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Contents

I *Acts whose publication is obligatory*

.....

II *Acts whose publication is not obligatory*

Council

73/408/EEC:

Council Decision of 18 June 1973 concluding the Agreement between the European Economic Community and the World Food Programme on the supply of food aid in the form of skimmed-milk powder for developing countries	1
Agreement between the European Economic Community and the World Food Programme on the supply of skimmed-milk powder as food aid to developing countries	2
Information concerning the signing of the Agreement between the European Economic Community and the World Food Programme (WFP)	8

73/409/EEC:

Council Decision of 18 June 1973 concluding an Agreement between the European Economic Community and the Lebanese Republic on the supply of food aid in the form of skimmed-milk powder	9
Agreement between the European Economic Community and the Lebanese Republic on the supply of food aid in the form of skimmed-milk powder	10
Information concerning the signing of the Agreement between the European Economic Community and the Lebanese Republic on the supply of food aid	13

73/410/EEC:

Council Decision of 24 July 1973 on the conclusion of the Agreement between the European Economic Community and the Lebanese Republic on the supply of common wheat as food aid	14
Agreement between the European Economic Community and the Lebanese Republic concerning the supply of common wheat as food aid	15
Information concerning the signing of the Agreement between the European Economic Community and the Lebanese Republic on the supply of food aid	17

73/411/EEC:	
Council Decision of 15 October 1973 concluding the Agreement between the European Economic Community and Malta on the supply of common wheat as food aid .	18
Agreement between the European Economic Community and Malta on the supply of common wheat as food aid	19
Information concerning the signing of the Agreement between the European Economic Community and Malta on the supply of supply of food aid	21
 Commission	
73/412/EEC:	
Commission Decision of 4 October 1973 on the reimbursement by the Guidance Section of the EAGGF to the French Republic of premiums paid during 1971 for grubbing apple trees, pear trees and peach trees	22
73/413/EEC:	
Commission Decision of 10 October 1973 fixing the maximum amount of the refund for the 8th partial invitation to tender for white sugar issued under Regulation (EEC) No 2141/73	23
73/414/EEC:	
Commission Decision of 31 October 1973 on the Advisory Committee on Cereals ..	24
73/415/EEC:	
Commission Decision of 31 October 1973 on the special Rice Section of the Advisory Committee on Cereals	26
73/416/EEC:	
Commission Decision of 31 October 1973 on the Advisory Committee on Milk and Milk Products	28
73/417/EEC:	
Commission Decision of 31 October 1973 on the Advisory Committee on Beef and Veal	30
73/418/EEC:	
Commission Decision of 31 October 1973 on the Advisory Committee on Pigmeat ..	32
73/419/EEC:	
Commission Decision of 31 October 1973 setting up an Advisory Committee on Poultrymeat	34
73/420/EEC:	
Commission Decision of 31 October 1973 setting up an Advisory Committee on Eggs	37
73/421/EEC:	
Commission Decision of 31 October 1973 on the Advisory Committee on Oils and Fats	40
73/422/EEC:	
Commission Decision of 31 October 1973 on the Advisory Committee on Sugar	43

73/423/EEC:	
Commission Decision of 31 October 1973 on the Advisory Committee on Fresh and Processed Fruit and Vegetables	46
73/424/EEC:	
Commission Decision of 31 October 1973 on the Advisory Committee on Wine ...	48
73/425/EEC:	
Commission Decision of 31 October 1973 on the Advisory Committee on Raw Tobacco	50
73/426/EEC:	
Commission Decision of 31 October 1973 on the Advisory Committee on Hops ..	53
73/427/EEC:	
Commission Decision of 31 October 1973 on the Advisory Committee on Live Plants	56
73/428/EEC:	
Commission Decision of 31 October 1973 on the Advisory Committee on Flax and Hemp	58
73/429/EEC:	
Commission Decision of 31 October 1973 on the Advisory Committee on Fisheries .	61
73/430/EEC:	
Commission Decision of 31 October 1973 issuing a standing invitation to tender for the export of 100 000 metric tons of rye held by the German intervention agency ..	63
73/431/EEC:	
Commission Decision of 19 November 1973 fixing the minimum selling price for butter for the 33rd individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 1259/72	65
73/432/EEC:	
Commission Decision of 21 November 1973 regarding an autonomous increase of imports into the Community of cotton textiles covered by the Trade Agreement between the EEC and the Republic of Korea on trade in cotton textiles	66
73/433/EEC:	
Commission Decision of 23 November 1973 fixing, for the purpose of the tendering procedure referred to in Regulation (EEC) No 2876/73, maximum amounts for the costs of delivery fob of skimmed-milk powder	67
73/434/EEC:	
Commission Decision of 28 November 1973 on the submission of applications for assistance from the European Social Fund	68
73/435/EEC:	
Commission Decision of 28 November 1973 declaring that the conditions governing the mobilization of common wheat for a national food aid project are satisfied	69
73/436/EEC:	
Commission Decision of 29 November 1973 authorizing the Republic of France to allow the marketing of seeds of white clover subject to reduced requirements up to and including 30 June 1974	70

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 18 June 1973

concluding the Agreement between the European Economic Community and the World Food Programme on the supply of food aid in the form of skimmed-milk powder for developing countries

(73/408/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas in Council Regulation (EEC) No 2721/72 ⁽¹⁾ of 19 December 1972 on the supply of food aid in the form of skimmed-milk powder, it was decided to place at the disposal of the World Food Programme 29 450 metric tons of skimmed-milk powder,

HAS DECIDED AS FOLLOWS:

Article 1

On behalf of the Community, the Agreement between the European Economic Community and the World

Food Programme on the supply of food aid in the form of skimmed-milk powder for developing countries, the text of which Agreement is annexed hereto, is hereby concluded.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement, and to confer upon them the necessary powers to bind the Community.

Done at Luxembourg, 18 June 1973.

For the Council

The President

A. LAVENS

⁽¹⁾ OJ No 291, 28. 12. 1972, p. 28.

AGREEMENT**between the European Economic Community and the World Food Programme on the supply of skimmed-milk powder as food aid to developing countries**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,
on the one part,

THE WORLD FOOD PROGRAMME,
on the other part,

WHEREAS the object of the World Food Programme, a programme undertaken jointly by the United Nations and the Food and Agriculture Organization of the United Nations, is to make use of contributions received under the Programme to meet emergency food requirements and to carry out projects involving the use of foodstuffs for economic and social development;

WHEREAS there are stocks of skimmed-milk powder in the European Economic Community, whose members include the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland, all of which are members of the United Nations or the Food and Agriculture Organization of the United Nations; whereas, with a view to contributing to the achievement of the objectives pursued by the World Food Programme, it has been decided to place at the disposal of the latter a certain quantity of skimmed-milk powder which is available;

HAVE DECIDED to conclude this Agreement, and for this purpose have appointed as their representatives:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

THE WORLD FOOD PROGRAMME:

WHO HAVE AGREED AS FOLLOWS:

Article I

The European Economic Community, hereinafter referred to as the 'Community', shall supply to the World Food Programme as a free gift 29 450 metric tons of skimmed-milk powder.

The World Food Programme must, within 12 months from the date of entry into force of this Agreement, implement emergency measures or projects involving the quantity in question.

If circumstances so require, the time limit for certain deliveries may be extended by common accord at the request of either party. For this purpose, the

party wishing for additional time shall make known its intention to the other party at least three months before the expiry of the time limit.

Article II

1. The World Food Programme shall notify the Community as soon as possible of the emergency measures or projects that it proposes to carry out and for which it requests a contribution from the Community in the form of the supply of skimmed-milk powder for developing countries.

2. The notifications referred to in paragraph 1 must include all information required for a thorough knowledge of the measures or projects, in particular:

- the countries of destination,
- the nature of the measures or projects,
- the quantity of skimmed-milk powder to be supplied,
- the methods of distribution,
- the time limit for implementation of the measures or projects.

3. The Community shall inform the World Food Programme as soon as possible whether it will contribute to each measure or project submitted.

Article III

1. For each delivery, the Community, taking into account the information received from the World Food Programme, shall notify the latter in good time of the port or ports of shipment and the dates of availability at the said port or ports.

2. Only Community seaports accessible to ocean-going vessels and utilized for international freight may be named as ports of shipment.

Article IV

1. The Community shall place the skimmed-milk powder at the disposal of the World Food Programme free of charge.

2. The skimmed-milk powder supplied must meet the requirements as to the quality and packaging specified in an exchange of letters between the Contracting Parties, the text of which is annexed to this Agreement.

Article V

1. The Community shall make deliveries fob port of shipment. The responsibilities of the Community and the World Food Programme with regard respectively to delivery and to taking delivery shall be laid down in the exchange of letters referred to in Article 4 (2).

2. The World Food Programme shall take delivery of the goods delivered and shall be responsible, in accordance with its general rules, for their transport, insurance and distribution in the country of destination.

3. In respect of the expenses incurred under the provisions of paragraph 2, the Community shall contribute to the World Food Programme 80 US dollars per metric ton of which delivery is taken. The Community undertakes to pay this contribution within sixty days following each acceptance of delivery of the goods by the World Food Programme.

Article VI

The World Food Programme undertakes to inform the Community of the conditions under which this Agreement is implemented. To this end it shall make available to the Commission of the European Communities:

- (a) with regard to transport: within a reasonable period after unloading, reports indicating the dates of arrival of the vessels at the ports of destination, quantities and qualities of the goods unloaded, and the dates on which unloading was completed;
- (b) with regard to the use made of the products: periodic information on the progress made with emergency measures or projects for which Community assistance has been provided, on the use made of the products; on the quantities distributed and on the number of recipients, together with details of the methods of distribution used, and in particular of the measures taken to prevent the product from being drawn directly or indirectly into commercial channels.

Article VII

In the event of fresh circumstances arising, the World Food Programme and the Community shall together decide on any amendments to be made to this Agreement.

Article VIII

This Agreement shall enter into force thirty days after the date of signature.

Article IX

This Agreement is drawn up in two copies in the Danish, Dutch, English, French, German, Italian and Spanish languages, each of these texts being authentic.

EXCHANGE OF LETTERS

I. Letter from the Representative of the World Food Programme

With reference to the Agreement between the European Economic Community and the World Food Programme on the supply of skimmed-milk powder as food aid to developing countries, and in particular Article IV (2) and Article V (1) thereof, I would propose, in respect of the supply of 29 450 metric tons of skimmed-milk powder, that agreement should be reached on the following detailed provisions concerning the quality and packaging requirements, the fob delivery by the European Economic Community, hereinafter referred to as the 'Community', and the acceptance of delivery by the World Food Programme:

A. Quality and packaging requirements

1. *Quality*

(a) fat content	maximum 1.5 %
(b) water content	maximum 4.0%
(c) total acidity (lactic acid)	maximum 0.15% (18° Dornic)
(d) test for neutralizing agents	negative
(e) permitted additives	none
(f) test for phosphatase	negative
(g) solubility	maximum 0.5 ml (minimum 99%)
(h) degree of purity	minimum disc B (15.0 mg)
(i) germ content	maximum 50 000/g
(k) strength of colon bacillus	negative in 0.1 g
(l) taste and smell	pure
(m) appearance	white or slightly yellowish, absence of impurities and coloured particles

2. *Packaging*

- (a) net contents: 25 kg
- (b) composition:
 - 4 'Kraft' paper sacks of a strength corresponding to a weight of at least 70 g/m²
 - 1 intercalated sack of tar-lined paper of a strength corresponding to a weight of at least 140 g/m²
 - 1 polythene inner bag at least 0.06 mm thick, welded or double-bound
- (c) the outer sack shall bear the following information:
 - the expression 'Skimmed-milk powder'
 - net weight
 - manufacturer's name and address or code number
 - year and month of production
 - port of unloading and/or country of destination
 - the words 'Supplied by the World Food Programme; a gift from the European Economic Community'

B. Delivery and acceptance of delivery

On the basis of information received from the World Food Programme concerning transport, the Community shall notify it for each delivery of the supplier or suppliers and shall indicate a period of fifteen days within which the World Food Programme may fix the date of delivery.

Not less than fifteen days before the date laid down for each delivery, the World Food Programme shall notify the Community of the estimated date of arrival of the vessel in the port of shipment.

The World Food Programme shall notify the supplier or suppliers, not less than five days in advance, of the exact date of arrival of the vessel in the designated port of shipment.

The goods shall be delivered by the Community to the place of shipment and on the date of availability indicated pursuant to Article III of the Agreement.

Delivery shall be effected at the moment at which the goods are deposited in the ship's hold at the port of shipment, all costs of stowage being borne by the World Food Programme.

At the moment of delivery, risks shall be transferred from the Community to the World Food Programme, all costs prior to delivery being borne by the Community and all costs after delivery being borne by the World Food Programme.

Should the Community fail to deliver the goods at the place and on the date specified, where the World Food Programme has rendered it possible, any consequences resulting from this shall be borne by the Community.

Should the World Food Programme fail to take delivery of the goods at the place and on the date specified, where the Community has rendered it possible, any consequences resulting from this shall be borne by the World Food Programme

The Community and the World Food Programme reserve the right to appoint one or more authorized agents to implement the Agreement. To deal with any eventualities, the World Food Programme shall appoint a representative in each port of shipment.

II. Letter from the representative of the European Economic Community

I acknowledge receipt of your letter of worded as follows:

'With reference to the Agreement between the European Economic Community and the World Food Programme on the supply of skimmed-milk powder as food aid to developing countries, and in particular Article IV(2) and Article V(1) thereof, I would propose, in respect of the supply of 29 450 metric tons of skimmed-milk powder, that agreement should be reached on the following detailed provisions concerning the quality and packaging requirements, the fob delivery by the European Economic Community, hereinafter referred to as the "Community", and the acceptance of delivery by the World Food Programme:

A. Quality and packaging requirements**1. Quality**

- | | |
|-----------------------------------|---|
| (a) fat content: | maximum 1.5 % |
| (b) water content: | maximum 4.0 % |
| (c) total acidity (lactic acid): | maximum 0.15 % (18° Dornic) |
| (d) test for neutralizing agents: | negative |
| (e) permitted additives: | none |
| (f) test for phosphatase: | negative |
| (g) solubility: | maximum 0.5 ml (minimum 99 %) |
| (h) degree of purity: | minimum disc B (15.0 mg) |
| (i) germ content: | maximum 50 000/g |
| (k) strength of colon bacillus: | negative in 0.1 g |
| (l) taste and smell: | pure |
| (m) appearance: | white or slightly yellowish, absence of impurities and coloured particles |

2. Packaging

- (a) net contents: 25 kg
- (b) composition:
 - 4 "Kraft" paper sacks of a strength corresponding to a weight of at least 70 g/m²
 - 1 intercalated sack of tar-lined paper of a strength corresponding to a weight of at least 140 g/m²
 - 1 polythene inner bag at least 0.06 mm thick, welded or double-bound
- (c) the outer sack shall bear the following information:
 - the expression "Skimmed-milk powder"
 - net weight
 - manufacturer's name and address or code number
 - year and month of production
 - port of unloading and/or country of destination
 - the words "Supplied by the World Food Programme; a gift from the European Economic Community"

B. Delivery and acceptance of delivery

On the basis of information received from the World Food Programme concerning transport, the Community shall notify it for each delivery of the supplier or suppliers and shall indicate a period of fifteen days within which the World Food Programme may fix the date of delivery.

Not less than fifteen days before the date laid down for each delivery, the World Food Programme shall notify the Community of the estimated date of arrival of the vessel in the port of shipment.

The World Food Programme shall notify the supplier or suppliers, not less than five days in advance, of the exact date of arrival of the vessel in the designated port of shipment.

The goods shall be delivered by the Community to the place of shipment and on the date of availability indicated pursuant to Article III of the Agreement.

Delivery shall be effected at the moment at which the goods are deposited in the ship's hold at the port of shipment, all costs of stowage being borne by the World Food Programme.

At the moment of delivery, risks shall be transferred from the Community to the World Food Programme, all costs prior to delivery being borne by the Community and all costs after delivery being borne by the World Food Programme.

Should the Community fail to deliver the goods at the place and on the date specified, where the World Food Programme has rendered it possible, any consequences resulting from this shall be borne by the Community.

Should the World Food Programme fail to take delivery of the goods at the place and on the date specified, where the Community has rendered it possible, any consequences resulting from this shall be borne by the World Food Programme.

The Community and the World Food Programme reserve the right to nominate one or more authorized agents to implement the Agreement. To deal with any eventualities, the World Food Programme shall nominate a representative in each port of shipment.

I have the honour to inform you that the European Economic Community agrees to your proposal.

I would therefore ask you to consider that agreement has been reached between the World Food Programme and the European Economic Community on the provisions set out in your letter, pursuant to Article IV(2) and Article V(1) of the said Agreement.

Information concerning the signing of the Agreement between the European Economic Community and the World Food Programme (WFP)

The Agreement between the Economic Community and the World Food Programme on the supply of food aid in the form of skimmed-milk powder for developing countries, which the Council decided to conclude on 18 June 1973, was signed at Brussels on 1 October 1973 on behalf of the Council of the European Communities by:

Mr Louis Georges Rabot, Director-General for Agriculture at the Commission of the European Communities, and on behalf of the WFP by:

Mr Francisco Aquino, Executive-Director of that body.

COUNCIL DECISION

of 18 June 1973

concluding an Agreement between the European Economic Community and the Lebanese Republic on the supply of food aid in the form of skimmed-milk powder

(73/409/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas in Council Regulation (EEC) No 2721/72 ⁽¹⁾ of 19 December 1972 on the supply of food aid in the form of skimmed-milk powder it was decided to make 250 metric tons of skimmed-milk powder available to the Lebanese Republic,

HAS DECIDED AS FOLLOWS:

Article 1

On behalf of the Community an Agreement between the European Economic Community and the Lebanese Republic on the supply of food aid in the form of skimmed-milk powder, the text of which Agreement is annexed hereto, is hereby concluded.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement, and to confer on them the powers necessary to bind the Community.

Done at Luxembourg, 18 June 1973.

*For the Council**The President*

A. LAVENS

⁽¹⁾ OJ No L 291, 28. 12. 1972, p. 28.

AGREEMENT

between the European Economic Community and the Lebanese Republic on the supply of food aid in the form of skimmed-milk powder

THE COUNCIL OF THE EUROPEAN COMMUNITIES,
on the one part,

THE GOVERNMENT OF THE LEBANESE REPUBLIC,
on the other part,

HAVE DECIDED to conclude this Agreement, and for this purpose have named as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

THE GOVERNMENT OF THE LEBANESE REPUBLIC:

WHO HAVE AGREED AS FOLLOWS:

Article I

The European Economic Community, hereinafter referred to as the 'Community', shall supply as a gift to the Lebanese Republic, hereinafter referred to as the 'country of destination', 250 metric tons of skimmed-milk powder of the quality and with the packaging specified in Annex I, which forms an integral part of this Agreement.

Article II

Deliveries shall be made cif to ports of unloading in the country of destination.

Article III

The obligations and responsibilities of the Community and of the country of destination, in particular as regards delivery and the taking of delivery, are defined in Annex II, which forms an integral part of this Agreement.

Article IV

The country of destination undertakes to make all the necessary arrangements for the transport and insurance of the delivered products from the ports of unloading to their places of destination.

Article V

The country of destination undertakes to use the products received as aid for purposes of consumption and to distribute such products to refugee populations free of charge.

Article VI

The Contracting Parties undertake to implement this Agreement in such a way as to avoid any prejudice to the normal structure of domestic production and international trade. To this end, they shall take any measures required to ensure that aid supplies are in addition to, and do not replace, commercial transactions which might reasonably be expected in the absence of such supplies.

Article VII

The country of destination shall take all appropriate measures to prevent:

- the re-export of the products received as aid and of products derived from them;
- the export, commercially or otherwise, within six months from the date of the last delivery, either of the skimmed-milk powder produced locally which should be of the same kind as that received as aid or of processed products derived from it.

Article VIII

The country of destination undertakes to inform the Community of the circumstances surrounding the implementation of this Agreement. For this purpose, it shall communicate to the Commission of the European Communities the following information:

- not more than thirty days after the unloading of each consignment: port and date of ship's arrival; kind, quantity and quality of products unloaded; date on which unloading was completed;

- every three months until the quantities received as aid have been fully used: quantities distributed, number and nature of the beneficiaries, places, rate and method of distribution.

Article IX

The country of destination shall take all appropriate measures to enable those persons duly authorized by the Community to make on-the-spot observations of the operations connected with the implementation of the Agreement.

Article X

At the request of either of them, the Contracting Parties shall consult each other on any questions concerning the implementation of this Agreement.

Article XI

This Agreement is drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, each of these texts being authentic.

ANNEX I

Quality and conditions of packaging of the skimmed-milk powder

I. *Quality requirements*

(a) fat content:	not exceeding 1.5 %
(b) water content:	not exceeding 4.0 %
(c) total acidity (lactic acid):	not exceeding 0.15 % (18° Dornic)
(d) test for neutralizing agents:	negative
(e) permitted additives:	none
(f) test for phosphatase:	negative
(g) solubility:	not exceeding 0.5 ml (not less than 99 %)
(h) degree of purity:	not less than disc B (15.0 mg)
(i) germ content:	not exceeding 50 000/g
(k) strength of colon bacillus:	negative in 0.1 g
(l) flavour and smell:	fresh
(m) appearance:	white or slightly yellowish, absence of impurities and coloured particles

II. Packaging

- (a) containing 25 kilogrammes net weight
- (b) composition:
 - (aa) 4 'Kraft' paper bags of a strength representing at least 70 g/m²
 - 1 intercalated bag of tar-lined paper of a strength representing at least 140 g/m²
 - 1 polyethylene inner bag at least 0.06 mm thick, welded or double-bound, or
 - (bb) 1 bag of clubpack-poly-duplo-paper of a strength representing at least 50/20/50 g/m²
 - 2 Kraft paper bags of a strength representing at least 70/75 g/m²
 - 1 polyethylene inner bag at least 0.10 mm thick, welded or double-bound
- (c) marking on the packaging (in French):
LAIT ÉCRÉMÉ EN POUDRE — DON DE LA COMMUNAUTÉ ÉCONOMIQUE
EUROPÉENNE À

ANNEX II

Provisions laid down in Article III of the Agreement

Article 1

Delivery shall be effected and all risk shall pass from the Community to the country of destination at the moment at which the goods are actually taken in charge in the ship's hold at the port of unloading.

The country of destination shall pay all costs subsequent to delivery of the goods, including the costs of unloading (breaking bulk, hoisting, taking delivery, for example) as well as any lighterage costs.

Any demurrage costs or dispatch money at the port of unloading shall be borne by or paid to the country of destination. The rates and conditions of payment laid down in the contract between the authorized agent of the Community referred to in Article 4 and the carrier must have been agreed in advance between that agent and the receiving agent of the country of destination referred to in the same Article.

Article 2

The Community shall forward to the country of destination, as soon as possible after the goods have been shipped, a notice giving the name of the ship, the date of loading, the quantity and quality of the goods on loading and the port of unloading.

Article 3

The Community shall inform the country of destination of the ship's estimated date of arrival at the port of unloading at least ten clear days before that date.

It shall have inserted in the charter party an undertaking by the captain to give the country of destination at least seventy-two hours' notice of the probable date of the ship's arrival in the port of unloading.

Article 4

To implement the provisions of this Annex, the Community shall appoint an authorized agent, whose name and address it shall make known in good time to the country of destination.

The country of destination shall appoint a receiving agent in each port of unloading, whose name and address it shall make known to the Community before the Agreement is implemented.

Information concerning the signing of the Agreement between the European Economic Community and the Lebanese Republic on the supply of food aid

The Agreement between the European Economic Community and the Lebanese Republic on the supply of food aid in the form of skimmed-milk powder, which the Council decided to conclude on 18 June 1973, was signed at Brussels on 22 October 1973 on behalf of the Council of the European Communities by:

Mr Joseph Van der Meulen, Ambassador Extraordinary and Plenipotentiary, Chairman of the Permanent Representatives Committee, and

Mr Hans-Broder Krohn, Director-General for Development and Cooperation at the Commission of the European Communities, and on behalf of the Government of the Lebanese Republic by:

Mr Kesrouan Labaki, Ambassador Extraordinary and Plenipotentiary, Head of the Mission of that country to the European Communities.

COUNCIL DECISION

of 24 July 1973

on the conclusion of the Agreement between the European Economic Community and the Lebanese Republic on the supply of common wheat as food aid

(73/410/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the European Economic Community has deposited a Declaration for provisional application of the 1971 Food Aid Convention; whereas that Convention has been applicable since 1 July 1971;

Whereas the Lebanese Republic, by its letter of 13 October 1971, has requested food aid;

Whereas in view of the cereal supply situation in the Lebanon that country should be accorded, by way of gift, 10 000 metric tons of common wheat under the Community Food Aid Programme for 1971/72,

HAS DECIDED AS FOLLOWS:

Article 1

On behalf of the European Economic Community the Agreement, the text whereof is annexed hereto, is hereby concluded between the European Economic Community and the Lebanese Republic for the supply of common wheat as food aid.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement and to confer on them the necessary powers to bind the Community.

Done at Brussels, 24 July 1973.

*For the Council**The President*

I. NØRGAARD

AGREEMENT

between the European Economic Community and the Lebanese Republic concerning
the supply of common wheat as food aid

THE COUNCIL OF THE EUROPEAN COMMUNITIES,
on the one part,

THE GOVERNMENT OF THE LEBANESE REPUBLIC,
on the other part,

HAVE DECIDED to conclude this Agreement and to this end have designated as their
Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

THE GOVERNMENT OF THE LEBANESE REPUBLIC:

WHO HAVE DECIDED AS FOLLOWS:

Article 1

As a part of its Food Aid Programme (Cereals) for 1971/72, the European Economic Community, hereinafter referred to as the 'Community', shall supply the Lebanese Republic, hereinafter referred to as the 'recipient country', with 10 000 metric tons of common wheat.

Article II

Deliveries will be made in bulk fob to Community ports.

Article III

The obligations and responsibilities of the Community and of the recipient country relating to delivery and the taking of delivery respectively are defined in the Annex, which forms an integral part of this Agreement.

Article IV

The recipient country undertakes to make all necessary arrangements for the transport and insurance of

the product from ports of shipment to places of destination.

It undertakes to exercise the greatest possible care to ensure that the tendering arrangements for the transport by sea are not prejudicial to the free play of fair competition. Any problems arising in this connection shall be the subject of consultations under Article IX of the present Agreement.

Article V

The recipient country undertakes to use the product received as aid for purposes of consumption and to apply, for the sale of the product on its market, the prices normally charged on that market for products of comparable quality.

The proceeds from this sale, less the cost of sea transport, insurance of such transport and the normal cost of selling the product on the recipient country's market, will be paid into a special account at the Central Bank of that country and allocated to the financing of one or more development schemes which shall have been proposed by the recipient country and approved by the Community.

Article VI

The Contracting Parties undertake to implement this Agreement in such a way as to avoid any prejudice to the normal structure of domestic production and international trade. To this end they shall take any measures required to ensure that aid supplies are in addition to, and do not replace, commercial transactions which might reasonably be expected in the absence of such supplies. In particular, the recipient country undertakes to import commercially from whatever source between 1 July 1972 and 30 June 1973 a minimum quantity of 230 000 metric tons of common wheat or its equivalent in flour of common wheat:

Article VII

The recipient country shall take all appropriate measures to prevent:

- the re-export of the product received as aid and of products and by-products resulting from such supplies;
- the export, commercially or otherwise, within six months of the last delivery, either of the product obtained locally and of the same nature as the product received as aid or of any products of by-products resulting from it.

Article VIII

The recipient country undertakes to inform the Community how this Agreement is being implemented. To this end it shall provide the Commission of the

European Communities with the following information:

1. not later than thirty days after the unloading of each cargo: ports and dates of arrival of the vessel; nature, quantity and quality of the products unloaded; date on which unloading was completed;
2. every three months until the quantities received as aid have been fully used: quantities sold, how they have been sold, selling prices; normal selling costs on the recipient country's market;
3. on 15 January every year until the special account has been fully used:
 - (a) state of this account (lodgments and withdrawals) on 31 December of the preceding year;
 - (b) progress achieved in the project or projects, with an indication of the total amount of financing carried out at that stage.

Article IX

At the request of either of them, the Contracting Parties shall consult each other on any questions concerning the implementation of this Agreement.

Article X

This Agreement shall be drawn up in duplicate in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic.

*ANNEX**Conditions applicable to the handing-over of the common wheat at the ports of shipment*

To ensure the smooth operation of the Agreement and in particular to Article III thereof, the Contracting Parties have agreed as follows:

Article 1

Delivery shall be effected and risks shall pass from the Community to the recipient country at the moment at which the goods have been placed in the ship's hold at the port of shipment.

The recipient country shall bear all costs subsequent to delivery of the goods, including costs of stowage and, where appropriate, of trimming and bagging.

Any demurrage costs or dispatch money at the port of shipment shall be a charge on or for the benefit of the

Community and shall be determined before the vessel sails. The rates and detailed arrangements relating thereto laid down in the contract between the recipient country and the carrier must have been agreed upon in advance by the recipient country and the authorized agent of the Community referred to in Article 9.

Article 2

The Community shall notify the recipient country in good time of the port or ports of shipment, the quantities to be delivered at each port, the period within which loading must begin, and the daily loading rate.

Article 3

The Community must be prepared to load the goods on the date resulting from the instructions in Article 8, upon which date the vessel should be ready for loading.

Article 4

On delivery of the goods, a tolerance of 5 % less than the quantity to be supplied in accordance with Article 1 of the Agreement shall be permitted.

Article 5

Once the goods are on board the vessel, the Community shall notify the recipient country of the date of loading, and the quantity and quality of the goods as recorded in loading.

Article 6

The recipient country shall supply the Community, within the period referred to in Article 2, with a vessel of dimensions corresponding to the normal loading potential of the port of shipment.

Should it prove impossible to begin loading the vessel within the period referred to in Article 2 and should the recipient country not have notified the Community of this fact in writing at the latest by the date on which the vessel should be ready for loading in accordance with Article 8, the goods shall be at the disposal of the Community.

Whatever the circumstances, the goods shall be held at the expense and risk of the recipient country.

Article 7

Should the recipient country fail to provide a vessel of suitable tonnage or if the quantity made available for loading on a vessel of suitable tonnage cannot be put on board in its entirety because of circumstances beyond the control of the Community, the balance shall be loaded onto the next vessel under the conditions laid down in this Annex.

In that event, until the date of loading of such balance or until the recipient country gives notice in writing of renunciation of such balance, the goods shall be held at the expense and risk of the recipient country.

The recipient country must notify the Community, within a period of a maximum of thirty clear days from the date on which loading should have begun, of the date on which loading of this balance is due to begin or of its renunciation of this balance.

If this obligation is not fulfilled, the Community may consider that it has discharged its commitment to the recipient country under Article 1 of the Agreement.

Article 8

The recipient country shall name for the Community the vessel that is to ship the goods at least ten clear days prior to the estimated date of arrival of the vessel in port or, where possible, twenty clear days prior to that date, and shall at the same time indicate how soon after that date the vessel will be ready for loading.

The recipient country shall insert in the charter party a clause requiring the captain to inform the Community at least seventy-two hours in advance of the vessel's estimated date of arrival in the port of shipment.

Article 9

To implement the provisions of this Annex, the Community shall appoint an authorized agent, whose name and address shall be made known in good time to the recipient country.

The recipient country shall nominate a receiving agent in each port of shipment, whose name and address shall be made known to the Community before the Agreement is implemented.

Information concerning the signing of the Agreement between the European Economic Community and the Lebanese Republic on the supply of food aid

The Agreement between the European Economic Community and the Lebanese Republic on the supply of common wheat as food aid, which the Council decided to conclude on 24 July 1973, was signed at Brussels on 29 October 1973, on behalf of the Council of the European Communities by:

Mr Niels Ersbøl, ambassador Extraordinary and Plenipotentiary, Chairman of the Permanent Representatives Committee, and

Mr Hans-Broder Krohn, Director-General for Development and Cooperation at the Commission of the European Communities, and on behalf of the Government of the Lebanese Republic by:

Mr Kesrouan Labaki, Ambassador Extraordinary and Plenipotentiary, Head of the Mission of that country to the European Communities.

COUNCIL DECISION

of 15 October 1973

concluding the Agreement between the European Economic Community and Malta on
the supply of common wheat as food aid

(73/411/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the European Economic Community has deposited a Declaration of pro-
visional application of the 1971 Food Aid Convention; whereas that Convention has
been applicable since 1 July 1971;

Whereas Malta, by its letter of 16 August 1972, has requested food aid;

Whereas in view of the cereal supply situation in Malta, that country should be
accorded, by way of gift, 2 500 metric tons of common wheat under the Community
Food Aid Programme for 1972/73,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Economic Community and Malta on the supply
of common wheat as food aid, the text whereof is annexed hereto, is hereby concluded
on behalf of the Community.

Article 2

The President of the Council is hereby authorized to designate the persons empowered
to sign the Agreement and to confer on them the necessary powers to bind the Com-
munity.

Done at Luxembourg, 15 October 1973.

*For the Council**The President*

I. NØRGAARD

AGREEMENT

**between the European Economic Community and Malta on the supply
of common wheat as food aid**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,
on the one part,

THE GOVERNMENT OF MALTA,
on the other part,

HAVE DECIDED to conclude this Agreement and to this end have designated as their
Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

THE GOVERNMENT OF MALTA:

WHO HAVE DECIDED AS FOLLOWS:

Article I

As part of its Food Aid Programme (Cereals) for 1972/73, the European Economic Community, hereinafter referred to as the 'Community', shall supply Malta, hereinafter referred to as the 'recipient country', with 2 500 metric tons of common wheat by way of gift.

Article II

Deliveries will be made in bulk fob to Community ports.

Article III

The obligations and responsibilities of the Community and of the recipient country relating in particular to delivery and the taking of delivery respectively are defined in the Annex, which forms an integral part of this Agreement.

Article IV

The recipient country undertakes to make all necessary arrangements for the transport and insurance of the product from ports of shipment to places of destination.

It undertakes to exercise the greatest possible care to ensure that the tendering arrangements for the transport by sea shall not be prejudicial to the free play of fair competition. Any problems arising in this connection shall be the subject of consultations under Article IX.

Article V

The recipient country undertakes to use the product received as aid for purposes of consumption and to apply, for the sale of the product on its market, the prices normally charged on that market for products of comparable quality.

The proceeds from this sale, less the costs of sea transport, of insurance and the normal costs of selling the product on the recipient country's market, shall be paid into a special account at the Central Bank of that country and allocated to the financing of one or more development schemes proposed by the recipient country and approved by the Community.

Article VI

The Contracting Parties undertake to implement this Agreement in such a way as to avoid any prejudice to the normal structure of domestic production and international trade. To this end they shall take any measures required to ensure that aid supplies are in addition to, and do not replace, commercial transactions which might reasonably be expected in the absence of such supplies. In particular, the recipient country undertakes to import commercially from whatever source between 1 July 1973 and 30 June 1974 a minimum quantity of 49 000 metric tons of common wheat or its equivalent in flour of common wheat.

Article VII

The recipient country shall take all appropriate measures to prevent:

- the re-export of the product received as aid and of products and by-products resulting from such supplies;
- the export, commercially or otherwise, within six months of the last delivery, either of the product obtained locally and of the same nature as the product received as aid or of any products or by-products resulting from it.

Article VIII

The recipient country undertakes to inform the Community of the mode of implementation of this Agreement. To this end it shall provide the Commission

of the European Communities with the following information:

1. not later than thirty days after the unloading of each cargo: port and date of arrival of the vessel; nature, quantity and quality of the products unloaded; date on which unloading was completed;
2. every three months until the quantities received as aid have been fully used: quantities sold, how they have been sold, selling prices; normal selling costs on the recipient country's market;
3. On 15 January each year until the special account has been fully used:
 - (a) state of this account (lodgments and withdrawals) on 31 December of the preceding year;
 - (b) progress achieved in the project or projects, with an indication of the total amount of financing carried out at that stage.

Article IX

At the request of either of them, the Contracting Parties shall consult each other on any questions concerning the implementation of this Agreement.

Article X

This Agreement shall be drawn up in duplicate in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic.

ANNEX

Provisions laid down in Article III of the Agreement

Article 1

Delivery shall be effected and all risk shall pass from the Community to the country of destination at the moment at which the goods have been placed in the ship's hold at the port of shipment.

The country of destination shall bear all costs subsequent to delivery of the goods, including costs of stowage and, where appropriate, of trimming and bagging.

Any demurrage or dispatch money at the port of shipment shall be a charge on or for the benefit of the Community and shall be determined before the vessel sails. The rates and detailed arrangements relating thereto laid down in the contract between the country of destination and the carrier must have been agreed upon in advance by the

agent of the country of destination and the authorized agent of the Community referred to in Article 9.

Article 2

The Community shall notify the country of destination in good time of the port or ports of shipment, the quantities to be delivered at each port, the period within which loading must begin, and the daily loading rate.

Article 3

The Community must be prepared to load the goods on the date resulting from the instructions in Article 8, whereon the vessel should be ready for loading.

Article 4

On delivery of the goods, a tolerance of 5 % less than the quantity to be supplied in accordance with Article 1 of the Agreement is permitted.

Article 5

Once the goods are on board the vessel, the Community shall notify the country of destination of the date of loading, together with the quantity and quality of the goods as recorded on loading.

Article 6

The country of destination shall supply the Community, with the period referred to in Article 2, with a vessel of dimensions corresponding to the normal loading potential of the port of shipment.

Should it prove impossible for the vessel to begin loading within the period referred to in Article 2 and should the country of destination not have notified the Community of this fact in writing at the latest by the date on which the vessel should be ready for loading in accordance with Article 8, the goods shall be at the disposal of the Community.

Whatever the circumstances, the goods shall be held at the expense, risk and peril of the country of destination.

Article 7

Should the country of destination fail to provide a vessel of suitable tonnage or if the quantity made available for loading on a vessel of suitable tonnage cannot be put on board in its entirety because of circumstances beyond the control of the Community, the balance shall be loaded on to the next vessel under the conditions laid down in this Annex.

In this event, until the date of loading of the balance or until the country of destination gives notice in writing that it gives up the balance, the goods shall be held at the expense, risk and peril of the country of destination.

The country of destination must notify the Community, within a maximum period of thirty clear days from the beginning of loading of the shipment to which the goods should have belonged, of the date on which loading of the balance is due to begin or of its renunciation of the balance.

If this obligation is not respected, the Community may consider that it has discharged its commitment to the country of destination under Article 1 of the Agreement.

Article 8

The country of destination shall name for the Community the vessel that is to ship the goods at least ten clear days prior to the estimated date of arrival of the vessel in port or, where possible, twenty clear days prior to this date, and shall at the same time indicate how soon after that date the vessel will be ready for loading.

The country of destination shall insert in the charter party a clause requiring the captain to inform the Community at least seventy-two hours in advance of the vessel's estimated date of arrival in port.

Article 9

To implement the provisions of this Annex, the Community shall appoint an authorized agent, whose name and address it shall make known in good time to the country of destination.

The country of destination shall nominate a receiving agent in each port of shipment, whose name and address it shall make known to the Community before the Agreement is implemented.

Information concerning the signing of the Agreement between the European Economic Community and Malta on the supply of food aid

The Agreement between the European Economic Community and Malta on the supply of common wheat as food aid, which the Council decided to conclude on 15 October 1973, was signed at Brussels on 15 November 1973 on behalf of the Council of the European Communities by:

Mr Otto Møller, Minister Counsellor, Deputy Permanent Representative, and

Mr Otto Durieux, Director in the Directorate-General for Development Aid at the Commission of the European Communities, and on behalf of the Government of Malta by:

Mr Anthony J. B. Soler, Counsellor.

COMMISSION

COMMISSION DECISION

of 4 October 1973

on the reimbursement by the Guidance Section of the EAGGF to the French Republic of premiums paid during 1971 for grubbing apple trees, pear trees and peach trees

(Only the French text is authentic)

(73/412/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 2517/69 ⁽¹⁾ of 9 December 1969 laying down certain measures for reorganizing Community fruit production, as last amended by Regulation (EEC) No 2476/70 ⁽²⁾;

Having regard to Council Regulation (EEC) No 2093/70 ⁽³⁾ of 20 October 1970 adopting general rules for the application of Articles 6 and 7 (1) of Regulation (EEC) No 2517/69, and in particular Article 2 (2) thereof;

Whereas the French Republic has made an application for the reimbursement of all expenditure in respect of premiums granted during 1971;

Whereas this application is in accordance with the provision of Commission Regulation (EEC) No 1096/71 ⁽⁴⁾ of 27 May 1971 on applications for the reimbursement of premiums granted by the Member States for grubbing apple trees, pear trees and peach trees;

Whereas an examination of information communicated shows that premiums of a total amount of 9 514 092 units of account were paid under the conditions laid down in Regulation (EEC) No 2517/69 and its rules of application;

and that this amount comprises:

— 1 636 152 units of account regarding the amount of the complementary payments neces-

sary to increase the premiums granted in 1970 to 800 units of account per hectare grubbed,

— 7 877 940 units of account regarding the new grubbing works; whereas the Guidance Section of the European Agricultural Guidance and Guarantee Fund should therefore reimburse 50% of that amount, i.e. 4 757 046 units of account;

Whereas the Fund Committee has been consulted on the financial aspects and in particular on the funds available,

HAS ADOPTED THIS DECISION:

Article 1

The contribution by the Guidance Section of the European Agricultural Guidance and Guarantee Fund towards the expenditure incurred by the French Republic during 1971 in respect of premiums for grubbing apple trees, pear trees and peach trees is fixed at 4 757 046 units of account.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 4 October 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 318, 18. 12. 1969, p. 15.

⁽²⁾ OJ No L 266, 9. 12. 1970, p. 2.

⁽³⁾ OJ No L 232, 21. 10. 1970, p. 5.

⁽⁴⁾ OJ No L 116, 28. 5. 1971, p. 35.

COMMISSION DECISION

of 10 October 1973

fixing the maximum amount of the refund for the 8th partial invitation to tender for
white sugar issued under Regulation (EEC) No 2141/73

(73/413/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

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

Having regard to Council Regulation No 1009/67/
EEC ⁽¹⁾ of 18 December 1967 on the common orga-
nization 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 ten-
der 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 Regu-
lation (EEC) No 766/68 ⁽⁵⁾ of 18 June 1968 laying
down general rules for granting export refunds on
sugar, as last amended by Regulation (EEC) No
881/73 ⁽⁶⁾, the maximum amount of the refund is
fixed for partial invitations to tender within three
working days following the expiry of the time limit
for the submission of tenders;

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

Whereas, following an examination of the tenders
submitted in response to the 8th 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 Manage-
ment Committee for Sugar,

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount of the export refund for the
8th partial invitation to tender for white sugar issued
under Regulation (EEC) No 2141/73 is hereby fixed
at 4.553 units of account per 100 kilogrammes.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 October 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.

COMMISSION DECISION
of 31 October 1973
on the Advisory Committee on Cereals
(73/414/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas an Advisory Committee on Cereals was set up by the Commission Decision of 18 July 1962 ⁽¹⁾, as amended by the Decision of 15 May 1970 ⁽²⁾;

Whereas it is considered desirable, as a result of the Accession of new Member States to the Community, to alter the rules fixing the number and apportionment of seats on this Committee;

Whereas, moreover, the text of the Decision aforesaid requires certain minor alterations and it is therefore necessary for the sake of clarity to produce a completely new version of the text,

DECIDED AS FOLLOWS:

Article 1

The text of the Decision of 18 July 1962 setting up an Advisory Committee on Cereals is replaced by the following:

Article 1

1. There shall be attached to the Commission an Advisory Committee on Cereals, hereinafter called the "Committee".
2. The Committee shall be composed of representatives of the following interests: producers, co-operatives, the cereal processing and food-manufacturing industries, traders in cereals and foodstuffs, agricultural workers and workers in the processing and food-manufacturing industries, consumers.

Article 2

1. The Committee may be consulted by the Commission on any problem concerning the operation of

Regulations on the common organization of the market in cereals and in particular on measures to be adopted by the Commission under those Regulations.

2. The Chairman of the Committee may indicate to the Commission the desirability of consulting the Committee on any matter within the latter's competence but on which its opinion has not been sought. He shall do so, in particular, at the request of one of the interests represented.

Article 3

1. The Committee shall consist of forty-four members.
2. Seats on the Committee shall be apportioned as follows:
 - fifteen to representatives of cereal producers,
 - seven to representatives of cereal producers' co-operatives and of cereal processors' cooperatives,
 - six to representatives of the cereal processing and food-manufacturing industries, of whom:
 - two shall represent the milling, maize, meal and pasta industries,
 - two shall represent the malting and brewing industries and food industries using cereals,
 - two shall represent the starch and feeding-stuffs industries,
 - five to representatives of the wholesale cereal trade,
 - five to representatives of agricultural workers and of workers in the processing and food-manufacturing industry,
 - six to consumers' representatives.

Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade, workers' organizations set up at Community level which are most representative of the interests specified in Article 1 (2) and whose activities come within the scope of the common organization of the market in cereals; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

⁽¹⁾ OJ No 72, 8. 8. 1962, pp. 2026 to 2028/62.

⁽²⁾ OJ No L 121, 4. 6. 1970, pp. 16 and 17.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

2. The term of office for members of the Committee shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

After expiry of the three years members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of the term of office.

3. A list of the members of the Committee shall be published by the Commission, for information purposes, in the *Official Journal of the European Communities*.

Article 5

The Committee shall, by a two-thirds majority of the members present, elect a Chairman and two Vice-Chairmen for a period of three years.

The Committee may, by the like majority, elect further officers from among the other members. In that case, the officers other than the Chairman shall consist at most of one representative of each interest represented on the Committee.

The officers shall prepare and organize the work of the Committee.

Article 6

At the request of any of the interests represented, the Chairman may invite a person delegated by the interest concerned to be present at meetings of the Committee. He may likewise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee. Experts shall take part in discussions only of those questions on account of which they were invited.

Article 7

The Committee may set up working groups to assist it in carrying out its work.

Article 8

1. The Committee shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its officers and working groups.

3. Secretarial services for the Committee, its officers and working groups shall be provided by the Commission.

Article 9

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Committee on the opinion to be given, the Committee shall formulate joint conclusions and attach them to the report.

The outcome of the Committee's discussions shall on request be communicated by the Commission to the Council and to the Management Committees.

Article 10

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee or of its working groups.

In such cases, only Committee members and representatives of the Commission departments concerned may be present at meetings.'

Article 2

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 31 October 1973

on the special Rice Section of the Advisory Committee on Cereals

(73/415/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas a special Rice section of the Advisory Committee on Cereals was set up by the Commission Decision of 22 July 1964 ⁽¹⁾, as amended by the Decision of 15 May 1970 ⁽²⁾;

Whereas as a general rule it has not been found necessary to vary the number and apportionment of seats on the Advisory Committees on Agriculture as a result of the Accession of new Member States to the Community;

Whereas the text of the Decision aforesaid does require certain minor alterations; and it is therefore necessary for the sake of clarity to produce a completely new version of the text,

HAS DECIDED AS FOLLOWS:

Article 1

The text of the Decision of 22 July 1964 setting up a special Rice Section of the Advisory Committee on Cereals, hereinafter called the "Section".

Article 1

1. There shall be attached to the Commission a special Rice Section of the Advisory Committee on Cereals; hereinafter called the "Section".

2. The Section shall be composed of representatives of the following interests: growers, cooperatives, the processing and food-manufacturing industries, traders in agricultural produce and foodstuffs, agricultural workers and workers in the processing and food-manufacturing industries, consumers.

Article 2

1. The Section may be consulted by the Commission on any problem concerning the operation of Regu-

lations on the common organization of the market in rice and in particular on measures to be adopted by the Commission under those Regulations.

2. The Chairman of the Section may indicate to the Commission the desirability of consulting the Section on any matter within the latter's competence on which its opinion has not been sought. He shall do so, in particular, at the request of one of the interests represented.

Article 3

1. The Section shall consist of twenty-two members.
2. Seats shall be apportioned as follows:
 - eight to representatives of rice growers,
 - three to representatives of rice cooperatives,
 - two to representatives of the rice-milling industries,
 - one to a representative of the industries using rice and broken rice,
 - two to representatives of the wholesale rice trade,
 - four to representatives of agricultural workers and of workers in the food-manufacturing industry,
 - two to consumers' representatives.

Article 4

1. Members of the Section shall be appointed by the Commission on proposals from the trade, workers' organizations set up at Community level which are most representative of the interests specified in Article 1 (2) and whose activities come within the scope of the common organization of the market in rice; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

2. The term of office for members of the Section shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

⁽¹⁾ OJ No 122, 29. 7. 1964, pp. 2051 to 2053/64.

⁽²⁾ OJ No L 121, 4. 6. 1970, pp. 14 and 15.

After expiry of the three years members of the Section shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of the term of office.

3. A list of the members of the Section shall be published by the Commission, for information purposes, in the *Official Journal of the European Communities*.

Article 5

The Chairman of the Section shall be the Chairman of the Advisory Committee on Cereals.

The Section shall, by a two-thirds majority of the members present, elect two Vice-Chairmen for a period of three years.

The Section may, by the like majority, elect further officers from among the other members. In that case, the officers other than the Chairman shall consist at most of one representative of each interest represented within the Section.

The officers shall prepare and organize the work of the Section.

Article 6

At the request of any of the interests represented, the Chairman may invite a person delegated by the interest concerned to be present at meetings of the Section. He may likewise on such request invite any person with special qualifications on any subject on the agenda to take part in an expert capacity in the deliberations of the Section. Experts shall take part in discussions only of those questions on account of which they were invited.

Article 7

The Section may set up working groups to assist it in carrying out its work.

Article 8

1. The Section shall be convened by the Commission and shall meet at Commission headquarters. Meetings

of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Section, its officers and working groups.

3. Secretarial services for the Section, its officers and working groups shall be provided by the Commission.

Article 9

The Section shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Section, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Section on the opinion to be given, the Committee shall formulate joint conclusions and attach them to the report.

The outcome of the Section's discussions shall on request be communicated by the Commission to the Council and to the Management Committees.

Article 10

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Section shall be under an obligation not to disclose information which has come to their knowledge through the work of the Section or of its working groups.

In such cases, only members of the Section and representatives of the Commission departments concerned may be present at meetings.

Article 2

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION
of 31 October 1973
on the Advisory Committee on Milk and Milk Products
(73/416/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas an Advisory Committee on Milk and Milk Products was set up by the Commission Decision of 20 July 1964 ⁽¹⁾, as amended by the Decision of 15 May 1970 ⁽²⁾;

Whereas it is considered desirable, as a result of the Accession of new Member States to the Community, to alter the rules fixing the number and apportionment of seats on this Committee;

Whereas, moreover, the text of the Decision aforesaid requires certain minor alterations and it is therefore necessary for the sake of clarity to produce a completely new version of the text,

HAS DECIDED AS FOLLOWS:

Article 1

The text of the Decision of 20 July 1964 setting up and Advisory Committee on Milk and Milk Products is replaced by the following:

Article 1

1. There shall be attached to the Commission an Advisory Committee on Milk and Milk Products, hereinafter called the "Committee"

2. The Committee shall be composed of representatives of the following interests: producers, co-operatives, the processing and food-manufacturing industries, traders in agricultural produce and food-stuffs, agricultural workers and workers in the processing and food-manufacturing industries, consumers.

Article 2

1. The Committee may be consulted by the Commission on any problem concerning the operation of Regulations on the common organization of the mar-

ket in milk and milk products and in particular on measures to be adopted by the Commission under those Regulations.

2. The Chairman of the Committee may indicate to the Commission the desirability of consulting the Committee on any matter within the latter's competence but on which its opinion has not been sought. He shall do so, in particular, at the request of one of the interests represented.

Article 3

1. The Committee shall consist of forty-six members.

2. Seats on the Committee shall be apportioned as follows:

- fourteen to representatives of producers of milk and milk products,
- six to representatives of milk and milk product cooperatives,
- three to cooperatives using milk and milk products,
- four to representatives of the milk and milk product processing industries,
- three to representatives of the milk and milk product using industries,
- five to representatives of the milk and milk products trade,
- five to representatives of agricultural workers and of workers in the processing and food-manufacturing industries,
- six to consumers' representatives.

Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade, workers' organizations set up at Community level which are most representative of the interests specified in Article 1 (2) and whose activities come within the scope of the common organization of the market in milk and milk products; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

⁽¹⁾ OJ No 122, 29. 7. 1964, pp. 2049 to 2051/64.

⁽²⁾ OJ No L 121, 4. 6. 1970, pp. 24 and 25.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

2. The term of office for members of the Committee shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

After expiry of the three years members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of the term of office.

3. A list of the members of the Committee shall be published by the Commission, for information purposes, in the *Official Journal of the European Communities*.

Article 5

The Committee shall, by a two-thirds majority of the members present, elect a Chairman and two Vice-Chairmen for a period of three years.

The Committee may, by the like majority, elect further officers from among the other members. In that case, the officers other than the Chairman shall consist at most of one representative of each interest represented on the Committee.

The officers shall prepare and organize the work of the Committee.

Article 6

At the request of any of the interests represented, the Chairman may invite a person delegated by the interest concerned to be present at meetings of the Committee. He may likewise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee. Experts shall take part in discussions only of those questions on account of which they were invited.

Article 7

The Committee may set up working groups to assist it in carrying out its work.

Article 8

1. The Committee shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its officers and working groups.

3. Secretarial services for the Committee, its officers and working groups shall be provided by the Commission.

Article 9

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Committee on the opinion to be given, the Committee shall formulate joint conclusions and attach them to the report.

The outcome of the Committee's discussions shall on request be communicated by the Commission to the Council and to the Management Committees.

Article 10

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee or of its working groups.

In such cases, only Committee members and representatives of the Commission departments concerned may be present at meetings.

Article 2

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION
of 31 October 1973
on the Advisory Committee on Beef and Veal
(73/417/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas an Advisory Committee on Beef and Veal was set up by the Commission Decision of 20 July 1964 ⁽¹⁾, as amended by the Decision of 15 May 1970 ⁽²⁾;

Whereas it is considered desirable, as a result of the Accession of new Member States to the Community, to alter the rules fixing the number and apportionment of seats on this Committee;

Whereas, moreover, the text of the Decision aforesaid requires certain minor alterations and it is therefore necessary for the sake of clarity to produce a completely new version of the text,

HAS DECIDED AS FOLLOWS:

Article 1

The text of the Decision of 20 July 1964 setting up an Advisory Committee on Beef and Veal is replaced by the following:

'Article 1

1. There shall be attached to the Commission an Advisory Committee on Beef and Veal, hereinafter called the "Committee".

2. The Committee shall be composed of representatives of the following interests: farmers, cooperatives, the processing and food-manufacturing industries, traders in agricultural produce and foodstuffs, agricultural workers and workers in the processing and food-manufacturing industries, consumers.

Article 2

1. The Committee may be consulted by the Commission on any problem concerning the operation of

Regulations on the common organization of the market in beef and veal and in particular on measures to be adopted by the Commission under those Regulations.

2. The Chairman of the Committee may indicate to the Commission the desirability of consulting the Committee on any matter within the latter's competence on which its opinion has not been sought. He shall do so, in particular, at the request of one of the interests represented.

Article 3

1. The Committee shall consist of forty-four members.

2. Seats on the Committee shall be apportioned as follows:

- fifteen to representatives of cattle farmers,
- seven to representatives of livestock and meat cooperatives and of meat-processing cooperatives,
- three to representatives of the meat and animal fat processing industries,
- three to representatives of the livestock trade,
- three to representatives of the wholesale meat trade,
- two to representatives of butchers and traders in preserved meats,
- five to representatives of agricultural workers and of workers in the processing and food-manufacturing industries,
- six to consumers' representatives.

Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade, workers' organizations set up at Community level which are most representative of the interests specified in Article 1 (2) and whose activities come within the scope of the common organization of the market in beef and veal; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

⁽¹⁾ OJ No 122, 29. 7. 1964, pp. 2047 to 2049/64.

⁽²⁾ OJ No L 121, 4. 6. 1970, pp. 20 and 21.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

2. The term of office for members of the Committee shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

After expiry of the three years members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of the term of office.

3. A list of the members of the Committee shall be published by the Commission, for information purposes, in the *Official Journal of the European Communities*.

Article 5

The Committee shall, by a two-thirds majority of the members present, elect a Chairman and two Vice-Chairmen for a period of three years.

The Committee may, by the like majority, elect further officers from among the other members. In that case, the officers other than the Chairman shall consist at most of one representative of each interest represented on the Committee.

The officers shall prepare and organize the work of the Committee.

Article 6

At the request of any of the interests represented, the Chairman may invite a person delegated by the interests concerned to be present at meetings of the Committee. He may likewise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee. Experts shall take part in discussions only of those questions on account of which they were invited.

Article 7

The Committee may set up working groups to assist it in carrying out its work.

Article 8

1. The Committee shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its officers and working groups.

3. Secretarial services for the Committee, its officers and working groups shall be provided by the Commission.

Article 9

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Committee on the opinion to be given, the Committee shall formulate joint conclusions and attach them to the report.

The outcome of the Committee's discussions shall on request be communicated by the Commission to the Council and to the Management Committees.

Article 10

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee or of its working groups.

In such cases, only Committee members and representatives of the Commission departments concerned may be present at meetings.

Article 2

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION
of 31 October 1973
on the Advisory Committee on Pigmeat
(73/418/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas an Advisory Committee on Pigmeat was set up by the Commission Decision of 18 July 1962 ⁽¹⁾, as amended by the Decision of 15 May 1970 ⁽²⁾;

Whereas it is considered desirable, as a result of the Accession of new Member States to the Community, to alter the rules fixing the number and apportionment of seats on this Committee;

Whereas, moreover, the text of the Decision aforesaid requires certain minor alterations and it is therefore necessary for the sake of clarity to produce a completely new version of the text,

HAS DECIDED AS FOLLOWS:

Article 1

The text of the Decision of 18 July 1962 setting up an Advisory Committee on Pigmeat is replaced by the following:

'Article 1

1. There shall be attached to the Commission an Advisory Committee on Pigmeat, hereinafter called the "Committee".

2. The Committee shall be composed of representatives of the following interests: farmers, co-operatives, the processing and food-manufacturing industries, traders in agricultural produce and food-stuffs, agricultural workers and workers in the processing and food-manufacturing industries, consumers.

Article 2

1. The Committee may be consulted by the Commission on any problem concerning the operation of

Regulations on the common organization of the market in pigmeat and in particular on measures to be adopted by the Commission under those Regulations.

2. The Chairman of the Committee may indicate to the Commission the desirability of consulting the Committee on any matter within the latter's competence on which its opinion has not been sought. He shall do so, in particular, at the request of one of the interests represented.

Article 3

1. The Committee shall consist of forty-four members.

2. Seats on the Committee shall be apportioned as follows:

- fifteen to representatives of pig farmers,
- seven to representatives of livestock and meat cooperatives and of meat-processing cooperatives,
- three to representatives of the meat and animal fat processing industries,
- three to representatives of the livestock trade,
- three to representatives of the wholesale meat trade,
- two to representatives of butchers and traders in preserved meats,
- five to representatives of agricultural workers and of workers in the processing and food-manufacturing industries,
- six to consumers' representatives.

Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade, workers' organizations set up at Community level which are most representative of the interests specified in Article 1 (2) and whose activities come within the scope of the common organization of the market in pigmeat; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

⁽¹⁾ OJ No 72, 8. 8. 1962, pp. 2028/ to 2030/62.

⁽²⁾ OJ No L 121, 4. 6. 1970, pp. 11 to 13.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

2. The term of office for members of the Committee shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

After expiry of the three years members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of the term of office.

3. A list of the members of the Committee shall be published by the Commission, for information purposes, in the *Official Journal of the European Communities*.

Article 5

The Committee shall, by a two-thirds majority of the members present, elect a Chairman and two Vice-Chairmen for a period of three years.

The Committee may, by the like majority, elect further officers from among the other members. In that case, the officers other than the Chairman shall consist at most of one representative of each interest represented on the Committee.

The officers shall prepare and organize the work of the Committee.

Article 6

At the request of any of the interests represented, the Chairman may invite a person delegated by the interest concerned to be present at meetings of the Committee. He may likewise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee. Experts shall take part in discussions only of those questions on account of which they were invited.

Article 7

The Committee may set up working groups to assist it in carrying out its work.

Article 8

1. The Committee shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its officers and working groups.

3. Secretarial services for the Committee, its officers and working groups shall be provided by the Commission.

Article 9

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Committee on the opinion to be given, the Committee shall formulate joint conclusions and attach them to the report.

The outcome of the Committee's discussions shall on request be communicated by the Commission to the Council and to the Management Committees.

Article 10

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee or of its working groups.

In such cases, only Committee members and representatives of the Commission departments concerned may be present at meetings.

Article 2

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION
of 31 October 1973
setting up an Advisory Committee on Poultrymeat
(73/419/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas, under point V of its final resolution, the Agricultural Conference of Member States, which met at Stresa from 3 to 12 July 1958, noted 'the intention expressed by the Commission of maintaining close and continuous cooperation with trade and workers' organizations in particular for the purpose of carrying out the tasks provided for in this Resolution';

Whereas in its Opinion of 6 May 1960 the Economic and Social Committee requested the Commission 'to set up Advisory Committees for the purpose of involving at Community level in the works of these various offices and funds the producers', traders' and workers' organizations concerned, and also consumers';

Whereas it is necessary that the Commission obtain the views of the various sections of the industry and of consumers on problems arising from the establishment of a common organization of the market in poultrymeat;

Whereas all sections of the industry directly affected by the introduction of such common organization of the market, and also consumers, should have the possibility of participating in the formulation of opinions requested by the Commission;

Whereas the various representative bodies in the agricultural industry and consumer associations in the Member States have formed organizations at Community level;

Whereas an Advisory Committee on Poultrymeat and Eggs was set up by the Commission Decision of 18 July 1962 ⁽¹⁾, as amended by the Decision of 15 May 1970 ⁽²⁾; whereas, however, experience has shown that the problems affecting these two sectors are different in nature, particularly as regards the repre-

sentation of the various interests concerned; whereas that Committee should therefore be divided into two separate Committees, one for poultrymeat and one for eggs;

Whereas the Accession of new Member States to the Community should also be taken into account;

Whereas by Article 11 of the Commission Decision of 31 October 1973 setting up an Advisory Committee on Eggs, the Committee on Poultrymeat and Eggs was dissolved,

HAS DECIDED AS FOLLOWS:

Article 1

1. There shall be attached to the Commission an Advisory Committee on Poultrymeat, hereinafter called the 'Committee'.
2. The Committee shall be composed of representatives of the following interests: farmers, cooperatives, the processing and food-manufacturing industries, traders in agricultural produce and foodstuffs, agricultural workers and workers in the processing and food manufacturing industries, consumers.

Article 2

1. The Committee may be consulted by the Commission on any problem concerning the operation of Regulations on the common organization of the Market in poultrymeat and in particular on measures to be adopted by the Commission under those Regulations.
2. The Chairman of the Committee may indicate to the Commission the desirability of consulting the Committee on any matter within the latter's competence on which its opinion has not been sought. He shall do so, in particular, at the request of one of the interests represented.

Article 3

1. The Committee shall consist of twenty-eight members

⁽¹⁾ OJ No 72, 8. 8. 1962, pp. 2030 to 2032/62.

⁽²⁾ OJ No L 121, 4. 6. 1970, pp. 26 and 27.

2. Seats on the Committee shall be apportioned as follows:

- eight to representatives of poultry farmers;
- six to representatives of poultry-farming cooperatives;
- three to representatives of the poultry-slaughtering industry;
- three to representatives of the poultry trade;
- four to representatives of agricultural workers and workers in the processing and food manufacturing industries;
- four to consumers' representatives.

Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade, workers' organizations set up at Community level which are most representative of the interests specified in Article 1 (2) and whose activities come within the scope of the common organization of the market in poultrymeat; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

2. The term of office for members of the Committee shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

After expiry of the three years members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of the term of office.

3. A list of the members of the Committee shall be published by the Commission, for information purposes, in the *Official Journal of the European Communities*.

Article 5

The Committee shall, by a two-thirds majority of the members present, elect a Chairman and two Vice-Chairmen for a period of three years.

The Committee may, by the like majority, elect further officers from among the other members. In that case, the officers other than the Chairman shall consist at most of one representative of each interest represented on the Committee.

The officers shall prepare and organize the work of the Committee.

Article 6

At the request of any of the interests represented, the Chairman may invite a person delegated by the interest concerned to be present at meetings of the Committee.

He may likewise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee. Experts shall take part in discussions only of those questions on account of which they were invited.

Article 7

The Committee may set up working groups to assist it in carrying out its work.

Article 8

1. The Committee shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its officers and working groups.

3. Secretariat services for the Committee, its officers and working groups shall be provided by the Commission.

Article 9

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Committee on the opinion to be given, the Committee shall formulate joint conclusions and attach them to the report.

The outcome of the Committee's discussions shall on request be communicated by the Commission to the Council and to the Management Committees.

Article 10

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee or of its working groups.

In such cases, only Committee members and representatives of the Commission departments concerned may be present at meetings.

Article 11

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 31 October 1973

setting up an Advisory Committee on Eggs

(73/420/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas under point V of its final resolution the Agricultural Conference of Member States, which met at Stresa from 3 to 12 July 1958, noted with satisfaction 'the intention expressed by the Commission of maintaining close and continuous cooperation with trade and workers' organizations in particular for the purpose of carrying out the tasks provided for in this resolution';

Whereas in its opinion of 6 May 1960 the Economic and Social Committee requested the Commission to set up Advisory Committees for the purpose of involving at Community level in the work of these various offices and funds producers, traders' and workers' organizations concerned, and also consumers;

Whereas it is necessary that the Commission obtain the views of the various sections of the industry and of consumers on problems arising from the establishment of a common organization of the market in eggs;

Whereas all sections of the industry directly affected by the introduction of such common organization of the market, and also consumers, should have the possibility of participating in the formulation of opinions requested by the Commission;

Whereas the various representative bodies in the agricultural industry and consumer associations in the Member States have formed organizations at Community level;

Whereas an Advisory Committee on Poultrymeat and Eggs was set up by the Commission Decision of 18 July 1962 ⁽¹⁾, as amended by the Decision of 15 May 1970 ⁽²⁾; whereas, however, experience has shown that the problems affecting these two sectors are different in nature, particularly as regards the representation of the various interests concerned;

whereas that Committee should therefore be divided into two separate Committees, one for poultrymeat and one for eggs;

Whereas the Accession of new Member States to the Community should also be taken into account,

HAS DECIDED AS FOLLOWS:

Article 1

1. There shall be attached to the Commission an Advisory Committee on Eggs, hereinafter called the 'Committee'.
2. The Committee shall be composed of representatives of the following interests: producers, cooperatives, the processing and food-manufacturing industries, traders in agricultural produce and foodstuffs, agricultural workers and workers in the processing and food-manufacturing industries, consumers.

Article 2

1. The Committee may be consulted by the Commission on any problem concerning the operation of Regulations on the common organization of the market in eggs and in particular on measures to be adopted by the Commission under those Regulations.
2. The Chairman of the Committee may indicate to the Commission the desirability of consulting the Committee on any matter within the latter's competence on which its opinion has not been sought. He shall do so, in particular, at the request of one of the interests represented.

Article 3

1. The Committee shall consist of twenty-eight members.
2. Seats on the Committee shall be apportioned as follows:
— eight to representatives of egg producers,

⁽¹⁾ OJ No 72, 8. 8. 1962, pp. 2030 to 2032/62.

⁽²⁾ OJ No L 121 4. 6. 1970, pp. 26 and 27.

- six to representatives of poultry-farming co-operatives,
- three to representatives of industries using eggs and egg products, of whom one or more shall represent egg-processing plants,
- three to representatives of the egg trade, including egg-packing stations,
- four to representatives of agricultural workers and of workers in the processing and food-manufacturing industries,
- four to consumers' representatives.

Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade, workers' organizations set up at Community level which are most representative of the interests specified in Article 1 (2) and whose activities come within the scope of the common organizations of the market in eggs; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

2. The term of office for members of the Committee shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

After expiry of the three years members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of the term of office.

3. A list of the members of the Committee shall be published by the Commission, for information purposes, in the *Official Journal of the European Communities*.

Article 5

The Committee shall, by a two-thirds majority of the members present, elect a Chairman and two Vice-Chairmen for a period of three years.

The Committee may, by the like majority, elect further officers from among the other members. In that case, the officers other than the Chairman shall

consist at most of one representative of each interest represented on the Committee.

The officers shall prepare and organize the work of the Committee.

Article 6

At the request of any of the interests represented, the Chairman may invite a person delegated by the interest concerned to be present at meetings of the Committee.

He may likewise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee. Experts shall take part in discussions only of those questions on account of which they were invited.

Article 7

The Committee may set up working groups to assist it in carrying out its work.

Article 8

1. The Committee shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its officers and working groups.

3. Secretarial services for the Committee, its officers and working groups shall be provided by the Commission.

Article 9

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Committee on the opinion to be given, the Committee shall formulate joint conclusions and attach them to the report.

The outcome of the Committee's discussions shall on request be communicated by the Commission to the Council and to the Management Committees.

Article 10

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee or of its working groups.

In such cases, only Committee members and representatives of the Commission departments concerned may be present at meetings.

Article 11

The Commission Decision of 18 July 1962 setting up an Advisory Committee on Poultrymeat and Eggs, as amended by the Decision of 15 May 1970, is hereby repealed.

Article 12

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 31 October 1973

on the Advisory Committee on Oils and Fats

(73/421/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas an Advisory Committee on Oils and Fats was set up by the Commission Decision of 9 June 1967 ⁽¹⁾, as amended by the Decision of 1 February 1971 ⁽²⁾;

Whereas it is considered desirable, as a result of the Accession of new Member States to the Community, to replace the rules fixing the number and apportionment of seats on this Committee;

Whereas, moreover, the text of the Decision aforesaid requires certain minor alterations and it is therefore necessary for the sake of clarity to produce a completely new version of the text,

HAS DECIDED AS FOLLOWS:

Article 1

The text of the Decision of 1 February 1971 setting up an Advisory Committee on Oils and Fats is replaced by the following:

Article 1

1. There shall be attached to the Commission an Advisory Committee on Oils and Fats, hereinafter called the "Committee".

2. The Committee shall be composed of representatives of the following interests: agricultural products, cooperatives, the oil seed processing and vegetable oil using industries, traders in olive oil and oil seeds, agricultural workers and workers in the food and feed manufacturing industries, consumers.

3. The Committee shall consist of two separate Sections, composed of members of the Committee:

- the Olive and Olive Products Section,
- and the Oil Seed and Oil Seed Products Section.

Article 2

1. The Committee or either of its separate Sections may be consulted by the Commission on any problem concerning the operation of Regulations on the common organization of the market in oils and fats, and in particular on measures to be adopted by the Commission under those Regulations.

2. The Chairman of the Committee may indicate to the Commission the desirability of consulting the Committee or the separate Sections on any matter within the latter's competence on which its opinion has not been sought. He shall do so, in particular, at the request of one of the interests represented.

Article 3

1. The Committee shall consist of fifty-four members.

2. Seats on the Committee shall be apportioned as follows:

(a) Olive and Olive Products Section:

- five to representatives of olive growers and olive oil producers,
- three to representatives of olive oil cooperatives,
- two to representatives of the olive oil producing industries,
- one to a representative of the olive-oil trade,
- three to representatives of agricultural workers and of workers in the olive-oil industry,
- two to consumers' representatives;

(b) Oil Seed and Oil Seed Products Section:

- twelve to representatives of oil seed growers,
- seven to representatives of oil seed cooperatives,
- nine to representatives of the oil seed processing and vegetable-oil using industries, of whom:

⁽¹⁾ OJ No 119, 20. 6. 1967, p. 2343/67.

⁽²⁾ OJ No L 43, 22. 2. 1971, pp. 42 to 44.

- five shall represent industries producing oils other than olive oil,
- one shall represent the margarine industry,
- one shall represent industries using edible oils,
- one shall represent industries using oils for industrial purposes,
- one shall represent industries using oil cake,
- two to representatives of the oil seed trade,
- two to representatives of agricultural workers and of workers in the food and feed manufacturing industries,
- six to consumers' representatives.

Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade, workers' organizations set up at Community level which are most representative of the interests specified in Article 1 (2) and whose activities come within the scope of the common organization of the market in oils and fats; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

2. The term of office for members of the Committee shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

After expiry of the three years members of the Committee shall remain in office until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of the term of office.

3. A list of the members of the Committee shall be published by the Commission, for information purposes, in the *Official Journal of the European Communities*.

Article 5

The Committee shall, by a two-thirds majority of the members present, elect a Chairman and two Vice-Chairmen for a period of three years.

The Chairman of the Committee shall also act as Chairman of the individual Sections. Each Section shall elect its own Vice-Chairman.

The Committee may, by the like majority as aforesaid, elect further officers from among the other members. In that case, the officers other than the Chairman shall consist at most of one representative of each interest represented on the Committee.

The officers shall prepare and organize the work of the Committee.

Article 6

At the request of any of the interests represented, the Chairman may invite a person delegated by the interest concerned to be present at meetings of the Committee or of the Sections.

He may likewise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee or of the Sections. Experts shall take part in discussions only of those questions on account of which they were invited.

Article 7

The Committee and its Sections may set up working groups to assist them in carrying out their work.

Article 8

1. The Committee and its Sections shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its Sections, its officers and the working groups.

3. Secretarial services for the Committee, its Sections, its officers and the working groups shall be provided by the Commission.

Article 9

The Committee and the Sections shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee or of either of its Sections, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Committee or in the Section concerned on the opinion to be given, the Committee or the Section as the case may be shall formulate joint conclusions and attach them to the report.

The outcome of discussions in the Committee or the Sections shall on request be communicated by the Commission to the Council and to the Management Committees.

Article 10

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee shall be under an obligation not to

disclose information which has come to their knowledge through the work of the Committee or its Sections or of the working groups.

In such cases, only Committee members and representatives of the Commission departments concerned may be present at meetings.'

Article 2

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 31 October 1973

on the Advisory Committee on Sugar

(73/422/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas an Advisory Committee on Sugar was set up by the Commission Decision of 29 April 1969 ⁽¹⁾;

Whereas it is considered desirable, as a result of the Accession of new Member States to the Community, to alter the rules fixing the number and apportionment of seats on this Committee;

Whereas, moreover, the text of the Decision aforesaid requires certain minor alterations and it is therefore necessary for the sake of clarity to produce a completely new version of the text,

HAS DECIDED AS FOLLOWS:

Article 1

The text of the Decision of 29 April 1969 setting up an Advisory Committee on Sugar is replaced by the following:

Article 1

1. There shall be attached to the Commission an Advisory Committee on Sugar, hereinafter called the "Committee".

2. The Committee shall be composed of representatives of the following interests: growers, cooperatives, the processing and food-manufacturing industries, traders in agricultural produce and food-stuffs, agricultural workers and workers in the processing and food-manufacturing industries, consumers.

Article 2

1. The Committee may be consulted by the Commission on any problem concerning the operation of

Regulations on the common organization of the market in sugar and in particular on measures to be adopted under those Regulations.

2. The Chairman of the Committee may indicate to the Commission the desirability of consulting the Committee on any matter within the latter's competence on which its opinion has not been sought.

He shall do so, in particular, at the request of one of the interests represented.

3. In respect of problems relating to:

- (a) contracts for the supply of sugar beet,
- (b) payment for sugar beet and sugar cane,
- (c) disposal of sugar surpluses,
- (d) arrangements to offset storage costs for sugar,
- (e) the allocation of quotas particularly in the event of mergers between undertakings,

the Commission may, acting through the Joint Working Party provided for in Article 5 of this Decision, consult only the representatives of beet and cane growers and the representatives of sugar manufacturers.

Article 3

1. The Committee shall consist of forty-two members.

2. Seats on the Committee shall be apportioned as follows:

- fifteen to representatives of beet and cane growers,
- six to representatives of beet and cane processing cooperatives,
- nine to representatives of the sugar producer and user industries, of which:
 - six to representatives of sugar manufacturers,
 - one to representatives of the raw sugar refining industry,
 - two to representatives of the sugar user industries,

⁽¹⁾ OJ No L 122, 22. 5. 1969, pp. 2 to 4.

- two to representatives of the sugar and molasses trade,
- five to representatives of agricultural workers and workers in the processing and food manufacturing industries,
- five to consumers' representatives.

Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade and workers' organizations set up at Community level which are most representative of the interests specified in Article 1 (2) and whose activities come within the scope of the common organization of the market in sugar; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

2. The term of office for members of the Committee shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

After expiry of the three years members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of his term of office.

3. A list of the members of the Committee shall be published by the Commission for information purposes, in the *Official Journal of the European Communities*.

Article 5

1. There shall be set up under the auspices of the Committee a Joint Working Party consisting of nine beet and cane growers' representatives and nine sugar manufacturers' representatives, appointed by the Commission on proposals from the trade organizations concerned in accordance with the procedure laid down in Article 4.

Members of the Working Party need not be members of the Committee.

2. In the event of a member of the Joint Working Party being unable to attend a meeting, and in this event only, another person may attend in his stead.

The trade organization which proposed the absent member may propose a substitute for him to the Chairman.

3. The Chairman of the Joint Working Party may indicate to the Commission the desirability of consulting the Working Party on any matter within Article 2 (3) on which it has not been consulted. He shall do so, in particular, at the request of either of the two interests represented on the Working Party.

Article 6

1. The Committee shall, by a two-thirds majority of the members present, elect a Chairman and two Vice-Chairmen for a period of three years.

The Committee may, by the like majority, elect further officers from among the other members.

In that case, the officers other than the Chairman shall consist at most of one representative of each interest represented on the Committee. The officers shall prepare and organize the work of the Committee.

2. The Joint Working Party shall, by a two-thirds majority of the members present, elect a Chairman and Vice-Chairman for a period of one year. The Chairman and Vice-Chairman may not both represent the same interest. They shall be chosen alternately from the two interests represented.

Article 7

1. At the request of any of the interests represented, the Chairman may invite a person delegated by the interest concerned to be present at meetings of the Committee. He may likewise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee.

2. The Chairman of the Joint Working Party may invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Working Party.

3. Experts shall take part only in those discussions in the Committee or in the Joint Working Party which concern the questions on account of which they were invited.

Article 8

The Committee and the Joint Working Party may set up working groups to assist them in carrying out their work.

Article 9

1. The Committee and the Joint Working Party shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its officers, the Joint Working Party and the working groups.

3. Secretarial services for the Committee, its officers, the Joint Working Party and the working groups shall be provided by the Commission.

Article 10

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Commission on the opinion to be given, the Commission shall formulate joint conclusions and attach them to the report.

The outcome of the Committee's discussions shall on request be communicated by the Commission to the Council and to the Management Committee.

Article 11

The Chairman of the Joint Working Party shall report to the Committee on the work of the Working Party.

Article 12

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee and members of the Joint Working Party, or those attending in their stead pursuant to Article 5 (2), shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee, the Joint Working Party of the working groups.

In such cases, only members of the Committee, members of the Joint Working Party, those attending in their stead pursuant to Article 5 (2) and representatives of the Commission departments concerned may be present at meetings.

Article 2

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 31 October 1973

on the Advisory Committee on Fresh and Processed Fruit and Vegetables

(73/423/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas an Advisory Committee on Fresh and Processed Fruit and Vegetables was set up by the Commission Decision of 18 July 1962 ⁽¹⁾, as amended by the Decision of 15 May 1970 ⁽²⁾;

Whereas it is considered desirable, as a result of the Accession of new Member States to the Community, to alter the rules fixing the number and apportionment of seats on this Committee;

Whereas, moreover, the text of the Decision aforesaid requires certain minor alterations and it is therefore necessary for the sake of clarity to produce a completely new version of the text,

HAS DECIDED AS FOLLOWS:

Article 1

The text of the Decision of 18 July 1962 setting up an Advisory Committee on Fresh and Processed Fruit and Vegetables is replaced by the following:

Article 1

1. There shall be attached to the Commission an Advisory Committee on Fresh and Processed Fruit and Vegetables, hereinafter called the "Committee".

2. The Committee shall be composed of representatives of the following interests: growers, cooperatives the processing and food-manufacturing industries, traders in agricultural produce and foodstuffs, agricultural workers and workers in the processing and food-manufacturing industries, consumers.

Article 2

1. The Committee may be consulted by the Commission on any problem concerning the operation of Regulations on the common organization of the market in fruit and vegetables and in particular on measures to be adopted by the Commission under those Regulations.

2. The Chairman of the Committee may indicate to the Commission the desirability of consulting the Committee on any matter within the latter's competence on which its opinion has not been sought. He shall do so, in particular, at the request of one of the interests represented.

Article 3

1. The Committee shall consist of forty members.

2. Seats on the Committee shall be apportioned as follows:

- fourteen to representatives of fruit and vegetable growers,
- six to representatives of fruit and vegetable co-operatives,
- four to representatives of the processing and food-manufacturing industries, of whom:
 - two shall represent the vegetable preserving industries,
 - two shall represent the jam manufacturing, fruit preserving and fruit and vegetable juice industries,
- six to representatives of the fruit and vegetable trade,
- five to representatives of agricultural workers and of workers in the processing and food-manufacturing industries,
- five to consumers' representatives.

Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade, workers' organizations set up at Community level which are most representative of the interests specified in Article 1 (2) and whose activities come within

⁽¹⁾ OJ No 72, 8. 8. 1962, pp. 2032 to 2034/62.

⁽²⁾ OJ No L 121, 4. 6. 1970, pp. 18 and 19.

the scope of the common organization of the market in fruit and vegetables; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

2. The term of office for members of the Committee shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

After expiry of the three years members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of the term of office.

3. A list of the members of the Committee shall be published by the Commission for information purposes, in the *Official Journal of the European Communities*.

Article 5

The Committee shall, by a two-thirds majority of the members present, elect a Chairman and two Vice-Chairmen for a period of three years.

The Committee may, by the like majority, elect further officers from among the other members. In that case, the officers other than the Chairman shall consist at most of one representative of each interest represented on the Committee.

The officers shall prepare and organize the work of the Committee.

Article 6

At the request of any of the interests represented, the Chairman may invite a person delegated by the interest concerned to be present at meetings of the Committee. He may likewise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee. Experts shall take part in discussions only of those questions on account of which they were invited.

Article 7

The Committee may set up working groups to assist it in carrying out its work.

Article 8

1. The Committee shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its officers and working groups.

3. Secretarial services for the Committee, its officers and working groups shall be provided by the Commission.

Article 9

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Committee on the opinion to be given, the Committee shall formulate joint conclusions and attach them to the report.

The outcome of the Committee's discussions shall on request be communicated by the Commission to the Council and to the Management Committees.

Article 10

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee or its working groups.

In such case, only Committee members and representatives of the Commission departments concerned may be present at meetings.

Article 2

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION
of 31 October 1973
on the Advisory Committee on Wine
(73/424/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Whereas an Advisory Committee on Wine was set up by the Commission Decision of 18 July 1962 ⁽¹⁾, as amended by the Decision of 15 May 1970 ⁽²⁾;

Whereas it is considered desirable, as a result of the Accession of new Member States to the Community, to alter the rules fixing the number and apportionment of seats on this Committee;

Whereas, moreover, the text of the Decision aforesaid requires certain minor alterations and it is therefore necessary for the sake of clarity to produce a completely new version of the text,

HAS DECIDED AS FOLLOWS:

Article 1

The text of the Decision of 18 July 1962 setting up an Advisory Committee on Wine is replaced by the following:

Article 1

1. There shall be attached to the Commission an Advisory Committee on Wine, hereinafter called the "Committee".

2. The Committee shall be composed of representatives of the following interests: growers, cooperatives, the wine-making and processing industries, the wine trade, agricultural workers and workers in the wine industry, consumers.

Article 2

1. The Committee may be consulted by the Commission on any problem concerning the operation of

Regulations on the common organization of the market in wine and in particular on measures to be adopted by the Commission under those Regulations.

2. The Chairman of the Committee may indicate to the Commission the desirability of consulting the Committee on any matter within the latter's competence but on which its opinion has not been sought. He shall do so, in particular, at the request of one of the interests represented.

Article 3

1. The Committee shall consist of forty members.

2. Seats on the Committee shall be apportioned as follows:

- twelve to wine growers' representatives,
- eight to representatives of wine-making and marketing cooperatives,
- six to representatives of the wine trade,
- four to representatives of the wine-making and processing industries,
- five to representatives of agricultural workers and of workers in the wine industry,
- five to consumers' representatives.

Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade workers' organizations set up at Community level which are most representative of the interests specified in Article 1 (2) and whose activities come within the scope of the common organization of the market in wine; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

2. The term of office for members of the Committee shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

⁽¹⁾ OJ No 72, 8. 8. 1962, pp. 2034 to 2036/62.

⁽²⁾ OJ No L 121, 4. 6. 1970, pp. 28 and 29.

After expiry of the three years members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of the term of office.

3. A list of the members of the Committee shall be published by the Commission, for information purposes, in the *Official Journal of the European Communities*.

Article 5

The Committee shall, by a two-thirds majority of the members present, elect a Chairman and two Vice-Chairmen for a period of three years.

The Committee may, by the like majority, elect further officers from among the other members. In that case, the officers other than the Chairman shall consist at most of one representative of each interest represented on the Committee.

The officers shall prepare and organize the work of the Committee.

Article 6

At the request of any of the interests represented, the Chairman may invite a person delegated by the interest concerned to be present at meetings of the Committee. He may likewise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee. Experts shall take part in discussions only of those questions on account of which they were invited.

Article 7

The Committee may set up working groups to assist it in carrying out its work.

Article 8

1. The Committee shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its officers and working groups.

3. Secretarial services for the Committee, its officers and working groups shall be provided by the Commission.

Article 9

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Committee on the opinion to be given, the Committee shall formulate joint conclusions and attach them to the report.

The outcome of the Committee's discussions shall on request be communicated by the Commission to the Council and to the Management Committees.

Article 10

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee or of its working groups.

In such cases, only Committee members and representatives of the Commission departments concerned may be present at meetings.'

Article 2

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION
of 31 October 1973
on the Advisory Committee on Raw Tobacco
(73/425/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas an Advisory Committee on Raw Tobacco was set up by the Commission Decision of 22 December 1970 ⁽¹⁾;

Whereas as a general rule it has not been found necessary to vary the number and apportionment of seats on the Advisory Committees on agriculture as a result of the Accession of new Member States to the Community;

Whereas, however, the text of the Decision aforesaid does require certain minor alterations and it is therefore necessary for the sake of clarity to produce a completely new version of the text,

HAS DECIDED AS FOLLOWS:

Article 1

The text of the Decision of 22 December 1970 setting up an Advisory Committee on Raw Tobacco is replaced by the following:

Article 1

1. There shall be attached to the Commission an Advisory Committee on Raw Tobacco, hereinafter called the "Committee".

2. The Committee shall be composed of representatives of the following interests: producers, cooperatives, the tobacco industry, the tobacco trade, workers in the relevant sectors, consumers.

Article 2

1. The Committee may be consulted by the Commission on any problem concerning the operation of

Regulations on the common organization of the market in raw tobacco and in particular on measures to be adopted under those Regulations.

2. The Chairman of the Committee may indicate to the Commission the desirability of consulting the Committee on any matter within the latter's competence on which its opinion has not been sought. He shall do so, in particular, at the request of one of the interests represented.

3. In respect of problems concerning the sale of leaf tobacco under Article 3 of Regulation (EEC) No 727/70 ⁽²⁾ and in particular as regards the terms of the contracts referred to in that Article, the Commission may, through the Joint Working Party provided for in Article 5 of this Decision, consult only the representatives of raw tobacco producers and the representatives of the tobacco industry and the tobacco trade.

Article 3

1. The Committee shall consist of thirty-eight members.

2. Seats on the Committee shall be apportioned as follows:

- nineteen to representatives of raw tobacco producers and of producers' cooperatives, of which at least one seat to be allocated to cooperatives,
- four to representatives of the tobacco trade,
- six to representatives of the tobacco industry, of which two seats to be allocated to public undertakings,
- six to representatives of agricultural workers and of workers in the tobacco industry,
- three to consumers' representatives.

Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade, workers' organizations set up at Community level which are most representative of the interests specified in Article 1 (2) and whose activities come within the scope of the common organization of the

⁽¹⁾ OJ No L 14, 18. 1. 1971, pp. 8 to 10.

⁽²⁾ OJ No L 94, 28. 4. 1970.

market in raw tobacco; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

2. The term of office for members of the Committee shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

After expiry of the three years members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of his term of office.

3. A list of the members of the Committee shall be published by the Commission for information purposes, in the *Official Journal of the European Communities*.

Article 5

1. There shall be set up under the auspices of the Committee a Joint working Party consisting of seven producers' representatives and seven representatives of the tobacco trade and the tobacco industry, appointed by the Commission on proposals from the trade organizations concerned in accordance with the procedure laid down in Article 4.

Members of the Working Party need not be members of the Committee.

The trade and industry representatives shall be as follows:

- two representatives of the raw tobacco trade,
- five representatives of the tobacco industry, of whom two shall represent public undertakings.

2. In the event of a member of the Joint Working Party being unable to attend a meeting, and in this event only, another person may attend in his stead. The trade organization which proposed the absent member may propose a substitute for him to the Chairman.

3. The Chairman of the Joint Working Party may indicate to the Commission the desirability of consulting the Working Party on any matter within Article 2 (3) on which it has not been consulted. He shall do so, in particular, at the request of either of the two sides represented on the Working Party.

Article 6

1. The Committee shall, by a two-thirds majority of the members present, elect a Chairman and two Vice-Chairmen for a period of three years.

The Committee may, by the like majority, elect further officers from among the other members.

In that case, the officers other than the Chairman shall consist at most of one representative of each interest represented on the Committee. The officers shall prepare and organize the work of the Committee.

2. The Joint Working Party shall, by a two-thirds majority of the members present, elect a Chairman and Vice-Chairman for a period of one year.

The Chairman and Vice-Chairman may not both represent the same side. They shall be chosen alternately from the two sides represented.

Article 7

1. At the request of any of the interests represented, the Chairman may invite a person delegated by the interest concerned to be present at meetings of the Committee. He may likewise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee.

2. The Chairman of the Joint Working Party may invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Working Party.

3. Experts shall take part only in those discussions in the Committee or in the Joint Working Party which concern the questions on account of which they were invited.

Article 8

The Committee and the Joint Working Party may set up working groups to assist them in carrying out in their work.

Article 9

1. The Committee and the Joint Working Party shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its officers, the Joint Working Party and the working groups.

3. Secretarial services for the Committee, its officers, the Joint Working Party and the working groups shall be provided by the Commission.

Article 10

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Commission on the opinion to be given, the Commission shall formulate joint conclusions and attach them to the report.

The outcome of the Committee's discussions shall on request be communicated by the Commission to the Council and to the Management Committee.

Article 11

The Chairman of the Joint Working Party shall report to the Committee on the work of the Working Party.

Article 12

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee and members of the Joint Working Party, or those attending in their stead pursuant to Article 5 (2), shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee, the Joint Working Party or the working groups.

In such cases, only members of the Committee, members of the Joint Working Party, those attending in their stead pursuant to Article 5 (2), and representatives of the Commission departments concerned may be present at meetings.'

Article 2

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION
of 31 October 1973
on the Advisory Committee on Hops
(73/426/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas an Advisory Committee on Hops was set up by the Commission Decision of 20 July 1972 ⁽¹⁾;

Whereas it is considered desirable, as a result of the Accession of new Member States to the Community, to alter the rules fixing the number and apportionment of seats on this Committee;

Whereas, moreover, the text of the Decision aforesaid requires certain minor alterations and it is therefore necessary for the sake of clarity to produce a completely new version of the text,

HAS DECIDED AS FOLLOWS:

Article 1

The text of the Decision of 20 July 1972 setting up an Advisory Committee on Hops is replaced by the following:

'Article 1

1. There shall be attached to the Commission an Advisory Committee on Hops, hereinafter called the "Committee".

2. The Committee shall be composed of representatives of the following interests: growers, cooperatives, the processing and food-manufacturing industries, traders in agricultural produce, agricultural workers, and workers in the brewing and hop-processing industries, consumers.

Article 2

1. The Committee may be consulted by the Commission on any problem concerning the operation of Regulations on the common organization of the market in hops and in particular on measures to be adopted under those Regulations.

2. The Chairman of the Committee may indicate to the Commission the desirability of consulting the Committee on any matter within the latter's competence on which its opinion has not been sought. He shall do so, in particular, at the request of one of the interests represented.

3. In respect of problems relating to the provisions referred to in Article 6 of Council Regulation (EEC) No 1696/71 ⁽²⁾ of 26 July 1971 the Commission may, acting through the Joint Working Party provided for in Article 5 of this Decision, consult only the representatives of hop growers and the representatives of the hop trade and of the brewing industry.

Article 3

1. The Committee shall consist of thirty members.

2. Seats on the Committee shall be apportioned as follows:

- ten to representatives of hop growers,
- five to representatives of hop cooperatives,
- four to representatives of the brewing industry,
- five to representatives of the hop trade, including the hop-processing industry,
- three to representatives of agricultural workers and of workers in the brewing and hop-processing industries,
- three to consumers' representatives.

Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade, workers' organizations set up at Community level which are most representative of the interests specified in

⁽¹⁾ OJ No L 179, 7. 8. 1972, p. 13.

⁽²⁾ OJ No L 175, 4. 8. 1971.

Article 1 (2) and whose activities come within the scope of the common organization of the market in hops; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

2. The term of office for members of the Committee shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

After expiry of the three years members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of his term of office.

3. A list of the members of the Committee shall be published by the Commission, for information purposes, in the *Official Journal of the European Communities*.

Article 5

1. There shall be set up under the auspices of the Committee a Joint Working Party consisting of six growers' representatives and six representatives of the hop trade and the brewing industry, appointed by the Commission on proposals from the trade organizations concerned in accordance with the procedure laid down in Article 4.

Members of the Working Party need not be members of the Committee.

2. The trade and industry representatives shall be as follows:

- three representatives of the hop trade,
- three representatives of the brewing industry.

3. In the event of a member of the Joint Working Party being unable to attend a meeting, and in this event only, another person may attend in his stead. The trade organization which proposed the absent member may propose a substitute for him to the Chairman.

4. The Chairman of the Joint Working Party may indicate to the Commission the desirability of consulting the Working Party on any matter within Article

2 (3) on which it has not been consulted. He shall do so, in particular, at the request of either of the two sides represented on the Working Party.

Article 6

1. The Committee shall, by a two-thirds majority of the members present, elect a Chairman and two Vice-Chairmen for a period of three years.

The Committee may, by the like majority, elect further officers from among the other members.

In that case, the officers other than the Chairman shall consist at most of one representative of each interest represented on the Committee.

The officers shall prepare and organize the work of the Committee.

2. The Joint Working Party shall, by a two-thirds majority of the members present, elect a Chairman and Vice-Chairman for a period of one year. The Chairman and Vice-Chairman may not both represent the same side. They shall be chosen alternately from the two sides represented.

Article 7

1. At the request of any of the interests represented, the Chairman may invite a person delegated by the interest concerned to be present at meetings of the Committee. He may likewise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee.

2. The Chairman of the Joint Working Party may invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Working Party.

3. Experts shall take part only in those discussions in the Committee or in the Joint Working Party which concern the questions on account of which they were invited.

Article 8

The Committee and the Joint Working Party may set up working groups to assist them in carrying out their work.

Article 9

1. The Committee and the Joint Working Party shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers

shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its officers, the Joint Working Party and the working groups.

3. Secretarial services for the Committee, its officers, the Joint Working Party and the working groups shall be provided by the Commission.

Article 10

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Commission on the opinion to be given, the Commission shall formulate joint conclusions and attach them to the report.

The outcome of the Committee's discussions shall on request be communicated by the Commission to the Council and to the Management Committee.

Article 11

The Chairman of the Joint Working Party shall report to the Committee on the work of the Working Party.

Article 12

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee and members of the Joint Working Party, or those attending in their stead pursuant to Article 5 (3), shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee, the Joint Working Party or the working groups.

In such cases, only members of the Committee, members of the Joint Working Party, or those attending in their stead pursuant to Article 5 (3) and representatives of the Commission departments concerned may be present at meetings.

Article 2

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION
of 31 October 1973
on the Advisory Committee on Live Plants
(73/427/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas an Advisory Committee on Live Plants was set up by the Commission Decision of 25 February 1969 ⁽¹⁾, as amended by the Decision of 15 May 1970 ⁽²⁾;

Whereas it is considered desirable, as a result of the Accession of new Member States to the Community, to alter the rules fixing the number and apportionment of seats on this Committee;

Whereas, moreover, the text of the Decision aforesaid requires certain minor alterations and it is therefore necessary for the sake of clarity to produce a completely new version of the text,

HAS DECIDED AS FOLLOWS:

Article 1

The text of the Decision of 25 February 1969 setting up an Advisory Committee on Live Plants is replaced by the following:

Article 1

1. There shall be attached to the Commission an Advisory Committee on Live Plants, hereinafter called the "Committee".
2. The Committee shall be composed of representatives of the following interests: growers, cooperatives, traders in horticultural produce, horticultural workers, consumers.

Article 2

1. The Committee may be consulted by the Commission on any problem concerning the operation of Regulations on the common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage, and in particular on measures to be adopted by the Commission under those Regulations.

2. The Chairman of the Committee may indicate to the Commission the desirability of consulting the Committee on any matter within the latter's competence on which its opinion has not been sought. He shall do so, in particular, at the request of one of the interests represented.

Article 3

1. The Committee shall consist of thirty-four members.
2. Seats on the Committee shall be apportioned as follows:
 - eleven to representatives of growers,
 - six to representatives of producers' cooperatives,
 - nine to representatives of traders in live plants and nursery produce,
 - five to horticultural workers' representatives,
 - three to consumers' representatives.

Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade, worker's organizations set up at Community level which are most representative of the interests specified in Article 1 (2) and whose activities come within the scope of the common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

⁽¹⁾ OJ No L 68, 19. 3. 1969, p. 8.

⁽²⁾ OJ No L 121, 4. 6. 1970, p. 22.

2. The term of office for members of the Committee shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

After expiry of the three years members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of the term of office.

3. A list of the members of the Committee shall be published by the Commission for information purposes, in the *Official Journal of the European Communities*.

Article 5

The Committee shall, by a two-thirds majority of the members present, elect a Chairman and two Vice-Chairmen for a period of three years.

The Committee may, by the like majority, elect further officers from among the other members. In that case, the officers other than the Chairman shall consist at most of one representative of each interest represented on the Committee.

The officers shall prepare and organize the work of the Committee.

Article 6

At the request of any of the interests represented, the Chairman may invite a person delegated by the interest concerned to be present at meetings of the Committee. He may like wise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee. Experts shall take part in discussions only of those questions on account of which they were invited.

Article 7

The Committee may set up working groups to assist it in carrying out its work.

Article 8

1. The Committee shall be convened by the Commission and shall meet at Commission headquarters.

Meetings of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its officers and working groups.

3. Secretarial services for the Committee, its officers and working groups shall be provided by the Commission.

Article 9

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Committee on the opinion to be given, the Committee shall formulate joint conclusions and attach them to the report.

The outcome of the Committee's discussions shall on request be communicated by the Commission to the Council and to the Management Committees.

Article 10

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee or of its working groups.

In such cases, only Committee members and representatives of the Commission departments concerned may be present at meetings.'

Article 2

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 31 October 1973

of the Advisory Committee on Flax and Hemp

(73/428/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas an Advisory Committee on Flax and Hemp was set up by the Commission Decision of 22 December 1970 ⁽¹⁾;

Whereas it is considered desirable, as a result of the Accession of new Member States to the Community, to alter the rules fixing the number and apportionment of seats on this Committee;

Whereas, moreover, the text of the Decision aforesaid requires certain minor alterations and it is therefore necessary for the sake of clarity to produce a completely new version of the text,

HAS DECIDED AS FOLLOWS:

Article 1

The text of the Decision of 22 December 1970 setting up an Advisory Committee on Flax and Hemp is replaced by the following:

Article 1

1. There shall be attached to the Commission an Advisory Committee on Flax and Hemp, hereinafter called the "Committee".

2. The Committee shall be composed of representatives of the following interests: growers, cooperatives, the flax and hemp industry, traders, workers in the relevant agricultural and industrial sectors, consumers.

Article 2

1. The Committee may be consulted by the Commission on any problem concerning the operation of Regulations on the common organization of the market in flax and hemp and in particular on measures to be adopted under those Regulations.

2. The Chairman of the Committee may indicate to the Commission the desirability of consulting the Committee on any matter within the latter's competence on which its opinion has not been sought. He shall do so, in particular, at the request of one of the interests represented.

3. In respect of problems relating to the provisions referred to in Article 6 of Council Regulation (EEC) No 1308/70 ⁽²⁾ of 29 June 1970 the Commission may, acting through the Joint Working Party provided for in Article 5 of this Decision, consult only the representatives of flax and hemp growers and the representatives of the flax retting and scutching industries and the hemp using industries.

Article 3

1. The Committee shall consist of thirty-six members.

2. Seats on the Committee shall be apportioned as follows:

- twelve to representatives of flax and hemp growers,
- six to representatives of flax and hemp cooperatives,
- four to representatives of the retting and scutching industry,
- six to representatives of the flax and hemp using industries, of whom:
 - three shall represent the flax and hemp spinning industry,
 - one shall represent the flax-using industries other than the spinning industry,
 - one shall represent the hemp-using industries other than the spinning industry,
 - one shall represent the linseed oil industry,
- one to a representative of the flax and hemp trade,

⁽¹⁾ OJ No L 14, 18. 1. 1971, pp. 11 to 13.

⁽²⁾ OJ No L 146, 4. 7. 1970, p. 1.

- four to representatives of agricultural and industrial workers in this sector,
- three to consumers' representatives.

Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade, workers' organizations set up at Community level which are most representative of the interests specified in Article 1 (2) and whose activities come within the scope of the common organization of the market in flax and hemp; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

2. The term of office for members of the Committee shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

After expiry of the three years members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of his term of office.

3. A list of the members of the Committee shall be published by the Commission, for information purposes, in the *Official Journal of the European Communities*.

Article 5

1. There shall be set up under the auspices of the Committee a Joint Working Party consisting of five growers' representatives and five representatives of the flax and hemp industry, appointed by the Commission on proposals from the trade organizations concerned in accordance with the procedure laid down in Article 4.

Members of the Working Party need not be members of the Committee.

2. Seats on the Joint Working Party shall be apportioned as follows:

- (a) three to flax growers' representatives;
three to representatives of the flax retting and scutching industries;

- (b) two to hemp growers' representatives;
two to representatives of the hemp-using industries.

The respective representatives of the flax sector and the hemp sector may hold separate meetings.

3. In the event of a member of the Joint Working Party being unable to attend a meeting, and in this event only, another person may attend in his stead. The trade organization which proposed the absent member may propose a substitute for him to the Chairman.

4. The Chairman of the Joint Working Party may indicate to the Commission the desirability of consulting the Working Party on any matter within Article 2 (3) on which it has not been consulted. He shall do so, in particular, at the request of either of the two sides represented on the Working Party.

Article 6

1. The Committee shall, by a two-thirds majority of the members present, elect a Chairman and two Vice-Chairmen for a period of three years.

The Committee may, by the like majority, elect further officers from among the other members.

In that case, the officers other than the Chairman shall consist at most of one representative of each interest represented on the Committee.

The officers shall prepare and organize the work of the Committee.

2. The Joint Working Party shall, by a two-thirds majority of the members present, elect a Chairman and Vice-Chairman for a period of one year.

The Chairman and Vice-Chairman may not both represent the same side (growers or users). They shall be chosen alternately from the two sides represented.

Article 7

1. At the request of any of the interests represented, the Chairman may invite a person delegated by the interest concerned to be present at meetings of the Committee. He may likewise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee.

2. The Chairman of the Joint Working Party may invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Working Party.

3. Experts shall take part only in those discussions in the Committee or in the Joint Working Party

which concern the questions on account of which they were invited.

Article 8

The Committee and the Joint Working Party may set up working groups to assist them in carrying out their work.

Article 9

1. The Committee and the Joint Working Party shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its officers, the Joint Working Party and the working groups.

3. Secretarial services for the Committee, its officers, the Joint Working Party and the working groups shall be provided by the Commission.

Article 10

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Committee on the opinion to be given, the

Committee shall formulate joint conclusions and attach them to the report.

The outcome of the Committee's discussions shall on request be communicated by the Commission to the Council and to the Management Committee.

Article 11

The Chairman of the Joint Working Party shall report to the Committee on the work of the Working Party.

Article 12

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the committee and members of the Joint Working Party, or those attending in their stead pursuant to Article 5 (3), shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee, the Joint Working Party or the working groups.

In such cases, only members of the Committee, members of the Joint Working Party and representatives of the Commission departments concerned may be present at meetings.

Article 2

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION
of 31 October 1973
on the Advisory Committee on Fisheries
(73/429/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas an Advisory Committee on Fisheries was set up by the Commission Decision of 25 February 1971 ⁽¹⁾;

Whereas it is considered desirable, as a result of the Accession of new Member States to the Community, to alter the rules fixing the number and apportionment of seats on this Committee;

Whereas, moreover, the text of the Decision aforesaid requires certain minor alterations and it is therefore necessary for the sake of clarity to produce a completely new version of the text,

HAS DECIDED AS FOLLOWS:

Article 1

The text of the Decision of 25 February 1971 setting up an Advisory Committee on Fisheries is replaced by the following:

Article 1

1. There shall be attached to the Commission an Advisory Committee on Fisheries, hereinafter called the "Committee".

2. The Committee shall be composed of representatives of the following interests: producers and co-operatives in the fishing industry, credit institutions involved in fisheries, trade in fishery products, the fishery products industries, and the fishing and fishery products industries consumers.

Article 2

1. The Committee may be consulted by the Commission on any problem concerning the operation of Regulations relating to the establishment of a common structural policy in fisheries or to the com-

mon organization of the market in fishery products, and in particular on measures to be adopted by the Commission under those Regulations and also on all social problems arising in the industry, with the exception of industrial disputes.

2. The Chairman of the Committee may indicate to the Commission the desirability of consulting the Committee on any matter within the latter's competence on which its opinion has not been sought. He shall do so, in particular, at the request of one of the interests represented.

Article 3

1. The Committee shall consist of forty-five members.

2. Seats on the Committee shall be apportioned as follows:

- eighteen to representatives of producers of fishery products,
- three to representatives of fisheries cooperatives,
- one to a representative of commercial banks financing maritime activities (Banques commerciales pour les activités maritimes),
- two to representatives of specialized cooperative credit institutions,
- five to representatives of the trade in fishery products,
- five to representatives of the fishery industries,
- six to representatives of workers in the fishing and fishery products industries,
- five to consumers' representatives.

Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade, workers' organizations set up at Community level which are most representative of the interests specified in Article 1 (2) and whose activities come within the scope of the common organization of the market in fishery products; consumers' representatives shall be appointed on proposals from the Consumers' Advisory Committee.

⁽¹⁾ OJ No L 68, 22. 3. 1971, p. 18.

Those bodies shall for each seat to be filled put forward the names of two candidates of different nationality.

2. The term of office for members of the Committee shall be three years. Their appointments may be renewed. Members shall not be remunerated for their services.

After expiry of the three years members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of the term of office.

3. A list of the members of the Committee shall be published by the Commission for information purposes, in the *Official Journal of the European Communities*.

Article 5

The Committee shall, by a two-thirds majority of the members present, elect a Chairman and two Vice-Chairmen for a period of three years.

The Committee may, by the like majority, elect further officers from among the other members. In that case, the officers other than the Chairman shall consist at most of one representative of each interest represented on the Committee.

The officers shall prepare and organize the work of the Committee.

Article 6

At the request of any of the interests represented, the Chairman may invite a person delegated by the interest concerned to be present at meetings of the Committee. He may likewise on such request invite any person with special qualifications in any subject on the agenda to take part in an expert capacity in the deliberations of the Committee. Experts shall take part in discussions only of those questions on account of which they were invited.

Article 7

The Committee may set up working groups to assist it in carrying out its work.

Article 8

1. The Committee shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, its officers and working groups.

3. Secretarial services for the Committee its officers and working groups shall be provided by the Commission.

Article 9

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Committee on the opinion to be given, the Committee shall formulate joint conclusions and attach them to the report.

The outcome of the Committee's discussions shall on request be communicated by the Commission to the Council and to the Management Committees.

Article 10

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee or of its working groups.

In such cases, only Committee members and representatives of the Commission departments concerned may be present at meetings.

Article 2

This Decision shall enter into force on 31 October 1973.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 31 October 1973

issuing a standing invitation to tender for the export of 100 000 metric tons of rye held
by the German intervention agency

(Only the German text is authentic)

(73/430/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) 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 7 (5) thereof;

Having regard to Commission Regulation (EEC) No 376/70 ⁽³⁾ of 27 February 1970 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies, as last amended by Regulation (EEC) No 129/73 ⁽⁴⁾ and in particular Article 5 (1) and (7) thereof;

Whereas the Federal Republic of Germany in its communication of 4 October 1973 informed the Commission of the intention of the German intervention agency to issue an invitation to tender for the export of rye;

Whereas the 100 000 metric tons of rye to be tendered for will be exported from the frontier crossing posts for which the tenders are made by the tenderers; whereas the rye is stored elsewhere; whereas the German intervention agency, in order to place all those participating in the tendering procedure in the same competitive position shall sell at the same price; whereas in order to do this it will bear the cost of transport from the place of storage to the frontier crossing point stipulated;

Whereas under Article 5 (5) of Regulation (EEC) No 376/70 it may be provided that a tender shall only be valid if it is accompanied by an application for an export licence and by an application for advance fixing of the refund for the destination in question; whereas the intention of this provision is to allow for better assessment of the tender lodged by the tenderer;

Whereas Council Regulation (EEC) No 1968/73 ⁽⁵⁾ 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 ⁽⁶⁾, provided for the possibility of fixing an export levy; whereas, according to Article 3 (4) of that Regulation, this levy may be subject to advance fixing;

Whereas it is only possible to make a proper assessment of a tender if the tender is linked with the export levy applicable on the day on which it is lodged; whereas, in order to take account of this, it is appropriate to apply to the export levy by analogy the rules of Article 5 (5) of Regulation (EEC) No 376/70 and to extend the application of all the provisions made under this Article to the export levy;

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

HAS ADOPTED THIS DECISION:

Article 1

The German intervention agency, may under the conditions hereinafter laid down, issue a standing invitation to tender for the export of rye held by it.

Article 2

1. The invitation to tender refers to a quantity of 100 000 metric tons of rye.
2. The places in which the 100 000 metric tons of rye are stored are 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 L 47, 28. 2. 1970, p. 49.

⁽⁴⁾ OJ No L 17, 20. 1. 1973, p. 17.

⁽⁵⁾ OJ No L 201, 21. 7. 1973, p. 10.

⁽⁶⁾ OJ No L 272, 29. 9. 1973, p. 18.

Article 3

1. The minimum selling price is to be fixed for the following places in accordance with Article 5 (7) of Regulation (EEC) No 376/70:

North Sea or Baltic ports of export and/or frontier crossing points in the Federal Republic of Germany, Rotterdam, Amsterdam, Antwerpen and Gent.

2. Tenders must be made for one or more of these ports or exit points. The tenderer shall specify the port or ports or exit points for which the tender is made.

The tenders shall be for rye:

- which is in harbour silos from which it can be loaded directly on to a seagoing vessel or canal barge, or
- which is supplied undischarged at the place of embarkation at the port or exit point.

3. In cases where an export refund or levy is applicable on the day on which tenders are lodged, the tenders shall only be valid if they are accompanied by an application for an export licence lodged by the tenderer and a corresponding application:

- for advance fixing of the refund for the destination in question, or
- for advance fixing of the export levy. In this case the provisions made under Article 5 (5) of Regulation (EEC) No 376/70 shall apply.

4. As regards the quantities of rye which are not at the places referred to in the first and second indents of paragraph 2, the most advantageous transport costs between the place of storage and the place of embarkation at the port or exit point which may be reached at the most advantageous costs, shall be reimbursed to the exporter-tenderer by the German intervention agency.

Article 4

The German intervention agency shall lay down in the notice of invitation to tender the dates on which tenders may be submitted.

There must be at least ten days between publication of the notice of invitation to tender and the first date laid down for submission of tenders. The last date on which tenders may be submitted is 14 June 1974.

Article 5

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 31 October 1973.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

		(in metric tons)
Place of storage		Quantities stored
Schleswig-Holstein/Hamburg		12 066
Niedersachsen/Bremen		27 619
Nordrhein-Westfalen		45 100
Rheinland-Pfalz/Baden-Württemberg/Saarland		10 854
Berlin		4 300

COMMISSION DECISION

of 19 November 1973

fixing the minimum selling price for butter for the 33rd individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 1259/72.

(73/431/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 1259/72 ⁽⁵⁾ of 16 June 1972 on the disposal of butter at a reduced price to certain Community processing undertakings, as last amended by Regulation (EEC) No 2248/73 ⁽⁶⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

Whereas Article 9 of that Regulation provides that, in the light of the tenders received, a minimum selling price must be fixed which may vary with the fat content of the butter; whereas alternatively a decision may be taken not to proceed with the invitation to tender; whereas the amount of the processing security must be fixed in the light of the difference between the minimum selling price and the market price of the butter;

Whereas, in the light of the tenders received in response to the 33rd individual invitation to tender, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly;

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

For the 33rd individual invitation to tender under Regulation (EEC) No 1259/72, in respect of which the time limit for the submission of tenders expires on 13 November 1973:

- (a) the minimum selling price to be considered when awarding contracts shall be 60 u.a./100 kg of butter;
- (b) the processing security shall be 129 u.a./100 kg of butter without prejudice to the provisions of the second and third subparagraphs of Article 12 (1) of Regulation (EEC) No 1259/72.

Article 2

This Decision is addressed to all Member States.

Done at Brussels, 19 November 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 139, 17. 6. 1972, p. 18.

⁽⁶⁾ OJ No L 230, 18. 8. 1973, p. 14.

COMMISSION DECISION

of 21 November 1973

regarding an autonomous increase of imports into the Community of cotton textiles covered by the Trade Agreement between the EEC and the Republic of Korea on trade in cotton textiles

(73/432/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1471/70 ⁽¹⁾ of 20 July 1970 establishing a common procedure for the autonomous increase of imports into the Community of products subject to measures of voluntary restraint by exporting countries;

Having regard to Council Regulation (EEC) No 1023/70 ⁽²⁾ of 25 May 1970 establishing a common procedure for administering quantitative quotas, and in particular Article 11 thereof;

Whereas on 29 March 1971 the Community concluded an Agreement with Korea on trade in cotton textiles;

Whereas that Agreement provides for the limitation of Korean exports within a ceiling agreed between the two parties;

Whereas by the Decisions of 8 March 1973 ⁽³⁾ and 2 August 1973 ⁽⁴⁾ the Community autonomously increased the ceilings laid down in the Agreement between the Community and Korea on trade in cotton textiles; whereas this increase was made to take account of the Accession of the new Member States to the Community and to avoid disturbing traditional trade;

Whereas the most recent statistics relating to imports into Ireland appear to warrant putting this increase at a higher level;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Management Committee for Quota which met on 17 September 1973,

HAS ADOPTED THIS DECISION:

Article 1

The ceilings laid down for products of Group I (woven fabrics of cotton, unbleached or bleached) and Group II (other woven fabrics and made-up articles) in the Agreement on trade in cotton textiles concluded on 29 March 1971 between the European Economic Community and the Republic of Korea shall be autonomously increased until 31 December 1973 as follows:

- Group I from 6 054 metric tons to 6 069.5 metric tons,
- Group II from 1 351 metric tons to 1 358.5 metric tons.

Article 2

This Decision is addressed to all Member States.

Done at Brussels, 21 November 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 164, 27. 7. 1970, p. 41.

⁽²⁾ OJ No L 124, 8. 6. 1970, p. 1.

⁽³⁾ OJ No L 94, 10. 4. 1973, p. 20.

⁽⁴⁾ OJ No L 253, 10. 9. 1973, p. 22.

COMMISSION DECISION

of 23 November 1973

fixing, for the purpose of the tendering procedure referred to in Regulation (EEC) No 2876/73, maximum amounts for the costs of delivery fob of skimmed-milk powder

(Only the Danish, Dutch, German and French texts are authentic)

(73/433/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 7 (5) thereof;

Whereas, in accordance with Commission Regulation (EEC) No 2876/73 ⁽³⁾ of 18 October 1973 concerning invitations to tender for the costs of delivery of skimmed-milk powder to the World Food Programme, the Danish, German, French and Dutch intervention agencies have invited tenders in respect of the costs of delivery fob of certain quantities of skimmed-milk powder for the World Food Programme intended for various third countries;

Whereas Article 7 of Commission Regulation (EEC) No 1885/73 ⁽⁴⁾ of 12 July 1973 concerning invitations to tender for the costs of delivery, as food aid, of skimmed-milk powder held by the intervention agencies, provides that in the light of the tenders received, a maximum amount shall be fixed or the tendering procedure shall be cancelled;

Whereas, in view of the offers received, the maximum prices should be fixed at the levels stated below, with regard to the lots of skimmed-milk powder to be taken from the Danish, German and Dutch intervention agencies and to cancel the tendering procedure with regard to the lot to be taken from the French intervention agencies;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The maximum amounts for the purposes of the award of contracts pursuant to Regulation (EEC) No 2876/73 shall be as follows:

- 3 204 units of account for a lot of 580 metric tons of skimmed-milk powder offered for tender by the Danish intervention agency;
- 19 267 units of account for a lot of 2 186.5 metric tons of skimmed-milk powder offered for tender by the German intervention agency;
- 8 733 units of account for a lot of 1 503 metric tons of skimmed-milk powder offered for tender by the Dutch intervention agency;

2. With regard to the following lot the tendering procedure has been cancelled:

- a lot of 2 005 metric tons of skimmed-milk powder offered for tender by the French intervention agency.

Article 2

This Decision is addressed to the Kingdom of Denmark, the Federal Republic of Germany, the French Republic and the Kingdom of the Netherlands.

Done at Brussels, 23 November 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 296, 24. 10. 1973, p. 17.

⁽⁴⁾ OJ No L 192, 13. 7. 1973, p. 31.

COMMISSION DECISION

of 28 November 1973

on the submission of applications for assistance from the European Social Fund

(73/434/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to Council Regulation (EEC) No 2396/71 ⁽¹⁾ of 8 November 1971 implementing the Council Decision of 1 February 1971 on the reform of the European Social Fund, and in particular Article 13 thereof;

Having regard to the Opinion of the European Social Fund Committee;

Whereas pursuant to Article 5 of Council Regulation (EEC) No 2396/71 of 8 November 1971, only the Member States shall be competent to forward to the Commission applications for assistance from the European Social Fund; whereas these applications must be submitted prior to the carrying out of the operations inherent in the projects to which they relate;

Whereas within the framework of the new European Social Fund the provisions of Article 5 should help in determining and implementing at a Community level as coherent a policy as possible in the field of employment; whereas in this light the provisions in question imply that the Commission shall have enough time to assess, with full knowledge of the facts, the applications which are submitted to it and to act thereon within the prescribed time;

Whereas, irrespective of exceptional and urgent cases it is consequently necessary that each application for assistance from the European Social Fund shall be submitted to the Commission not later than three months before the commencement of operations inherent in the projects;

Whereas the implementation of the new European Social Fund and the concern to avoid any break in continuity in its activity has had the result, during a certain period, that, in spite of all their efforts, the Member States have not been able, in every case, to submit a formal application for assistance prior to

the carrying out of operations inherent in the projects; whereas this situation, about which the Fund Committee was rapidly informed, makes it necessary to apply practical measures of a temporary nature,

HAS ADOPTED THIS DECISION:

Article 1

From 1 May 1974 applications for assistance from the European Social Fund forwarded by the Member States in accordance with the provisions of Article 5 of Council Regulation (EEC) No 2396/71 of 8 November 1971 must, irrespective of exceptional and urgent cases, be submitted to the Commission not later than three months prior to the carrying out of operations inherent in the projects which are the subject of these applications.

Article 2

1. In derogation from the provisions of Article 1, applications submitted by the Member States after the date of notification of this Decision and before 1 May 1974 shall be taken into consideration on the condition that they are submitted to the Commission prior to the carrying out of the operations inherent in the projects which are the subject of the applications in question.

2. Applications now before the Commission departments shall be taken into consideration in as far as it is necessary to ensure the achievement of the European Social Fund objectives and to guarantee the continuity of the Fund's activities.

Article 3

This Decision is addressed to all Member States.

Done at Brussels, 28 November 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 249, 10. 11. 1971, p. 54.

COMMISSION DECISION

of 28 November 1973

declaring that the conditions governing the mobilization of common wheat for a national food aid project are satisfied

(Only the French and Dutch texts are authentic)

(73/435/EEC)

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 290/69 ⁽³⁾ of 17 February 1973 laying down the criteria for mobilizing of cereals intended as food aid, as amended by Regulation (EEC) No 832/69 ⁽⁴⁾ and renewed by Regulations (EEC) No 2338/69 ⁽⁵⁾ and (EEC) No 2046/70 ⁽⁶⁾, and in particular Article 4 (1) thereof;

Having regard to the communication from the Kingdom of Belgium of 14 November 1973, informing the Commission of its intention to supply food aid to Lesotho within the framework of a national project under the 1970/71 programme of food aid in the form of grain and to mobilize to this end 1 000 tons of wheat other than durum handed over as wheat flour out of the stocks of the Office Belge de l'économie et de l'agriculture (OBEA);

Whereas the Belgian intervention agency holds stocks of common wheat;

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

HAS ADOPTED THIS DECISION:

Article 1

In connection with the national food aid project which the Kingdom of Belgium intends to undertake during the month of December 1973, shipment from any North sea port, the purpose of this project being the supply of wheat flour coming from transformation of 1 000 tons of common wheat to be mobilized out of the stocks held by the Belgian intervention agency (OBEA), it is hereby declared that the conditions laid down in Article 2 (2) of Regulation (EEC) No 290/69 are satisfied.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 28 November 1973.

For the Commission

The President

François-Xavier ORTOLI

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

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 41, 18. 2. 1969, p. 2.

⁽⁴⁾ OJ No L 107, 6. 5. 1969, p. 3.

⁽⁵⁾ OJ No L 298, 25. 11. 1969, p. 8.

⁽⁶⁾ OJ No L 228, 15. 10. 1970, p. 1.

COMMISSION DECISION

of 29 November 1973

authorizing the Republic of France to allow the marketing of seeds of white clover
subject to reduced requirements up to and including 30 June 1974

(Only the French text is authentic)

(73/436/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

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

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

Having regard to the request from the Republic of
France;

Whereas the production of seeds of the category
'certified seed' of the sub-specie *Trifolium repens*
L. var. *giganteum* is too low and is therefore insuf-
ficient to meet the provisioning needs of the Republic
of France;

Whereas it is impossible to supply these needs satis-
factorily from certified seed in other Member States;

Whereas it is consequently appropriate to authorize
the Republic of France to allow the marketing of
seeds of the sub-specie *Trifolium repens* L. var. *gi-
ganteum* subject to reduced requirements up to and
including 30 June 1974;

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

HAS ADOPTED THIS DECISION:

Article 1

The Republic of France is authorized to allow the
marketing on its territory of a maximum of 450 tons

of non certified seed of the sub-specie *Trifolium re-
pens* L. var. *giganteum* up to and including 30 June
1974, under the following conditions;

- (a) the seeds comply with the conditions fixed in
Annex II of the Council Directive of 14 June 1966
concerning the marketing of fodder-plant seeds;
- (b) the packaging of the seeds in question is provided
with an official label, coloured brown, bearing
at least the following information:
 - an indication that the seeds have not been
officially certified,
 - controlling authority,
 - the specie,
 - the reference number of the lot,
 - the declared net or gross weight.

Article 2

The Republic of France will report to the Com-
mission before 1 October 1974 the quantities of seed
subject to reduced requirements, which have been
allowed to be marketed on its territory under the
authority of the present Decision. The Commission
will inform the other Member States of these
quantities.

Article 3

This Decision is addressed to the Republic of France.

Done at Brussels, 29 November 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2298/66.

⁽²⁾ OJ No L 287, 26. 12. 1972, p. 22.