EEC) No 1984/73 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The Republic of Italy is authorized to place on sale a quantity of 60 000 metric tons of common wheat under the conditions provided for in Articles 1 and 2 of Regulation No 1984/73.

Article 2

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

It shall apply until 30 september 1973.

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

Done at Brussels, 27 July 1973.

For the Commission

The President

François-Xavier ORTOLI

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

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No 120, 21. 6. 1967, p. 2364/67.

⁽⁴⁾ OJ No L 215, 30. 9. 1970, p. 1.

⁽⁵⁾ OJ No L 201, 21. 7. 1973, p. 43.

REGULATION (EEC) No 2044/73 OF THE COMMISSION
of 27 July 1973
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 136/66/EEC ⁽¹⁾ of 22 September 1966 on the establishment of a common organization of the market in oils and fats, as last amended by the Act ⁽²⁾ annexed to the Treaty ⁽³⁾ on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 27 ⁽⁴⁾ thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 1898/73 ⁽⁴⁾ ;

Whereas, if the subsidy system is to operate normally, subsidies should be calculated on the following basis :

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity ;

- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph ;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1898/73 to the information at present available to the Commission that the amount of the subsidy at present in force should be altered as shown in the Annex to this Regulation ;

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 30 July 1973.

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

Done at Brussels, 27 July 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 193, 14. 7. 1973, p. 26.

ANNEX

to the Commission Regulation of 27 July 1973 fixing the amount of the subsidy on oil seeds

Subsidy applicable from 30 July 1973 to colza and rape seeds (CCT heading No ex 12.01)
and sunflower seeds (CCT heading No ex 12.01) (u.a./100 kg)

	Colza and rape seed	Sunflower seed
Subsidy	0	0
Subsidy in the case of advance fixing :		
-- for the month of July	0	0
— for the month of August	0	0
— for the month of September	0	0
— for the month of October	0	0
— for the month of November	0	—
— for the month of December	0	—

REGULATION (EEC) No 2045/73 OF THE COMMISSION
of 27 July 1973
fixing the export levies on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 136/66/EEC ⁽¹⁾ of 22 September 1966 on the establishment of a common organization of the market in oils and fats, as last amended by the Act ⁽²⁾ annexed to the Treaty ⁽³⁾ on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972 ;

Having regard to Council Regulation No 162/66/EEC ⁽⁴⁾ of 27 October 1966 on trade in oils and fats between the Community and Greece ;

Having regard to Council Regulation No 171/67/EEC ⁽⁵⁾ of 27 June 1967 on export refunds and levies on olive oil, as last amended by Regulation (EEC) No 2429/72 ⁽⁶⁾, and in particular Article 10 (3) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the export levies on olive oil were fixed by Regulation (EEC) No 2581/72 ⁽⁷⁾ and all subsequent amending Regulations ;

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

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity ;
- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph ;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2581/72 to the offer prices known to the Commission that the export levies at present in force should be altered as shown in the Table annexed to this Regulation ;

HAS ADOPTED THIS REGULATION :

Article 1

The export levies referred to in Article 18 of Regulation No 136/66/EEC are hereby fixed as shown in the Table annexed to this Regulation.

These levies are applicable to products falling within subheading 15.07 A presented in immediate packings of a net capacity exceeding 5 kg.

Article 2

This Regulation shall enter into force on 30 July 1973.

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

Done at Brussels, 27 July 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No 197, 29. 10. 1966, p. 3393/66.

⁽⁵⁾ OJ No 130, 28. 6. 1967, p. 2600/67.

⁽⁶⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁷⁾ OJ No L 275, 8. 12. 1972, p. 29.

ANNEX

Levies on olive oil exported to third countries and Greece

CCT heading No	Amounts in u.a./100 kg
ex 15.07 A I a)	9.074
ex 15.07 A I b)	12.181
ex 15.07 A II	8.175

REGULATION (EEC) No 2046/73 OF THE COMMISSION
of 27 July 1973

fixing the special import levy on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 136/66/EEC ⁽¹⁾ of 22 September 1966 on the establishment of a common organization of the market in oils and fats, as last amended by the Act ⁽²⁾ annexed to the Treaty ⁽³⁾ on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 13 (4) thereof ;

Having regard to Council Regulation No 162/66/EEC ⁽⁴⁾ of 27 October 1966 on trade in oils and fats between the Community and Greece, and in particular Articles 3 (4) and 9 thereof ;

Having regard to Council Regulation (EEC) No 443/72 ⁽⁵⁾ of 29 February 1972 on the levies on refined olive oil and on certain products containing olive oil, and in particular Article 9 thereof ;

Having regard to Council Regulation (EEC) No 2165/70 ⁽⁶⁾ of 27 October 1970 on imports of olive oil from Tunisia, as amended by Regulation (EEC) No 2277/71 ⁽⁷⁾, and in particular Article 5 thereof ;
Having regard to Council Regulation (EEC) No 463/71 ⁽⁸⁾ of 1 March 1971 on imports of olive oil from Morocco, as amended by Regulation (EEC) No 2277/71, and in particular Article 5 thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the levies on olive oil were fixed by Commission Regulation (EEC) No 1523/73 ⁽⁹⁾ and subsequent amending Regulations ;

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

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity ;
- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph ;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1523/73 to the offer prices known to the Commission that the special levy at present in force should be altered as shown in the Table annexed to this Regulation ;

HAS ADOPTED THIS REGULATION :

Article 1

The special levy referred to in Article 13 (3) of Regulation No 136/66/EEC, and fixed in Annex II of Regulation (EEC) No 1523/73, is hereby altered as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 30 July 1973.

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

Done at Brussels, 27 July 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.
⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.
⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.
⁽⁴⁾ OJ No 197, 29. 10. 1966, p. 3393/66.
⁽⁵⁾ OJ No L 54, 3. 3. 1972, p. 3.
⁽⁶⁾ OJ No L 238, 29. 10. 1970, p. 4.
⁽⁷⁾ OJ No L 241, 27. 10. 1971, p. 2.
⁽⁸⁾ OJ No L 53, 5. 3. 1971, p. 9.
⁽⁹⁾ OJ No L 152, 8. 6. 1973, p. 30.

ANNEX

Special levy applicable to imports effected from 30 July 1973

CCT heading No	Description of goods	Amount in u.a./100 kg
ex 15.07 A II	Virgin olive oil in immediate packings of a net capacity of 5 kg or less originating or coming from Spain	22.404 ⁽¹⁾

⁽¹⁾ The levy charged for this product shall be reduced by 0.50 u.a./100 kg in accordance with Regulation (EEC) No 2164/70.

REGULATION (EEC) No 2047/73 OF THE COMMISSION**of 27 July 1973****amending the amounts applicable as compensatory amounts for cereals and rice**

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 at Brussels 22 January 1972;

Having regard to Council Regulation (EEC) No 229/73 ⁽²⁾ of 31 January 1973 laying down general rules for a system of compensatory amounts for cereals and fixing these amounts for certain products, and in particular Article 7 thereof;

Having regard to Council Regulation (EEC) No 243/73 ⁽³⁾ of 31 January 1973 laying down general rules for a system of compensatory amounts for rice and fixing these amounts for certain products, and in particular Article 5 thereof;

Whereas compensatory amounts for cereals and rice have been fixed pursuant to Regulation (EEC) No

441/73 ⁽⁴⁾, as last amended by Regulation (EEC) No 2028/73 ⁽⁵⁾;

Whereas the application of the rules referred to in Regulation (EEC) No 441/73 requires that the amounts at present in force should be amended as shown in the Annex to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

The amounts applicable as compensatory amounts shown in the Annexes to amended Regulation (EEC) No 441/73 are amended as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 July 1973.

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

Done at Brussels, 27 July 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No L 27, 1. 2. 1973, p. 25.

⁽³⁾ OJ No L 29, 1. 2. 1973, p. 26.

⁽⁴⁾ OJ No L 47, 20. 2. 1973, p. 1.

⁽⁵⁾ OJ No L 206, 27. 7. 1973, p. 36.

ANNEXE A — BILAG A — ANHANG A — ALLEGATO A — BIJLAGE A — ANNEX A

Montants applicables au titre des montants compensatoires pour les céréales

Beløb, der skal anvendes som udligningsbeløb for korn

Für Getreide als Ausgleichsbeträge anzuwendende Beträge

Importi applicabili a titolo di importi di compensazione per i cereali

Als compenserende bedragen toe te passen bedragen voor granen

Amounts applicable as compensatory amounts for cereals

(RE/UC/ta./1 000 kg)

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolltarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarif CCT heading No	DK	IRL	UK
10.01 B	0	0	0
10.07 C	—	14.00	14.00

ANNEXE C — BILAG C — ANHANG C — ALLEGATO C — BIJLAGE C — ANNEX C

Montants applicables au titre des montants compensatoires pour les produits transformés à base de céréales et de riz

Beløb, der skal anvendes som udligningsbeløb for produkter, der er forarbejdet på basis af korn og ris

Für Getreide- und Reisverarbeitungserzeugnisse als Ausgleichsbeträge anzuwendende Beträge

Importi applicabili a titolo di importi di compensazione per i prodotti trasformati dei cereali e del riso

Als compenserende bedragen toe te passen bedragen voor op basis van granen en rijst verwerkte produkten

Amounts applicable as compensatory amounts for products processed from cereals or rice

(RE/UC/u.a./100 kg.

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolltarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief CCT heading No	DK	IRL	UK
11.01 K ⁽¹⁾	—	1-428	1-428
11.02 A IX ⁽¹⁾	—	1-428	1-428
11.02 B II d) ⁽¹⁾	—	1-960	1-960
11.02 C VIII ⁽¹⁾	—	1-960	1-960
11.02 D VIII ⁽¹⁾	—	1-428	1-428
11.02 E II d) ⁽¹⁾	—	1-960	1-960
11.02 F IX ⁽¹⁾	—	1-428	1-428

⁽¹⁾ Pour la distinction entre les produits des n° 11.01 et 11.02, d'une part, et ceux de la sous-position 23.02 A, d'autre part, sont considérés comme relevant des n° 11.01 et 11.02 les produits ayant simultanément :

- une teneur en amidon (déterminée d'après la méthode polarimétrique Ewers modifiée) supérieure à 45 % (en poids) sur matière sèche.
- une teneur en cendres (en poids) sur matière sèche (déduction faite des matières minérales ayant pu être ajoutées) inférieure ou égale à 1,6 % pour le riz, 2,5 % pour le froment et le seigle, 3 % pour l'orge, 4 % pour le sarrasin, 5 % pour l'avoine et 2 % pour les autres céréales.

Les germes de céréales, même en farines, relèvent en tout cas du n° 11.02.

⁽¹⁾ Med henblik på sondringen mellem varer tariferet under pos. 11.01 og 11.02 på den ene side og under pos. 23.02 A på den anden side anses som tariferet under pos. 11.01 og 11.02 varer, der samtidig har

- et indhold af stivelse (bestemt ved Ewers modificerede polarimetriske metode) på over 45 vægtprocent, beregnet på grundlag af tørsubstansen,
- et askeindhold (efter fradrag af eventuelle tilsatte mineralske stoffer) på 1,6 vægtprocent eller derunder for ris, 2,5 vægtprocent eller derunder for hvede og rug, 3 vægtprocent eller derunder for byg, 4 vægtprocent eller derunder for boghvede, 5 vægtprocent eller derunder for havre og 2 vægtprocent eller derunder for de øvrige kornsorter, beregnet på grundlag af tørsubstansen.

Kim af korn samt mel deraf tariferes under alle omstændigheder under pos. 11.02.

⁽¹⁾ Für die Abgrenzung der Erzeugnisse der Tarifnummern 11.01 und 11.02 von denen der Tarifstelle 23.02 A gelten als Erzeugnisse der Tarifnummern 11.01 und 11.02 Erzeugnisse, die gleichzeitig folgendes aufweisen :

- einen auf den Trockenstoff bezogenen Stärkegehalt (bestimmt nach dem abgeänderten polarimetrischen Ewers-Verfahren) von mehr als 45 Gewichtshundertteilen,
- einen auf den Trockenstoff bezogenen Aschegehalt (abzüglich etwa zugesetzter Mineralstoffe), der bei Reis 1,6 Gewichtshundertteile oder weniger, bei Weizen und Roggen 2,5 Gewichtshundertteile oder weniger, bei Gerste 3 Gewichtshundertteile oder weniger, bei Buchweizen 4 Gewichtshundertteile oder weniger, bei Hafer 5 Gewichtshundertteile oder weniger und bei anderen Getreidearten 2 Gewichtshundertteile oder weniger beträgt.

Getreidekeime, auch gemahlen, gehören auf jeden Fall zur Tarifnummer 11.02.

- (¹) Per la distinzione tra i prodotti delle voci nn. 11.01 e 11.02 da un lato, e quelli della sottovoce 23.02 A dall'altro, si considerano come appartenenti alle voci nn. 11.01 e 11.02 i prodotti che abbiano simultaneamente:
- un tenore in amido (determinato in base al metodo polarimetrico Ewers modificato), calcolato sulla materia secca, superiore al 45 % (in peso),
 - un tenore in ceneri (in peso), calcolato sulla materia secca (dedotte le sostanze minerali che possono essere state aggiunte), inferiore o pari a 1,6 % per il riso, a 2,5 % per il frumento e la segala, a 3 % per l'orzo, a 4 % per il grano saraceno, a 5 % per l'avena ed a 2 % per gli altri cereali.

I germi di cereali, anche sfarinati, rientrano comunque nella voce n. 11.02.

- (²) Voor het onderscheid tussen de produkten van de nummers 11.01 en 11.02 enerzijds en die van de onderverdeling 23.02 A anderzijds, worden geacht onder de nummers 11.01 en 11.02 te vallen de produkten die tegelijkertijd:

- een zetmeelgehalte hebben (bepaald volgens de gewijzigde polarimetrische methode van Ewers) van meer dan 45 gewichtspercenten, berekend op de droge stof, en
- een asgehalte hebben (onder aftrek van eventueel toegevoegde minerale stoffen), berekend op de droge stof, van ten hoogste: 1,6 gewichtspercent voor rijst, 2,5 gewichtspercenten voor tarwe en rogge, 3 gewichtspercenten voor gerst, 4 gewichtspercenten voor boekweit, 5 gewichtspercenten voor haver en 2 gewichtspercenten voor andere granen.

Graankiemen ook indien gemalen, vallen in elk geval onder nummer 11.02.

- (³) For the purpose of distinguishing between products falling within headings Nos 11.01 and 11.02 and those falling within sub-heading No 23.02 A, products falling within headings Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals) not exceeding 1.6 % for rice, 2.5 % for wheat and rye, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

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

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS
OF THE MEMBER STATES

of 24 July 1973

on the provisional location of the European Monetary Cooperation Fund

(73/208/EEC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES,

Having regard to Article 37 of the Treaty establishing
a Single Council and a Single Commission of the
European Communities;

Having regard to the Decision of 8 April 1965⁽¹⁾ of
the Representatives of the Governments of the
Member States on the provisional location of certain
institutions and departments of the Communities, and
in particular Article 10 thereof;

Having regard to the Opinion of the Commission;

Whereas, without prejudice to the application of
Article 216 of the Treaty establishing the European
Economic Community, the provisional place of work
of the European Monetary Cooperation Fund, estab-
lished by Council Regulation (EEC) No 907/73⁽²⁾
should be determined;

HAVE DECIDED AS FOLLOWS:

Article 1

1. The European Monetary Cooperation Fund shall
be located in Luxembourg, which shall be its provi-
sional place of work in accordance with the Decision
of 8 April 1965 of the Representatives of the Govern-
ments of the Member States on the provisional loca-
tion of certain institutions and departments of the
Communities.

2. The meetings of the Board of Governors shall
generally be held at the provisional place of work of
the Fund. The Chairman may also convene meetings
of the Board in another place.

3. The close and permanent links which must
necessarily be established between the Fund on the
one hand, and the Council and the Commission on
the other, shall be maintained by:

- the office of the Commission in Luxembourg;
- an office of the Fund located in Brussels.

The Commission shall take appropriate measures of
internal organization to ensure that these links are
maintained.

Article 2

The Representatives of the Governments of the
Member States shall re-examine the situation in the
light of the development of the work of the Fund and
on the basis of an Opinion from the Commission, at
the latest by 30 June 1975.

Done at Brussels, 24 July 1973.

The President

I. NØRGAARD

⁽¹⁾ O.J. No 152, 13. 7. 1967, p. 18.

⁽²⁾ O.J. No L 89, 5. 4. 1973, p. 2.

COUNCIL DECISION

of 24 July 1973

concerning the present system of aid in the United Kingdom for the refining of raw sugar

(73/209/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular the third subparagraph of Article 93 (2) thereof;

Having regard to the request submitted by the Government of the United Kingdom;

Whereas on 25 May 1973 the British authorities notified the Commission that it had introduced an aid to refineries situated in the United Kingdom in respect of raw sugar refined on or after 1 February 1973;

Whereas by letter dated 16 July 1973 the Commission decided on the basis of Article 93 (2) of the Treaty, that the Government of the United Kingdom should abolish this aid;

Whereas, notwithstanding the Regulations adopted pursuant to the Act on the Conditions of Accession and the Adjustments to the Treaties, and having regard in particular to the imports referred to in Protocol No 17, circumstances are such as to justify the granting of this aid;

Whereas, having regard to these exceptional circumstances there are, therefore, grounds to declare the aid as notified by the British authorities to the Commis-

sion compatible with the common market and to authorize the granting thereof;

Whereas this authorization should nevertheless be limited to the date of expiry of the present sugar season;

HAS DECIDED AS FOLLOWS:

Article 1

The aid in respect of the refining of raw sugar notified to the Commission on 25 May 1973 by the British authorities is hereby authorized.

This authorization shall expire on 30 June 1974.

Article 2

The Decision is addressed to the United Kingdom.

Done at Brussels, 24 July 1973.

For the Council

The President

I. NØRGAARD

COUNCIL DIRECTIVE

of 24 July 1973

extending the time limits for implementation of the Directive of 17 April 1972
on the reform of agricultural structures

(73/210/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parlia-
ment;

Whereas, under the terms of Article 25 of Council
Directive of 17 April 1972 ⁽¹⁾ on the modernization of
farms, Article 17 of Council Directive of 17 April
1972 ⁽²⁾ concerning measures to encourage the cessa-
tion of farming and the reallocation of utilized agricul-
tural areas for the purposes of structural improvement
and Article 18 of Council Directive of 17 April
1972 ⁽³⁾ concerning the provision of socio-economic
guidance for, and the acquisition of, occupational
skills by persons engaged in agriculture, the Member
States are to put into effect the measures necessary to
comply with the Directives in question within one
year following the date of notification thereof, and
whereas this time limit expires on 20 April 1973;

Whereas it is necessary in view of the difficulties
encountered by Member States in bringing into effect
the provisions required for the implementation of the
Directives aforesaid to extend the abovementioned
time limit until 31 December 1973;

HAS ADOPTED THIS DIRECTIVE:

Article 1

Article 25 of Council Directive of 17 April 1972 on
the modernization of farms, Article 17 of Council
Directive of 17 April 1972 concerning measures to
encourage the cessation of farming and the realloca-
tion of utilized agricultural area for the purposes of
structural improvement, and Article 18 of Council
Directive of 17 April 1972 concerning the provision
of socio-economic guidance for, and the acquisition
of, occupational skills by persons engaged in agricul-
ture, shall be replaced by the following:

'The Member States shall bring into force the
measures necessary to comply herewith not later
than 31 December 1973.'

Article 2

This Directive is addressed to the Member States.

Done at Brussels, 24 July 1973.

For the Council

The President

I. NØRGAARD

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 96, 23. 4. 1972, p. 9.

⁽³⁾ OJ No L 96, 23. 4. 1972, p. 15.

PUBLIC WORKS CONTRACTS

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

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

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

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

B. Restricted procedures

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

⁽¹⁾ The Articles in brackets refer to Council Directive No 71/305/EEC of 26 July 1971 (OJ No L 185, 16. 8. 1971, p. 2).

Open procedure

1. Fernstraßenneubauamt Ostholstein, 242 Eutin, Johann-Specht-Straße 13.
2. Public invitation to tender pursuant to the regulations governing construction work contracts — Part A (VOB/A).
3. a) Luschendorf — Neustadt.
b) Work on Lot 1 from kilometre post 10 + 200 to 13 + 900 :
c. 52 000 m² clearing of forest areas,
c. 225 000 m³ removal of soil,
c. 250 000 m³ fill supply,
c. 55 000 m³ removal of water-retaining soil,
c. 30 000 m³ removal and replacement of topsoil,
c. 95 000 m³ supply of frost-protection gravel,
c. 4 500 tons bituminous bases,
c. 16 000 m² bituminous surfacing,
c. 4 000 m placing of concrete kerbs,
c. 6 000 m piping Ø 300-500 mm,
c. 2 200 m piping Ø 600-1 000 mm,
also sett paving and supplementary work.
Work on Lot II from kilometre post 13 + 900 to 19 + 718 :
c. 35 000 m² clearing of forest areas,
c. 100 000 m³ removal of soil,
c. 900 000 m³ fill supply,
c. 10 000 m³ removal of water-retaining soil,
c. 100 000 m³ removal and replacement of topsoil,
c. 160 000 m³ supply of frost-protection gravel,
c. 16 000 tons bases,
c. 51 000 m² bituminous surfacing,
c. 14 000 m placing of concrete kerbs,
c. 16 500 m piping Ø 300—500 mm,
c. 600 m piping Ø 600—1 000 mm,
also sett paving and supplementary work.
c) The contract consists of two lots. Tenders may be submitted separately for each lot.
d)
4. Lot I: 1 November 1973 till 15 June 1975.
Lot II: 1 February 1974 till 1 October 1976.
5. a) As 1.
b) 1 August 1973.
c) DM 80 will be collected COD for the specifications.
6. a) 12 September 1973 at 10 a.m.
b) As 1.
c) German.
7. a) Tenderers and their authorized agents.
b) 12 September 1973, at 10 a.m. in the Fernstraßenneubauamt Ostholstein in Eutin.
8. 5 % of the contract price after awarding of contract.
9. Instalments and final payments pursuant to the regulations governing construction work contracts — Part B (VOB/B).
- 10.
11. Economic and minimum technical conditions to be fulfilled by the contractor.
- a) Documents to be enclosed with the tender :
(1) Declaration by the tenderer that tax and duty obligations have been met according to the legal requirements of the Federal Republic of Germany, in so far as such obligations exist.
(2) Declaration of fulfilment of social security obligations by the tenderer according to the legal requirements in the country of residence or in the Federal Republic of Germany.
(3) Certificate of entry in the official lists of contractors authorized to carry out public construction work, including suitable examples of the type of work done, in so far as such lists are kept in the tenderers country of residence.
(4) Declaration of membership of a professional association in the Federal Republic of Germany or of the intention to apply for membership of such an association, should the tenderer be awarded the contract.
- b) Documents which may be required by the principal before the contracts are awarded.
(1) Certificate from the competent tax office to show that the tenderer has fulfilled his tax and duty obligations according to the legal regulations of the Federal Republic of Germany and that no tax grounds exist to prevent the award of the contract.
(2) Certificate from the appropriate authorities, or a declaration, to show that no bankruptcy or settlement proceedings have been instituted concerning the tenderer's assets, and that the company is not in a state of liquidation.
(3) Details of the tenderer's turnover in the past three business years, in so far as construction contracts are concerned.
(4) Evidence of the financial capacity of the tenderer by means of a relevant bank declaration.
(5) Details of construction work comparable to the work put out to tender carried out in the past three full business years.
(6) The average number of employees per year over the past three financial years.
(7) Technical equipment at the applicant's disposal for execution of the work put out to tender.
(8) Details of entry in the trade register.
(9) Details of the contractor's technical expertise or the firm's management.
(10) Details of the technical staff at the firm's disposal for carrying out the construction project.
12. Lot I: 31 October 1973.
Lot II: 15 February 1974.
13. In accordance with § 25 VOB/A, the contract will be awarded to the tender which, in consideration of all technical and economic aspects, appears the most acceptable.
- 14.
15. 17 July 1973.

Open procedure

1. Rijkswaterstaat directie Bruggen Kon. Julianalaan 372, Voorburg.
 2. Public invitation to tender pursuant to the Uniform Aanbestedingsreglement (Standard regulations for invitation to tender).
 3. a) Municipality of Hengelo.
b) Specification No BR 6450 :
The construction in reinforced and prestressed concrete of a viaduct and a bridge on trunk road 35, Delden-Enschede section, with supplementary work.
The work includes :
— the construction of a double viaduct on the new trunk road over the non-electrified railway line in use between Hengelo and Delden,
— the construction of a double bridge, 135 m long and 14.87 m wide, on the new trunk road over the Twenthe Canal.
Processing of the following :
c. 3 800 m³ concrete for prestressed concrete c. 2 200 m³ concrete for reinforced concrete, c. 800 m³ concrete for non-reinforced concrete to be poured under water, and c. 800 tons asphaltic concrete for wearing courses ; c. 750 tons reinforcing steel.
A total of c. 2 300 m² steel sheet piling and 296 prestressed concrete piles with a combined length of c. 5 750 m have to be driven.
The concrete piles have a maximum length of c. 25.75 m, the sheet piles of 12.25 m.
Reinforced steel, steel sheet piling and prestressed concrete piles will be provided by the State.
c)
d)
 4. Of the above structures, one viaduct (bridge) half must have reached such a stage not later than 52 weeks after the starting date that works' traffic can be allowed over.
The whole project must be completed not later than 104 weeks after the starting date.
 5. a) Staatsuitgeverij, Christoffel Plantijnstraat 1, The Hague — Tel. 070 - 814511.
b) Stating No BR 6450 after Friday 3 August 1973.
The specification may be inspected after Friday, 3 August 1973 at :
— het Ministerie van Verkeer en Waterstaat, Plesmanweg 1, The Hague,
— de Hoofddirectie van de Waterstaat, Koningsskade 4, The Hague,
— de Rijkswaterstaat, directie Bruggen, Kon. Julianalaan 372, Voorburg.
- Information may be obtained from the Rijkswaterstaat, directie Bruggen, Kon. Julianalaan 372, Voorburg, on Tuesday, 14 August 1973, from 10 a.m. to 12 noon and from 2 p.m. to 4 p.m. ; the information notice may be inspected there as from the above date ; copies of the information notice may be obtained free of charge on request.
- c) Cost of the specification : Fl. 21.20 (including VAT, but excluding postage). Payment to be made to the Staatsuitgeverij, Christoffel Plantijnstraat 1, The Hague, on receipt of bill.
 6. a) Tuesday, 28 August 1973, by 11 a.m.
b) Rijkswaterstaat, directie Bruggen, Kon. Julianalaan 372, Voorburg,
c) Dutch.
 7. a) The opening of the applications to tender will take place in public.
b) Tuesday, 28 August 1973, at 11 a.m.
Rijkswaterstaat, directie Bruggen, Kon. Julianalaan 372, Voorburg.
 - 8.
 9. Payments every four weeks amounting to the sum expended, after placing a security amounting to 5 % of the contract price.
 - 10.
 11. The tenderer must, if requested, prove his financial and economic resources and technical expertise within a week of receiving the relevant request, by supplying the following information :
— proof of his firm's entry in the trade register,
— a bank statement showing the firm's financial resources,
— a statement concerning the firm's total turnover and turnover in projects over the past three financial years,
— a list of projects carried out by his firm in the past five years, the cost of these projects, plus time and place of execution, stating the name of the principal.
 12. 30 days after the day the contract is awarded.
 13. The tenderer must be able to prove that he possesses experience in the execution of similar projects and projects close to and above railway lines.
 - 14.
 15. 18 July 1973.

Open procedure

1. Rijkswaterstaat, directie Bruggen, Kon. Julianalaan 372, Voorburg.
 2. Public invitation to tender pursuant to the Uniform Aanbestedingsreglement (standard regulations for invitation to tender).
 3. a) Municipality of Schelluinen.
b) Specification No BR 6489 :
the construction in reinforced and prestressed concrete of a viaduct on Banneweg over trunk road 15 at km post 25 064, with supplementary work.
The work includes :
the construction of a viaduct, consisting of a northern and a southern section on nine and eight supports respectively, the superstructure being constructed of slabs of prestressed concrete, cast *in situ* each c. 12 m wide and c. 230 m and 225 m long, respectively.
Supplies and processing include :
c. 1 850 m³ concrete for reinforced concrete,
c. 4 100 m³ concrete for prestressed concrete,
c. 3 100 m displacement pipes of 650 mm diameter.
Processing includes :
c. 7 500 m prestressed concrete piles, 0.38 metres square (longest pile 20.50 m),
c. 335 tons reinforcing steel,
c. 330 m² steel sheet piling BZ 250,
c. 1 400 m² clinker stones for slope revetement.
The prestressed concrete piles, the reinforcing steel, the steel sheet piling and the clinker stones will be provided by the State.
c)
d)
 4. The eastern halves of the decks must have reached such a stage not later than 1 February 1975 that the surfaces between supports 5 and 7 and between supports 13 and 15 can be asphalted by third parties. The whole project must be completed not later than 104 weeks after the starting date.
 5. a) Staatsuitgeverij, Christoffel Plantijnstraat 1, The Hague — Tel. 070 - 814511.
b) After Thursday 2 August 1973, stating No BR 6489. The specification may be inspected after Thursday 2 August 1973 at :
— het Ministerie van Verkeer en Waterstaat, Plesmanweg 1, The Hague,
— de Hoofddirectie van de Waterstaat, Koningskade 4, The Hague,
— de Rijkswaterstaat, directie Bruggen, Kon. Julianalaan 372, Voorburg.
- Information may be obtained from the Rijkswaterstaat, directie Bruggen, Kon. Julianalaan 372, Voorburg, on Tuesday 14 August 1973 from 10 a.m. to 12 noon and from 2 p.m. to 4 p.m. The information notice may be inspected there as from the above date ; copies of the information notice may be obtained free of charge on request.
- c) Cost of the specification : Fl 24 (including VAT, but excluding postage). Payment to be made to the Staatsuitgeverij, Christoffel Plantijnstraat 1, The Hague, on receipt of bill.
 6. a) Tuesday 28 August 1973 by 11 a.m.
b) Rijkswaterstaat, directie Bruggen, Kon. Julianalaan 372, Voorburg.
c) Dutch.
 7. a) The opening of the applications to tender will take place in public.
b) Tuesday 28 August 1973 at 11 a.m. Rijkswaterstaat, directie Bruggen, Kon. Julianalaan 372, Voorburg.
 - 8.
 9. Payments every four weeks amounting to the sum expended, after placing a security amounting to 5 % of the contract price.
 - 10.
 11. The tenderer must, if requested, prove his financial and economic resources and technical expertise within a week of receiving the relevant request, by supplying the following information :
— proof of his firm's entry in the trade register,
— a bank statement showing the firm's financial resources,
— a statement concerning the firm's total turnover and turnover in projects over the past three financial years,
— a list of projects carried out by his firm in the past five years, the cost of these projects, plus time and place of execution, stating the name of the principal.
 12. 30 days after the day the contract is awarded.
 13. The tenderer must be able to prove that he possesses experience in the execution of similar projects.
 - 14.
 15. 18 July 1973.

Open procedure

1. Landschaftsverband Rheinland, Landesstraßenbauamt Krefeld, 415 Krefeld 1, Grenzstraße 140, Postfach 1830.
2. Public invitation to tender pursuant to the regulations governing construction work contracts — Part A (VOB/A).
3. a) Federal Autobahn A 140 between the B 9 (south of Krefeld) and the B 222 (north of Meerbusch-Strümp).
- b) Earthworks and drainage.
The work includes :
 - c. 100 000 m³ topsoil work,
 - c. 1 100 000 m³ fill,
 - c. 80 000 m³ other earth moving,
 - c. 15 000 m² farm tracks (partially bitumen-surfaced),
 - c. 13 000 m³ excavation for trenches and drainage holes,
 - c. 70 inspection manholes,
 - c. 130 000 m trellis fencing.Length of construction section : 3 700 m plus interchange A 140 / A 14.
- c)
- d)
4. 200 working days.
5. a) Landesstraßenbauamt Krefeld, 415 Krefeld, Grenzstraße 140.
- b) 28 July 1973.
- c) The receipt showing payment of the DM 100 fee for two copies should be enclosed.
Payment to be made into account No 652800 of the Sparkasse Krefeld, quoting 'Ausschreibungsunterlagen BAB A 140 südlich von Krefeld'.
6. a) Early September 1973. The exact date will be given when the specifications are despatched.
- b) Landesstraßenbauamt Krefeld, 415 Krefeld 1, Grenzstraße 140.
- c) German.
7. a) Tenderers and their authorized agents.
- b) The exact date (place, day and hour) will be given when the specifications are despatched.
8. A guarantee of 5 % of the contract price, rounded up to the nearest DM 1 000, will be required.
Only guarantees from a credit insurer or credit institution approved in the Federal Republic of Germany will be accepted.
9. Instalments and final payments pursuant to the regulations governing construction work contracts — Part B (VOB/B)
- 10.
11. If requested, the tenderer must provide evidence of his financial and economic capacity and his technical expertise. For this purpose he is required to enclose the following documents with the tender :
 - a) A certificate showing the total turnover in 1972, and the firm's turnover in the past three full business years, in so far as it concerns construction and other work comparable to the work being put out to tender, including work done as part of a consortium or with other group bidders ;
 - b) A certificate showing work carried out in the past three full business years which is comparable to the work put out to tender, with confirmation from the principals ;
 - c) The average number of employees per year over the past three financial years, divided into : non-technical staff, technical staff, foremen, skilled workers, other workers, sales staff ;
 - d) Technical equipment at the applicant's disposal for execution of the work put out to tender ;
 - e) Details of entry in the trade register at the locality of the applicant's head office or domicile.
12. 60 calendar days, calculated from the day tenders are opened.
13. In accordance with § 25 VOB/A, the contract will be awarded to the tender which, in consideration of all technical and economic aspects, appears the most acceptable.
- 14.
15. 17 July 1973.

Restricted procedure

1. East Kilbride Development Corporation, Norfolk House, East Kilbride, Glasgow G74 1LU, Scotland.
 2. Restricted invitation to tender.
 3. a) The Greenhills area (Site H9 (2)) of the New Town of East Kilbride, Glasgow.
b) The erection of 399 dwellings comprising 31 single storey cottages, 317 two storey terrace houses containing three, four, five and six apartments, 51 two, three and four-storey flats containing two and three apartments and a single-storey 'Old Persons' Meeting Rooms' together with external works and site preparation (roads and sewers). The site preparation contract comprises 23 034 m² of roads and footpaths and 4 638 l.m of main drainage. There are also 115 lock-up garages to be built.
c) The contracts for the construction of the buildings and site preparation will form a *unum quid* contract and there will therefore be no sub-division of the work.
d) the contract does not involve drawing up of plans.
 4. 23 months from the date of taking possession of the site with rate of house completion according to phases to be stated in contract documents.
 5. Contractors must be a *legal persona* or *legal personae* known to the Law of Scotland and in the latter case shall be jointly and severally liable for the performance of the contract.
 6. a) Tuesday, 7 August 1973 at 4 p.m. at the latest.
b) The Secretary and Legal Adviser, East Kilbride Development Corporation, Norfolk House, East Kilbride, Glasgow, G74 1LU, Scotland.
c) English.
 7. 31 August 1973.
 8. Contractors submitting their names for selection to tender must produce all references listed in Articles 25 and 26 of the European Communities' Council Directive of 26 July 1971 (71/305/EEC).
 9. The contract will be awarded to the most advantageous tender taking into account price and phased periods of completion.
 - 10.
 11. 17 July 1973.
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