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I *Acts whose publication is obligatory*

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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 3274/73 OF THE COMMISSION**of 5 December 1973****fixing the import 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 December 1973.

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

Done at Brussels, 5 December 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 December 1973 fixing the import 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	12.62 ⁽⁵⁾
10.03	Barley	1.56
10.04	Oats	0
10.05 B	Maize other than hybrid maize for sowing	0 ⁽²⁾⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	2.73
10.07 C	Grain sorghum	0
10.07 D	Canary seed ; other cereals	0 ⁽⁴⁾
11.01 A	Wheat or meslin flour	0
11.01 B	Rye flour	36.40
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 3275/73 OF THE COMMISSION

of 5 December 1973

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 120/67/EEC ⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (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 Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 6 December 1973.

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

Done at Brussels, 5 December 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 December 1973 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour ⁽¹⁾

(u.a./ton)

CCT heading No	Description of goods	Current 12	1st period 1	2nd period 2	3rd period 3
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	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 in accordance with Regulation (EEC) No 2196/71 (OJ No L 231, 14. 10. 1971, p. 28), as last amended by Regulation (EEC) No 3148/73 (OJ No L 321, 22. 11. 1973, p. 13).

B. Malt

(u.a./100 kg)

ECT heading No	Description of goods	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
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 3276/73 OF THE COMMISSION
of 5 December 1973
altering the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (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 3221/73⁽³⁾ and subsequent amending Regulations;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 December 1973.

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

Done at Brussels, 5 December 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 330, 30. 11. 1973, p. 5.

ANNEX

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

(u.a./ton)

CCT heading No	Description of goods	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5	6th period 6
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 3277/73 OF THE COMMISSION

of 5 December 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 December 1973.

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

Done at Brussels, 5 December 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	2.24 2.68 ⁽¹⁾ 2.24 2.68 ⁽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 3278/73 OF THE COMMISSION

of 5 December 1973

fixing the import levy on molasses

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 levy on molasses was fixed by Regulation (EEC) No 1739/73 and subsequent amending Regulations⁽³⁾;

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 1739/73 to the information at present available to the Commission that the levy at present in force should be altered as shown in the Annex to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 (1) of Regulation No 1009/67/EEC is, in respect of molasses, hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 6 December 1973.

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

Done at Brussels, 5 December 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. 32.

ANNEX

(u.a./100 kg)		
CCT heading No	Description of goods	Levy
17.03	Molasses, whether or not decolourized	0

REGULATION (EEC) No 3279/73 OF THE COMMISSION
of 5 December 1973

fixing the refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation 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 the first sentence of the last subparagraph of Article 17 (2) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas Article 17 of Regulation No 1009/67/EEC provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund ;

Whereas Council Regulation (EEC) No 766/68⁽³⁾ of 18 June 1968 laying down general rules for granting export refunds on sugar, as last amended by Regulation (EEC) No 881/73⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation ; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account ;

Whereas the refund on raw sugar must be fixed in respect of the standard quality ; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68⁽⁵⁾ of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ;

Whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68 ; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70⁽⁶⁾ of 2 March 1970 on detailed rules for granting export refunds on sugar ;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination ;

Whereas, in special cases, the amount of the refund may be fixed by other legal means ;

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

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

Whereas the refund must be fixed every two weeks ; whereas it may be altered in the intervening period ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The refunds on the products listed in Article 1 (1) (a) of Regulation No 1009/67/EEC, undenatured and exported in the natural state, are hereby fixed at the amounts shown in the Annex.

Article 2

This Regulation shall enter into force on 6 December 1973.

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 86, 31. 3. 1973, p. 30.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

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

Done at Brussels, 5 December 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 5 December 1973 fixing the refunds on white sugar and raw sugar exported in the natural state

(u.a./100 kg)

CCT heading No	Description of goods	Refund
17.01	Beet sugar and cane sugar, solid : B. Undenatured : I. White sugar	—
	II. Raw sugar : (a) Candy sugar	0 ⁽¹⁾
	(b) Other raw sugar	—

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

REGULATION (EEC) No 3280/73 OF THE COMMISSION**of 4 December 1973****establishing a system for the advance fixing of accession compensatory amounts and laying down detailed rules for its application in respect of cereal and rice products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

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

Having regard to Council Regulation (EEC) No 229/73⁽²⁾ of 31 January 1973 laying down general rules for the 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 6 (2) thereof;

Having regard to Council Regulation (EEC) No 243/73⁽⁴⁾ of 31 January 1973 laying down general rules for the system of compensatory amounts for rice and fixing these amounts for certain products, and in particular Article 4 (2) thereof;

Whereas Article 6 (2) of Regulation (EEC) No 229/73 and Article 4 (2) of Regulation (EEC) No 243/73 make provision for the introduction of arrangements for the advance fixing of the compensatory amount should the need arise;

Whereas to ensure in uniform conditions of competition for traders, a system for the advance fixing of compensatory amounts should be introduced for products for which the import levy is fixed in advance;

Whereas arrangements already exist for fixing the levy or refund in advance in trade with third countries; whereas for administrative reasons, the 'accession' compensatory amount should as far as possible be fixed according to the same rules, in particular those laid down in Commission Regulation (EEC) No 1373/70⁽⁵⁾ of 10 July 1970 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products subject to a common

price system, as last amended by Regulation (EEC) No 1796/73⁽⁶⁾;

Whereas, as far as the new Member States are concerned, a move towards alignment on the common prices is to be made at the beginning of each marketing year; whereas this price alignment means that compensatory amounts are fixed at a lower level each year; whereas, to ensure that compensatory amounts are not fixed in advance for purely speculative purposes, the rate fixed in advance should not exceed the rate fixed for the new marketing year where the period of validity of the certificate covers two marketing years;

Whereas the rate of compensatory amount applicable in trade between Member States varies with the product concerned; whereas for administrative reasons it should be specified that the advance fixing certificate is valid only in the Member State of issue and only for a specific origin;

Whereas if transactions between Member States and transactions between Member States and third countries are to be placed on an equal footing, the period of validity of advance fixing certificates used in trade between Member States should be identical to that of the import licence applicable to the relevant product in trade with third countries;

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

HAS ADOPTED THIS REGULATION:

Article 1

The compensatory amounts introduced by Article 55 of the Act of Accession or, where appropriate, the amounts applicable by way of a compensatory amount in pursuance of Article 56 of the said Act (hereinafter called 'Accession' compensatory amounts), shall be fixed in advance for the products listed in the Annex under the conditions laid down in this Regulation.

⁽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 158, 20. 7. 1970, p. 1.

⁽⁶⁾ OJ No L 183, 5. 7. 1973, p. 1.

SECTION I

Trade between the new Member States and third countries*Article 2*

1. Where the import levy or the export refund is fixed in advance, the accession compensatory amount in force on the day on which the application for the import or export licence is lodged shall be applicable.
2. Where the period of validity of the licence covers two marketing years, the 'accession' compensatory amount fixed in advance applicable if the licence is used in the new marketing year may not exceed the 'accession' compensatory amount fixed for the new marketing year.

SECTION II

Trade between the Member States of the Community as originally constituted and the new Member States and trade between the new Member States*Article 3*

For the purposes of this Section, with the exception of Article 8 (3), (4), (5) and (6) the Member States of the Community as originally constituted shall be treated as a single Member State.

Article 4

1. The 'accession' compensatory amount in force on the day on which the application for the certificate referred to in Article 5 is lodged shall, provided the person concerned so requests when applying for the certificate, be applied to a transaction to be effected during the period of validity of that certificate.
2. Where the period of validity of the certificate covers two marketing years, the 'accession' compensatory amount fixed in advance applicable if the licence is used in the new marketing year may not exceed the 'accession' compensatory amount fixed for this new marketing year.

Article 5

1. All transactions in products to which the system for the advance fixing of 'accession' compensatory amount applies shall be subject to the production of an advance fixing certificate which shall be issued by the Member States to any applicant irrespective of the place of his establishment within the Community.
2. The advance fixing certificate shall be valid in the Member State of issue only.

3. Section 13 of the application for an advance fixing certificate applicable to imports, and of the certificate itself, shall specify the exporting Member State. The certificate shall make it obligatory to import from that Member State.

4. The advance fixing certificate shall require either the importation or the exportation, under the certificate, of the specified net quantity of product during the period of validity of the certificate.

5. Where the quantity imported or exported is not more than 7 % lower than the quantity specified on the certificate the obligation to import or export shall be considered to have been fulfilled.

6. The advance fixing certificate shall be valid from its date of issue within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70 for a period which is identical to the period of validity of the import licence applicable to the product in question in trade with third countries.

7. The amount of the security for the advance fixing certificate shall be 3 units of account per metric ton.

Article 6

The provisions of Regulation (EEC) No 1373/70, with the exception of Articles

- 1,
- 2 (1), (2), (3) and (5),
- 4,
- 8 (2),
- 12 a,
- 15 (1), (2), (3) and (5),
- 16,
- 17,

shall apply to the advance fixing certificate.

Article 7

Advance fixing certificates shall be drawn up at least in duplicate, the first copy of which, called 'Titular Holder's Copy', and marked 'No 1', shall be issued without delay to the applicant and the second, called 'Issuing Agency's Copy', and marked 'No 2' shall be retained by the issuing agency.

Copy No 1 of the certificate shall be submitted to the office responsible for completing :

- (a) in the case of an advance fixing certificate applicable to imports, import customs formalities ;
- (b) in the case of an advance fixing certificate applicable to exports, export customs formalities.

After attribution of the quantity and endorsement by the office referred to in the preceding paragraph, Copy No 1 of the advance fixing certificate shall be returned to the party concerned.

Article 8

1. As regards the period of validity of advance fixing certificates :

- (a) the obligation to import shall be considered to have been fulfilled and the right to import pursuant to the certificate shall be considered to have been exercised on the day when the import customs formalities relating to the product concerned are completed ;
- (b) the obligation to export shall be considered to have been fulfilled and the right to export pursuant to the certificate shall be considered to have been exercised on the day when the export customs formalities relating to the product are completed ;

2. Release of the security shall be subject to production of proof :

- (a) as regards imports, of completion of the import customs formalities relating to the product concerned ;
- (b) as regards exports, of completion of the export customs formalities relating to the product concerned and proof that that product has left the geographical territory of the Member State in which these formalities were completed.

3. The proof required under paragraph 2 shall be furnished as follows :

- (a) in cases referred to in paragraph 2 (a) of this Article proof shall be furnished by production of Copy No 1 of the advance fixing certificate and, where appropriate, of Copy No 1 of the extract or extracts of advance fixing certificates endorsed in accordance with the provisions of Article 7 ;
- (b) in cases referred to in paragraph 2 (b) of this Article proof shall be furnished — by production of Copy No 1 of the advance fixing certificate and, where appropriate, of Copy No 1 of the extract or extracts of advance fixing certificates endorsed in accordance with the provisions of Article 7 — by production of additional proof and such proof shall be left to the choice of the authority which issues the advance fixing certificate where the issue of the certificate, the completion of export formalities and departure from the geographical territory in which the certificate of advance fixing may be used take place within the same Member State. In other cases, a copy or a photocopy, certi-

fied by the competent authority, of the control copy or copies provided for in Article 1 of Regulation (EEC) No 2315/69 ⁽¹⁾, as amended by Regulation (EEC) No 690/73 ⁽²⁾, and endorsed as indicated in Article 6 of Regulation (EEC) No 269/73 ⁽³⁾, amended by Regulation (EEC) No 1466/73 ⁽⁴⁾, shall be returned or sent to the party concerned without delay for production to the agency issuing the advance fixing certificate.

Where the issue of the advance fixing certificate and completion of the export customs formalities both take place within the same Member States that Member State may provide that the copy or photocopy shall be submitted to the agency issuing the advance fixing certificate through official channels.

4. The security shall be released as soon as the proof referred to in paragraphs 2 and 3 has been furnished.

5. Subject to the application of Article 18 of Regulation (EEC) No 1373/70, where the obligation to import or export has not been fulfilled the security shall be forfeit for an amount equal to the difference between :

- (a) 93 % of the net quantity indicated in the advance fixing certificate ; and
- (b) the net quantity actually imported or exported.

However, if the net quantity imported or exported amounts to less than 7 % of the net quantity indicated in the advance fixing certificate, the whole of the security shall be forfeit. Moreover, if for any one certificate the amount to be forfeit is less than 2 units of account, the Member State may release the entire security.

6. On application by the titular holder of the document, Member States may release part of the security in proportion to the quantities of products for which the proof referred to in paragraphs 2 and 3 of this Article has been furnished, provided it is shown that a quantity equal to at least 7 % of the net quantity indicated in the advance fixing certificate has been imported or exported.

Article 9

1. One of the following endorsements shall be typewritten or underlined in red in Section 12 of the advance fixing certificate :

'certificates valid for the application of 'accession' compensatory amounts in trade between Member States',

'attester til brug ved anvendelsen af tiltræ delsesudligningsbeløb i samhandelen mellem medlemsstater'

'Vorausfestsetzungsbescheinigungen gültig für die Anwendung der Beitrittsausgleichsbeträge im Handel zwischen Mitgliedstaaten'

⁽¹⁾ OJ No L 295, 24. 11. 1969, p. 14.

⁽²⁾ OJ No L 66, 13. 3. 1973, p. 23.

⁽³⁾ OJ No L 30, 1. 2. 1973, p. 73.

⁽⁴⁾ OJ No L 146, 4. 6. 1973, p. 13.

'certificats valables pour l'application des montants compensatoires adhésion dans les échanges entre États membres'

'certificati validi per l'applicazione degli importi compensativi adesione negli scambi tra gli Stati membri'

'certificaten geldig voor de toepassing van de compenserende bedragen toetreding in het handelsverkeer tussen Lid-Staten'.

2. In Section 17 of the advance fixing certificate the word 'levy' or 'refund', as the case may be, shall be deleted and replaced by the words "accession' compensatory amount'.

3. In Section 19 of the advance fixing certificate applicable to imports, the rate of 'accession' compensatory amount applicable shall be entered for each month concerned. Moreover, if the rate of 'accession' compensatory amount applicable in the new marketing year is not known at the time of advance fixing, one of the following endorsements shall appear in Section 20, preceded by an asterisk corresponding to the rate or rates shown in Section 19:

'amount limited to the 'accession' compensatory amount applicable in the new marketing year.'

'dette beløb må ikke overstige det tiltrædelsesudligningsbeløb, som skal anvendes for det nye afsætningsår'

'Betrag begrenzt auf den im neuen Wirtschaftsjahr geltenden Beitrittsausgleichsbetrag'

'montant limité au montant compensatoire adhésion applicable pour la nouvelle campagne'

'importo limitato all'importo compensativo adesione applicabile per la nuova campagna'

'bedrag beperkt tot het compenserend bedrag toetreding van toepassing voor het nieuwe verkoopseizoen'.

Where the advance fixing certificate or extract therefrom is used for an import into Germany or Italy, the competent authorities in those Member States may require that it specify the adjusted rate or rates of 'accession' compensatory amount. In this event the rate or rates shall, at the request of the titular holder or transferee, be inserted in Section 19 by the agency which issued the advance fixing certificate as soon as the rate of 'accession' compensatory amount applicable in the new marketing year is known. The agency shall date and stamp the certificate.

Article 10

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

Article 2 (1) shall apply only to certificates whose date of issue within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70 is later than the date of entry into force of this Regulation.

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

Done at Brussels, 4 December 1973.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

I. Basic products — cereals

CCT heading No	Description of goods
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 A	Buckwheat
10.07 B	Millet
10.07 C	Grain sorghum
11.01 A	Wheat or meslin flour

II. Basic products — rice

CCT heading No	Description of goods
10.06	Rice : A. Paddy rice ; husked rice : I. Paddy rice : a) Round grained b) Long grained II. Husked rice : a) Round grained b) Long grained B. Semi-milled or wholly milled rice : I. Semi-milled rice : a) Round grained b) Long grained II. Wholly milled rice : a) Round grained b) Long grained C. Broken rice

III. Products processed from cereals and rice

CCT heading No	Nomenclature in simplified wording
07.06 A	Manioc, arrowroot, salep and other similar roots and tubers with high starch content, excluding sweet potatoes
11.06 A	Denatured flours and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06, for the manufacture of starches
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour
11.07 A I b)	Unroasted malt, obtained from wheat other than in the form of flour
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour
11.07 A II b)	Unroasted malt, other than that obtained from wheat, in the form of flour
11.07 B	Roasted malt
23.02 A I a)	Brans, sharps, and other residues derived from the sifting, milling or working of maize or rice, with a starch content not exceeding 35 % by weight
23.02 A I b) 1	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, with a starch content exceeding 35 % but not exceeding 45 % by weight, and having undergone a denaturing process
23.02 A I b) 2	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, with a starch content exceeding 35 % but not exceeding 45 % by weight, not having undergone a denaturing process, or with a starch content exceeding 45 % by weight
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, of which the starch content does not exceed 28 % by weight, and of which the percentage which passes through a sieve with an aperture of 0.2 mm does not exceed 10 % by weight or of which the sieved product has an ash content, calculated on the dry product, of 1.5 % or more by weight
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not falling within subheading No 23.02 A II a)

REGULATION (EEC) No 3281/73 OF THE COMMISSION
of 5 December 1973
on an invitation to tender for the export levy for common wheat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

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

Having regard to Council Regulation (EEC) No 1968/73⁽³⁾ of 19 July 1973, laying down general rules to be applied in the event of the cereals market being disturbed, as amended by Regulation (EEC) No 2632/73⁽⁴⁾, and in particular Article 4 (2) thereof;

Whereas, having taken into account the current situation on the cereals market, an invitation should be issued, for common wheat, to tender for the export levy provided for in Article 2 (1), first indent, of Regulation (EEC) No 1968/73;

Whereas the detailed rules relating to the tendering procedure to fix the export levy are contained in Commission Regulation (EEC) No 3130/73⁽⁵⁾, of 16 November 1973, establishing the conditions for the application of the system of tendering for export levies for cereals;

Whereas the objective of the tendering procedure can only be attained if the successful tenderers fulfil all the commitments entered into at the moment of lodging his tender; whereas among these commitments is the obligation to lodge an application for an export licence; whereas the security for tender exacted when the tender is lodged can ensure that this obligation is respected; whereas in default this security shall not be released if such an application has not been made;

Whereas, in order to ensure equal treatment to all interested parties, it is necessary to provide that the effective period of validity of licences issued under the tendering procedure to successful tenderers will be identical;

Whereas the smooth working of a procedure for tendering for export levies must be ensured; whereas

to this end it is appropriate to prescribe a minimum quantity as well as the period during which tenders can be lodged and the form of the communication of tenders lodged with the competent authorities;

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. An invitation to tender shall be issued for the export levy provided for in Article 2 (1), first indent, of Council Regulation (EEC) No 1968/73.
2. The invitation shall relate to common wheat.
3. The invitation is open until 1 March 1974. During this period weekly invitations shall be issued for which the time limits for lodging of offers shall be laid down in the notice of the tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 250 metric tons.

Article 3

When the commitment mentioned in Article 2 (3) (b) of Regulation (EEC) No 3130/73 is not respected the export licence shall not be issued and, in consequence, the security exacted under the provisions of Article 3 of that Regulation shall be forfeit.

Article 4

By way of derogation from the provisions of Article 8 (1) of Regulation (EEC) No 1373/70⁽⁶⁾, the export licences issued under Article 8 (1) of Regulation (EEC) No 3130/73 shall be considered for the purpose of determining their period of validity, as if they had been issued on the day on which the tender was lodged.

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

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 201, 21. 7. 1973, p. 10.

⁽⁴⁾ OJ No L 272, 29. 9. 1973, p. 18.

⁽⁵⁾ OJ No L 319, 20. 11. 1973, p. 10.

⁽⁶⁾ OJ No L 158, 20. 7. 1970, p. 1.

Article 5

1. When the obligation to export has not been fulfilled, the security mentioned in Article 3 (1) of Regulation (EEC) No 3130/73 shall be forfeit in respect of a quantity equal to the difference between 93 % of the net quantity indicated on the export licence, and the net quantity actually exported.

2. However, if this exported quantity is less than 7 % of the net quantity indicated on the licence, the security shall be forfeit in totality.

3. On request by the titular holder, Member States may release parts of the security in proportion to the quantities of product for which the proof of export, in accordance with Article 7 (1) of Regulation (EEC) No 3130/73, has been delivered and in so far as that proof provides evidence that a quantity equal to at least 7 % of the net quantity indicated on the licence has been exported.

Article 6

The tenders lodged must reach the Commission through the intermediary of Member States at the

latest one and a half hours after the end of the period for the weekly lodging of tenders as provided for in the notice of the tender. They must be communicated in the form indicated in the Annex.

When there are no tenders, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 7

During the period in which Summer Time applies in Italy, the times fixed for the lodging of offers shall be regarded in that Member State as extended by one hour. During the period during which Summer Time does not apply in the United Kingdom and in Ireland, the times fixed for the lodging of offers shall be regarded in those Member States as brought forward by one hour.

Article 8

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

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

Done at Brussels, 5 December 1973.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

Weekly tender for the export levy for common wheat

Notice of tender No

Expiry of the period for lodging tenders (date/time)

1	2	3
Numbering of the tenders	Quantity in metric tons	Amount of export levy in national currency per metric ton
1		
2		
3		
4		
5		
etc.		

REGULATION (EEC) No 3282/73 OF THE COMMISSION
of 5 December 1973
defining the terms 'coupage' and 'the turning into wine'

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 816/70⁽¹⁾ of 28 April 1970 laying down additional provisions for the common organization of the market in wine, as last amended by Regulation (EEC) No 2592/73⁽²⁾, and in particular Articles 26 (6), 27 (5), 28 (5) and 30 (4) thereof;

Whereas, in order to ensure that the terms 'coupage' and 'the turning into wine' are interpreted consistently in all Community Regulations, it is necessary that those terms be defined;

Whereas the definitions must be drawn having regard to the provisions of Community law already applicable, to the importance of encouraging the production of good quality products, and to the requirements of those professionally concerned;

Whereas coupage is the mixing of wines of different origins or of different categories;

Whereas, since in the case of wines or musts originating in the same wine-growing zone of the Community, or in the same production area in a third country, within the meaning of Commission Regulation (EEC) No 1770/72⁽³⁾ of 3 August 1972 on detailed rules of application relating to the additional conditions with which imported wines for direct human consumption have to comply, as last amended by Regulation (EEC) No 1757/73⁽⁴⁾, indication of their geographical origin or wine variety is of great importance as regards their commercial value, it should be provided that, where wines or grape musts from the same zone, but from different geographical areas within that zone, or from different wine varieties or harvest years, are mixed together, and mention is made in the description of the resulting product of the geographical origin, wine variety or harvest year, this is also to be regarded as 'coupage';

Whereas the turning into wine should be considered to cover the transformation by total or partial alcoholic fermentation of fresh grapes, whether or not crushed, grape must, whether or not concentrated, partially fermented grape must, grape juice, whether

or not concentrated, or new wines still in fermentation, while it is understood that all subsequent processes until bottling should be regarded as oenological practices;

Whereas the measures provided for are in accordance with the Opinion of the Management Committee for Wines,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation shall apply for the purposes of the implementation of Regulation (EEC) Nos 816/70 and 817/70; provided that it shall not apply in respect of sparkling or liqueur wines.

Article 2

1. 'Coupage' means the mixing together of wines or musts coming from:

- (a) different States, or
- (b) different wine-growing zones of the Community or from different production zones of a third country, within the meaning of Annex III to Regulation (EEC) No 1770/72, or
- (c) the same wine-growing zone of the Community or of the same production zone of a third country but being of different

— geographical origins, or

— wine varieties, or

— harvest years

for as long as mention is or must be made of the geographical origin, wine variety or harvest year in the description of the product in question.

(d) wines or musts of different categories.

2. The following shall be considered to be different categories of wine or must:

— red wine, white wine and the musts or wines suitable for yielding one of these categories of wine;

— table wine or quality wine p.s.r., and the musts or wines suitable for yielding one of these categories of wine.

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 269, 26. 9. 1973, p. 1.

⁽³⁾ OJ No L 191, 21. 8. 1972, p. 31.

⁽⁴⁾ OJ No L 176, 30. 6. 1973, p. 77.

For the purposes of this paragraph, rosé wine is to be regarded as red wine.

3. The following processes shall not be regarded as 'coupage':

- (a) the addition, for the purpose of increasing natural alcoholic strength, of concentrated grape must;
- (b) the sweetening:
 - of a table wine;
 - of a quality wine p.s.r., where the sweetener comes from the specified region concerned and bears the name of that region;
- (c) production of a quality wine p.s.r. in accordance with traditional practices within the meaning of the second subparagraph of Article 5(1)(a) of Regulation (EEC) No 817/70.

Article 3

'Turning into wine' means the transformation into wine by total or partial alcoholic fermentation of fresh grapes, whether or not crushed, grape must, whether or not concentrated, partially fermented grape must, grape juice, whether or not concentrated, or new wines still in fermentation.

Article 4

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 December 1973.

For the Commission

The President

François-Xavier ORTOLI

REGULATION (EEC) No 3283/73 OF THE COMMISSION**of 5 December 1973****fixing the basic amount of the import levy on syrups and certain other sugar products**

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 Article 14 (1) of Regulation No 1009/67/EEC provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation No 1009/67/EEC must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68⁽³⁾ of 28 June 1968 on detailed rules for the application of levies on sugar, as amended by Regulation (EEC) No 1491/70⁽⁴⁾, provides that the basic amount of the levy for 100 kilogrammes of product must be fixed per percentage of sucrose content;

Whereas the basic amount of the levy must be equal to one hundredth of the average of the levies applicable to 100 kilogrammes of white sugar during the first twenty days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day preceding the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least 0.40 unit of account from that average;

Whereas the basic amount must be fixed every month; whereas it must, however, be altered during

the period between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least 0.40 unit of account from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one hundredth of the levy on white sugar used to calculate the alteration;

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 the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) (d) of Regulation No 1009/67/EEC is hereby fixed, per 100 kilogrammes of product, at 0.0224 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 6 December 1973.

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 165, 28. 7. 1970, p. 8.

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

Done at Brussels, 5 December 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

REGULATION (EEC) No 3284/73 OF THE COMMISSION
of 5 December 1973
altering the amount of the subsidy on 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 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 3250/73 ⁽³⁾ ;

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 ⁽⁴⁾ to the information at present available to the Commission that the amount of the subsidy at present in force for colza and rape seed 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, as fixed in the Table annexed to Regulation (EEC) No 3250/73, is hereby altered, in respect of colza and rape seed, as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 6 December 1973.

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

Done at Brussels, 5 December 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 331, 1. 12. 1973, p. 40.

⁽⁴⁾ OJ No L 193, 14. 7. 1973, p. 26.

ANNEX

Subsidy applicable from 6 December 1973 to colza and rape seed (CCT heading No ex 12.01)
(u.a./100 kg)

	<i>Colza and rape seed</i>
Subsidy	0
Subsidy in the case of advance fixing :	
— for the month of December 1973	0
— for the month of January 1974	0
— for the month of February 1974	0
— for the month of March 1974	0
— for the month of April 1974	0
— for the month of May 1974	0

REGULATION (EEC) No 3285/73 OF THE COMMISSION**of 5 December 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 6 December 1973.

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

Done at Brussels, 5 December 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 6 December 1973 for colza and rape seed (CCT heading No ex 12.01)

	u.a./100 kg ⁽¹⁾
World market price :	23-385
World market price where the subsidy is fixed in advance :	
— for the month of December 1973 :	23-385
— for the month of January 1974 :	25-089
— for the month of February 1974 :	25-089
— for the month of March 1974 :	25-413
— for the month of April 1974 :	23-872
— for the month of May 1974 :	23-872

⁽¹⁾ The conversion rates from units of account into national currency as foreseen by Article 9 (3) (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. =	£	0-525715
1 u.a. =	Lit	743-135

REGULATION (EEC) No 3286/73 OF THE COMMISSION
of 5 December 1973
amending the export levies on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

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

Having regard to Council Regulation (EEC) No 1968/73 ⁽³⁾ of 19 July 1973 laying down general rules to be applied in the event of the cereals market being disturbed, as amended by Regulation (EEC) No 2632/73 ⁽⁴⁾, and in particular Article 4 (3) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas the export levies for the cereals market have been fixed by Regulation (EEC) No 3229/73 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3229/73 to the information at present available to the Commission that the export levies at present in force in respect of the products listed in the Annex to this Regulation should be altered as shown in that Annex,

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 2 (1) 1st indent of Regulation (EEC) No 1968/73 as fixed in the Annex to Regulation (EEC) No 3229/73, are hereby altered, in respect of the products listed in the Annex to this Regulation, to the amounts shown therein.

Article 2

This Regulation shall enter into force on 6 December 1973.

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

Done at Brussels, 5 December 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 201, 21. 7. 1973, p. 10.

⁽⁴⁾ OJ No L 272, 29. 9. 1973, p. 18.

⁽⁵⁾ OJ No L 330, 30. 11. 1973, p. 22.

ANNEX

to the Commission Regulation of 5 December 1973 amending the export levies on cereals

CCT heading No	Description of goods	u.a./ton
10.01 A	Common wheat and meslin, excluding officially certified seeds ⁽¹⁾	60.00

⁽¹⁾ Officially certified seeds are understood to be those seeds contained in the packages officially sealed and officially labelled as 'basic seed', 'certified seed, first generation', 'certified seed, second generation' conforming to the provisions of the Council Directive of 14 June 1966 on the marketing of cereal seed (OJ No 125, 11. 7. 1966, p. 2309 66) and of the Council Decision of 26 March 1973 on the equivalence of seed produced in Denmark, Ireland and the United Kingdom (OJ No L 106, 20. 4. 1973, p. 12).

Information concerning the date of entry into force of the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit

The exchange of instruments notifying the completion of the procedure necessary for the entry into force of the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit, signed in Brussels on 30 November 1972, having taken place on 30 November 1973, the Agreement will enter into force on 1 January 1974, in accordance with Article 19 thereof.

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. Staatliches Hochbauamt II Heidelberg, Bergheimstraße 155, Federal Republic of Germany.
2. Public invitation to tender pursuant to the regulations governing construction work contracts—Part A (VOB/A). (open procedure in conformity with Model Notice A in the EEC Directives).
3. a) 68 Mannheim-Neustheim, Seckenheim Land highway, Federal Republic of Germany.
b) Carcass work for the construction of a 2-4 storey hostel with several wings in *in situ* concrete — pre-fabricated panel construction with a proportion of light-weight concrete.
Full cellar with partial basement waterproofing, cubic capacity approx. 36 000 m³.
Earthworks, masonry, concrete and reinforced concrete work, sealing against groundwater and seepage:
4. Work is to commence on 15 April 1974.
Work is to be completed on 8 March 1975.
(Partial delivery dates will be specified in the contract)
5. a) Staatliches Hochbauamt II Heidelberg, Bergheimerstraße 155, Federal Republic of Germany.
b) Competent contractors who are interested are requested to apply in writing for the contract documents, enclosing the payment slip for the fee mentioned below, to the Staatliches Hochbauamt II Heidelberg, Bergheimerstraße 155, by 21 December 1973. Late applications cannot be considered.
c) The fee for the contract documents is DM 60, which should be paid into the Reg. Oberkasse Nordbaden, Buchhaltung III, 7500 Karlsruhe, Schloßplatz 4-6, Landeszentralbank Karlsruhe account No 66001507 or Karlsruhe postal cheque account No 10, with the endorsement, 'für Staatl. Hochbauamt II Heidelberg, Kap 0614, Titel 11901, öffentliche Ausschreibung der Baumaßnahme Neubau der Akademie für Wehrverwaltung und Wehrtechnik (BwAVT) in Mannheim-Neustheim.'
The documents will be sent by post.
6. a) Tenders must arrive by the date and time of opening.
b) Staatliches Hochbauamt II Heidelberg, Bergheimstraße 155, Federal Republic of Germany.
c) German.
7. a) Tenderers and their authorized representatives.
b) 10.30 a.m. on 5 March 1974 in the Staatliches Hochbauamt II Heidelberg, 6900, Heidelberg, Bergheimstraße 155.
8. Completion and performance guarantees: 5 % of the contract and final prices respectively. Only guarantees from a credit insurer or credit institution approved in the Federal Republic of Germany will be accepted.
9. Interim and final payments in accordance with the regulations governing construction work contracts — Part B (VOB/B).
- 10.
11. Evidence that over the past three business years the contractor has completed projects comparable to the work being put out to tender. Average manpower per year in the past three financial years divided into categories of skills and trades.
12. 8 April 1974.
13. In accordance with § 25 VOB/A the contract will be awarded to the tender which appears the most acceptable when all technical and economic aspects are taken into account.
- 14.
15. 29 November 1973.

Restricted procedure

1. East Kilbride and Stonehouse Development Corporation, Norfolk House, East Kilbride, Glasgow G74 1LU, Scotland, United Kingdom.
2. Restricted invitation to tender.
3. a) The Kelvin Industrial Area (Plot H) of the New Town (East Kilbride).
b) The erection of 22 factory units comprising three 100 m² units, 13 200 m² units, two 600 m² units, two 850 m² units and two 1 250 m² units together with external works and site preparation.
The site preparation contract comprises the formation of factory bases, 12 500 m² of roads, yards and foot-paths and 600 m of twin main drainage.
c) The contracts for the construction of the factory units and site preparation will form a *unum quid* contract and there will, therefore, be no subdivision of the work.
d) The contract does not involve drawing up of plans.
4. 19 months from the date of taking possession of the site with rate of factory completion according to phases to be stated in contract documents.
5. Contractors must be a legal persona or legal personae known to the Law of Scotland and in the latter case shall be jointly and severally liable for the performance of the contract.
6. a) Monday 17 December 1973 at 4 p.m. at the latest.
b) The Secretary and Legal Adviser, East Kilbride and Stonehouse Development Corporation, Norfolk House, East Kilbride, Glasgow G74 1LU, Scotland.
c) English.
7. 20 December 1973.
8. Contractors submitting their names for selection to tender must produce all references listed in Articles 25 and 26 of the European Communities' Council Directive of 26 July 1971 (71/305/EEC).
9. The contract will be award to the most advantageous tender taking into account price and phased periods of completion.
- 10.
11. 26 November 1973.

Restricted procedure

1. Ministry of Development, Roads Executive, Belfast Division, 'Hydebank', 4 Hospital Road, Belfast BT8 8JL, Northern Ireland.
 2. Lowest acceptable offer in competition among selected tenderers subject to the application of the appropriate Northern Ireland Economic Development Aids.
 3. a) Located in Belfast, Northern Ireland, the works extend from the Malone Road/Upper Malone Road junction, across the River Lagan and terminate at recently completed roadworks near the village of Milltown.
b) the works consist of:
the reconstruction and realignment of the road described in 3 a) including the scarifying of the existing road pavement, excavation of approximately 26 000 m³ of suitable material, formation of embankments and fill areas and the construction of 1.35 km of 13.5 m single carriageway together with associated verges, drainage and ancillary works.
a 58 m single span 20 m wide road bridge across the River Lagan. The bridge is a two-hinged portal to be constructed of post tensioned prestressed concrete. It is founded on driven steel piles and incorporates prestressed concrete tie beams beneath the river bed.
 4. 100 weeks from date of engineer's written notice to start.
 5. A group of contractors submitting a tender on the basis of a temporary association shall be required to become jointly and severally responsible for the due performance of the contract.
 6. a) 19 December 1973.
b) As at 1 above.
c) English.
 7. 10 January 1974.
 8. References from firms wishing to be considered shall be furnished as follows:
— appropriate statements from bankers,
— a statement of the firms overall turnover and the turnover on construction works for the three previous financial years,
— a list of works carried out over the past five years accompanied by certificates of satisfactory execution for works over one million units of account. These certificates shall indicate the value, type of work, site and the authority (with address) for whom the work was executed.
 9. See No 2.
 10. The contract will be based on the Institution of Civil Engineers Conditions of Contract (5th edition) for use in connection with works of civil engineering construction as modified by the Ministry of Development (Northern Ireland). The contract will be on a 'firm price basis' as regards wages and cost of materials.
 11. 27 November 1973.
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Restricted procedure

1. Welsh Office, Roads Division, Graham Buildings, Newport Road, Cardiff CF2 1YU, Wales, United Kingdom.
 2. Lowest acceptable offer in competition among selected tenderers.
 3. a) At the termination of the M4 Morriston By-Pass at Llangyfelach about 4 miles north of Swansea, South Wales.
b) The construction of approximately 13.5 km of motorway of dual 7.3 m carriageways and 6.2 km of single 2 lane slip roads together with acceleration and deceleration lanes, 3.2 km of 7.3 m wide single carriageway trunk road with 1.7 km of 3.7 m wide crawler lane, 1.93 km of trunk road of which 1.6 km will be dual 7.3 m wide carriageway, a partial grade separated interchange, two grade separated interchanges, a terminal roundabout, 17 underbridges, 8 overbridges, improvements and diversion to some 7.2 km of side roads; and a salt recharge depot; the excavation of approximately 2 million cubic metres of material to form cuttings of which 0.5 million cubic metres will be of rock and including the excavation of 2 substantial deposits of peat, the embankments will be formed of 2.5 million cubic metres of materials of which 0.5 million cubic metres will be imported fill; the excavation and backfilling of unworked coal seams located during excavation; the treatment of old mine shafts shallow and moderate depth old mine workings by excavation and backfilling and grouting techniques; the installation of a motorway communications system, carriageway lighting and road signing. Pavement construction can be either flexible or rigid. The estimated cost of the whole works is £ 11 500 000.
c)
d)
 4. 27 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 in the group will be jointly and severally responsible for the due performance of the contract.
 6. a) 19 December 1973.
b) Welsh Office, Roads Division (RD3A), Graham Buildings, 139 Newport Road, Cardiff CF2 1YU, Wales, United Kingdom.
c) English.
 7. Approximately mid-March 1974.
 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 works 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 one 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. Details of the award criteria will be shown in the tender invitation.
 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 Welsh Office 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 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 November 1973.
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