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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 310/75 OF THE COMMISSION
of 7 February 1975

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 organiza-
tion of the market in cereals, as last amended by Regu-
lation (EEC) No 85/75 ⁽²⁾, and in particular Article
13 (5) thereof ;

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2524/74 ⁽³⁾ and subsequent amending
Regulations ;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 2524/74 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 8 February
1975.

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

Done at Brussels, 7 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 11, 16. 1. 1975, p. 1.

⁽³⁾ OJ No L 271, 5. 10. 1974, p. 9.

ANNEX

to the Commission Regulation of 7 February 1975 fixing the import levies on cereals and on wheat or rye flour groats and meal

(u.a./metric ton)

CCT heading No	Description of goods	Levies
10.01 A	Common wheat and meslin	23.81
10.01 B	Durum wheat	11.46 ⁽¹⁾ ⁽⁴⁾
10.02	Rye	20.52 ⁽⁵⁾
10.03	Barley	0
10.04	Oats	8.44
10.05 B	Maize other than hybrid maize for sowing	16.58 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0
10.07 C	Grain sorghum	22.50
10.07 D	Canary seed ; other cereals	0 ⁽⁴⁾
11.01 A	Wheat or meslin flour	52.43
11.01 B	Rye flour	47.85
11.02 A I a	Durum wheat groats and meal	36.64
11.02 A I b	Common wheat groats and meal	55.84

⁽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 311/75 OF THE COMMISSION**of 7 February 1975****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 85/75 ⁽²⁾, and in particular Article
15 (6) thereof ;

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2017/74 ⁽³⁾ and subsequent amending Regulations ;

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 8 February
1975.

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

Done at Brussels, 7 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 11, 16. 1. 1975, p. 1.

⁽³⁾ OJ No L 210, 1. 8. 1974, p. 4.

ANNEX

to the Commission Regulation of 7 February 1975 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour⁽¹⁾

(u.a./metric ton)

CCT heading No	Description of goods	Current 2	1st period 3	2nd period 4	3rd period 5
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	1.44	1.44	6.13
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	2.16	2.16	5.77
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	0.54
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

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

B. Malt

(u.a./100 kg)

CCT heading No	Description of goods	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
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 312/75 OF THE COMMISSION**of 7 February 1975****on a standing invitation to tender to determine subsidies for white sugar produced in excess of the maximum quota and in respect of which no export levy is to apply**

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 2476/74⁽²⁾, and in particular Articles 25 (3) and 38 thereof ;

Having regard to Council Regulation (EEC) No 2932/74⁽³⁾ of 18 November 1974 on the grant and financing of a subsidy on sugar produced in excess of the maximum quota and on the financing of the subsidy on sugar imports, and in particular Article 1 (2) thereof ;

Having regard to Council Regulation (EEC) No 974/71⁽⁴⁾ of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States, as last amended by Regulation (EEC) No 3259/74⁽⁵⁾, and in particular Article 6 thereof ;

Whereas by virtue of Regulation (EEC) No 2932/74 a subsidy may be granted for sugar produced in excess of the maximum quota which should be exported in accordance with Article 25 of Regulation No 1009/67/EEC ; whereas it is necessary, because of the sugar deficit within the Community, to allow this sugar to be released onto the Community market and to invite tenders to determine the amount of the subsidy concerned ;

Whereas appropriate provisions should be drawn from the rules governing invitations to tender in respect of imports and exports of sugar ; whereas, in addition, when the maximum subsidy is fixed, account should be taken of the differences existing between the prices recorded on the world market and in the Community and of the maximum subsidy fixed pursuant to the invitation to tender in respect of imports ;

Whereas the Opinion of the Monetary Committee has been sought ;

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 Member States in which sugar has been produced in excess of the maximum quota shall issue a standing invitation to tender to remain open until 12 March 1975, and during its period of validity partial invitations to tender, in respect of a subsidy for such white sugar produced during the 1974/75 sugar marketing year and to which the provisions of Article 16 (1) of Regulation No 1009/67/EEC do not apply.

Article 2

1. The Member States concerned shall draw up a notice of standing invitation to tender. This notice shall be published in the *Official Journal of the European Communities*. The Member States concerned may also publish the notice of invitation to tender, or have it published, elsewhere.

2. The notice of invitation to tender shall indicate in particular the terms of the invitation.

3. The notice of standing invitation to tender shall be published only for the purpose of opening that invitation. The notice as published may be amended during the period of validity of the standing invitation to tender. It shall be so amended if the terms of the invitation to tender are amended during that period.

Article 3

1. The period for the submission of tenders in response to the first partial invitation :

(a) shall begin on the day on which the notice of standing invitation to tender is published in the *Official Journal of the European Communities*,

and

(b) shall expire on 12 February 1975 at 10 a.m.

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 264, 1. 10. 1974, p. 70.

⁽³⁾ OJ No L 311, 22. 11. 1974, p. 10.

⁽⁴⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁵⁾ OJ No L 349, 28. 12. 1974, p. 10.

2. Without prejudice to Article 1, the period for the submission of tenders in response to the second and to the subsequent partial invitations to tender:

- (a) shall begin on the first working day following the day on which the preceding period expires, and
- (b) shall expire on the Wednesday of the following week at 10 a.m.

Article 4

1. Tenders, which must be in writing, shall either be delivered by hand against a receipt to the competent agency of the Member State in which the sugar referred to in Article 1 has been produced, or addressed to that agency by registered letter, telex, or telegram.

2. Every tender must indicate:

- (a) the invitation to which the tender relates;
- (b) the name and address of the tenderer;
- (c) the quantity of white sugar produced in excess of the maximum quota and to which the provisions of Article 16(1) of Regulation No 1009/67/EEC do not apply;
- (d) the amount of subsidy sought per 100 kilograms of white sugar, in the currency of the Member State of the agency to which the tender is submitted.

3. A tender shall not be valid unless it includes a declaration by the tenderer that if his tender is successful he will sell the quantity of sugar concerned on the Community internal market.

4. A tender which is not submitted in accordance with the provisions of this Article, or which contains terms other than those indicated in the notice of invitation to tender, shall not be taken into consideration.

5. Once submitted a tender may not be withdrawn.

Article 5

1. Tenders shall be examined in private by the competent agency concerned. Subject as provided in paragraph 2, persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders shall be communicated to the Commission without delay and in a manner which respects the anonymity of the participants.

Article 6

1. After examining the tenders received and having regard in particular to the differences between sugar prices in the Community and on the world market,

the Commission shall fix, in accordance with the procedure laid down in Article 40 of Regulation No 1009/67/EEC, a maximum subsidy for the partial invitation to tender in question.

This maximum amount must be less than the maximum amount fixed on the same day by virtue of the standing invitation to tender to determine subsidies on the importation of white and raw sugar without authorization to export subsequently free of levy a corresponding quantity. The Commission may alternatively decide to make no award.

2. In order to achieve comparability between tenders, and for the purpose of the award of contracts by Member States, the amount proposed for the subsidy expressed in a national currency shall be converted into units of account by applying the relevant conversion rate currently applicable for purposes of the common agricultural policy, weighted by the coefficient as referred to in Article 4(3) of Regulation (EEC) No 1463/73⁽¹⁾ applicable in the Member State concerned on the day on which the maximum amount of the subsidy is fixed.

Article 7

Except where a decision is taken to make no award under a partial invitation to tender, a contract shall be awarded to every tenderer whose tender does not exceed the maximum amount of the subsidy.

Article 8

1. The competent agency of the Member State concerned shall immediately notify all applicants of the result of their participation in the invitation to tender. That agency shall also send successful tenderers without delay a statement of award.

2. Statements of award shall *inter alia* indicate:

- (a) the invitation to which the tender relates;
- (b) the tonnage of white sugar in respect of which the subsidy has been awarded;
- (c) the subsidy to be granted per 100 kilograms of white sugar.

Article 9

The tenderer shall have:

- (a) the right to be paid the subsidy for the quantity of sugar indicated in the tender;
- (b) the obligation to dispose on the internal market of the Community of the quantity of white sugar indicated in the tender. The sugar so disposed of shall not be subject to the charge referred to in Article 25(3) of Regulation No 1009/67/EEC and Article 16(1) of that Regulation shall apply.

⁽¹⁾ OJ No L 146, 4. 6. 1973, p. 1.

Article 10

The subsidy in respect of the quantity stated in the tender shall be paid without delay to the tenderer by the Member State which issued the invitation to tender, in the currency of that Member State.

Article 11

1. Member States concerned shall take all measures to ensure the necessary supervision of the implementation of this Regulation.

2. If the quantity of sugar actually produced in excess of the maximum quota and to which the provisions of Article 16 (1) of Regulation No 1009/67/EEC do not apply :

- exceeds the quantity of sugar in respect of which the subsidy has been granted, the tenderer shall be entitled, provided that he lodges a claim with the Member State concerned and that the obligation

referred to in Article 9 (b) has been fulfilled in respect of this excess, to be paid a supplementary subsidy in respect of the quantity concerned ;

- is less than the quantity of sugar in respect of which the subsidy has been granted, the Member State shall recover in respect of the deficient quantities the corresponding amount of the subsidy plus daily interest at the rate of 9 % per annum.

The amount per 100 kg of sugar to be paid or recovered by the Member State concerned shall be that of the subsidy as awarded or, where appropriate, the weighted average of the amounts of all the subsidies awarded to the successful tenderer concerned in the course of the standing invitation to tender.

Article 12

This Regulation shall enter into force on 8 February 1975.

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

Done at Brussels, 7 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

REGULATION (EEC) No 313/75 OF THE COMMISSION

of 7 February 1975

concerning *inter alia* the reopening of the standing invitation to tender in respect of the importation of sugar pursuant to Regulation (EEC) No 3062/74

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 1969 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 2476/74⁽²⁾, and in particular Article 16(5) thereof;

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 3 thereof;

Having regard to Council Regulation (EEC) No 191/75⁽⁴⁾ of 21 January 1975 concerning an additional quantity in respect of the subsidized importation of sugar and amending Regulation (EEC) No 2931/74, and in particular Article 4(2) thereof;

Whereas Commission Regulation (EEC) No 3062/74⁽⁵⁾ of 3 December 1974 on a standing invitation to tender to determine subsidies for imports of white and raw sugar, as amended by Regulation (EEC) No 3094/74⁽⁶⁾, opened a standing invitation to tender which was suspended by Regulation (EEC) No 122/75⁽⁷⁾;

Whereas Regulation (EEC) No 191/72 provides for the granting of an import subsidy on an additional quantity of 200 000 metric tons of sugar; whereas the abovementioned standing invitation to tender should therefore be reopened; whereas the imports qualifying for a subsidy may be wholly or partly limited to deficit regions of the Community; whereas, having regard to current provisional supply figures for the Community for the 1974/75 sugar marketing year, subsidized importations should be limited to those regions which according to the figures are deficit areas;

Whereas, in the light of experience, the terms of the invitation to tender should be amended and provi-

sions should be adopted in order to ensure that the imported sugar is ultimately consumed in the Member State in which it is put into free circulation and to fix a higher maximum selling price to be complied with by successful tenders without subsequent adjustment of the subsidy by reference to any variation in the target price;

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

1. The standing invitation to tender opened pursuant to Regulation (EEC) No 3062/74 and suspended pursuant to Regulation (EEC) No 122/75 shall be reopened.
2. The date '11 December 1974' in Article 4(1) (b) of Regulation (EEC) No 3062/74 is replaced by '12 February 1975'.

Article 2

Article 1 of Regulation (EEC) No 3062/74 is replaced by the following:

Article 1

1. Germany, Italy, the Netherlands and the United Kingdom, hereinafter called "Member States", shall open a standing invitation to tender in respect of subsidies for the importation from third countries of white and raw sugar, and during the period of validity of such standing invitation to tender they shall issue partial invitations to tender.
2. Sugar may qualify for the subsidy only if it is intended for free circulation and ultimate consumption in one of the Member States specified in paragraph 1 and is put up for tender in that country.

"Ultimate consumption" means consumption by the processing industry or retail sale.

(1) OJ No 308, 18. 12. 1967, p. 1.

(2) OJ No L 264, 1. 10. 1974, p. 70.

(3) OJ No L 75, 28. 3. 1972, p. 5.

(4) OJ No L 20, 25. 1. 1975, p. 39.

(5) OJ No L 324, 4. 12. 1974, p. 7.

(6) OJ No L 327, 7. 12. 1974, p. 28.

(7) OJ No L 13, 18. 1. 1975, p. 24.

3. If on the occasion of any partial invitation to tender it appears from the supply figures concerning a Member State not mentioned in paragraph 1 that, having regard to its production, imports and exports, its supply cannot be considered ensured, that Member State shall be added to paragraph 1; conversely, any Member State in the reverse situation shall be deleted'.

Article 3

Article 4(3) of Regulation (EEC) No 3062/74 is replaced by the following:

'3. By way of derogation from paragraph 2(b) the time limits for the submission of tenders which would normally expire on Wednesday 19 March and on Wednesday 30 April 1975 shall expire at 10 a.m. on Tuesday 18 March and Tuesday 29 April 1975 respectively'.

Article 4

Article 5(2)(e) of Regulation (EEC) No 3062/74 is replaced by the following:

'(e) The Member State in whose territory the imported sugar is to be put into free circulation and ultimately consumed'.

Article 5

Article 5(4) of Regulation (EEC) No 3062/74 is replaced by the following:

'4. A tender may stipulate that it is to be regarded as having been submitted only if the contract awarded relates to the entire quantity indicated in the tender or to a specified part thereof'.

Article 6

Article 10(2)(d) of Regulation (EEC) No 3062/74 is replaced by the following:

'(d) The Member State in whose territory the sugar to be imported is to be put into free circulation and ultimately consumed'.

Article 7

In the second indent of Article 11(1)(b) of Regulation (EEC) No 3062/74 the words 'in the Community' are replaced by the words 'in the Member State in which the sugar is put into free circulation'.

Article 8

The second subparagraph of Article 11(1) of Regulation (EEC) No 3062/74 is replaced by the following:

'The rights and obligations as specified in (a) and (b) arising from the invitation to tender shall not be transferable'.

Article 9

Second and third subparagraphs as follows are added to Article 12(1) of Regulation (EEC) No 3062/74:

'With respect to the partial invitations to tender to be issued after 8 February 1975 the figure:

— "32.40" in (a) above is replaced by "35.81";

— "27.82" in (c) above is replaced by "30.96", and "32.40" by "35.81";

— "32.40" in (d) above is replaced by "35.81".

Furthermore, in the cases referred to in (a) and (c) the successful tenderer shall include in his contract of sale a clause stipulating that the imported sugar be ultimately consumed in the Member State in which it is put into free circulation'.

Article 10

A third subparagraph as follows is added to Article 12(3) of Regulation (EEC) No 3062/74:

'However, the provisions of the preceding subparagraphs shall not apply to the partial invitations to tender to be issued after 8 February 1975'.

Article 11

Article 13(2) of Regulation (EEC) No 3063/74 is replaced by the following:

'2. A successful tenderer shall not become finally entitled to the subsidy referred to in paragraph 1 until he has fulfilled the relevant obligations and has paid any amount to be deducted from the subsidy by virtue of Article 16(1)'.

Article 12

A paragraph 3 as follows is added to Article 16 of Regulation (EEC) No 3062/74:

'3. However, the provisions of paragraph 2 shall not apply to the partial invitations to tender to be issued after 8 February 1975'.

Article 13

This Regulation shall enter into force on 8 February 1975.

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

Done at Brussels, 7 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

REGULATION (EEC) No 314/75 OF THE COMMISSION

of 7 February 1975

on a standing invitation to tender to determine subsidies on the importation of white and raw sugar without authorization to export subsequently free of levy a corresponding quantity

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 2476/74⁽²⁾, and in particular Articles 11 (2), 16 (5) and 38 thereof;

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 3 thereof;

Having regard to Council Regulation (EEC) No 191/75⁽⁴⁾ of 21 January 1975 concerning an additional quantity in respect of the subsidized importation of sugar and amending Regulation (EEC) No 2931/74, and in particular Article 4 (2) thereof;

Having regard to Council Regulation (EEC) No 974/71⁽⁵⁾ of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States, as last amended by Regulation (EEC) No 3259/74⁽⁶⁾, and in particular Article 6 thereof;

Whereas Council Regulation (EEC) No 2931/74⁽⁷⁾ of 18 November 1974 on the introduction of a subsidy on imports of white and raw sugar, as amended by Regulation (EEC) No 191/75, makes provision for the grant of a subsidy on sugar imports and prescribes the procedure for such imports; whereas that procedure consists in an invitation to tender;

Whereas Regulation (EEC) No 2931/74 provides that tenders may be invited in respect of the import subsidy without any automatic entitlement to export

subsequently free of levy a quantity equivalent to that imported; whereas in the light of experience it appears desirable to conduct such an invitation to tender concurrently with that provided for in Commission Regulation (EEC) No 3062/74⁽⁸⁾ on a standing invitation to tender to determine subsidies for imports of white and raw sugar, as last amended by Regulation (EEC) No 313/75⁽⁹⁾; whereas, moreover, Article 4 of Regulation (EEC) No 191/75 provides that imports qualifying for a subsidy may be wholly or partly limited to the deficit regions of the Community; whereas it is therefore necessary, having regard to the provisional figures for the supply of sugar in the Community and its various regions, to limit imports under the standing invitation to tender to the deficit regions of the Community;

Whereas certain measures should be provided to ensure that the invitation to tender will operate as effectively as possible, and to derogate from or amend Commission Regulation (EEC) No 2637/70⁽¹⁰⁾ of 23 December 1970 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products, as last amended by Regulation (EEC) No 38/75⁽¹¹⁾;

Whereas the Opinion of the Monetary Committee has been sought;

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

1. Germany, Italy, the Netherlands and the United Kingdom shall open a standing invitation to tender in respect of a subsidy on the importation from third countries of white and raw sugar, and during the period of validity of such standing invitation to tender they shall issue partial invitations to tender.

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 264, 1. 10. 1974, p. 70.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 20, 25. 1. 1975, p. 39.

⁽⁵⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁶⁾ OJ No L 349, 28. 12. 1974, p. 10.

⁽⁷⁾ OJ No L 311, 22. 11. 1974, p. 8.

⁽⁸⁾ OJ No L 324, 4. 12. 1974, p. 7.

⁽⁹⁾ See page 8 of this Official Journal.

⁽¹⁰⁾ OJ No L 283, 29. 12. 1970, p. 15.

⁽¹¹⁾ OJ No L 5, 9. 1. 1975, p. 8.

2. An import subsidy may be granted only in respect of sugar intended for free circulation and ultimate consumption in one of the Member States referred to in Article 1 and put up for tender in that State.

'Ultimate consumption' means utilization by the processing industry or retail sale.

3. If on the occasion of any partial invitation to tender it appears from the supply figures concerning a Member State not mentioned in paragraph 1 that, having regard to its production, imports and exports, its supply cannot be considered ensured, that Member State shall be added to paragraph 1; conversely, any Member State in the reverse situation shall be deleted.

Article 2

The standing invitation to tender and the partial invitations to tender shall be conducted in accordance with the provisions of Regulations (EEC) No 2931/74 and (EEC) No 191/75 and with the following provisions.

Article 3

1. The Member States concerned shall draw up a notice of the standing invitation to tender. This notice shall be published in the *Official Journal of the European Communities*. The Member States concerned may also publish the notice of the invitation to tender, or have it published, elsewhere.

2. The notice of the invitation to tender shall indicate in particular the terms of the invitation.

3. The notice of standing invitation to tender shall be published only for the purpose of opening that invitation. The notice as published may be amended during the period of validity of the standing invitation to tender. It shall be so amended if the terms of the invitation to tender are amended during that period.

Article 4

1. The period for the submission of tenders in response to the first partial invitation:

(a) shall begin on the day on which the notice of the standing invitation to tender is published in the *Official Journal of the European Communities*, and

(b) shall expire on 12 February 1975 at 10 a.m.

2. The period during which tenders may be submitted in response to the second and to the subsequent partial invitations:

(a) shall begin on the first working day following the day on which the preceding period expires, and

(b) shall expire on the Wednesday of the following week at 10 a.m.

3. Notwithstanding paragraph 2 (b), the time limits for the submission of tenders which would normally expire on Wednesday 19 March and Wednesday 30 April 1975 shall expire at 10 a.m. on Tuesday 18 March and Tuesday 29 April 1975 respectively.

4. During the period of Summer Time in Italy, the time limits laid down in the preceding paragraphs shall be extended by one hour in that Member State. Outside the periods of Summer Time in Ireland and in the United Kingdom, the time limits laid down in the preceding paragraphs shall be brought forward by one hour in those Member States.

Article 5

1. Tenders, which must be in writing, shall either be delivered by hand against a receipt to the competent agency of the Member State in which the imported sugar is to be put into free circulation, or addressed to that agency by registered letter, telex or telegram.

2. Every tender must indicate:

(a) the invitation to which the tender relates;

(b) the name and address of the tenderer;

(c) the quantity of white or raw sugar as the case may be to be imported. In the case of raw sugar, the quantity to be imported must also be expressed in white value by reference to a yield calculated by doubling the degree of polarization of the raw sugar and subtracting 100;

(d) the amount of import subsidy proposed per 100 kilogrammes of sugar expressed in white value, in the currency of the Member State of the agency to which the tender is submitted;

(e) the Member State in whose territory the imported sugar is to be put into free circulation and ultimately consumed.

3. A tender shall be valid only if:

(a) the total quantity of sugar to be imported is not less than 500 metric tons;

(b) proof is furnished before expiry of the time limit for the submission of tenders that the tenderer has lodged the security for tender required by Article 6;

(c) it includes a declaration by the tenderer that if his tender is successful he will apply for an import licence in respect of the quantity of product to be imported.

4. A tender may stipulate that it is to be regarded as having been submitted only if the contract awarded relates to the entire quantity indicated in the tender or to a specified part thereof.

5. A tender which is not submitted in accordance with the provisions in this Article, or which contains terms other than those indicated in the notice of invitation to tender, shall not be taken into consideration.

6. Once submitted a tender may not be withdrawn.

Article 6

1. The security required for the invitation to tender shall be 25 units of account per 100 kilogrammes of white sugar or of raw sugar expressed in white value.

2. The amount to be used in calculating that part of the security which is to be forfeit shall be three units of account plus, where the maximum amount of the subsidy fixed in connection with the partial invitation for which the tender was accepted is less than the maximum amount of the subsidy fixed for the last partial invitation prior to the date on which the validity of the licence expires, the difference between those two maximum amounts.

3. The tenderer may lodge the security either in cash or in the form of a guarantee by an establishment complying with criteria laid down by the Member State in which the tender is submitted.

4. Except in cases of *force majeure*, the security required for the invitation to tender shall be released only in respect of that quantity:

(a) for which the tenderer:

- has not withdrawn his tender, and
- has completed customs import formalities under the import licence issued following the award of a contract, the provisions of Article 16 of Regulation (EEC) No 1373/70⁽¹⁾ as last amended by Regulation (EEC) No 2111/74⁽²⁾ to apply *mutatis mutandis*;

(b) in respect of which no award has been made.

The security shall be released without delay.

5. In case of *force majeure*, the competent authority of the Member State concerned shall determine the measures necessary in view of the circumstances invoked by the party concerned.

Article 7

1. Tenders shall be examined in private by the competent agency concerned. Subject as provided in paragraph 2, persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders shall be communicated to the Commission without delay and in a manner which respects the anonymity of the participants.

⁽¹⁾ OJ No L 158, 20. 7. 1970, p. 1.

⁽²⁾ OJ No L 220, 10. 8. 1974, p. 5.

Article 8

1. After examining the tenders received and having regard in particular to the Community's position in respect of sugar supplies and to the levels of sugar prices in the Community and on the world market, the Commission shall fix, in accordance with the procedure laid down in Article 40 of Regulation No 1009/67/EEC, a maximum subsidy for the partial invitation to tender in question. It may alternatively decide to make no award.

2. After examination of the tenders a maximum quantity for the partial invitation to tender may be fixed in accordance with the procedure laid down in paragraph 1.

3. In order to achieve comparability between tenders, and for the purpose of the award of contracts by Member States, the amount proposed for the subsidy expressed in a national currency shall be converted into units of account by applying the relevant conversion rate currently applicable for purposes of the common agricultural policy, weighted by the coefficient as referred to in Article 4 (3) of Regulation (EEC) No 1463/73⁽³⁾ as last amended by Regulation (EEC) No 2521/74⁽⁴⁾ applicable in the Member State in which the sugar is to be put into free circulation on the day on which the maximum amount of the subsidy is fixed.

In addition, prior to such conversion the amount of the subsidy indicated in the tender shall be adjusted. To calculate the adjustment required, the maximum selling price referred in Article 12 (1) (a), minus the intervention price, shall be converted into the national currency:

- (a) using the conversion rate currently applicable for purposes of the common agricultural policy in respect of the currency of the Member State concerned, and
- (b) using the rate referred to in (a) weighted by the coefficient as referred to in Article 4 (3) of Regulation (EEC) No 1463/73 applicable on the day on which the maximum amount of the subsidy is fixed.

The amount of the adjustment shall be equal to the difference between the result obtained by method (a) and that obtained by method (b).

Article 9

1. Except where a decision is taken to make no award under a partial invitation to tender, and without prejudice to the provisions of paragraphs 2 and 3, a contract shall be awarded to every tenderer whose tender does not exceed the maximum amount of the subsidy.

⁽³⁾ OJ No L 146, 4. 6. 1973, p. 1.

⁽⁴⁾ OJ No L 270, 5. 10. 1974, p. 70.

2. Where a maximum tonnage has been fixed for a partial invitation to tender, a contract shall be awarded to the tenderer whose tender quotes the lowest subsidy. If the maximum tonnage is not fully covered by that award, awards shall be made to other tenderers in ascending order of tender until the entire maximum tonnage has been accounted for.

3. However, where an award to a particular tenderer under the provisions of paragraph 2 would result in the maximum tonnage being exceeded, that award shall be limited to such tonnage as is still available. Where two or more tenderers quote the same subsidy and awards to all of them would result in the maximum tonnage being exceeded, the tonnage available shall be divided among them in proportion to the quantities tendered for.

Article 10

1. The competent agency of the Member State concerned shall immediately notify all applicants of the result of their participation in the invitation to tender. That agency shall also send successful tenderers without delay a statement of award.

2. Statements of award shall *inter alia* indicate:

- (a) the invitation to which the tender relates;
- (b) the tonnage in respect of which the subsidy has been awarded, expressed in white value, and in the case of raw sugar expressed also in *tel quel* value;
- (c) the subsidy to be granted per 100 kilogrammes of sugar, expressed in white value;
- (d) the Member State in whose territory the imported sugar is to be put into free circulation and ultimately consumed.

Article 11

1. Every successful tenderer shall have:

- (a) the right to the issue, in respect of the quantity of product to be imported, of an import licence indicating the subsidy specified in the tender;
- (b) the duty:
 - to import that quantity into the Member State in which it is to be put into free circulation as indicated in the statement of award,
 - when the sugar is sold for consumption in the Member State in which it is to be put into free circulation, to comply with the obligations specified in Article 12.

The rights and obligations arising from the invitation to tender shall not be transferable.

2. The licence referred to in paragraph 1 (a) shall be issued by the competent agency of the Member State in which the statement of award was issued. Applications for licences must be submitted within 10 days following the day on which the time limit for the submission of tenders expires.

3. By way of derogation from Article 32 (1) of Regulation (EEC) No 2637/70, import licences issued in connection with the present invitation to tender shall be valid from the date of issue within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70 until the end of the second month following that date.

4. At the request of the tenderer a licence issued in respect of white sugar under paragraph 1 (a) may be replaced before the completion of customs import formalities by a licence in respect of raw sugar, and vice versa. Such new licence may be issued only by the agency which issued the original licence and only upon presentation of the statement of award provided for in Article 10. The new licence shall contain the same information as that shown in the original licence except in respect of the nature and quantity of the product to be imported.

Where the new licence relates to:

- white sugar, the quantity to be indicated in the licence shall be the quantity of raw sugar expressed in white value as indicated in the statement of award,
- raw sugar, the quantity to be indicated in the licence shall be expressed in white value and shall be equal to the quantity of white sugar as indicated in the original licence.

Article 12

1. The obligations referred to in the second indent of Article 11 (1) (b) shall be the following:

- (a) where a successful tenderer sells the imported white sugar, the price in the contract of sale shall not exceed 35.81 units of account per 100 kilogrammes of product, exclusive of packaging, delivered cif in the Member State in which the sugar is to be put into free circulation;
- (b) where the successful tenderer is himself to process the imported white sugar, he may give an undertaking that such sugar will be processed in his own works. Failing such undertaking, subparagraph (a) shall apply;
- (c) where the successful tenderer sells imported raw sugar to a refinery or to a sugar producer for refining, the price in the contract of sale shall not exceed 30.96 units of account per 100 kilogrammes of standard quality raw sugar, exclusive

of packaging, delivered cif in the Member State in which the refined sugar is to be put into free circulation. The contract shall also contain a clause whereby the refiner or the producer who purchases the sugar for refining undertakes to sell the refined sugar at a price not exceeding 35.81 units of account per 100 kilogrammes of product, exclusive of packaging, ex-refinery or ex-factory, no account being taken of any transport costs between the frontier of the Member State in which the sugar is to be put into free circulation and the place of refining;

- (d) where the successful tenderer is a refiner or a producer refining the imported sugar he shall give an undertaking to sell the refined sugar at a price not exceeding 35.81 units of account per 100 kilogrammes of product, exclusive of packaging, ex-refinery or ex-factory, no account being taken of any transport costs between the frontier of the Member State in which the sugar is to be put into free circulation and the place of refining.

In addition, in the cases referred to in (a) and (c) above, the tenderer shall include in his contract of sale a clause stipulating that the imported sugar must be ultimately consumed in the Member State in which it is put into free circulation.

2. In addition, in the cases referred to in paragraph 1 (c) and (d), where a refiner or producer intends to sell the refined sugar at a price which is to vary according to the origin and price of the imported raw sugar concerned he shall give an undertaking that when calculating such selling price he will not exceed the maximum price referred to in paragraph 1 (d) in respect of that part of the refined white sugar corresponding to the raw sugar imported under the invitation to tender.

Article 13

1. The subsidy in respect of the quantity put into free circulation shall be paid without delay to the tenderer by the Member State which issued the invitation to tender, in the currency of that Member State, upon production:

- (a) of proof that the obligation specified in the first indent of Article 11 (1) (b) has been complied with. Such proof shall be furnished by production of copy No 1 of the import licence and of copy No 1 of any extract or extracts from licences bearing attributions in accordance with Article 8 of Regulation (EEC) No 1373/70 entered by the Member State in which the product is to be put into free circulation as indicated in the tender;

- (b) of the contract or of the undertaking referred to in Article 12.

For the purposes of payment of the subsidy in respect of raw sugar the imported quantity of such sugar shall be expressed in white value by reference to the effective yield.

2. A successful tenderer shall not become finally entitled to the subsidy until he has fulfilled the relevant obligations.

Article 14

By way of derogation from Article 33 (1) (a) of Regulation (EEC) No 2637/70, the security required for purposes of the import licence shall be zero units of account per 100 kilogrammes net.

Article 15

An Article 30b as follows is inserted in Regulation (EEC) No 2637/70:

Article 30b

For the purposes of Article 11 (1) (a) of Regulation (EEC) No 314/75, Section 20 of the import licence shall specify, by means of one of the following endorsements, the rate of import subsidy, expressed in the currency of the Member State issuing the licence:

“subvention a l'importation applicable ... par 100 kg”

“Einfuhrsubvention ... je 100 kg”

“import subsidy applicable: ... per 100 kg”

“sovvenzione all'importazione applicabile ... per 100 kg”

“invoersubsidie ... per 100 kg”

“tilskud til indførsel ... pr 100 kg”.

Article 16

Member States concerned shall take all measures to ensure the necessary supervision of the implementation of this Regulation and the recovery of all or part of the subsidy if the obligations entered into by tenderers are not complied with. The sums to be so recovered shall be determined by reference to the amount by which the maximum prices specified in Article 12 are exceeded.

Article 17

This Regulation shall enter into force on 8 February 1975.

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

Done at Brussels, 7 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

REGULATION (EEC) No 315/75 OF THE COMMISSION

of 7 February 1975

fixing the export levies on starch products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 85/75⁽²⁾;

Having regard to Council Regulation No 359/67/EEC⁽³⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 1129/74⁽⁴⁾;

Having regard to Council Regulation (EEC) No 1132/74⁽⁵⁾ of 29 April 1974 on production refunds in the cereals and rice sectors, amended by Regulation (EEC) No 2518/74⁽⁶⁾, and in particular Article 7 (2) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas, pursuant to Article 7 (2) of Regulation (EEC) No 1132/74, an export levy may be introduced for products falling within subheadings 11.08 A, 11.09, 17.02 B II, 17.05 B and 23.03 A I of the Common Customs Tariff when world market prices for maize and common wheat on the one hand, and for broken rice on the other hand exceed respectively 8.745 and 10.907 units of account;

Whereas, by Regulation (EEC) No 1981/74⁽⁷⁾, as last amended by Regulation (EEC) No 281/75⁽⁸⁾, the Commission laid down detailed rules for the application of the export levy on starch products; whereas Article 2 (1) of that Regulation provides that a levy is introduced when it is found that the import levy for maize, wheat or broken rice is at least 0.30 unit of account/100 kg less than the amount of the production refund valid in the current month and that the average of the levies in the immediately following fortnight is at least 0.30 unit of account/100 kg less than the average of the production refund valid in that fortnight;

Whereas the export levy must be equal, per 100 kg of basic product, to the difference between the production refund valid on the day on which this export levy is fixed and the average of the levies applicable on the seven days preceding the day it comes into force; whereas this difference must then be multiplied for the products mentioned in Article 1 by the coefficients relating to these products shown in column 4

of the Annex to Regulation (EEC) No 1052/68⁽⁹⁾, as last amended by Regulation (EEC) No 881/73⁽¹⁰⁾;

Whereas the production refund on maize, common wheat and broken rice intended for the manufacture of starch is defined in Article 1 of Regulation (EEC) No 1132/74;

Whereas, pursuant to Article 2 (3) of Regulation (EEC) No 1981/74 for the new Member States the amounts to be considered respectively as import levy and production refund shall be the levy and the production refund for the product in question respectively, minus the applicable compensatory amount;

Whereas the export levy must be fixed once a week; whereas it is altered only if application of Article 2 (2) (a) of Regulation (EEC) No 1981/74 entails an increase or a reduction of more than 0.08 unit of account/100 kg of basic product;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export levies provided for in Article 7 (2) of Regulation (EEC) No 1132/74 are hereby fixed as shown in the table annexed to this Regulation for the products listed therein.

Article 2

This Regulation shall enter into force on 8 February 1975.

It shall apply from 8 February 1975 for starch products derived from maize, from 10 February 1975 for starch products derived from soft wheat, and from 11 February 1975 for starch products derived from broken rice.

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

⁽²⁾ OJ No L 11, 16. 1. 1975, p. 1.

⁽³⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽⁴⁾ OJ No L 128, 10. 5. 1974, p. 20.

⁽⁵⁾ OJ No L 128, 10. 5. 1974, p. 24.

⁽⁶⁾ OJ No L 270, 5. 10. 1974, p. 1.

⁽⁷⁾ OJ No L 207, 29. 7. 1974, p. 9.

⁽⁸⁾ OJ No L 31, 5. 2. 1975, p. 15.

⁽⁹⁾ OJ No L 179, 25. 7. 1968, p. 8.

⁽¹⁰⁾ OJ No L 86, 31. 3. 1973, p. 30.

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

Done at Brussels, 7 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

CCT heading No	Nomenclature in simplified wording	Export levies in u.a./100 kg			
		Denmark	Ireland	United Kingdom	Other Member States
11.08 A I	Maize starch	2.000	2.096	1.771	2.000
11.08 A II	Rice starch	5.563	5.563	5.563	5.563
11.08 A III	Wheat starch	3.854	3.854	3.901	3.854
11.08 A IV	Potato starch	2.000	2.096	1.771	2.000
11.08 A V	Starches other than maize, rice, wheat or potato starch	2.000	2.096	1.771	2.000
11.09 A	Dried wheat gluten	7.008	7.008	7.092	7.008
11.09 B	Wheat gluten, other than dried	7.008	7.008	7.092	7.008
17.02 B II a)	Glucose other than glucose containing, in the dry state, 99 % or more by weight of the pure product, in the form of white crystalline powder, whether or not agglomerated ⁽¹⁾	2.608	2.734	2.310	2.608
17.02 B II b)	Glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product, other than glucose in the form of white crystalline powder, whether or not agglomerated ⁽¹⁾	2.000	2.096	1.771	2.000
17.05 B I	Flavoured or coloured glucose, in the form of white crystalline powder, whether or not agglomerated	2.608	2.734	2.310	2.608
17.05 B II	Flavoured or coloured glucose syrup, other than in the form of white crystalline powder, whether or not agglomerated	2.000	2.096	1.771	2.000
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product exceeding 40 % by weight	2.484	2.604	2.200	2.484

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

REGULATION (EEC) No 316/75 OF THE COMMISSION**of 7 February 1975****fixing, for the partial invitation to tender of 12 February 1975, the adjustment amounts of the subsidy referred to in Article 16(1) of Regulation (EEC) No 3062/74**

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 2476/74⁽²⁾, and in particular Article 16(5) thereof;

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

Whereas Article 16(1), first subparagraph of Commission Regulation (EEC) No 3062/74⁽⁴⁾ of 3 December 1974 on a standing invitation to tender to determine subsidies for imports of white and raw sugar, as last amended by Regulation (EEC) No 313/75⁽⁵⁾, provides that in case of export from a Member State other than that into which the imported sugar was put into free circulation of a quantity of sugar corresponding to the subsidized import quantities, this subsidy shall be

increased or reduced, as the case may be, by amounts to be determined for each partial invitation to tender; whereas the present monetary situation in the Member States results in fixing for the partial invitation to tender of 12 February 1975 the adjustment amounts as indicated in the Annex;

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 amounts of adjustment referred to in Article 16(1), first subparagraph, of Regulation (EEC) No 3062/74 are fixed for the partial invitation to tender to take place on 12 February 1975 as indicated in the Annex.

Article 2

This Regulation shall enter into force on 8 February 1975.

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

Done at Brussels, 7 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 264, 1. 10. 1974, p. 70.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 324, 4. 12. 1974, p. 7.

⁽⁵⁾ See page 8 of this Official Journal.

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

(Applicable à l'adjudication partielle du 12 février 1975)

(Applicable to the partial invitation to tender of 12 February 1975)

(Anwendbar auf die Teilausschreibung am 12. Februar 1975)

(Applicabile alla gara parziale del 12 febbraio 1975)

(Toe te passen voor de deelinschrijving van 12 februari 1975)

(Gældende for del-licitationen af 12. februar 1975)

Montant visé à l'article 16 paragraphe 1 du règlement (CEE) n° 3062/74 dont la subvention doit être augmentée (+) ou diminuée (—)

The amount referred to in Article 16 (1) of Regulation (EEC) No 3062/74 by which the subsidy must be increased (+) or reduced (—)

Der in Artikel 16 Absatz 1 der Verordnung (EWG) Nr. 3062/74 genannte Betrag, um den die Subvention zu erhöhen (+) oder zu vermindern (—) ist

Importo indicato all'articolo 16, paragrafo 1, del regolamento (CEE) n. 3062/74 di cui la sovvenzione deve essere aumentata (+) ovvero diminuita (—)

Bedrag bedoeld in artikel 16, lid 1, van Verordening (EEG) nr. 3062/74, waarvan de subsidie verhoogd (+) of verlaagd (—) moet worden

Det i artikel 16, stk. 1, i forordning (EØF) nr. 3062/74 nævnte beløb, med hvilket tilskuddet skal formindskes (—) eller forhøjes (+)

État membre d'exportation Exporting Member State Ausführender Mitgliedstaat Stato membro di esportazione Uitvoerende Lid-Staat Eksporterende medlemsstat	État membre d'importation / Importing Member State / Einführender Mitgliedstaat / Stato membro d'importazione / Invoerende Lid-Staat / Importerende medlemsstat							
	Danmark (Dkr)	Deutschland (DM)	France (FF)	Ireland (£)	Italia (Lit)	Nederland (Hfl)	UEBL (Fb/Flux)	United Kingdom (£)
Danmark		— 12,97			+ 1 302	— 2,61		+ 2·428
Deutschland		—			+ 4 836	+ 10,91		+ 4·769
France		— 19,31			— 425	— 9,21		+ 1·284
Ireland		— 24,05			— 1 717	— 14,15		+ 0·428
Italia		— 17,75			—	— 7,59		+ 1·565
Benelux		— 10,41			+ 1 999	—		+ 2·890
United Kingdom		— 26,43			— 2 363	— 16,62		—

REGULATION (EEC) No 317/75 OF THE COMMISSION

of 7 February 1975

fixing for the month of February 1975 reference prices for cucumbers

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1035/72⁽¹⁾ of 18 May 1972 on the common organization of the market in fruit and vegetables, as last amended by Regulation (EEC) No 2745/72⁽²⁾, and in particular Article 27(1) thereof;

Whereas, pursuant to Article 23(1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year in respect of the whole marketing year;

Whereas cucumbers are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas cucumbers harvested during a given crop year are marketed from January to December; whereas for the present marketing year information currently available makes it impossible to fix reference prices for the period beyond the month of February; whereas, since the quantities marketed in January and during the first 10 days of February represent only a small portion of the tonnage marketed over the year as a whole, reference prices should be fixed only for the period 11 to 28 February;

Whereas pursuant to Article 23(2) of Regulation (EEC) No 1035/72 the reference prices are to be equal to the arithmetic mean of producer prices in each Member State plus an amount representing the costs of transporting Community products from production areas to Community marketing centres;

Whereas the trend of average basic prices and buying-in prices must also be taken into account;

Whereas, to take seasonal price variations into account, the reference price should be fixed by 10-day periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial charac-

teristics being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas Community produced cucumbers marketed during the month of February will have been grown mainly in hothouses; whereas the reference prices for that month must therefore be fixed for a product of that type; whereas cucumbers imported from certain third countries during this period come from end-of-year crops grown in the open; whereas, although such cucumber may be classed in Class I, their quality and price are not comparable with those of hothouse products; whereas the prices for non-hothouse cucumbers should therefore be adjusted by a conversion factor;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the month of February 1975 the reference prices for cucumbers (subheading ex 07.01 P of the Common Customs Tariff), expressed in units of account per 100 kg net of packed products of Class I, of all sizes, shall be as follows:

— February

(11 to 20) 67.34

(21 to 28) 56.79

2. For the purpose of calculating entry prices, the prices for non-hothouse cucumbers imported from third countries shall, after deduction of customs duties, be multiplied by a factor of 1.30.

Article 2

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 291, 28. 12. 1972, p. 147.

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

Done at Brussels, 7 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

REGULATION (EEC) No 318/75 OF THE COMMISSION
of 7 February 1975
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 2476/74⁽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;

Whereas the special export levy on white sugar and
raw sugar was fixed by Regulation (EEC) No
1791/74⁽⁴⁾, as last amended by Regulation (EEC) No
305/75⁽⁵⁾;

Whereas it follows from applying the rules, criteria
and other provisions contained in the Regulation

(EEC) No 1791/74 to the information at present avail-
able 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 1791/74 is altered as shown in
the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 8 February
1975.

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

Done at Brussels, 7 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 264, 1. 10. 1974, p. 70.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 187, 11. 7. 1974, p. 23.

⁽⁵⁾ OJ No L 34, 7. 2. 1975, p. 31.

ANNEX

to the Commission Regulation of 7 February 1975 altering the special export levy on white sugar and raw sugar

(u.a./100 kg)		
CCT heading No	Description of goods	Amount of the special export levy
17.01	Beet sugar and cane sugar, solid :	
	A. Denatured :	
	I. White sugar	46.00
	II. Raw sugar	38.50 ⁽¹⁾
	B. Undenatured :	
	I. White sugar	46.00
	ex II. Raw sugar other than candy sugar	38.50 ⁽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.

REGULATION (EEC) No 319/75 OF THE COMMISSION
of 7 February 1975

amending the amounts applicable as compensatory amounts for cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

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

Having regard to Council Regulation (EEC) No 229/73 ⁽²⁾ of 31 January 1973 laying down general rules for a system of compensatory amounts for cereals and fixing these amounts for certain products, as last amended by Regulation (EEC) No 1860/74 ⁽³⁾, and in particular Article 7 thereof;

Having regard to Council Regulation (EEC) No 243/73 ⁽⁴⁾ of 31 January 1973 laying down general rules for a system of compensatory amounts for rice and fixing these amounts for certain products, as amended by Regulation (EEC) No 1999/74 ⁽⁵⁾, and in particular Article 5 thereof;

Whereas compensatory amounts for cereals and rice have been fixed pursuant to Regulation (EEC) No 246/75 ⁽⁶⁾, as last amended by Regulation (EEC) No 306/75 ⁽⁷⁾;

Whereas the application of the rules referred to in Regulation (EEC) No 246/75 requires that the amounts at present in force should be amended as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts applicable as compensatory amounts shown in the Annexes to amended Regulation (EEC) No 246/75 are amended as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 8 February 1975.

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

Done at Brussels, 7 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No L 27, 1. 2. 1973, p. 25.

⁽³⁾ OJ No L 197, 19. 7. 1974, p. 1.

⁽⁴⁾ OJ No L 29, 1. 2. 1973, p. 26.

⁽⁵⁾ OJ No L 209, 31. 7. 1974, p. 5.

⁽⁶⁾ OJ No L 27, 1. 2. 1975, p. 7.

⁽⁷⁾ OJ No L 34, 7. 2. 1975, p. 33.

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

Montants applicables au titre des montants compensatoires pour les céréales

Beløb, der skal anvendes som udligningsbeløb for korn

Für Getreide als Ausgleichsbeträge anzuwendende Beträge

Importi applicabili a titolo di importi di compensazione per i cereali

Als compenserende bedragen toe te passen bedragen voor granen

Amounts applicable as compensatory amounts for cereals

(RE/UC/11.1.11 000 kg)

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolldtarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief CCT heading No	DK	IRL	UK
10.01 A ⁽¹⁾	7,33	5,51	22,00

⁽¹⁾ The amount for common wheat rendered unfit for human consumption by denaturing as specified in Article 7 of Regulation No 120/67/EEC shall be that applicable to barley.

⁽¹⁾ Le montant applicable pour le froment tendre ayant été rendu impropre à la consommation humaine par la dénaturation visée à l'article 7 du règlement n° 120/67/CEE est celui applicable pour l'orge.

⁽¹⁾ Beløbet for blød hvede, der efter bestemmelserne i artikel 7 i forordning nr. 120/67/EØF ved denaturering er blevet gjort uegnet til menneskeføde, er det, der anvendes for byg.

⁽¹⁾ Der Betrag für Weichweizen, der durch Denaturierung im Sinne des Artikels 7 der Verordnung Nr. 120/67/EWG für die menschliche Ernährung ungeeignet gemacht wurde, ist der für Gerste anwendbare Ausgleichsbetrag.

⁽¹⁾ L'importo applicabile al frumento tenero reso inadatto al consumo umano in seguito alla denaturazione di cui all'articolo 7 del regolamento n. 120/67/CEE è quello applicabile all'orzo.

⁽¹⁾ Voor zachte tarwe die voor menselijke consumptie ongeschikt is gemaakt door de denaturering als bedoeld in artikel 7 van Verordening nr. 120/67/EEG is het bedrag voor gerst van toepassing.

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

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

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

Für Getreide- und Reisverarbeitungserzeugnisse als Ausgleichsbeträge anzuwendende Beträge

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

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

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

(RE/UC/n.a./100 kg)

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolldtarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief CCT heading No	DK	IRL	UK
11.02 B II a) ⁽¹⁾	0,975	0.733	2.926
11.02 C I ⁽¹⁾	1,026	0.771	3.080
11.02 D I ⁽¹⁾	0,748	0.562	2.244
11.02 E II a) ⁽¹⁾	1,026	0.771	3.080
11.02 F I ⁽¹⁾	0,748	0.562	2.244
11.02 G I	0,183	0.138	0.550
11.07 A I a)	1,305	0.981	3.916
11.07 A I b)	0,975	0.733	2.926
23.02 A I a)	0,059	0.161	0.320
23.02 A I b) 1	0,059	0.161	0.320
23.02 A I b) 2	0,059	0.161	0.320
23.02 A II a)	0,059	0.161	0.320
23.02 A II b)	0,059	0.161	0.320

- ⁽¹⁾ Pour la distinction entre les produits des n°s 11.01 et 11.02, d'une part, et ceux de la sous-position 23.02 A, d'autre part, sont considérés comme relevant des n°s 11.01 et 11.02 les produits ayant simultanément :
- une teneur en amidon (déterminée d'après la méthode polarimétrique Ewers modifiée) supérieure à 45 % (en poids) sur matière sèche,
 - une teneur en cendres (en poids) sur matière sèche (déduction faite des matières minérales ayant pu être ajoutées) inférieure ou égale à 1,6 % pour le riz, 2,5 % pour le froment et le seigle, 3 % pour l'orge, 4 % pour le sarrasin, 5 % pour l'avoine et 2 % pour les autres céréales.

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

- ⁽²⁾ Med henblik på sondringen mellem varer tariferet under pos. 11.01 og 11.02 på den ene side og under pos. 23.02 A på den anden side anses som tariferet under pos. 11.01 og 11.02 varer, der samtidig har
- et indhold af stivelse (bestemt ved Ewers modificerede polarimetriske metode) på over 45 vægtprocent, beregnet på grundlag af tørsubstansen,
 - et askeindhold (efter fradrag af eventuelle tilsatte mineralske stoffer) på 1,6 vægtprocent eller derunder for ris, 2,5 vægtprocent eller derunder for hvede og rug, 3 vægtprocent eller derunder for byg, 4 vægtprocent eller derunder for boghvede, 5 vægtprocent eller derunder for havre og 2 vægtprocent eller derunder for de øvrige kornsorter, beregnet på grundlag af tørsubstansen.

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

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

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

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

(¹) Per la distinzione tra i prodotti delle voci nn. 11.01 e 11.02 da un lato, e quelli della sottovoce 23.02 A dall'altro, si considerano come appartenenti alle voci nn. 11.01 e 11.02 i prodotti che abbiano simultaneamente :

- un tenore in amido (determinato in base al metodo polarimetrico Ewers modificato), calcolato sulla materia secca, superiore al 45 % (in peso),
- un tenore in ceneri (in peso), calcolato sulla materia secca (dedotte le sostanze minerali che possono essere state aggiunte), inferiore o pari a 1,6 % per il riso, a 2,5 % per il frumento e la segala, a 3 % per l'orzo, a 4 % per il grano saraceno, a 5 % per l'avena ed a 2 % per gli altri cereali.

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

(¹) Voor het onderscheid tussen de produkten van de nummers 11.01 en 11.02 enerzijds en die van de onderverdeling 23.02 A anderzijds, worden geacht onder de nummers 11.01 en 11.02 te vallen de produkten die tegelijkertijd :

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

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

(¹) For the purpose of distinguishing between products falling within headings Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within headings Nos 11.01 and 11.02 shall be those meeting the following specifications :

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

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