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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 107/74 OF THE COMMISSION

of 16 January 1974

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

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

Having regard to the Opinion of the Monetary Committee;

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2076/73⁽³⁾ and subsequent amending Regulations;

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

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

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

Whereas it follows from applying the provisions contained in Regulation (EEC) No 2076/73 to the offer prices and today's quotations known to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 17 January 1974.

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

Done at Brussels, 16 January 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 212, 1. 8. 1973, p. 1.

ANNEX

to the Commission Regulation of 16 January 1974 fixing the import levies on cereals and on wheat or rye flour, groats and meal

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

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

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

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

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

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

REGULATION (EEC) No 108/74 OF THE COMMISSION**of 16 January 1974****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community ;

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

Having regard to the Opinion of the Monetary
Committee ;

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2077/73 ⁽³⁾ and subsequent amending Regulations ;

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

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 17 January
1974.

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

Done at Brussels, 16 January 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 212, 1. 8. 1973, p. 3.

ANNEX

to the Commission Regulation of 16 January 1974 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour ⁽¹⁾

(u.d./ton)

CCT heading No	Description of goods	Current 1	1st period 2	2nd period 3	3rd period 4
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

⁽¹⁾ The period of validity of the licence is limited in accordance with Regulation (EEC) No 2196/71 (OJ No L 231, 14. 10. 1971, p. 28), as last amended by Regulation (EEC) No 3148/73 (OJ No L 321, 22. 11. 1973, p. 13).

B. Malt

(u.d./100 kg)

ECT heading No	Description of goods	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

REGULATION (EEC) No 109/74 OF THE COMMISSION**of 16 January 1974****altering the corrective amount applicable to the refund on cereals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73⁽²⁾, and in particular the second sentence of the first subparagraph of Article 16 (4) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas, the corrective amount applicable to the refund on cereals was fixed by Regulation (EEC) No 63/74⁽³⁾ and subsequent amending Regulations;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 17 January 1974.

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

Done at Brussels, 16 January 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 9, 11. 1. 1974, p. 5.

ANNEX

to the Commission Regulation of 16 January 1974 altering the corrective amount applicable to the refund on cereals

(u.a./ton)

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

REGULATION (EEC) No 110/74 OF THE COMMISSION
of 16 January 1974
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

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

Having regard to the Opinion of the Monetary Committee ;

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

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

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 17 January 1974.

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

Done at Brussels, 16 January 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ OJ No L 176, 30. 6. 1973, p. 30.

ANNEX

(u.s.t./100 kg)

CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid :	
	A. Denatured :	
	I. White sugar	0
	II. Raw sugar	0
	B. Undenatured :	
	I. White sugar	0
	II. Raw sugar	0

REGULATION (EEC) No 111/74 OF THE COMMISSION

of 16 January 1974

fixing the import levy on molasses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

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

Having regard to the Opinion of the Monetary Committee;

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

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

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

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

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1739/73 to the information at present available to the Commission that the levy at present in force should be altered as shown in the Annex to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 17 January 1974.

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

Done at Brussels, 16 January 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ OJ No L 176, 30. 6. 1973, p. 32.

ANNEX

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

REGULATION (EEC) No 112/74 OF THE COMMISSION

of 16 January 1974

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 1009/67/EEC⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1928/73⁽²⁾, and in particular the first sentence of the last subparagraph of Article 17 (2) thereof ;

Having regard to the Opinion of the Monetary Committee ;

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

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 17 January 1974.

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 86, 31. 3. 1973, p. 30.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

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

Done at Brussels, 16 January 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 16 January 1974 fixing the refunds on white sugar and raw sugar exported in the natural state

(u.a./100 kg)

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

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

REGULATION (EEC) No 113/74 OF THE COMMISSION

of 16 January 1974

fixing additional amounts for egg products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 122/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in eggs, as last amended by the Act⁽²⁾ annexed to the Treaty⁽³⁾ on the Accession of new Member States to the European Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 8⁽⁴⁾ thereof;

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC⁽⁴⁾ of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries, as last amended by Regulation (EEC) No 1527/73⁽⁵⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Article 1 of Regulation (EEC) No 990/69⁽⁶⁾, the levies on imports of eggs not in shell and egg yolks originating in and coming from Austria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 (1) (b) of Regulation No 122/67/EEC indicates that additional amounts corresponding to the figures shown in the Annex below should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation No 122/67/EEC are hereby fixed as shown in the Annex for the products listed in Article 1 (1) of that Regulation which appear in the Annex.

Article 2

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

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

Done at Brussels, 16 January 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2293/67.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁵⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁶⁾ OJ No L 130, 31. 5. 1969, p. 4.

ANNEX

Additional amounts applicable to certain products listed in Article 1 (1) (b) of Regulation
No 122/67/EEC

CCT heading No	Description of goods	Additional amount (u.a./100 kg)	Imports affected
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not : B. Eggs, not in shell ; egg yolks : I. Suitable for human consumption : a) Eggs, not in shell : 1. Dried 2. Other b) Egg yolks : 1. Liquid 2. Frozen 3. Dried	 40-00 10-00 10-00 30-00 10-00 30-00 7-50 30-00 10-00	 Origin : People's Republic of China, Yugoslavia, Romania, Czechoslovakia or Portugal Other imports ⁽¹⁾ All imports ⁽¹⁾ Origin : People's Republic of China, Yugoslavia, Switzerland, Ethiopia, Romania or Czechoslovakia Other imports ⁽¹⁾ Origin : People's Republic of China, Yugoslavia, Czechoslovakia, Switzerland, Romania, Finland, Spain or Israel Other imports ⁽¹⁾ Origin : People's Republic of China, Yugoslavia, Romania, Czechoslovakia or Sweden Other imports ⁽¹⁾

⁽¹⁾ With the exception of products originating in and coming from Austria.

REGULATION (EEC) No 114/74 OF THE COMMISSION
of 16 January 1974
fixing additional amounts for live and slaughtered poultry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 123/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in poultrymeat, as last amended by the Act⁽²⁾ annexed to the Treaty concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972⁽³⁾, and in particular Article 8 thereof;

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC⁽⁴⁾ on fixing the additional amount for imports of poultry-farming products from third countries, as amended by Regulation (EEC) No 1527/73⁽⁵⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Regulation (EEC) No 565/68⁽⁶⁾, the import levies on slaughtered fowls, ducks and geese originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2261/69⁽⁷⁾, the import levies on slaughtered ducks and geese originating in and coming from Romania are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2474/70⁽⁸⁾, the import levies on slaughtered turkeys originating in and coming from Poland are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for slaughtered poultry and halves or quarters indicates that additional amounts corresponding to the figures shown in the Annex below should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation No 123/67/EEC are hereby fixed as shown in the Annex for the products listed in Article 1 (1) of that Regulation which appear in the Annex.

Article 2

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

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

Done at Brussels, 16 January 1974.

For the Commission

The President

François-Xavier ORTOLI

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

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁵⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁶⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁷⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁸⁾ OJ No L 265, 8. 12. 1970, p. 13.

ANNEX

Additional amount applicable to live and slaughtered poultry and halves or quarters

CCT heading No	Description of goods	Additional amount (u.a./100 kg)	Imports affected
01.05	Live poultry, that is to say fowls, ducks, geese, turkeys, and guinea fowls : B. Other : I. Fowls V. Guinea fowls	15-00 10-00	Origin : Hungary or Czechoslovakia All imports
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen : A. Whole poultry : I. Fowls : a) Plucked and gutted, with heads and feet, known as '83 % chickens' b) Plucked and drawn, without heads and feet but with hearts, livers and gizzards, known as '70 % chickens' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens' V. Guinea fowls B. Poultry cuts (excluding offals) : II. Unboned (bone in) : a) Halves or quarters : 1. Of fowls	5-00 5-00 5-00 20-00 5-00	All imports ⁽¹⁾ All imports ⁽¹⁾ All imports ⁽¹⁾ All imports All imports

⁽¹⁾ With the exception of products originating in and coming from Poland and Bulgaria.

REGULATION (EEC) No 115/74 OF THE COMMISSION

of 16 January 1974

fixing additional amounts for ovalbumin and lactalbumin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 170/67/EEC ⁽¹⁾ of 27 June 1967 on the common system of trade for ovalbumin and lactalbumin and repealing Regulation No 48/67/EEC, as amended by Regulation (EEC) No 1081/71 ⁽²⁾, and in particular Article 5 ⁽⁵⁾ thereof ;

Whereas, if for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC ⁽³⁾ of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries, as last amended by Regulation (EEC) No 1527/73 ⁽⁴⁾ ; whereas that Article 1 applies by virtue of Article 2 of Commission Regulation No 201/67/EEC ⁽⁵⁾ of 28 June 1967 on detailed rules for the application of Regulation No 170/67/EEC on the common system of trade for ovalbumin and lactalbumin and repealing Regulation No 48/67/EEC ;

Whereas the offer price must be determined for all imports from all third countries ; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must

be determined for exports from these other countries ;

Whereas, pursuant to Article 2 of Regulation (EEC) No 990/69 ⁽⁶⁾, the import levies on ovalbumin and lactalbumin originating in and coming from Austria are not increased by an additional amount ;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 of Regulation No 170/67/EEC indicates that additional amounts corresponding to the figures shown in the Annex below should be fixed for the imports specified in that Annex ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The additional amounts provided for in Article 5 of Regulation No 170/67/EEC are hereby fixed as shown in the Annex for the products listed in Article 1 of that Regulation which appear in the Annex.

Article 2

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

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

Done at Brussels, 16 January 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 130, 28. 6. 1967, p. 2596/67.

⁽²⁾ OJ No L 116, 28. 5. 1971, p. 9.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No 134, 30. 6. 1967, p. 2836/67.

⁽⁶⁾ OJ No L 130, 31. 5. 1969, p. 4.

ANNEX

Additional amounts applicable to ovalbumin and lactalbumin

CCT heading No	Description of goods	Additional amount (u.a./100 kg)	Imports affected
35.02	Albumins, albuminates and other albumin derivatives : A. Albumins : II. Other (i.e. other than unfit, or rendered unfit, for human consumption) : a) Ovalbumin and lactalbumin : 2. Other	5.00	All imports ⁽¹⁾

⁽¹⁾ With the exception of products originating in and coming from Austria.

REGULATION (EEC) No 116/74 OF THE COMMISSION
of 16 January 1974
altering the special export levy on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

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

Having regard to Council Regulation (EEC) No 608/72⁽³⁾ of 23 March 1972 laying down rules to be applied in cases of considerable price rises on the world sugar market, and in particular Article 1 (2) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas the special export levy on white sugar and raw sugar was fixed by Regulation (EEC) No 3150/73⁽⁴⁾, as last amended by Regulation (EEC) No 106/74⁽⁵⁾;

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

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

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

Whereas it follows from applying the rules, criteria and other provisions contained in amended Regulation (EEC) No 3150/73 to the information at present available to the Commission that the special export levy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The special export levy on sugar provided for in the second subparagraph of Article 16 (1) of Regulation No 1009/67/EEC fixed in the Annex to amended Regulation (EEC) No 3150/73, is altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 January 1974.

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

Done at Brussels, 16 January 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 321, 22. 11. 1973, p. 16.

⁽⁵⁾ OJ No L 13, 16. 1. 1974, p. 28.

ANNEX

CCT heading No	Description of goods	(u.a./100 kg) Amount of the special export levy
17.01	Beet sugar and cane sugar, solid :	
	A. Denatured :	
	I. white sugar	14.50
	II. raw sugar	14.50 ⁽¹⁾
	B. Udenatured :	
	I. White sugar	14.50
	ex II. Raw sugar other than candy sugar	14.50 ⁽¹⁾

⁽¹⁾ This amount applies to raw sugar with a 92 % yield. If the yield of the exported raw sugar is different from 92 % the levy to be applied shall be calculated in conformity with Article 2 of Regulation (EEC) No 1076/72.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 30 November 1973

fixing the minimum selling price for butter for the 34th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 1259/72

(74/6/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⁾ on 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 34th 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 34th individual invitation to tender under Regulation (EEC) No 1259/72, in respect of which the time limit for the submission of tenders expires on 27 November 1973:

- (a) the minimum selling price to be considered when awarding contracts shall be 60 u.a./100 kg of butter

⁽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.

(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.

Done at Brussels, 30 November 1973.

Article 2

This Decision is addressed to all Member States.

For the Commission

The President

François-Xavier ORTOLI

THIRD COMMISSION DIRECTIVE

of 13 December 1973

amending the Annexes of the Council Directive of 23 November 1970 on additives in feedingstuffs

(74/7/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to the Council Directive of 23 November 1970 ⁽¹⁾ on additives in feedingstuffs, as last amended by the Second Commission Directive of 27 July 1973 ⁽²⁾, and in particular Article 6 (1), (a) thereof ;

Whereas the provisions of the abovementioned Directive provide for the content of the Annexes to be constantly amended due to the development of scientific and technical knowledge ;

Whereas it has become apparent that dimeticlorpindol, currently appearing in Annex II and which therefore may only be used at national level ; corresponds, in all respects, to the principles governing the authorization of additives at Community level ;

Whereas it is advisable to authorize the use of this additive throughout the Community by transferring it from Annex II to Annex I of the abovementioned Directive ;

Whereas it is nevertheless necessary to provide for certain conditions of use, with regard to this additive, in order to avoid all inappropriate uses ;

Whereas the measures provided for in this Directive are in accordance with the Opinion of the Standing Committee for Feedingstuffs,

HAS ADOPTED THIS DIRECTIVE :

Article 1

The Annexes to the Council Directive of 23 November 1970 on additives in feedingstuffs shall be amended as stipulated in the following Articles.

Article 2

In Annex I part D 'Coccidiostats and other medicinal substances', the following provision shall be added :

EEC No	Additives	Chemical formula, description	Species of animal	Maximum age	Minimum content	Maximum content	Other provisions
					ppm of complete feedingsuffs		
E 755	Meticlorpindol	3,5-dichloro-2,6-di-méthyl-4-pyridinol	Chickens for fattening, guineafoul	—	125	125	Use prohibited from laying age onwards and at least three days before slaughter respectively

Article 3

In Annex II part B 'Coccidiostats and other medicinal substances', additive No 5 shall be deleted.

⁽¹⁾ OJ No L 270, 14. 12. 1970, p. 1.

⁽²⁾ OJ No L 254, 11. 9. 1973, p. 16.

Article 4

The Member States shall, not later than 1 March 1974, bring into force the laws, regulations or administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

Article 5

This Directive is addressed to all Member States.

Done at Brussels, 13 December 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 17 December 1973

on para-fiscal taxes financing the 'Technical Centres' for leather and for the clock and watch-making industry

(Only the French text is authentic)

(74/8/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 93 (2), first paragraph thereof;

Having called upon interested parties to submit their comments;

Whereas a para-fiscal tax was introduced in France on 21 September 1966, by Decree No 66-717, on the sale of watches of all sizes and of parts either produced in France or imported; whereas the proceeds of the tax, estimated in 1970 at FF 2 million, are allocated to the 'Technical Centre' for the clock and watch-making industry which is responsible for carrying out research work, standardization with a view to the technical development and control of the sector;

Whereas a similar system to that introduced for watches was introduced for the hides, skins and leather industry by Decree No 68-791 of 5 September 1968, as amended by Decree No 70-151 of 20 February 1970; whereas, pursuant to those decrees, a para-fiscal tax ranging from 0.15 % to 0.62 % to be allocated to the 'Technical Centre' for leather is levied on the sale of finished hides, skins and leather and on products in which finished hides, skins and leather are incorporated, whether produced in France or imported; whereas revenue from the tax amounted to approximately FF 9.3 million in 1971; whereas the objectives of the 'Technical Centre' for the leather industry are similar to those pursued in the case of the clock and watch-making industry and relate to research, technical assistance and standardization of quality which are necessary for the French hides, skins and leather industry;

Whereas the Commission has examined, in the case of both the systems referred to above, the effect of public intervention in the form of aid and the method of financing that aid, and whereas it considers that if the effects of the aid systems, bearing in mind the aims of the 'Technical Centres', be brought under the conditions laid down in the provision for a derogation contained in Article 92 (3c) of the EEC Treaty, and

could therefore be considered compatible with the common market, on condition, however, that the method of financing is modified and that the para-fiscal taxes financing these systems are no longer levied on products imported from the Member States;

Whereas in respect of Judgment No 47/69 of 25 June 1970 from the Court of Justice of the European Communities on aid to the textile sector in France, financed by a para-fiscal tax working in a similar way to those introduced for the 'Technical Centres' referred to above, the Court stated in its judgment that it considered the aid system to be incompatible with the provisions of the EEC Treaty on account of its method of financing and regardless of the amount of the tax;

Whereas in its judgment the Court of Justice stated it considered such systems to be incompatible with the common market, even if the Research Institutes in the various sectors were to make the results of their research work available to interested parties in the relevant sectors in the other Member States; whereas making the facilities and findings of the Research Institutes available would, in fact, not necessarily imply that a true sharing of these services, of equal benefit to all, since even if equal treatment were ensured in respect of standardization, French undertakings would be given an advantage in practice, in the nature of things;

Whereas the Commission, in Letter No 71-20030 of 6 January 1971, requested the Governments of France and of the other Member States to examine and modify similar systems which might be in force in their countries, in view of the Decree of the Court referred to above; whereas the French Government, in particular in Letter No 71-12581 of 14 October 1971, informed the Commission that it did not consider it necessary to modify the aid system for the clock and watch-making and the hides, skins and leather industries; whereas the main reason for such an attitude was that, because of their exchanges of information with similar institutes in the other Member States, the French Government considers the work of the French 'Technical Centres' to be equally beneficial to the relevant industries in the other Member States;

Whereas on 15 September 1972⁽¹⁾ the Commission therefore initiated the procedure laid down in Article 93 (2), first subparagraph, of the EEC Treaty in respect of the aid system for the clock and watch-making and the hides, skins and leather industries, and whereas, in this connection, it has called upon the French Government, the other Member States and any other parties which might be interested to submit their comments;

Whereas in a letter of 25 October 1972, the French Government sent the Commission its comments in which it stressed once again:

- (a) that the work of the 'Centres' is available to any interested parties in the other Member States;
- (b) that exchanges of information take place between those 'Centres' and the undertakings or institutes in these fields in the other Member States;
- (c) that the French Government therefore does not consider it necessary to modify the aid systems in question;

Whereas the majority of the Member States and some other interested parties other than the Member States have sent the Commission their comments which show that they consider:

- that on account of the method of financing them, the aid systems in force in France distort competition to the disadvantage of similar industries in the Member States other than France;
- that such systems involving taxation of imports impose an additional burden on Community producers exporting to France, who receive nothing in exchange;

Whereas the clock and watch-making industry sector — and the shoe-making sector which processes the products of the hides, skins and leather industry — also receive other aids granted by the 'Comité interrégional de la montre' and by the 'Comité de développement de l'Industrie de la Chaussure'; whereas these complementary systems are intended to provide support in commercial and structural respects and as regards promotion of these industries, the effects of which are added to those of the activities of the 'Technical Centres';

Whereas the clock and watch-making and the hides, skins and leather industries in the Member States other than France have available to them for the research work necessary for the pursuit of their activi-

ties — either within their own undertakings or within ad hoc institutes — in the first instance, research centres financed by national resources;

Whereas in one Member State there is a Research Institute for the hides, skins and leather industry whose resources are obtained in part from an aid system financed by receipts from taxes on imports; whereas the Commission has initiated the procedure laid down in Article 169, first subparagraph, of the EEC Treaty, against this aid system,

HAS ADOPTED THIS DECISION:

Article 1

The Republic of France shall modify before 28 February 1974 the system in force in France providing for aid from the 'Centre technique de l'industrie horlogère' for the clock and watch-making industry, so that products of that industry imported from the other Member States shall no longer be subject to the para-fiscal tax introduced by Decree No 66-717 of 21 September 1966 on the sale of watches of all sizes and of separate parts.

Article 2

The Republic of France shall also modify before 28 February 1974 the system in force in France providing for aid from the 'Centre Technique du cuir' for the hides, skins and leather industry, so that these products and products in which these materials are incorporated and which are imported from the other Member States shall no longer be subject to the para-fiscal tax introduced by Decree No 68-791 of 5 September 1968 on the sale of the products referred to above.

Article 3

This Decision is addressed to the Republic of France.

Done at Brussels, 17 December 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ See Letter No 72-27824 of 15 September 1972 from the Commission.

COMMISSION DECISION

of 17 December 1973

fixing the minimum selling price for butter for the 35th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 1259/72

(74/9/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⁾ on 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 35th 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 35th individual invitation to tender under Regulation (EEC) No 1259/72, in respect of which the time limit for the submission of tenders expires on 11 December 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, 17 December 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 17 December 1973

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 3081/73, the maximum amount for the costs of delivery cif of skimmed-milk powder to Bangladesh

(Only the French and Dutch texts are authentic)

(74/10/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⁾ on the Conditions of Accession and the Adjustments to the Treaties; and in particular Article 7(5) thereof;

Whereas, pursuant to Commission Regulation (EEC) No 3081/73⁽³⁾ of 13 November 1973 opening an invitation to tender for the costs of delivery of skimmed-milk powder to the Republic of Bangladesh as food aid, the Belgian intervention agency has invited tenders for the costs of delivery cif to Chittagong (Bangladesh) of 2 000 metric tons of skimmed-milk powder;

Whereas Article 7 of Commission Regulation (EEC) No 1885/73⁽⁴⁾ of 12 July 1973 on 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 is to be fixed or the tendering procedure is to be cancelled;

Whereas, on the basis of the tenders received, the maximum amount should be that specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 3081/73 shall, in respect of the delivery in question, be 337·948 units of account.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 17 December 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 314, 15. 11. 1973, p. 15.

⁽⁴⁾ OJ No L 192, 13. 7. 1973, p. 31.

PUBLIC WORKS CONTRACTS

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

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

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

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

B. Restricted procedures

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

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

Open procedure

1. Universitätsbauamt Hohenheim, 7 Stuttgart-Hohenheim, Garbenstraße 9, Federal Republic of Germany.
2. Public invitation to tender pursuant to the regulations governing construction work contracts — Part A (VOB/A). The general contract conditions governing the execution of construction works, VOB/B — October 1973 version — and the general technical requirements for construction works — 1965 edition — are binding within the meaning of the tender conditions and supplementary contract conditions.
3. a) 7 000 Stuttgart-Hohenheim, Garbenstraße 30, Federal Republic of Germany.
b) Construction of new institutional buildings for Applied Biology, 2nd Phase.
Volume of work : 61 000 m³ cubic content.
The work put to tender comprises earthworks, building pit sheeting, conduit-type sewers, concrete, reinforced concrete and bricklaying work.
c) There will be no subdivision into lots.
d)
4. Work to begin : three weeks after award of the contract, 6 May 1974 at the latest.
Completion date : 27 June 1975.
5. a) Universitätsbauamt Hohenheim, 7 000 Stuttgart-Hohenheim, Garbenstraße 9, Federal Republic of Germany.
b) 5 February 1974.
c) Tender documents will be issued only upon presentation of a receipt for payment of DM 40 for two copies of the documents (or the receipt may be posted).
The DM 40 fee is to be paid to the Regierungsoberkasse in 7418 Metzingen, account No 8 000 at the Württemberger Bank — Reutlingen branch, remittance to be endorsed 'Universität Hohenheim, Bio 2, Kap. 1208, Titel 751 09/2'.
6. a) 11 a.m. on 19 February 1974.
b) Universitätsbauamt Hohenheim, 7 000 Stuttgart-Hohenheim, Garbenstraße 9.
c) German.
7. a) Tenderers and their authorized representatives.
b) 11 a.m. on 19 February 1974 at the Universitätsbauamt Hohenheim, 7 000 Stuttgart-Hohenheim, Garbenstraße 9.
8. Guarantees for completion of the work according to the terms of the contract and for performance.
9. Interim and final payments in accordance with the regulations governing construction work contracts — Part B (VOB/B).
- 10.
11. Evidence of average manpower per year in the past three full financial years divided into categories of skills and trades.
12. The tenderer is bound to his tender until 16 April 1974.
13. In accordance with § 25 VOB/A the contract will be awarded to the tender which appears the most acceptable when all technical and economic aspects are taken into account.
14. Tender documents and working plans may be inspected from 18 January 1974 onwards at the Universitätsbauamt Hohenheim.
15. 7 January 1974.

Open procedure

1. Rijkswaterstaat, directie Wegen, Koningskade 4, 's-Gravenhage, The Netherlands.
2. Public invitation to tender pursuant to the Uniform Aanbestedingsreglement.
3. a) Municipality of Klundert.
b) Specification No W 1749 and specification No W 1842: The laying of road beds and surfacing for the connection from the Moerdijk industrial estate to national road 17 close to the 4.2 km post, and the construction of two viaducts over and close to national road 17 at the 4.2 km post, with ancillary work.
The work includes:
Supply and processing of approx 29 700 tons asphaltic concrete, 2 800 m guide rails and 730 m³ concrete for use as reinforced concrete;
Loading, transporting and processing of 560 000 m³ sand;
Excavation, transport and processing of 103 000 m³ earth;
Processing of 89 tons reinforcing steel and approx. 2 040 m prestressed concrete piles.
The reinforcing steel and the prestressed concrete piles will be supplied by the State.
c) The work described in the above specifications will not be divided up into lots.
d)
4. 52 weeks.
5. a) After Thursday 24 January 1974, stating No W 1749 and No W 1842, at the Staatsuitgeverij, Christoffel Plantijnstraat 1, The Hague — Tel. 070 — 814511.
The specifications may be inspected after Thursday 24 January 1974 at:
— het Ministerie van Verkeer en Waterstaat, Plesmanweg 1, The Hague;
— de Hoofddirectie van de Waterstaat, Koningskade 4, The Hague;
— de Rijkswaterstaat, directie Wegen, Koningskade 4, The Hague.
Information may be obtained from the Rijkswaterstaat, directie Wegen, Koningskade 4, The Hague, on Tuesday 5 February 1974 from 10 a.m. to 12 noon and from 2 p.m. to 4 p.m.; the information notice may be inspected there as from the above date;
copies of the information notice are obtainable free on request.
b)
c) Cost of the two specifications together: Fl 32 (including VAT but excluding postage). Payment to be made to the Staatsuitgeverij, Christoffel Plantijnstraat 1, The Hague, on receipt of bill.
6. a) Tuesday 19 February 1974 by 11 a.m.
b) Rijkswaterstaat, directie Wegen, Koningskade 4, The Hague.
c) Dutch.
7. a) The opening of the applications to tender will take place in public.
b) Tuesday 19 February 1974 at 11 a.m. Rijkswaterstaat, directie Wegen, Koningskade 4, The Hague.
- 8.
9. Payments every four weeks amounting to the sum expended, after placing of a security amounting to 5 % of the contract price.
- 10.
11. The tenderer must, if requested, prove his financial resources and technical expertise within a week of receiving the relevant request, by supplying the following information:
— Proof of his firm's entry in the trade register;
— A bank statement showing the firm's financial resources;
— A statement showing the firm's total turnover and turnover in projects over the past three financial years;
— A list of projects carried out in the past five years, the cost of these projects, plus time and place of execution, stating the name of the principal.
12. 30 days after the day the contract is awarded.
13. The tenderer must be able to prove that he possesses experience in the execution of similar projects.
- 14.
15. 9 January 1974.

Restricted procedure

1. Stadtverwaltung Trier, D — 5500 Trier, Augustinerhof, Federal Republic of Germany.
2. Negotiated contract, following public competition.
3. a) Trier West Central, Sports Centre.
b) Turnkey construction of indoor swimming baths.
Swimmers' pool: 16.66 m × 25 m / up to 1.80 m depth of water;
Non-swimmers' pool: 16.66 m × 8 m / up to 1.35 m depth of water;
Diving pit: 12.50 × 12.5 m / up to 4 m depth of water;
Children's, therapeutic and heated pool: 4 m × 8 m / 0.30 — 1.35 m depth of water with raisable floor, including ancillary and specially-equipped rooms.
Cubic content approx. 20 000 to 25 000 m³.
c) One complete lot.
d) A master plan is to be produced specially for this project, based on existing systems plan and the technical specifications — job record.
4. Time required: 12 to 16 months after the award of the contract.
5. Industrial firm, private craftsmen or consortium of several firms — inscription in the Trade Register is a prerequisite.
6. a) 15 February 1974.
b) Stadtverwaltung Trier, D — 5500 Trier, Augustinerhof — Rathaus — Verwaltungsgebäude I, Zimmer 204.
c) German.
7. Expected to be 1 April 1974.
8. — Appropriate bank references;
— Contractor's balance sheets or extracts thereof must be produced, provided that their publication is permitted by company law in the 'Land' in which the contractor is registered.
- Declaration of contractor's total turnover and turnover from construction work during the past three financial years;
- Evidence of studies undertaken and certificates of professional competence of the contractor and/or management personnel, with special reference to the person or persons responsible for execution of the work;
- A list of construction projects completed during the past five years, together with certificates of satisfactory execution of the most important works. These certificates must show the following: value of the work, time and place of execution, whether the work corresponded to the accepted rules of the art and whether it was satisfactorily carried out. Where appropriate, competent authorities may forward these certificates directly to the office awarding this work;
- Declaration of the equipment, including building and technical equipment, which the contractor will be able to use on this project;
- Declaration showing the yearly average manpower employed by the contractor in the past three years and number of management staff during that period.
9. — Suitable price.
— Design and working of the building.
— Operating costs.
— Completion period.
10. — Information should be given as to whether the master plan will be drawn up by the firm's own staff or whether consultant architects and specialized staff will be engaged. Addresses should be given where appropriate.
— If further information about this project is required, please ring D 0651/718385 (Herr Gleixner).
11. 9 January 1974.

Restricted procedure

1. Direction Départementale de l'Équipement, de Seine et Marne, Service Infrastructures, 288, avenue Georges Clémenceau, 77000 Melun, Vaux de Penil, France.
2. Restricted invitation to tender following public invitation to apply to tender.
3. a) Département de Seine et Marne : work to be carried out on various main roads (Routes Nationales) and secondary roads (Chemins Départementaux).
b) Mixing and laying of hydrocarbon pavement mixtures for the Routes Nationales and the Chemins Départementaux of the Département de Seine et Marne, which will be awarded as open-end contracts for various lots.
Lot No 1 Seine et Marne, southern areas :
Mixing and laying of 31 000 to 70 000 t bituminous mix, involving the supply of aggregates for coating and the installation of a 100 t/h mixing plant on a site to be proposed by the firm.
Lot No 2 Seine et Marne, northern area :
Mixing and laying of 40 000 to 90 000 t, under the same conditions as for lot 1.
Lot No 3 Seine et Marne, central area, to be served by a mixing plant to be set up at Marles en Brie :
Mixing and laying of 50 000 to 100 000 t of hydrocarbon pavement mixtures, made up from aggregates supplied by the Administration from its own site.
Lot No 4 Main sites :
Mixing and laying of 101 000 to 180 000 t of bituminous mix on a few main sites, made up from aggregates supplied by the Administration from stocks at its disposal. The work involved in this lot will require a mobile mixing plant with a minimum capacity of 200 t/h.
c) The invitation to tender calls for price tenders per lot.
d)
4. The invitation to tender refers to the bituminous mix work to be carried out in 1974.
The contracts to be drawn up may be renewed in 1975 and 1976.
5. The invitation to tender is addressed to single firms or companies or to a consortium of several firms (or companies) jointly and severally liable (co-negotiating) who will expressly designate one of their number to be the pilot firm.
6. a) 6 p.m. on Tuesday 29 January 1974.
b) Chef du Service Infrastructures, Direction Départementale de l'Équipement, de Seine et Marne, 288, avenue Georges Clémenceau, 77000 Melun, Vaux le Penil.
c) French.
7. 4 February 1974.
8. Proof of financial and economic standing is to be furnished in the form of a declaration of total turnover and turnover from construction work of the firm (or firms making up the consortium) during the past three financial years.
Proof of technical competence is to be provided in the form of :
— a list of work (road construction etc.) carried out during the past five years, backed by certificates of satisfactory execution of the most important works. These certificates should show the value of the work, date, and place where it was carried out and specify if the work was executed according to the rules of construction engineering and duly and successfully completed.
— A list of equipment, material and staff which would be used for the work which is now to be put to tender must also be submitted.
- 9.
10. Firms wishing to form a consortium are advised that their application will only be considered if a complete file for all members of the consortium is forwarded with the application. This file must specify the pilot firm.
11. 7 January 1974.

Restricted procedure

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|---|---|
| 1. Direction Départementale de l'Équipement, Arrondissement Opérationnel II, 1, rue Eugène Schneider, 57000 Metz, France. | 4. |
| | 5. |
| 2. Invitation to tender, restricted to price tenders. | 6. a) By 25 January 1974. |
| | b) Applications and references to Monsieur Godlewski, Ingénieur des Ponts et Chaussées, address as under 1. |
| 3. a) Realignment of the RN 412 main road at Rombas—Clouange—Vitry — Realignment the CD 9 secondary road at Clouange. | c) French. |
| b) Earthworks, drainage and carriageway of the RN 412 realignment, Rombas—Clouange—Vitry-sur-Orne section, and of the CD 9 realignment at Clouange. | 7. |
| Cutting: 70 000 m ³ . | 8. |
| Filling: 200 000 m ³ . | 9. |
| Gravel-sand, slag: 56 000 t. | 10. |
| Bituminous mix: 16 000 t. | |
| c) | |
| d) | 11. 4 January 1974. |
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Restricted procedure

1. Lancashire County Council, P. O. Box No 78, County Hall, Preston, United Kingdom.
 2. Lowest acceptable offer in competition among selected contractors.
 3. a) Crookings Lane, Penwortham, Preston, Lancs.
b) Penwortham Preston County Secondary School.
Extention from 3.F.E. to 7.F.E. The work consists of eight single storey extensions, sports hall, four squash courts, library, laboratories, practical rooms etc. all basically traditional construction, total floor area 3 000 m², extensive remodelling of school external works and drainage.
The project is within the cost range of £ 415 000 to £ 700 000.
c) Principal nominated sub-contractors. Electrical — £ 50 000.
Mechanical services — £ 70 000.
d)
 4. The work is expected to commence in June, 1974 and to be completed in 130 weeks.
 5. In the event of a group of contractors submitting an acceptable offer, it will be necessary for each member of the group to sign an undertaking that each company or firm in the group will be jointly and severally responsible for the due performance of the contract.
 6. a) 1 February 1974.
b) Roger Booth, County Architect, County Hall, Preston, (P.O. Box No 26) United Kingdom.
 - c) English.
 7. 21 February 1974.
 8. — Proof of inscription of the company on a professional register or the companies register in the United Kingdom or Ireland.
— Balance sheets/accounts for the past three years including statement of turnover on construction work and proportion of the building of turnover on work.
— A statement of the technical qualifications of the managerial and supervisory staff who would be responsible for executing the work and any previous experience of U.K. construction practice.
— A list of jobs over one million units of account carried out during the past five years, the value and site of each job and the authority for whom executed.
— Details of plant and machinery available for executing the work.
— Whether the contractor proposes to use his own labour force or to rely on locally recruited labour.
 - 9.
 10. The contract will be governed by the RIBA conditions of contract as modified by the Lancashire County Council. Interim payments will be made monthly on the basis of the valuation of work executed and materials delivered to site.
 11. 8 January 1974.
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Restricted procedure

1. Newcastle Regional Hospital Board, Benfield Road, Newcastle upon Tyne, NE6 4PY, England.
2. Restricted procedure.
3. a) The site is situated within the grounds of St. Luke's Hospital, Middlesbrough, Teesside, in the North East of England.
b) The work comprises the first phase of a new District General Hospital, including 360 beds and supporting facilities. The buildings will be of a low rise, steel framed, brick clad and pitched roof construction.
c) The overall cost of the project based on costs as at 1 May 1973, is estimated to be within the cost range of £ 5 500 000 to £ 6 000 000. There will be two principal nominated sub-contracts :
 Mechanical Engineering within the cost range £ 1 250 000 to £ 1 500 000.
 Electrical Engineering within the cost range £ 700 000 to £ 900 000.
d)
4. The date for possession is to be agreed but the present target date is November 1974.
The date for completion is 42 calendar months from the date of possession.
5. In the event of a group of contractors submitting a joint tender the Board will require each firm comprised in the group to become jointly and severally responsible for the contract before acceptance of the tender.
6. a) 1 February 1974.
b) The Secretary, Newcastle Regional Hospital Board, Benfield Road, Newcastle upon Tyne, NE6 4PY, England.
c) English.
7. May 1974.
8. Proof is required that none of the cases quoted in Article 23 (a), (b), (c), (d), (e), (f) and (g) apply to the Contractor.⁽¹⁾
The contractor is required to provide references as given in Article 25 (a), (b) and (c) and Article 26 (a), (b), (c), (d) and (e). ⁽¹⁾
9. Lowest acceptable offer in competition.
10. Form of contract will be — Standard Form of Building Contract Local Authorities Edition with Quantities 1963 Edition (July 1973 Revision) issued by the Joint Contracts Tribunal and as amended by the Newcastle Regional Hospital Board.
11. 8 January 1974.

⁽¹⁾ Council Decision 71/305/EEC of 26 July 1971 (OJ No L 185, 16. 8. 1971).