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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 2715/73 OF THE COMMISSION
of 5 October 1973
fixing the levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73⁽²⁾, and in particular Article 13 (5) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2076/73⁽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 provisions contained in Regulation (EEC) No 2076/73 to the offer prices and today's quotations known to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 October 1973.

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

Done at Brussels, 5 October 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 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 212, 1. 8. 1973, p. 1.

ANNEX

to the Commission Regulation of 5 October 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	0
10.01 B	Durum wheat	0 ⁽¹⁾ (⁴)
10.02	Rye	3.75 ⁽⁵⁾
10.03	Barley	0
10.04	Oats	0
10.05 B	Maize other than hybrid maize for sowing	13.18 ⁽²⁾ (³)
10.07 A	Buckwheat	0
10.07 B	Millet	9.24
10.07 C	Grain sorghum	7.02
10.07 D	Canary seed ; other cereals	0 ⁽⁴⁾
11.01 A	Wheat or meslin flour	0
11.01 B	Rye flour	23.99
11.02 A I a	Durum wheat groats and meal	0
11.02 A I b	Common wheat groats and meal	0

(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 2716/73 OF THE COMMISSION

of 5 October 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 Regu-
lation (EEC) No 1346/73⁽²⁾, 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
2077/73⁽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, 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 6 October
1973.

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

Done at Brussels, 5 October 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 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 212, 1. 8. 1973, p. 3.

ANNEX

to the Commission Regulation of 5 October 1973 fixing the premiums to be added to the levies on cereals, flour and malt

A. Cereals and flour ⁽¹⁾

(u.a./ton)

CCT heading No	Description of goods	Current 10	1st period 11	2nd period 12	3rd period 1
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	7.53	7.53	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	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 2196/71 (OJ No L 231, 14. 10. 1971, p. 28).

B. Malt

(u.a./100 kg)

CCT heading No	Description of goods	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
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	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

REGULATION (EEC) No 2717/73 OF THE COMMISSION

of 5 October 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 organiza-
tion of the market in cereals, as last amended by Regu-
lation (EEC) No 1346/73⁽²⁾, 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
2703/73⁽³⁾;

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 develop-
ments 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 6 October
1973.

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

Done at Brussels, 5 October 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 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 279, 5. 10. 1973, p. 6.

ANNEX

to the Commission Regulation of 5 October 1973 altering the corrective amount applicable to the refund on cereals

(u.a./ton)

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

REGULATION (EEC) No 2718/73 OF THE COMMISSION

of 5 October 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 6 October 1973.

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

Done at Brussels, 5 October 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	7.62 5.65 ⁽¹⁾ 7.62 5.65 ⁽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 2719/73 OF THE COMMISSION

of 5 October 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 Regulation (EEC) No 1346/73⁽²⁾;

Having regard to Council Regulation No 371/67/EEC⁽³⁾ fixing production refunds on starches and quellmehl, as last amended by Regulation (EEC) No 179/73⁽⁴⁾, 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⁽⁵⁾ of 26 July 1971, as amended by Regulation (EEC) No 347/73⁽⁶⁾, 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⁽⁷⁾, as last amended by Regulation (EEC) No 881/73⁽⁸⁾;

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 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 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 141, 28. 5. 1973, p. 8.

(3) OJ No 174, 31. 7. 1967, p. 40.

(4) OJ No L 25, 30. 1. 1973, p. 6.

(5) OJ No L 168, 27. 7. 1971, p. 11.

(6) OJ No L 38, 10. 2. 1973, p. 17.

(7) OJ No L 179, 25. 7. 1968, p. 8.

(8) 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 6 October 1973. It shall apply from 6 October 1973 for starch products derived from maize and from 8 October 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, 5 October 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	3-201	3-201	3,416
11.08 A III	Wheat starch	10-327	10-327	10,327
11.08 A IV	Potato starch	3-201	3-201	3,416
11.08 A V	Starches other than maize, rice, wheat or potato starch	3-201	3-201	3,416
11.09 A	Dried wheat gluten	18-776	18-776	18,776
11.09 B	Wheat gluten, other than dried	18-776	18-776	18,776
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)	4-175	4-175	4,456
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)	3-201	3-201	3,416
17.05 B I	Flavoured or coloured glucose, in the form of white crystalline powder, whether or not agglomerated	4-175	4-175	4,456
17.05 B II	Flavoured or coloured glucose syrup, other than in the form of white crystalline powder, whether or not agglomerated	3-201	3-201	3,416
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	3-976	3-976	4,244

(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 2720/73 OF THE COMMISSION

of 5 October 1973

opening an invitation to tender for the mobilization of common wheat as food aid for the Empire of Ethiopia

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 Regulation (EEC) No 1346/73⁽²⁾;

Having regard to Council Regulation (EEC) No 1693/72⁽³⁾ of 3 August 1972 laying down the conditions for the mobilization of cereals as food aid, and in particular Article 6 thereof;

Whereas on 4 October 1973 the Council of the European Communities declared that by way of Community action it proposed to grant the Empire of Ethiopia, 5 000 metric tons of common wheat under its 1972/73 food aid programme;

Whereas analysis of the state of the Community cereals market indicates that the criteria of Article 3 (3) of Council Regulation (EEC) No 1693/72 should be applied, and that the products should be purchased on the Community market;

Whereas the proposed invitation to tender should be for supply of the products delivered cif; that is at the moment when the goods are actually removed from the ship's hold at the port of unloading;

Whereas the award under the invitation to tender must be made in favour of the tenderer offering the best terms;

Whereas, should *force majeure* make it impossible to complete the operation in question within the set time-limits, it must be made clear who is to bear the liability for any resulting costs;

Whereas provision should be made for security to be given for the purpose of guaranteeing that the obligations arising by virtue of participation in the invitation to tender for supplies to the Empire of Ethiopia will be fulfilled;

Whereas the French intervention agency should, in any event, be made responsible for the tendering procedure in question;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency;

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

1. Tenders are hereby invited for the supply to the Empire of Ethiopia, by way of Community food aid action:

— of 5 000 metric tons of common wheat

2. The tendering procedure shall take place in France in two lots. The product shall be mobilized on the Community market. The products shall be loaded for departure from a Community port.

3. The invitation to tender provided for in paragraph 1 is for supply of products delivered cif, that is at the moment when the goods are actually removed from the ship's hold at the port of unloading.

The recipient country shall bear all costs subsequent to delivery of the goods, including unloading costs (such as unstowing, hoisting and reception) and any lighterage costs.

Any demurrage costs or dispatch money at the port of unloading shall be a charge on or for the benefit of the recipient country. The rates and detailed arrangements relating thereto laid down in the contract between the authorized agent of the Community referred to in Article 5 and the carrier must have been agreed upon in advance by the authorized agent and the receiving agent of the recipient country referred to in Article 5.

4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks of a net capacity of 50 kilogrammes. The following shall be printed on the sacks:

'Soft Wheat — Gift of the European Community'

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

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 178, 5. 8. 1972, p. 3.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 17 October 1973.
2. The closing date for submission of tenders shall be 17 October 1973 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* six days before the closing date for submission of tenders.

Article 3

The contract shall be awarded to the tenderer who makes the most favourable offer. However, if the tenders submitted do not appear to correspond to normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 4

1. The successful tenderer shall give security of a value of five units of account per metric ton of the product; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time-limit, save as regards quantities not delivered owing to *force majeure*.
2. The security provided for in paragraph 1 may be given in form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by the Member State.

Article 5

1. The products specified in Article 1 to be supplied for human consumption to the Empire of Ethiopia must be of fair and sound merchantable quality, be free from odour, and correspond at least to the standard quality for which the intervention price is fixed, except that the humidity shall not exceed 15.5 % and that a maximum tolerance of 3 % of sprouted grains and 1 % of miscellaneous impurities shall be allowed.

2. Tenders for supply to the Empire of Ethiopia of the products specified in Article 1 must relate to products of common wheat of fair and sound merchantable quality, free from odour, and correspond at least to the standard quality for which the intervention price is fixed, except that the humidity shall not exceed 15.5 % and that a maximum tolerance of 3 % of sprouted grains and 1 % of miscellaneous impurities shall be allowed.

If the products specified in Article 1 do not meet the foregoing requirements they shall be rejected and the successful tenderer shall be owner thereof.

Article 6

1. The French intervention agency shall be responsible for the operations relating to the invitation to tender provided for by this Regulation.
2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.
3. The intervention agency shall request the successful tenderer to supply the following information:
 - (a) after each shipment, a certificate showing the quantities dispatched, the quality of the products and the type of packing;
 - (b) the date of departure of the ships, the estimated date of the arrival of the products at their destination;
 - (c) incidents likely to occur during transport of the products.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

Article 7

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

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

Done at Brussels, 5 October 1973.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

Number of lot	Port of unloading	Minimum rate of unloading	Tonnage cif
1	Assab	} Customs of the port	2 500
2	Djibouti		2 500

REGULATION (EEC) No 2721/73 OF THE COMMISSION

of 5 October 1973

opening an invitation to tender for the mobilization of common wheat as food aid for the Islamic Republic of Pakistan

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 Regulation (EEC) No 1346/73⁽²⁾;

Having regard to Council Regulation (EEC) No 1693/72⁽³⁾ of 3 August 1972 laying down the conditions for the mobilization of cereals as food aid, and in particular Article 6 thereof;

Whereas on 4 October 1973 the Council of the European Communities declared that by way of Community action it proposed to grant the Islamic Republic of Pakistan 20 000 metric tons of common wheat under its 1972/73 food aid programme;

Whereas analysis of the state of the Community cereals market indicates that the criteria of Article 3 (3) of Council Regulation (EEC) No 1693/72 should be applied, and that the products should be purchased on the Community market;

Whereas the proposed invitation to tender should be for supply of the products delivered cif; that is at the moment when the goods are actually removed from the ship's hold at the port of unloading;

Whereas the award under the invitation to tender must be made in favour of the tenderer offering the best terms;

Whereas, should *force majeure* make it impossible to complete the operation in question within the set time-limit, it must be made clear who is to bear the liability for any resulting costs;

Whereas provision should be made for security to be given for the purpose of guaranteeing that the obligations arising by virtue of participation in the invitation to tender for supplies to the Islamic Republic of Pakistan will be fulfilled;

Whereas the French intervention agency should, in any event, be made responsible for the tendering procedure in question;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency;

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

1. Tenders are hereby invited for the supply to the Islamic Republic of Pakistan by way of Community food aid action:

— of 20 000 metric tons of common wheat.

2. The tendering procedure shall take place in France in two lots. The product shall be mobilized on the Community market. The products shall be loaded for departure from a Community port.

3. The invitation to tender provided for in paragraph 1 is for supply of products delivered cif, that is at the moment when the goods are actually removed from the ship's hold at the port of unloading.

The recipient country shall bear all costs subsequent to delivery of the goods, including unloading costs (such as unstowing, hoisting and reception) and any lighterage costs.

Any demurrage costs or dispatch money at the port of unloading shall be a charge on or for the benefit of the recipient country. The rates and detailed arrangements relating thereto laid down in the contract between the authorized agent of the Community referred to in Article 5 and the carrier must have been agreed upon in advance by the authorized agent and the receiving agent of the recipient country referred to in Article 5.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 17 October 1973.

2. The closing date for submission of tenders shall be 17 October 1973 at 12 noon.

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

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 178, 5. 8. 1972, p. 3.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* six days before the closing date for submission of tenders.

Article 3

The contract shall be awarded to the tenderer who makes the most favourable offer. However, if the tenders submitted do not appear to correspond to normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 4

1. The successful tenderer shall give security of a value of five units of account per metric ton of the product; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time-limit, save as regards quantities not delivered owing to *force majeure*.

2. The security provided for in paragraph 1 may be given in form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by the Member State.

Article 5

1. The products specified in Article 1 to be supplied for human consumption to the Islamic Republic of Pakistan must be of fair and sound merchantable quality, be free from odour, and correspond at least to the standard quality for which the intervention price is fixed, except that the humidity shall not exceed 15.5 % and that a maximum tolerance of 3 % of sprouted grains and 1 % of miscellaneous impurities shall be allowed.

2. Tenders for supply to the Islamic Republic of Pakistan of the products specified in Article 1 must relate to products of common wheat of fair and sound

merchantable quality, free from odour, and correspond at least to the standard quality for which the intervention price is fixed, except that the humidity shall not exceed 15.5 % and that a maximum tolerance of 3 % of sprouted grains and 1 % of miscellaneous impurities shall be allowed.

If the products specified in Article 1 do not meet the foregoing requirements they shall be rejected and the successful tenderer shall be owner thereof.

Article 6

1. The French intervention agency shall be responsible for the operations relating to the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. The intervention agency shall request the successful tenderer to supply the following information :

- (a) after each shipment, a certificate showing the quantities dispatched, the quality of the products and the type of packing;
- (b) the date of departure of the ships, the estimated date of the arrival of the products at their destination;
- (c) incidents likely to occur during transport of the products.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

Article 7

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

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

Done at Brussels, 5 October 1973.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

Number of lot	Port of unloading	Minimum rate of unloading	Tonnage cif
1	} Karachi	Customs of the port	10 000
2			10 000

REGULATION (EEC) No 2722/73 OF THE COMMISSION**of 5 October 1973****on detailed rules for the application of Article 4b of Regulation (EEC) No 974/71
as regards the organization of the market in wine**

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 under Article 4b (1) of Regulation (EEC) No
974/71 the intervention or purchase prices valid for
the 1973/74 marketing year for products referred to in
Article 1 (2) of the above Regulation shall be increased
in Italy by a corrective equal to 1 % of the prices
concerned;

Whereas under Article 4b (2) of Regulation (EEC) No
974/71 the corrective referred to in paragraph 1 of
this Article shall in so far as is necessary be reflected
in the amounts which Italy must pay in accordance
with regulations on the common organization of
agricultural markets following other interventions on

the internal market. Whereas for the 1973/74
marketing year it appears essential, as regards the
organization of the market in wine, to increase the
amounts paid by Italy in implementation of Commis-
sion Regulation (EEC) No 1437/70⁽³⁾ of 20 July 1970
on storage contracts for table wine, as last amended by
Regulation (EEC) No 735/73⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

During the 1973/74 marketing year the amounts
referred to in Article 6(3) of Regulation (EEC) No
1437/70 shall be increased in Italy by 1 %.

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, 5 October 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 161, 23. 7. 1970, p. 13.
⁽⁴⁾ OJ No L 69, 16. 3. 1973, p. 32.

REGULATION (EEC) No 2723/73 OF THE COMMISSION
of 5 October 1973

fixing the duration of special validity of export certificates for skimmed-milk powder exported within the framework of a tender

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⁾ concerning the conditions of Accession and the Adjustments to the Treaties, and in particular Article 13 (3) thereof;

Whereas, according to Annex III to Commission Regulation (EEC) No 2500/73⁽³⁾ of 13 September 1973, relating to the advance fixing of refunds and to the period of validity of export certificates for milk and milk products, the maximum period of validity of the export certificates, in the case of exports on the basis of an invitation to tender for skimmed-milk powder in bulk is 15 days;

Whereas the second part of Article 35 (2) of Commission Regulation (EEC) No 2637/70⁽⁴⁾ of 23 December 1970, on special detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products, as last amended by Regulation (EEC) No 2500/73 provides that in special cases provision may be made for a special period of validity.

Whereas India has issued an appeal to tender for supply of skimmed-milk powder of which the deliveries extend to 31 March 1974; in order to permit the participation of exporters in the Community in this tender, it is necessary to prolong the period of validity of the certificate until the date by which any obligations arising under the award of that tender must be fulfilled;

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

HAS ADOPTED THIS REGULATION:

Article 1

In derogation of the provision of Regulation (EEC) No 2500/73, the export certificate for skimmed-milk powder, relating to CCT subheading No 04.02 A II b), exported in the framework of the tender issued by the Indian Dairy Corporation at Bororda, India, of which the time-limit for the submission of the tenders is fixed at 9 October 1973, is valid until 31 March 1974.

Article 2

This Regulation shall enter into force on 6 October 1973.

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

Done at Brussels, 5 October 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 258, 14. 9. 1973, p. 1.

⁽⁴⁾ OJ No L 283, 29. 12. 1970, p. 15.

REGULATION (EEC) No 2724/73 OF THE COMMISSION
of 5 October 1973

altering the refunds on exports of certain milk products

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 (5) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the export refunds on milk and milk products were fixed by Regulation (EEC) No 2651/73 ⁽⁴⁾ ;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2651/73 to the information at present available to the Commission that the export refunds at present in force should be altered as shown in the Annex to this Regulation ;

HAS ADOPTED THIS REGULATION :

Article 1

The refunds on the products listed in Article 17 of Regulation (EEC) No 804/68 exported in the natural state, as fixed in the Annex to Regulation (EEC) No 2651/73, are hereby altered to the amounts shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 6 October 1973.

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

Done at Brussels, 5 October 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽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 273, 29. 9. 1973, p. 46.

ANNEX

to the Commission Regulation of 5 October 1973 altering the refunds on the export of milk and milk products

Subheading 04.02 of the Annex to Regulation (EEC) No 2651/73 and the corresponding amounts are to be read as follows :

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02	A II a) 1 (aa)	0620 10	10-00
	A II a) 1 (bb)	0620 15	10-00
	A II a) 1 (cc)	0620 21	—
	A II a) 2 (aa) (111)	0720 11	10-00
	A II a) 2 (aa) (222)	0720 15	10-00
	A II a) 2 (aa) (333)	0720 17	—
	A II a) 2 (bb)	0720 20	21-44
	A II a) 2 (cc)	0720 30	29-66
	A II a) 2 (dd)	0720 40	40-62
	A II a) 3	0820 00	43-36
	A II a) 4 (aa)	0920 10	46-10
	A II a) 4 (bb)	0920 20	62-54
	A II b) 1	1020 00	—
	for exports to :		
	— India (*)		8-00
	— other destinations		—
	A II b) 2 (aa)	1120 10	—
	A II b) 2 (bb)	1120 20	21-44
	A II b) 2 (cc)	1120 30	29-66
	A II b) 2 (dd)	1120 40	40-62
	A II b) 3	1220 00	43-36
	A II b) 4 (aa)	1320 10	46-10
	A II b) 4 (bb)	1320 20	62-54
	B I ex b) 1 aa)	2220 00	0-1000 ⁽¹⁾ per kg
	B I ex b) 1 bb) (11)	2320 10	0-1000 ⁽¹⁾ per kg
	B I ex b) 1 bb) (22)	2320 20	0-2144 ⁽¹⁾ per kg
	B I ex b) 1 bb) (33)	2320 30	0-2966 ⁽¹⁾ per kg
	B I ex b) 1 bb) (44)	2320 40	0-4062 ⁽¹⁾ per kg
	B I ex b) 1 cc) (11)	2420 10	0-4336 ⁽¹⁾ per kg
	B I ex b) 1 cc) (22)	2420 20	0-6254 ⁽¹⁾ per kg
	B I ex b) 2 aa)	2520 00	— ⁽¹⁾ per kg
	B I ex b) 2 bb) (11)	2620 10	— ⁽¹⁾ per kg
	B I ex b) 2 bb) (22)	2620 20	0-2144 ⁽¹⁾ per kg
	B I ex b) 2 bb) (33)	2620 30	0-2966 ⁽¹⁾ per kg
	B I ex b) 2 bb) (44)	2620 40	0-4062 ⁽¹⁾ per kg
	B I ex b) 2 cc) (11)	2720 10	0-4336 ⁽¹⁾ per kg
	B I ex b) 2 cc) (22)	2720 20	0-6254 ⁽¹⁾ per kg

(¹) 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.

(a) Within the call for offers by the "Indian Dairy Corporation" of India at Baroda, where the date for presentation of offers has been fixed at 9. 10. 1973.

REGULATION (EEC) No 2725/73 OF THE COMMISSION
of 5 October 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 Regulation (EEC) No 1707/73⁽²⁾, 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⁽³⁾ and subsequent amending Regulations;

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 8 October 1973.

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

Done at Brussels, 5 October 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 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 193, 14. 7. 1973, p. 26.

ANNEX

to the Commission Regulation of 5 October 1973 fixing the amount of the subsidy on oil seeds

Subsidy applicable from 8 October 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	2.164	0.011
Subsidy in the case of advance fixing :		
— for the month of October 1973	2.164	0.011
— for the month of November 1973	2.364	0.595
— for the month of December 1973	1.360	1.276
— for the month of January 1974	1.560	1.956
— for the month of February 1974	1.760	—
— for the month of March 1974	1.960	—

REGULATION (EEC) No 2726/73 OF THE COMMISSION
of 5 October 1973
determining the world market price 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 No 136/66/EEC⁽¹⁾ of 22 September 1966 on the establishment of a common organization of the markets in oils and fats, as last amended by Regulation (EEC) No 1707/73⁽²⁾;

Having regard to Council Regulation (EEC) No 1569/72⁽³⁾ of 20 July 1972 laying down special measures for colza and rape seed, as last amended by Regulation (EEC) No 1356/73⁽⁴⁾;

Having regard to Commission Regulation (EEC) No 2300/73⁽⁵⁾ of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73, as amended by Regulation (EEC) No 2588/73⁽⁶⁾, and in particular Article 9 (4) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas, pursuant to Article 9 (4) of Regulation (EEC) No 2300/73, the Commission must determine the world market price for colza and rape seed;

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 1898/73⁽⁷⁾ of 13 July 1973 fixing the amount of the subsidy on oil seeds;

Whereas to enable the price system to operate normally, the world market price 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, applying all these provisions, the world market price for colza and rape seed should be fixed as shown in the Table annexed to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

The world market price referred to in Article 9 (4) of Regulation (EEC) No 2300/73 and the rates to be used for converting them into national currencies shall be as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 8 October 1973.

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

Done at Brussels, 5 October 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 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 141, 28. 5. 1973, p. 28.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 268, 25. 9. 1973, p. 10.

⁽⁷⁾ OJ No L 193, 14. 7. 1973, p. 28.

ANNEX

World market price applicable from 8 October 1973 for colza and rape seed (CCT ex 12.01)

	u.a./100 kg ⁽¹⁾
World market price :	19-296
World market price where the subsidy is fixed in advance :	
— for the month of October 1973 :	19-296
— for the month of November 1973 :	19-296
— for the month of December 1973 :	20-500
— for the month of January 1974 :	20-500
— for the month of February 1974 :	20-500
— for the month of March 1974 :	20-500

⁽¹⁾ The conversion rates from units of account into national currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following :

1 u.a. =	DM	3-21978
1 u.a. =	Fl	3-35507
1 u.a. =	Bfr/Lfr	48-6572
1 u.a. =	FF	5-55419
1 u.a. =	Dkr	7-57831
1 u.a. =	£	0-546159
1 u.a. =	Lit	750-644

REGULATION (EEC) No 2727/73 OF THE COMMISSION
of 5 October 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 Regulation (EEC) No 1707/73⁽²⁾;

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

Having regard to Council Regulation No 171/67/EEC⁽⁴⁾ of 27 June 1967 on export refunds and levies on olive oil, as last amended by Regulation (EEC) No 2429/72⁽⁵⁾, 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⁽⁶⁾ 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 8 October 1973.

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

Done at Brussels, 5 October 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 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No 197, 29. 10. 1966, p. 3393/66.

⁽⁴⁾ OJ No 130, 28. 6. 1967, p. 2600/67.

⁽⁵⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁶⁾ 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.s./100 kg
ex 15.07 A I a)	20-640
ex 15.07 A I b)	27-707
ex 15.07 A II	18-595

REGULATION (EEC) No 2728/73 OF THE COMMISSION**of 5 October 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 Acces-
sion 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,
as amended by Regulation (EEC) No 1967/73 ⁽³⁾, and
in particular Article 7 thereof;

Having regard to Council Regulation (EEC) No
243/73 ⁽⁴⁾ 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
2659/73 ⁽⁵⁾, as last amended by Regulation (EEC) No
2713/73 ⁽⁶⁾;

Whereas the application of the rules referred to in
Regulation (EEC) No 2659/73 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 the amended Regulation
(EEC) No 2659/73 are amended as shown in the
Annex to this Regulation.

Article 2

This Regulation shall enter into force on 6 October
1973.

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

Done at Brussels, 5 October 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No L 27, 1. 2. 1973, p. 25.

⁽³⁾ OJ No L 201, 21. 7. 1973, p. 8.

⁽⁴⁾ OJ No L 29, 1. 2. 1973, p. 26.

⁽⁵⁾ OJ No L 273, 29. 9. 1973, p. 73.

⁽⁶⁾ OJ No L 279, 5. 10. 1973, p. 29.

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/n.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 B ⁽¹⁾	—	0-600	0-600

(¹) Pour la distinction entre les produits des n°s 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°s 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.

(¹) 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.

(¹) For the purpose of distinguishing between products falling within headings Nos 11.01 and 11.02 and those falling within subheading 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)

COMMISSION

COMMISSION DECISION

of 11 September 1973

fixing the amount by which the monetary compensatory amounts for beef and veal are to be reduced

(73/299/EEC)

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⁾ ;

Having regard to Commission Regulation (EEC) No 1463/73⁽³⁾ of 30 May 1973, as to the detailed rules for applying the monetary compensatory amounts, as last amended by Regulation (EEC) No 2113/73⁽⁴⁾, and in particular Article 5 (2) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas Commission Regulation (EEC) No 2102/73⁽⁵⁾ of 31 July 1973, as last amended by Regulation (EEC) No 2361/73⁽⁶⁾ fixed the monetary compensatory amounts to be applied from 11 September 1973 ;

Whereas these compensatory amounts have been fixed without taking account of Article 4 (2) of Regulation (EEC) No 974/71 which provides that in trade

among the States and between the States and third countries the compensatory amounts applicable because of a depreciation of the currency concerned cannot exceed the tax on imports from third countries ;

Whereas, in order that this rule may be observed, Article 5 of Regulation (EEC) No 1463/73 has stated that for the application of Article 4a (2) of Regulation (EEC) No 974/71 to beef meat, the Commission shall give notice of the amounts by which the monetary compensatory amounts are to be reduced ;

Whereas the amounts fixed in accordance with this rule are periodically altered when changes in the tax on imports from third countries make this necessary ;

Whereas Council Regulation (EEC) No 1695/73⁽⁷⁾ of 25 June 1973 as amended by Regulation (EEC) No 1824/73⁽⁸⁾ has determined to what extent the monetary compensatory amounts applicable to beef and veal by reason of the depreciation of a currency may be higher than the charge on imports from third countries ;

Whereas, if the system is to operate normally, world market prices should be calculated on the following basis :

— in the case of currencies which are maintained in relation to each other, at any given moment,

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 125, 11. 5. 1973, p. 49.

⁽³⁾ OJ No L 146, 4. 6. 1973, p. 1.

⁽⁴⁾ OJ No L 214, 2. 8. 1973, p. 17.

⁽⁵⁾ OJ No L 213, 1. 8. 1973, p. 1.

⁽⁶⁾ OJ No L 246, 3. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 173, 28. 6. 1973, p. 1.

⁽⁸⁾ OJ No L 185, 7. 7. 1973, p. 1.

within a band of 2.25 %, at 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 pursuant to the second subparagraph of Article 5 (2) of Regulation (EEC) No 1463/73 the amount to be deducted in Ireland and in the United Kingdom is equal to the highest amount on the grounds of the application of Article 4a of Regulation (EEC) No 974/71 for each of these two Member States;

Whereas Commission Regulation (EEC) No 2391/73⁽¹⁾ of 31 August 1973, which entered into force on 3 September 1973, repealed the system provided for by Council Regulation (EEC) No 182/73⁽²⁾ of 23 January 1973, as last amended by Regulation (EEC) No 1969/73⁽³⁾; whereas the transit times provided for by Article 2 of the latter Regulation means that the system provided for in Regulation (EEC) No 182/73 must be applied until 10 September 1973 to beef and veal in trade between Member States and in trade with European third countries;

Whereas, by reason of these transit times, the system provided for by Regulation (EEC) No 182/73 will continue to apply until 16 September 1973 to

products imported from non-European third countries and to the products referred to in Article 11 of Regulation (EEC) No 805/68⁽⁴⁾;

Whereas application of the said criteria results in a fixing of the amounts by which the monetary compensatory amounts are to be adjusted to the level appearing in the Annex hereto,

HAS ADOPTED THIS DECISION:

Article 1

With effect from 11 September 1973 the amounts, by which the monetary compensatory amounts appearing in the Annex to Regulation (EEC) No 2102/73, as last amended by Regulation (EEC) No 2361/73 must be reduced in accordance with Article 5 of Regulation (EEC) No 1463/73, are fixed in the Annex hereto.

Article 2

This Decision is addressed to all Member States.

Done at Brussels, 11 September 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 245, 1. 9. 1973, p. 71.

⁽²⁾ OJ No L 25, 30. 1. 1973, p. 13.

⁽³⁾ OJ No L 201, 21. 7. 1973, p. 12.

⁽⁴⁾ OJ No L 148, 28. 6. 1968, p. 24.

ANNEX

Amounts to be deducted from the monetary compensatory amounts

CCT heading No	Italy (Lit/100 kg)	Ireland (£/100 kg)	United Kingdom (£/100 kg)
— Live weight —			
ex 01.02 A II a) ⁽¹⁾	0	0	0
ex 01.02 A II a) ⁽²⁾	0	3-250	3-250
ex 01.02 A II b) ⁽³⁾	0	0	0
ex 01.02 A II b) ⁽⁴⁾	0	2-817	2-817
— Net weight —			
02.01 A II a) 1 aa) 11	0	3-889	3-889
02.01 A II a) 1 aa) 22	0	2-879	2-879
02.01 A II a) 1 aa) 33	0	4-900	4-900
02.01 A II a) 1 bb) 11	0	4-221	4-221
02.01 A II a) 1 bb) 22	0	3-279	3-279
02.01 A II a) 1 bb) 33	0	5-164	5-164
02.01 A II a) 1 cc) 11	0	7-511	7-511
02.01 A II a) 1 cc) 22	0	4-743	4-743
02.01 A II a) 2 aa)	0	3-699	3-699
02.01 A II a) 2 bb)	0	2-652	2-652
02.01 A II a) 2 cc)	0	4-747	4-747
02.01 A II a) 2 dd) 11	0	5-794	5-794
02.01 A II a) 2 dd) 22 aaa)	0	2-468	2-468
02.01 A II a) 2 dd) 22 bbb)	0	3-396	3-396
02.06 C I a) 1	0	5-615	5-615
02.06 C I a) 2	0	2-574	2-574

⁽¹⁾ Calves for fattening weighing less than 80 kg.

⁽²⁾ Calves other than those referred to in ⁽¹⁾ above. Entry in this subheading is subject to the conditions to be determined by the competent authorities.

⁽³⁾ Young male bovine animals for fattening of a minimum weight of 220 kg and a maximum weight of 300 kg.

⁽⁴⁾ Young male bovine animals other than those referred to in ⁽³⁾ above. Entry in this subheading is subject to the conditions to be determined by the competent authorities.

COMMISSION DECISION

of 14 September 1973

fixing the amount by which the monetary compensatory amounts for beef and veal are to be reduced

(73/300/EEC)

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⁾;

Having regard to Commission Regulation (EEC) No 1463/73⁽³⁾ of 30 May 1973, as to the detailed rules for applying the monetary compensatory amounts, as last amended by Regulation (EEC) No 2113/73⁽⁴⁾, and in particular Article 5 (2) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas Commission Regulation (EEC) No 2102/73⁽⁵⁾ of 31 July 1973, as last amended by Regulation (EEC) No 2499/73⁽⁶⁾ fixed the monetary compensatory amounts to be applied from 17 September 1973;

Whereas these compensatory amounts have been fixed without taking account of Article 4a (2) of Regulation (EEC) No 974/71, which provides that in trade among the States and between the States and third countries the compensatory amounts applicable because of a depreciation of the currency concerned cannot exceed the tax on imports from third countries;

Whereas, in order that this rule may be observed, Article 5 of Regulation (EEC) No 1463/73 has stated that for the application of Article 4a (2) of Regulation (EEC) No 974/71 to beef meat, the Commission shall give notice of the amounts by which the monetary compensatory amounts are to be reduced;

Whereas the amounts fixed in accordance with this rule are periodically altered when changes in the tax on imports from third countries make this necessary;

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 125, 11. 5. 1973, p. 49.

⁽³⁾ OJ No L 146, 4. 6. 1973, p. 1.

⁽⁴⁾ OJ No L 214, 2. 8. 1973, p. 17.

⁽⁵⁾ OJ No L 213, 1. 8. 1973, p. 1.

⁽⁶⁾ OJ No L 260, 17. 9. 1973, p. 20.

Whereas Council Regulation (EEC) No 1695/73⁽⁷⁾ of 25 June 1973, as amended by Regulation (EEC) No 1824/73⁽⁸⁾, has determined to what extent the monetary compensatory amounts applicable to beef and veal by reason of the depreciation of a currency may be higher than the charge on imports from third countries;

Whereas, if the system is to operate normally, world market prices 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 pursuant to the second subparagraph of Article 5 (2) of Regulation (EEC) No 1463/73 the amount to be deducted in Ireland and in the United Kingdom is equal to the highest amount on the grounds of the application of Article 4a of Regulation (EEC) No 974/71 for each of these two Member States;

Whereas application of the said criteria results in a fixing of the amounts by which the monetary compensatory amounts are to be adjusted to the level appearing in the Annex hereto;

HAS ADOPTED THIS DECISION:

Article 1

With effect from 17 September 1973 the amounts by which the monetary compensatory amounts appearing in the Annex to Regulation (EEC) No 2102/73, as last amended by Regulation (EEC) No 2499/73 must be

⁽⁷⁾ OJ No L 173, 28. 6. 1973, p. 1.

⁽⁸⁾ OJ No L 185, 7. 7. 1973, p. 1.

reduced in accordance with Article 5 of Regulation (EEC) No 1463/73, are fixed in the Annex hereto.

Article 2

This Decision is addressed to all Member States.

Done at Brussels, 14 September 1973.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

Amounts to be deducted from the monetary compensatory amounts

CCT heading No	Italia (lit/100 kg)	Ireland (£/100 kg)	United Kingdom (£/100 kg)
— Live weight —			
ex 01.02 A II a) ⁽¹⁾	0	0	0
ex 01.02 A II a) ⁽²⁾	0	4.647	4.647
ex 01.02 A II b) ⁽³⁾	0	0	0
ex 01.02 A II b) ⁽⁴⁾	0	3.981	3.981
— Net Weight —			
02.01 A II a) 1 aa) 11	0	6.044	6.044
02.01 A II a) 1 aa) 22	0	4.536	4.536
02.01 A II a) 1 aa) 33	0	7.551	7.551
02.01 A II a) 1 bb) 11	0	6.410	6.410
02.01 A II a) 1 bb) 22	0	5.030	5.030
02.01 A II a) 1 bb) 33	0	7.789	7.789
02.01 A II a) 1 cc) 11	0	11.447	11.447
02.01 A II a) 1 cc) 22	0	9.244	9.244
02.01 A II a) 2 aa)	0	5.482	5.482
02.01 A II a) 2 bb)	0	4.288	4.288
02.01 A II a) 2 cc)	0	6.976	6.976
02.01 A II a) 2 dd) 11	0	8.468	8.468
02.01 A II a) 2 dd) 22 aaa)	0	4.598	4.598
02.01 A II a) 2 dd) 22 bbb) ⁽⁵⁾	0	4.598	4.598
02.01 A II a) 2 dd) 22 ccc)	0	6.327	6.327
02.06 C I a) 1	0	8.863	8.863
02.06 C I a) 2	0	6.290	6.290

⁽¹⁾ Calves for fattening weighing less than 80 kg.

⁽²⁾ Calves other than those referred to in ⁽¹⁾ above.

Entry in this subheading is subject to the conditions to be determined by the competent authorities.

⁽³⁾ Young male bovine animals for fattening of a minimum weight of 220 kg and a maximum weight of 300 kg.

⁽⁴⁾ Young male bovine animals other than those referred to in ⁽³⁾ above.

Entry in this subheading is subject to the conditions to be determined by the competent authorities.

⁽⁵⁾ Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

COMMISSION DECISION

of 18 September 1973

concerning the annulment of the 25th individual invitation to tender under the standing invitation to tender of butter provided for by Regulation (EEC) No 1519/72

(73/301/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by the Act ⁽²⁾ concerning the conditions of Accession and the Adjustments to the Treaties, and in particular Article 6 (7) thereof;

Having regard to Council Regulation (EEC) No 985/68 ⁽³⁾ of 15 July 1968 laying down general rules for intervention on the market in butter and cream, as last amended by Regulation (EEC) No 2714/72 ⁽⁴⁾, and in particular Article 7a thereof;

Whereas, pursuant to Commission Regulation (EEC) No 1519/72 ⁽⁵⁾ of 14 July 1972 on the sale of butter at a reduced price for the exportation of certain fat compounds, as last amended by Regulation (EEC) No 1992/73 ⁽⁶⁾, the intervention agencies have put up for sale by standing invitation to tender certain quantities of butter which they held;

Whereas, Article 9 of that Regulation provides that for each individual invitation to tender, in the light of the tender received, a minimum selling price must be fixed for each of the uses referred to in Article 19 (2) (a) and (b) of the Regulation or a decision must be taken not to proceed with the invitation to tender; whereas pursuant to Article 10 of that Regulation the

amount of the processing and export security is to be fixed at the same time in the light of the minimum price and the market price for butter;

Whereas, having regard to the situation on the butter market and in the light of the tenders submitted in response to the 25th individual invitation to tender, it is necessary not to proceed with this special invitation to tender;

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

HAS ADOPTED THIS DECISION:

Article 1

The 25th individual invitation to tender under Regulation (EEC) No 1519/72, in respect of which the time limit for submission of tenders expired on 11 September 1973 is annulled.

Article 2

This Decision is addressed to all Member States.

Done at Brussels, 18 September 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 15.

⁽⁵⁾ OJ No L 162, 18. 7. 1972, p. 1.

⁽⁶⁾ OJ No L 204, 25. 7. 1973, p. 12.

COMMISSION DECISION

of 19 September 1973

fixing the maximum amount of the refund for the 5th partial invitation to tender for white sugar issued under Regulation (EEC) No 2141/73

(73/302/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 1009/67/EEC⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1928/73⁽²⁾, and in particular Article 17 (4) thereof;Whereas Commission Regulation (EEC) No 2141/73⁽³⁾ of 3 August 1973 on a standing invitation to tender to determine the export refund for white sugar, as amended by Regulation (EEC) No 2301/73⁽⁴⁾, requires Member States to issue partial invitations to tender for the export of white sugar;Whereas, pursuant to Article 4 (3) of Council Regulation (EEC) No 766/68⁽⁵⁾ of 18 June 1968 laying down general rules for granting export refunds on sugar, as last amended by Regulation (EEC) No 881/73⁽⁶⁾, the maximum amount of the refund is fixed for partial invitations to tender within three working days following the expiry of the time limit for the submission of tenders;

Whereas, when the maximum amount of the refund is being calculated, account must be taken of the supply situation and prices within the Community, prices and potential outlets on the world market and costs incurred in exporting sugar;

Whereas, following an examination of the tenders submitted in response to the 5th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount of the export refund for the 5th partial invitation to tender for white sugar issued under Regulation (EEC) No 2141/73 is hereby fixed at 5.219 units of account per 100 kilogrammes.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 September 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission⁽¹⁾ OJ No 308, 28. 12. 1967, p. 1.⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.⁽³⁾ OJ No L 216, 4. 8. 1973, p. 12.⁽⁴⁾ OJ No L 236, 24. 8. 1973, p. 33.⁽⁵⁾ OJ No L 143, 25. 6. 1968, p. 6.⁽⁶⁾ OJ No L 86, 31. 3. 1973, p. 30.

PUBLIC WORKS CONTRACTS

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

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

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

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

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 despatch of the notice (Article 17a):

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

Open procedure

1. Federal German Land of Berlin, represented by the Bezirksamt Tiergarten von Berlin, Abteilung Bauwesen, Hochbauamt, 1 Berlin 21, Turmstraße 35.
2. Public invitation to tender pursuant to the regulations governing construction work contracts, Part A (VOB/A).
 3. a) 1 Berlin 21, Rathenower Straße.
b) Construction of a youth centre consisting of: A youth recreation centre (4 storeys including cellar with approx. 9 650 m³ capacity); A hostel for children and young people (9 (and partly 3) storeys including cellar with approx. 30 500 m³ capacity); A nursery (3 storeys including cellar with approx. 11 050 m³ capacity); An embankment with retaining walls and 4 pedestrian bridges and various outside installations. Construction: Earthworks, masonry, concrete and reinforced concrete work, joinery, steel construction work, dampproofing, cleaning, floor-laying.
Walls: Mainly brickwork, partly reinforced concrete, Ceilings: Solid reinforced concrete, Outer shell: Mainly stone-faced, partly exposed concrete.
c)
d)
4. Starting date: 1 March 1974.
Completion of carcass work: 30 April 1975.
5. a) Bezirksamt Tiergarten von Berlin, Abteilung Bauwesen — Submissionstelle — Bau III/11 — 1 Berlin 21, Turmstraße 35.
b) Orders up to 26 October 1973.
c) DM 30, payable to the Postal cheque account of the Bezirkskasse Tiergarten, 1 Berlin 21, Account No 5620, and marked 'Abschn. 4200, HSt. 119 79'.
6. a) 6 December 1973.
b) as 5 a).
c) German.
7. a) Tenderers and their authorized representatives.
b) 7 December 1973 at 10 a.m. in Room No 338, 3rd storey of the Rathaus Tiergarten, 1 Berlin 21, Turmstraße 35.
8. A guarantee of 5 % of the contract price is required for the execution of the work according to contract. 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 Part B (VOB/B).
- 10.
11. Details of the bidder's turnover and number of employees in the last three business years, and of his technical equipment and trade register entry.
12. 10 weeks.
13. In accordance with § 25 VOB/A the contract will be awarded to the tender which, taking into consideration all technical and economic aspects, appears the most acceptable.
14. Information is obtainable from the address given under 5 a).
Technical details from (030) 3905 636.
15. 26 September 1973.

Open procedure

1. Staatshochbauamt für die Universität Dortmund, D-46 DO-Hombruch, Postfach 140.

2. Public invitation to tender pursuant to the regulations governing construction work contracts, Part A (VOB/A).

3. a) D-46 Dortmund.

b) Tender No 508 — suspended ceilings, partition walls and doors and door fittings for the new buildings in the Chemistry, Physics and Mathematics Departments of the University of Dortmund.

Lot 1 (Chemistry)

(1) Approx. 24 000 m² suspended ceilings for laboratories, offices and corridors.

Lot 2 (Chemistry)

(1) Approx. 18 000 m² light-weight partition walls for laboratories, offices and corridors with

(2) Approx. 688 interior doors and fittings (steel trims and wooden leaves).

Lot 3 (Chemistry)

(1) Approx. 300 m² workshop walls (steel post and beam system)

(2) Approx. 8 with interior doors and fittings (steel doors).

Lot 4 (Physics)

(1) Approx. 13 900 m² suspended ceilings for laboratories, offices and corridors, including load-bearing ceilings.

Lot 5 (Physics)

(1) Approx. 10 500 m² light-weight partition walls for laboratories, offices and corridors with

(2) Approx. 30 interior doors and fittings (steel trims and wooden leaves).

Lot 6 (Mathematics)

(1) Approx. 10 608 m² suspended ceilings for corridors and offices.

Lot 7 (Mathematics)

(1) Approx. 11 853 m² light-weight partition walls for corridors and offices, with

(2) Approx. 415 interior doors (steel trims and wooden leaves).

c) Tenders must be submitted for lots 1 and 2 together and 4 and 5 together. All other lots may be tendered for individually, or all 7 lots together. The Authority reserves the right to award lots individually.

d)

4. Work is to begin :

Chemistry : March 1974, Physics : September 1974, Mathematics : March 1974.

5. a) As in 1.

b) Up to 16 October 1973 (date of postmark).

c) Fees to cover document costs :

Lots 1 and 2	DM 90	} DM 270
Lot 3	DM 10	
Lots 4 and 5	DM 100	
Lot 6	DM 30	
Lot 7	DM 40	

Tender documents must be ordered in writing from the Staatshochbauamt für die Universität Dortmund, 46 Dortmund-Hombruch, Postfach 140. A receipt showing payment of the document fee must be enclosed, together with other information required. The document fee must be paid to the Universitätskasse Bochum, Account No 655, Stadtparkasse Bochum, endorsed : 'Universität Dortmund, Ausschreibungs-Nr. 508, Los ...' Payment in cash, by non-negotiable cheque or to another account will not be accepted. The fee for the contract documents will not be reimbursed. Documents will be sent only to applicants who can show evidence that they have already completed work similar to that being put out to tender, and have the necessary skilled employees. Late submissions, those containing no proof of payment or other necessary documents (list of works completed, details of skilled employees) cannot be considered. See also under 11.

6. a) 10 a.m. on 20 November 1973.

b) As in 1.

c) German.

7. a) Tenderers or their authorized representatives.

b) 11 a.m. on 20 November 1973, at the Staatshochbauamt für die Universität Dortmund, 46 DO-Eichlingshofen, Wilhelm-Dilthey-Straße 12.

8. None.

9. Instalments and final payments pursuant to the regulations governing construction work contracts, Part B (VOB/B).

10.

11. a) Applicant's turnover in the last three full business years in construction work and other projects comparable to that put to tender, including work done as part of a consortium or in conjunction with other tenderers.

b) Yearly average number of workers employed in the past three completed financial years, by trades and skills where applicable.

c) Entry in the trade register at the locality of the applicant's head office or domicile.

12. 28 February 1974.

13. The contract will be awarded in accordance with the regulations governing construction work contracts — Part A — (VOB/A).

14.

15. 26 September 1973.

Restricted procedure

1. North West Metropolitan Regional Hospital Board, 40 Eastbourne Terrace, London W2 3QR, England.

2. Restricted tendering procedure.

3. a) The site of the scheme is located at : Watford General Hospital, Shrodells Wing, Vicarage Road, Watford, Hertfordshire, England.

b) The scheme is comprised of three buildings, a ward block, kitchen/dining room and a boiler house and workshop block, to be constructed at an estimated cost of £ 5 000 000. The ward block is six storeys high, approximately 75 m × 75 m with two internal courtyards 18 m × 18 m, one commencing at the level of the second storey and the other at the third storey. The accommodation is made up of seven ward areas to provide 360 bed spaces. Ancillary departments consist of accident and emergency, X-ray, physiotherapy, operating theatres and theatre sterile supply unit. The kitchen/dining room block is two storeys high and is linked to the ward block by a service tunnel approximately 75 m long. The boiler house and workshop block is three storeys high and houses steam raising plant, standby generator, refuse disposal incinerator and workshops for the maintenance of the hospital building equipment.

The main structure of the ward block and kitchen/dining room is *in situ* reinforced concrete floors and columns supported on mass concrete column bases. Internal partitions are plastered concrete blockwork ; floor finishes range from polyvinyl chloride (PVC) to carpet. The suspended ceiling system extends throughout the building and the mechanical and electrical sources are located above. The external skin is formed by cavity brick construction panels with storey height timber framed windows ; the roof plant rooms are clad with plastic coated steel panels on a steel frame. The boiler house and workshop block is steel framed on piled foundations ; the suspended

floors are formed with precast reinforced concrete units. The lowest storey is completely below the adjoining road level which will be retained by a bored pile retaining structure. External walls are of cavity brick construction ; windows are galvanized steel.

c)

d)

4. 48 months. The starting and completion dates of the various buildings will be phased within this period.

5. Standard Form of Building Contract Local Authorities Edition with Quantities 1963 Edition (July 1973 Revision), Issued by the Joint Contracts Tribunal.

a) 1 November 1973.

b) North West Metropolitan Regional Hospital Board, 40 Eastbourne Terrace, London W2 3QR, England.

c) English.

7. 21 January 1974.

8. a) Appropriate statement from bankers.

b) Presentation of the firm's balance sheet or extracts from the balance sheet ; where publication of the balance sheet is required, under company law in the country in which the contractor is established.

c) A statement of the firm's overall turnover and the turnover on construction works for three previous years.

9. Evidence is required to substantiate that a firm has the capacity to execute a scheme of this size, i.e. the firm has previously completed comparable projects.

10.

11. 26 September 1973.

Restricted procedure

1. Northern Ireland Housing Executive, 1 College Square East, Belfast BT1 6BQ, Northern Ireland.
Edition (July 1973 revision) as amended by the Northern Ireland Housing Executive will apply.
 2. Lowest acceptable offer in competition among selected contractors.
 3. a) An area of 5.42 hectares at Glenmanus Road, Portrush, County Antrim, Northern Ireland.
b) The erection (by traditional methods) of 144 dwellings comprising 68 five- and seven-person two-storey terrace houses, 36 two- and three-person two-storey flats, 24 two- and three-person two-storey old people's flats and 16 two-person single-storey old people's bungalows together with external works and site development works.
c) The Contract is not subdivided into lots; the overall estimated cost of the contract falls within the cost range of £ 500 000 to £ 1 000 000.
d)
 4. 22 months from date of possession of site.
 5. Joint Contracts Tribunal Standard Form of Building Contract Local Authorities Edition with Quantities 1963
 6. a) 18 October 1973.
b) Northern Ireland Housing Executive, 1 College Square East, Belfast, BT1 6BQ, Northern Ireland.
c) English.
 7. 25 October 1973.
 8. Contractors must produce proof of the following :
 - a) Financial and economic standing as set out in Article 25 (a), (b) and (c).
 - b) Technical knowledge and ability as set out in Article 26 (a), (b), (c), (d) and (e).
 - 9.
 - 10.
 11. 26 September 1973.
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Restricted procedure

1. The Department of the Environment, Midland Road Construction Unit, Brandon House, 52/54 Holly Walk, Leamington Spa, Warwickshire, England.
2. Lowest acceptable offer in competition among selected tenderers or special award criteria as applied to alternative offers received from selected tenderers.
3. a) Between Burbage and Enderby, south-west of Leicester, Leicestershire, England.
b) Coventry - Leicester Motorway M69 — Leicester Section. The construction of approximately 13 km of dual 3 lane motorway in either flexible or rigid pavement including 2 grade-separated interchanges; the construction of 22 reinforced and prestressed concrete bridges, the excavation of approximately 1 million m³ of material, the emplacement of 1 million m³ of material for embankments, and the installation of motorway communication cables.
The estimated cost of the whole works is approximately £ 9 million.
c)
d)
4. 21 months from the date of the commencement of the works as notified by the Engineer to the contract.
5. In the event of a group of contractors submitting an acceptable offer it will be necessary for each member of the group to sign an undertaking that each company or firm will be jointly or severally responsible for the due performance of the contract.
6. a) 18 October 1973.
b) The Department of the Environment, Con (h) 4, Room S3/02, 2 Marsham Street, London SW1P 3EB, England.
c) English.
7. Approximately mid-December 1973, subject to the completion of the relevant statutory procedures.
8. — Proof of inscription of the company on a professional register or the Companies Register in the United Kingdom or Ireland.
— Balance sheets/accounts for the past three years including a statement of turnover on construction work and proportion of turnover on civil engineering work.
— A statement of the technical qualifications of the managerial and supervisory staff who would be responsible for executing the work, and any previous experience of UK construction practice.
— A list of jobs over 1 million units of account carried out during the past five years, the value and site of each job and the authority for whom executed.
— Details of plant and machinery available for executing the work.
— Whether the contractor proposes to use his own labour force or to rely on locally recruited labour.
- 9.
10. The contract will be based on the Institution of Civil Engineers Conditions of Contract for use in connection with Works of Civil Engineering Construction (Fifth Edition) as modified by the Department of the Environment for use in highway works contracts, the Specification for Road and Bridge Works, Drawings and Bill of Quantities. Price fluctuations on labour and materials will not be permitted. Interim payments will be made monthly on the basis of the valuation of works executed and materials delivered to the site.
11. 27 September 1973.

Restricted procedure

1. The Department of the Environment, Midland Road Construction Unit, Brandon House, 52/54 Holly Walk, Leamington Spa, Warwickshire, England.
 2. Lowest acceptable offer in competition among selected tenderers or special award criteria as applied to alternative offers received from selected tenderers.
 3. a) Between Ansty and Burbage north-east of Coventry in Warwickshire, England.
b) Coventry-Leicester Motorway M69 — Coventry Section. The construction of approximately 11 km of dual 3 lane motorway in either flexible or rigid pavement including two grade separated interchanges; the construction of 19 reinforced and pre-stressed concrete bridges; the excavation of approximately 1.5 million m³ of material of which approximately 1 million m³ are to be placed in embankments, and the installation of motorway communications cables.
The estimated cost of the whole works is approximately £9 million.
c)
d)
 4. 21 months from the date of commencement of the works as notified by the Engineer to the contract.
 5. In the event of a group of contractors submitting an acceptable offer it will be necessary for each member of the group to sign an undertaking that each company or firm will be jointly or severally responsible for the due performance of the contract.
 6. a) 18 October-1973.
b) The Department of the Environment, Con (H) 4, Room S3/02, 2 Marsham Street, London SW1P 3EB, England.
c) English.
 7. Approximately mid-December 1973, subject to the completion of the relevant statutory procedures.
 8. — Proof of inscription of the company on a professional register or the Companies Register in the United Kingdom or Ireland.
— Balance sheets/accounts for the past three years including a statement of turnover on construction work and proportion of turnover on civil engineering work.
— A statement of the technical qualifications of the managerial and supervisory staff who would be responsible for executing the work, and any previous experience of UK construction practice.
— A list of jobs over 1 million units of account carried out during the past five years, the value and site of each job and the authority for whom executed.
— Details of plant and machinery available for executing the work.
— Whether the contractor proposes to use his own labour force or to rely on locally recruited labour.
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 10. The contract will be based on the Institution of Civil Engineers Conditions of Contract for use in connection with Works of Civil Engineering Construction (Fifth Edition) as modified by the Department of the Environment for use in highway works contracts, the Specification for Road and Bridge Works, Drawings and Bill of Quantities. Price fluctuations on labour and materials will not be permitted. Interim payments will be made monthly on the basis of the valuation of work executed and materials delivered to the site.
 11. 27 September 1973.
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CORRIGENDA

Corrigendum to public works contracts — Restricted procedure

The County Borough of Sunderland.

(Official Journal of the European Communities No L 269, 26 September 1973)

Page 30 :

Cancellation

The County Borough of Sunderland hereby gives notice that the restricted tendering procedure for the erection of 102 dwellings in St. Luke's Road, has been cancelled.

INVITATION TO TENDER

The Republic of Upper Volta invites tenders for the supply 4 926 tons of fertilizer and 245 700 litres of various insecticides divided into ten indivisible lots.

Tenders must be received no later than 12 noon on 27 October at

'COMPAGNIE FRANÇAISE POUR LE
DÉVELOPPEMENT DES FIBRES TEXTILES (D.F.D.T.),
B.P. 147,
BOBO DIOULASSO',
UPPER VOLTA

Additional information may be obtained from C.F.D.T., Upper Volta (above address), or from the Embassies of the Republic of Upper Volta.