

Official Journal

of the European Communities

Volume 18 No L 59

5 March 1975

English Edition

Legislation

Contents

I Acts whose publication is obligatory

- Regulation (EEC) No 553/75 of the Commission of 4 March 1975 fixing the import levies on cereals and on wheat or rye flour groats and meal 1
- Regulation (EEC) No 554/75 of the Commission of 4 March 1975 fixing the premiums to be added to the import levies on cereals, flour and malt 3
- Regulation (EEC) No 555/75 of the Commission of 4 March 1975 fixing the average producer prices for wine 5
- ★ Regulation (EEC) No 556/75 of the Commission of 4 March 1975 re-establishing the levying of customs duties on image projectors (other than cinematographic projectors) ; photographic (except cinematographic) enlargers and reducers, falling within heading No 90.09, originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3054/74 of 2 December 1974 apply 7
- ★ Regulation (EEC) No 557/75 of the Commission of 4 March 1975 on a standing invitation to tender to determine subsidies on the importation of white and raw sugar 8
- ★ Regulation (EEC) No 558/75 of the Commission of 4 March 1975 on a standing invitation to tender for the purposes of delivery to Italy of sugar and the subsidized importation of corresponding quantities of white and raw sugar 16
- Regulation (EEC) No 559/75 of the Commission of 4 March 1975 applying the duty in the Common Customs Tariff to certain varieties of sweet oranges originating in Spain 24
- Regulation (EEC) No 560/75 of the Commission of 4 March 1975 amending the amounts applicable as compensatory amounts for cereals and rice 26
- Regulation (EEC) No 561/75 of the Commission of 4 March 1975 altering the import levies on products processed from cereals and rice 30

Contents (continued)

Corrigenda

★ **Corrigendum to the Council Decision of 27 February 1975 concerning the system of aid in the United Kingdom for the slaughter of certain adult bovine animals intended for slaughter (OJ No L 52, 28. 2. 1975) 32**

I

(Acts whose publication is obligatory)

REGULATION (EEC) No 553/75 OF THE COMMISSION**of 4 March 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 5 March
1975.

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

Done at Brussels, 4 March 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 4 March 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	37.26
10.01 B	Durum wheat	8.99 ⁽¹⁾ ⁽⁴⁾
10.02	Rye	44.64 ⁽⁵⁾
10.03	Barley	14.87
10.04	Oats	20.72
10.05 B	Maize other than hybrid maize for sowing	29.09 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0
10.07 C	Grain sorghum	32.72
10.07 D	Canary seed; other cereals	0 ⁽⁴⁾
11.01 A	Wheat or meslin flour	71.32
11.01 B	Rye flour	81.68
11.02 A I a	Durum wheat groats and meal	32.83
11.02 A I b	Common wheat groats and meal	76.11

⁽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 554/75 OF THE COMMISSION**of 4 March 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 5 March
1975.

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

Done at Brussels, 4 March 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 4 March 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 3	1st period 4	2nd period 5	3rd period 6
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	15.75	15.75	18.62
10.02	Rye	0	10.02	10.02	10.02
10.03	Barley	0	4.58	4.58	18.90
10.04	Oats	0	3.58	3.58	5.37
10.05 B	Maize other than hybrid maize for sowing	0	0.72	0.72	0.72
10.07 A	Buckwheat	0	0	0	5.73
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	3.58	3.58	3.58
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 3	1st period 4	2nd period 5	3rd period 6	4th period 7
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	0.815	0.815	3.364	3.364
11.07 A II(b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0.609	0.609	2.514	2.514
11.07 B	Roasted malt	0	0.710	0.710	2.930	2.930

REGULATION (EEC) No 555/75 OF THE COMMISSION
of 4 March 1975
fixing the average producer prices for wine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 816/70 ⁽¹⁾ of 28 April 1970 laying down additional provisions for the common organization of the market in wine as last amended by Regulation (EEC) No 3166/74 ⁽²⁾, and in particular Article 4 (1) thereof ;

Whereas Article 4 of Regulation (EEC) No 816/70 provides that an average producer price must be fixed for each type of wine for which a guide price is fixed ; whereas this average price must be fixed for each marketing centre for the type of wine in question on the basis of all the facts available ;

Whereas the marketing centres for table wines are determined in Commission Regulation (EEC) No 1020/70 ⁽³⁾ of 29 May 1970 on recording quotations and fixing average prices for table wines, as last amended by Regulation (EEC) No 528/74 ⁽⁴⁾ ;

Whereas Article 10 of Regulation (EEC) No 1020/70 provides that the average price must be fixed on the basis of the average of the quotations notified, particular account being taken of the extent to which these quotations are representative, the comments of the Member States, and the alcoholic strength and quality of table wines which have been the subject of transactions ;

Whereas arrangements for the notification by the Member States of quotations and information related thereto are specified in Regulation (EEC) No 1020/70 ; whereas, where this information is not available for any marketing centre, the average price for the preceding week must be maintained ;

Whereas the average price for the type of wine in question must be fixed per degree/hl or per hl as appropriate ; whereas, if the Tuesday is a public holiday, the average price must be fixed on the following working day ;

Whereas it follows from applying these rules to the information at present available to the Commission that the average price should be fixed as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The average prices referred to in Article 4 (1) of Regulation (EEC) No 816/70 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 5 March 1975.

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

Done at Brussels, 4 March 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 338, 17. 12. 1974, p. 1.

⁽³⁾ OJ No L 118, 1. 6. 1970, p. 16.

⁽⁴⁾ OJ No L 64, 6. 3. 1974, p. 8.

ANNEX

Average prices for table wines at the various marketing centres

Type	u.a. per degree/hl	Type	u.a. per degree/hl
R I		A I	
Béziers	1.653	Bordeaux	1.586
Montpellier	No quotation	Nantes	1.502
Narbonne	1.678	Bari	1.116
Nîmes	1.622	Cagliari	No quotation
Perpignan	1.642	Chieti	1.080
Asti	1.585	Ravenna (Lugo, Faenza)	1.212
Firenze	1.261	Trapani (Alcamo)	1.116
Lecce	No quotation	Treviso	1.351
Pescara	1.261		
Reggio Emilia	1.501		
Treviso	1.381		
Verona (for local wines)	1.381		
			u.a./hl
		A II	
		Rheinfalz (Oberhaardt)	19.58
		Rheinhessen (Hügelland)	25.14
R II		The wine-growing region of the Luxembourg Moselle	No quotation ⁽¹⁾
Bari	1.561		
Barletta	1.591		
Cagliari	No quotation		
Lecce	No quotation	A III	
Taranto	1.405	Mosel-Rheingau	38.25
		The wine-growing region of the Luxembourg Moselle	No quotation ⁽¹⁾
R III	u.a./hl		
Rheinfalz-Rheinhessen (Hügelland)	17.33		

⁽¹⁾ Quotation not taken into account in accordance with Article 10 (1) of Regulation (EEC) No 1020/70.

REGULATION (EEC) No 556/75 OF THE COMMISSION

of 4 March 1975

re-establishing the levying of customs duties on image projectors (other than cinematographic projectors); photographic (except cinematographic) enlargers and reducers, falling within heading No 90.09, originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3054/74 of 2 December 1974 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 3054/74⁽¹⁾ of 2 December 1974 establishing preferential tariffs in respect of certain products originating in developing countries, and in particular Article 4 (2) thereof;

Whereas Article 1 (3) of that Regulation provides that the customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1971 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1972 cif imports coming from other countries and from countries and territories already covered by such arrangements;

Whereas Article 2 (1) of that Regulation provides that the customs duties may be re-established at any time once the Community ceiling has been reached;

Whereas, in respect of image projectors (other than cinematographic projectors); photographic (except cinematographic) enlargers and reducers, the ceiling, calculated as indicated above, should be 1 108 000 units of account; whereas on 3 March 1975 the

amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 3054/74, which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

As from 8 March 1975, customs duties suspended in pursuance of Council Regulation (EEC) No 3054/74 of 2 December 1974, shall be re-established in respect of the following products, imported into the Community:

CCT heading No	Description of goods
90.09	Image projectors (other than cinematographic projectors); photographic (except cinematographic) enlargers and reducers

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, 4 March 1975.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 329, 9. 12. 1974, p. 70.

REGULATION (EEC) No 557/75 OF THE COMMISSION**of 4 March 1975****on a standing invitation to tender to determine subsidies on the importation of white 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⁾, and in particular Articles 11 (2), 16 (5), 25 (3) and 38 thereof;

Having regard to 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 in the currencies of certain Member States, as last amended by Regulation (EEC) No 475/75⁽⁶⁾, and in particular Article 6 thereof;

Whereas Commission Regulation (EEC) No 3062/74⁽⁷⁾ 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 363/75⁽⁸⁾, opened a standing invitation to tender which has been suspended by Regulation (EEC) 436/75⁽⁹⁾; whereas in the light of experience gained and of a concern to ensure supplies to deficit regions it is desirable to revise, by issuing a new Regulation, the terms of this invitation to tender for the

balance of the 200 000 metric tons of sugar for subsidized importation under Regulation (EEC) No 191/75, in particular by providing for a maximum quantity of sugar for each partial invitation to tender to be fixed in advance in respect of each Member State, by reference to its short-term deficit;

Whereas it is desirable to provide for certain measures of a technical nature to ensure that the tender procedure functions as efficiently as possible; whereas for the same reason it is desirable to derogate from or to adapt Commission Regulation (EEC) No 2637/70⁽¹⁰⁾ of 23 December 1970 on special 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 363/75;

Whereas, having regard in particular to the fact that the present invitation to tender concerns both an importation and a subsequent exportation to third countries of a corresponding quantity of sugar, it is desirable not to apply monetary compensatory amounts to these operations;

Whereas it is desirable to close the invitation to tender provided for in Regulation (EEC) No 3062/74, to open the invitation to tender provided for in Commission Regulation (EEC) No 314/75⁽¹¹⁾ 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, as amended by Regulation (EEC) No 363/75 and to suspend the invitation to tender provided for in Commission Regulation (EEC) No 312/75⁽¹²⁾ of 7 February 1975 on a standing invitation to tender to determine subsidies for white sugar provided in excess of the maximum quota and in respect of which no export levy is to apply;

Whereas the Opinion of the Monetary Committee has been sought;

Whereas the Management Committee for Sugar has not delivered an opinion within the time limit set by its Chairman,

⁽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 52, 28. 2. 1975, p. 28.

⁽⁷⁾ OJ No L 324, 4. 12. 1974, p. 7.

⁽⁸⁾ OJ No L 40, 14. 2. 1975, p. 46.

⁽⁹⁾ OJ No L 48, 22. 2. 1975, p. 18.

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

⁽¹¹⁾ OJ No L 35, 8. 2. 1975, p. 11.

⁽¹²⁾ OJ No L 35, 8. 2. 1975, p. 5.

HAS ADOPTED THIS REGULATION :

Article 1

1. Member States shall issue a standing invitation to tender in respect of subsidies for imports from third countries of white and raw sugar and, during the period of validity of this standing invitation to tender, they shall issue partial invitations to tender in respect of which a maximum tonnage shall be fixed for each Member State.

2. In respect of each partial invitation to tender the maximum tonnage shall be fixed before the expiry of the time limit for the submission of tenders for the partial invitation to tender concerned.

The maximum tonnage for each Member State shall be based on its estimated supply deficit during a period of 60 days following the partial invitation to tender concerned.

For the partial invitation to tender to be issued on 7 March 1975, the maximum tonnages shall be those laid down in Annex I.

3. The subsidy may be granted only in respect of sugar intended for free circulation and ultimate consumption in the Member State indicated in the tender.

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

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, (EEC) No 191/75 and the present Regulation.

Article 3

1. Member States shall draw up a notice of the standing invitation to tender. This notice shall be published in the *Official Journal of the European Communities*. Member States 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 7 March 1975 at 10 a.m.

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

(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 30 April 1975 shall expire at 10 a.m. on Tuesday, 18 March and 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. A tender shall relate only to the subsidy necessary for the importation of sugar into a Member State in respect of which a maximum tonnage greater than zero has been fixed for the partial invitation to tender in question.

2. Tenderers must either lodge a tender in writing, against a receipt, with the competent authority of the Member State chosen by the tenderer, or address the tender to that authority by registered letter, telex or telegram.

3. The 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 or raw sugar, as appropriate, to be imported. In the case of raw sugar the quantity to be imported must also be expressed as a corresponding quantity of white sugar by reference to a yield calculated by doubling the degree of polarization of the raw sugar and subtracting 100 ;

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

(e) the amount of import subsidy proposed per 100 kilogrammes of sugar expressed in white value, in the currency of the Member State referred to in (d).

4. 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.

5. A tender may stipulate that it is to be regarded as having been submitted only if:

(a) the maximum amount of the subsidy provided for in Article 8 is fixed on the day on which the time limit for the submission of tenders expires;

(b) the contract awarded relates to the active quantity indicated in the tender or to a specified part thereof.

6. 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.

7. Once submitted a tender may not be withdrawn.

Article 6

1. The security required for the invitation to tender shall be 10 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 18 of Regulation (EEC) No 193/75⁽¹⁾ to apply *mutatis mutandis*,

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

The security shall be released forthwith.

5. In a 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.

⁽¹⁾ OJ No L 25, 31. 1. 1975, p. 10.

Article 7

1. Tenders shall be examined in private by the competent authority 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 such manner that the names of the tenderers are not disclosed.

Article 8

After examining the tenders received, and having in particular (i) to the difference between spot prices on the world market and the maximum selling prices referred to in Article 12 and (ii) to the difference between the world market prices quoted for the last quarter of 1975 and the target price fixed for the 1975/76 sugar marketing year, the Commission shall fix, in accordance with the procedure laid down in Article 40 of Regulation No 1009/67/EEC, a maximum subsidy for each Member State as referred to in Article 5 (1) to which tenders have been submitted. Alternatively, it may be decided to make no award.

Article 9

Except where a decision is taken to discontinue a partial invitation to tender the award shall be made to every tenderer whose tender does not exceed the maximum amount of the subsidy. However, where the application of this provision would lead to the maximum tonnage being exceeded, the total amount in respect of which contracts are awarded shall be limited to awards being made in ascending order of tender by reference to the level of subsidy proposed. 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 authority of the Member State concerned shall immediately notify all applicants of the result of their participation in the invitation to tender. That authority shall also send successful tenderers without delay a statement of award.

2. Statement of awards 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 where the imported sugar will be put into free circulation and ultimately consumed.

Article 11

1. Every successful tenderer shall have :
 - (a) the right to be issued, in respect of the quantity of product to be imported, with an import licence showing the subsidy specified in the tender and the Member State where the imported sugar is to be put into free circulation ;
 - (b) the right to be issued with an export licence in respect of a tonnage of sugar corresponding to that put into free circulation under the licence referred to in (a) and in respect of which the subsidy has been paid in accordance with Article 13, provided that such export licence is applied for between 15 October 1975 and 31 March 1976. Such export licence shall be valid for six months from its day of issue as defined in Article 9 (1) of Regulation (EEC) No 193/75 ;
 - (c) the right to export the tonnage of sugar referred to in (b) without the provisions of Article 16 (1) of Regulation No 1009/67/EEC being applied to that tonnage ;
 - (d) the obligation :
 - to import the tonnage concerned into the Member State, as indicated in the statement of award where the sugar is to be put into free circulation ;
 - when selling the imported sugar in the Member State in which it is put into free circulation, to comply with the obligations specified in Article 12.

The obligations arising from an award shall not be transferable.

2. The licence referred to in paragraph 1 (a) shall be issued by the competent authority 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. The licence referred to in paragraph 1 (b) shall be issued by the competent authority of the Member State in which the imported sugar has been put into free circulation.
3. By way of derogation from Article 32 (1) of Regulation (EEC) No 2637/70, import licences issued under this tendering procedure shall be valid from their day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75 until the end of the second month following that day.
4. At the request of the tenderer a licence issued in respect of white sugar under paragraph 1 (a) may be replaced before customs import formalities have been

completed by a licence in respect of raw sugar, and vice versa. Such new licence may be issued only by the authority which issued the original licence and only upon presentation of a statement of award as provided for in Article 10. The new licence shall contain the same information as that shown on the original licence except as regards the nature and quantity of the product to be imported.

Where the new licence relates to :

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

Article 12

1. The obligations referred to in the second indent of Article 11 (1) (d) 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 put into free circulation ;
 - (b) where the successful tenderer is himself to manufacture products containing the imported white sugar, he may give an undertaking that such products will be manufactured on his own premises ; 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 ;
 - (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, exclusive of packaging ;
 - (e) where the provisions of (a) or (c) apply the tenderer must include in his contract of sale a clause providing that the imported sugar must be ultimately consumed in the Member State in which it is put into free circulation.

Where the competent authority of a Member State itself buys sugar put into free circulation by virtue of this Regulation it shall when selling such sugar be subject to paragraphs (a), (c), and (e) above.

To the maximum selling price for refined sugar as specified in (c) and (d) there shall be added the cost of transport from the point of delivery cif in the Member State concerned to the place of refining.

2. Furthermore, 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 subject as provided in the third subparagraph of paragraph 1, when calculating such selling price he will not in respect of that part of the refined white sugar corresponding to the raw sugar imported under the invitation to tender exceed the maximum price specified in paragraph 1 (d).

Article 13

1. The subsidy in respect of the tonnage put into free circulation in a Member State shall be paid forthwith to the successful tenderer by that State upon production :

- (a) of proof that the obligation under the first indent of Article 11 (1) (d) 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 entered by the Member State as indicated in the tender in which the product is to be put in free circulation ;
- (b) of the contract or of the relevant undertaking as 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. Where the right referred to in Article 11 (1) (b) has been exercised by the completion of customs formalities for the export of the sugar concerned from a Member State other than that into which the imported sugar was put into free circulation, the subsidy shall be increased or reduced, as appropriate by amounts to be determined for each partial invitation to tender.

For the partial invitation to tender taking place on 7 March 1975 these amounts shall be those shown in Annex II hereto.

3. Without prejudice to paragraph 2, the subsidy shall be increased or reduced for every partial invita-

tion to tender by amounts to be determined if between the day on which contracts are awarded and the day on which the application for an export certificate is lodged there occurs a change :

- (a) in the target price fixed for the sugar marketing year 1975/76, and/or
- (b) in the representative rate used for the purposes of the common agricultural policy in respect of the Member State from whose territory the sugar is exported.

The adjustment shall be calculated by reference to the change in question.

4. In order that the adjustments referred to in paragraphs 2 and 3 may be made the exporter must produce to the issuing Member State, within four weeks following the day on which customs export formalities are completed, copy No 1 of the export licence or, where appropriate, copy No 1 of the extract or extracts of the licences bearing attributions entered by the Member State from which the sugar was exported.

5. A successful tenderer shall not become finally entitled to the subsidy referred to in paragraph 1 until he has fulfilled the relevant obligations, and any deductions required pursuant to paragraphs 2 and 3 have been made.

Article 14

No monetary compensatory amounts shall be applicable in respect of imports and exports made with third countries under this tendering system.

Article 15

1. The provisions of Article 33a of Regulation (EEC) No 2637/70 shall not apply to white sugar or raw sugar which a tenderer is entitled to export pursuant to Article 11 (1) (b).

2. By way of derogation from Article 33 (1) (a) of Regulation (EEC) No 2637/70, the security required in connection with import licences shall be zero units of account per 100 kilogrammes net and that required in connection with export licences shall be 2.50 units of account per 100 kilogrammes net. This latter security shall be released only when the provisions of Article 13 (2) and (3) have been complied with.

Article 16

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

Article 30 (e)

1. For the purposes of Article 11 (1) (a) of Regulation (EEC) No 557/75, section 20 of the import licence shall contain one of the following endorsements:

- import subsidy applicable: . . . per 100 kg, to be adjusted as appropriate (Regulation (EEC) No 557/75),
- licence valid in (Member State);
- subvention à l'importation applicable: . . . par 100 kg, à adapter le cas échéant, au règlement (CEE) n° 557/75,
- certificat valable en État membre);
- Einfuhrsubvention: . . . je 100 kg, gegebenenfalls anzupassen, Verordnung (EWG) Nr. 557/75,
- Lizenz gültig in Deutschland;
- sovvenzione all'importazione applicabile: . . . / 100 kg, adattare addattare se necessario, regolamento (CEE) n. 557/75,
- titolo valido in (Stato membro);
- invoersubsidie: . . . per 100 kg, eventueel aan te passen, Verordening (EEG) nr. 557/75,
- certificaat geldig in (Lid-Staat);
- tilskud til indførsel: . . . pr. 100 kg, tilpasses i givet fald, forordning (EØF) nr. 557/75,
- licens gyldig i (Medlemstat).

2. For the purpose of Article 11 (1) (b) of Regulation (EEC) No 557/75, section 18 of the export licence shall contain one of the following endorsements:

- for export without levy (Regulation (EEC) No 557/75);
- ohne Abschöpfungen auszuführen (Verordnung (EWG) Nr. 557/75);
- à exporter sans prélèvements (Règlement (CEE) n° 557/75);
- da esportare senza prelievi (Regolamento (CEE) n. 557/75);

- uit te voeren zonder heffingen (Verordening (EEG) nr. 557/75);
- udføres uden afgifter (forordning (EØF) nr. 557/75).

Article 17

The provisions of Article 30 of Regulation (EEC) No 2637/70 shall apply *mutatis mutandis*, to the import and export licences issued under Article 11 (1) (a) and (b).

Article 18

Member States shall take all the measures required to ensure the necessary supervision of the implementation of this Regulation and, in cases where the tenderer's obligations have not been fulfilled, the recovery of all or part of the subsidy. The sums to be so recovered shall be determined by reference to the amounts by which the maximum prices specified in Article 12 are exceeded.

Article 19

1. The standing invitation to tender provided for in Regulation (EEC) No 312/75 is suspended until further notice.
2. The standing invitation to tender referred to in Regulation (EEC) No 3062/74 is hereby closed.
3. In Article 1 (1) of Regulation (EEC) No 314/75 the word 'Germany' is deleted.
4. In Article 4 (1) (b) of Regulation (EEC) No 314/75 the date '12 February 1975' is replaced by '7 March 1975'.

Article 20

This Regulation shall enter into force on 5 March 1975.

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

Done at Brussels, 4 March 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEXE I — ANNEX I — ANHANG I — ALLEGATO I — BIJLAGE I — BILAG I

(Applicable à l'adjudication partielle du 7 mars 1975)

(Applicable to the partial invitation to tender of 7 March 1975)

(Anwendbar auf die Teilausschreibung am 7. März 1975)

(Applicabile alla gara parziale del 7 marzo 1975)

(Toe te passen op de deelinschrijving van 7 maart 1975)

(Gældende for dellicitationen af 7. marts 1975)

État membre Member State Mitgliedstaat Stato membro Lid-Staat Medlemsstat	Quantité maximale ⁽¹⁾ Maximum quantity ⁽¹⁾ Höchstmenge ⁽¹⁾ Quantitativo massimo ⁽¹⁾ Maximumhoeveelheid ⁽¹⁾ Maksimumsbeløb ⁽¹⁾
België-Belgique/Luxembourg	0
Danmark	0
Deutschland	0
France	0
Ireland	0
Italia	179 000
Nederland	13 000
United Kingdom	53 000

⁽¹⁾ en t/m valeur sucre blanc.
 in metric tons white sugar value.
 in m/t Weißzuckerwert.
 in t/m valore zucchero bianco.
 in m/t witsuikerwaarde.
 i m/t udtrykt i hvidt sukker.

ANNEXE II — ANNEX II — ANHANG II — ALLEGATO II — BIJLAGE II — BILAG II

(Applicable à l'adjudication partielle du 7 mars 1975)

(Applicable to the partial invitation to tender of 7 March 1975)

(Anwendbar auf die Teilausschreibung am 7. März 1975)

(Applicabile alla gara parziale del 7 marzo 1975)

(Toe te passen op de deelinschrijving van 7 maart 1975)

(Gældende for dellicitationen af 7. marts 1975)

Montant visé à l'article 13 § 2 du règlement (CEE) n° 557/75 dont la subvention doit être augmentée (+) ou diminuée (—)

The amount as referred to in Article 13 § 2 of Regulation (EEC) No 557/75 by which the subsidy must be increased (+) or reduced (—)

Der in Artikel 13 § 2 der Verordnung (EWG) Nr. 557/75 genannte Betrag, um den die Subvention zu erhöhen (+) oder zu vermindern (—) ist

Importo indicato all'articolo 13 § 2 del regolamento (CEE) n. 557/75 di cui la sovvenzione deve essere aumentata (+) ovvero diminuita (—)

Bedrag bedoeld in artikel 13, § 2, van Verordening (EEG) nr. 557/75, waarvan de subsidie verhoogd (+) of verlaagd (—) moet worden

Det i artikel 13 § 2 i forordning (EØF) nr. 557/75 nævnte beløb, med hvilken tilskudet skal formindskes (—) eller forhøjes (+)

Etat membre d'exportation Exporting Member State Ausführender Mitgliedstaat Stato membro di esportazione Uitvoerende Lid-Staat Eksporterende medlemsstat	Etat 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					+ 999	— 2,15		+ 2.386
Deutschland					+ 4 325	+ 10,44		+ 4.565
France					— 597	— 8,19		+ 1.341
Ireland					— 1 235	— 10,60		+ 0.923
Italia					—	— 5,93		+ 1.732
Benelux					+ 1 584	—		+ 2.770
United Kingdom					— 2 645	— 15,93		

REGULATION (EEC) No 558/75 OF THE COMMISSION**of 4 March 1975****on a standing invitation to tender for the purposes of delivery to Italy of white sugar and the subsidized importation of corresponding quantities of white 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⁾, and in particular Articles 11 (2), 16 (5), 25 (3) and 38 thereof;

Having regard to 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 in the currencies of certain Member States, as last amended by Regulation (EEC) No 475/75⁽⁶⁾, and in particular Article 6 thereof;

Whereas, in order to help insure supplies to Italy, a particularly high deficit region of the Community, it appears opportune to open, simultaneously with the standing invitation to tender provided for in Commission Regulation (EEC) No 557/75⁽⁷⁾ of 4 March 1975 to determine subsidies on the importation of white and raw sugar, a second standing invitation to tender under which the system of subsidized sugar imports

from third countries with subsequent exportation of a corresponding quantity is linked to the prior delivery of Community sugar by other Member States to Italy;

Whereas it is advisable to retain as appropriate the provisions relating to the abovementioned standing invitation to tender;

Whereas it is desirable to provide for certain measures of a technical nature to ensure that the tender procedure functions as efficiently as possible; whereas for the same reason it is desirable to derogate from or to adapt Commission Regulation (EEC) No 2637/70⁽⁸⁾ of 23 December 1970 on special 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 363/75⁽⁹⁾;

Whereas the Opinion of the Monetary Committee has been sought;

Whereas the Management Committee for Sugar has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. Member States, with the exception of Italy, shall open a standing invitation to tender in respect of subsidies for the importation from third countries of white and raw sugar following prior delivery to Italy of white sugar coming within Article 9 (2) of the Treaty and to which Article 16 (1) of Regulation No 1009/67/EEC applies. During the period of this standing invitation to tender Member States shall issue partial invitations to tender.

2. The import subsidy may be granted only in respect of sugar put into free circulation in the Member State as indicated in the tender from which the delivery of sugar referred to in paragraph 1 took place.

3. The sugar so delivered must be retailed, in the unaltered state, in Italy.

Article 2

The standing and partial invitations to tender shall be conducted in accordance with the provisions laid down in Regulations (EEC) No 2931/74, (EEC) No 191/75 and the present Regulation.

⁽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 52, 28. 2. 1974, p. 28.

⁽⁷⁾ See page 8 of this Official Journal.

⁽⁸⁾ OJ No L 283, 29. 12. 1970, p. 15.

⁽⁹⁾ OJ No L 40, 14. 2. 1975, p. 46.

Article 3

1. The Member States concerned shall draw up a notice of the standing invitation to tender. Such notice shall be published in the *Official Journal of the European Communities*. Member States may also publish the notice, or have it published, elsewhere.
2. The notice shall indicate in particular the terms of the invitation.
3. The notice shall be published only for the purpose of opening the standing invitation to tender. It 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 are modified.

Article 4

1. The period during which tenders may be submitted in response to the first partial invitation:
 - (a) shall begin on the day on which the standing invitation to tender is published in the *Official Journal of the European Communities*, and
 - (b) shall expire on 7 March 1975 at 10 a.m.
 2. The period during which tenders may be submitted in response to the second and subsequent partial invitations:
 - (a) shall begin on the first working day following the day on which the preceding period comes to an end, and
 - (b) shall expire on the Wednesday of the following week at 10 a.m.
 3. Notwithstanding the provision in paragraph 2 (b) the time limits for the submission of tenders which would otherwise expire on Wednesday, 19 March and 30 April 1975 shall be Tuesday, 18 March and 29 April 1975 at 10 a.m.
 4. 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.
- a corresponding quantity of white sugar by reference to a yield calculated by doubling the degree of polarization of the raw sugar and subtracting 100 ;
- (d) the Member State in whose territory the imported sugar is to be put into free circulation ;
 - (e) the amount of import subsidy sought per 100 kilogrammes of sugar expressed in white value, in the currency of the Member State referred to in (d).
3. A tender shall be valid only if:
 - (a) the total quantity of sugar to be imported is not less than 250 metric tons ;
 - (b) proof is furnished before the 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 an undertaking by the tenderer that if his tender is successful he will deliver to Italy, in accordance with provisions of this Regulation, a quantity of white sugar coming within Article 9 (2) of Treaty and corresponding to the quantity referred to in Article 10 (2) (b).
 4. A tender may stipulate that it is to be regarded as having been submitted only if:
 - (a) the maximum amount of the subsidy provided for in Article 8 (1) is fixed on the day on which the time limit for the submission of tenders expires ;
 - (b) the award of the tender relates to the total quantity indicated in the tender or to a specified part of that total quantity.
 5. 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.
 6. Once submitted a tender may not be withdrawn.

Article 6

1. The security required for the invitation to tender shall be 10 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.

Article 5

1. Tenderers must either lodge a tender in writing, against a receipt, with the competent authority of the Member State where the imported sugar is to be put into free circulation, or address the tender to that authority by registered letter, telex or telegram.
2. The 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 or raw sugar, as appropriate, to be imported. In the case of raw sugar the quantity to be imported must also be expressed as

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 fulfilled the undertaking referred to in Article 5 (3) (c) and has applied for a licence as referred to in Article 11 (1) (b), or

(b) in relation to which no award has been made.

The security shall be released forthwith.

5. In a 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 authority 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 such manner that the names of the tenderers are not disclosed.

Article 8

1. After examining the tenders received, and having in particular (i) regard to the difference between spot prices on the world market and the maximum selling prices referred to in Article 12, (ii) to the difference between the world market prices quoted for the last quarter of 1975 and the target price fixed for the 1975/76 sugar marketing year, (iii) to necessary transport costs, 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 in question.

Alternatively, it may be decided to make no award.

2. For each partial invitation to tender, after examinations of tenders a maximum tonnage may be fixed under the procedure referred to in paragraph 1.

3. In order to achieve comparability between tenders, for the purpose of 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⁾, as last amended by Regulation (EEC) No 538/75⁽²⁾, 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.

⁽¹⁾ OJ No L 146, 4. 6. 1973, p. 1.

⁽²⁾ OJ No L 57, 3. 3. 1975, p. 1.

Article 9

1. Except where a decision is taken to make no award under a partial invitation to tender, then subject as provided in paragraphs 2 and 3, a contract shall be awarded to every tenderer whose tender does not exceed the maximum amount of the subsidy.

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 10

1. The competent authority of the Member State concerned shall immediately notify all applicants of the result of their participation in the invitation to tender. That authority shall also forthwith send successful tenderers a statement of award.

2. Statement of awards 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 where the imported sugar is to be put into free circulation.

Article 11

1. The tenderer shall have:

(a) the obligations:

- to fulfil, as regards the sugar to be delivered to Italy, the conditions set out in Article 12,
- to apply for the licence referred to in (b) and to import the tonnage in question into the Member State in which it is to be put into free circulation as indicated in the statement of award,
- when selling the imported sugar in the Member State concerned, to comply with the obligations set out in Article 13.

- (b) the right to the issue without delay, on production of the proof referred to in Article 12 (a), of an import licence showing the subsidy indicated in the offer and the Member State in which the sugar is to be put into free circulation;
- (c) the right to the issue of an export licence in respect of a quantity of sugar corresponding to that put into free circulation under the licence referred to in (b) and in respect of which the subsidy has been paid in accordance with Article 14, provided that such export licence is applied for between 14 October 1975 and 31 March 1976. Such export licence shall be valid for six months from its day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75⁽¹⁾;
- (d) the right to export the quantity of sugar referred to in (c) without the provisions of Article 16 (1) of Regulation No 1009/67/EEC being applied to that quantity.

The obligations arising from an award shall not be transferable.

2. The licences referred to in paragraph 1 (b) and (c) shall be issued by the competent authority of the Member State making the statement of award.

The licence referred to in paragraph 1 (b) shall be issued only on production of proof that the conditions set out in Article 12 have been fulfilled. This proof shall consist of a copy of the control copy and a copy of the contract of sale referred to in Article 12.

3. By way of derogation from the provisions of Article 32 (1) of Regulation (EEC) No 2637/70, import licences issued under this tendering system shall be valid until 15 August 1975.

4. At the request of the tenderer the licence referred to in paragraph 1 (b) in respect of white sugar may be replaced before the customs import formalities have been completed by a licence in respect of raw sugar, and vice versa. The new licence may be issued only by the authority which issued the original licence and only on production of the statement of award referred to in Article 10. The new licence shall contain the same information as that shown on 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 shown 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 shown in the original licence.

Article 12

The conditions referred to in the first indent of Article 11 (1) (a) shall be as follows:

- (a) the tenderer must supply proof that within 60 days following the expiry of the period for the submission of the tenders in question a quantity of white sugar corresponding to that referred to in Article 10 (2) (b) has been imported into Italy.

Proof of importation into Italy shall be furnished by production of the control copy referred to in Article 1 of Regulation (EEC) No 2315/69⁽²⁾.

Such control copy must be completed as follows:

- sections 101 and 103 must be completed;
- section 104 must be completed by deleting as appropriate and adding one of the following endorsements:
 - intended for home use in Italy;
 - destiné à la mise à la consommation en Italie;
 - zum Verbrauch in Italien bestimmt;
 - destinato ad essere immesso al consumo in Italia;
 - bestemd voor het verbruik in Italië;
 - bestemd til overgang til forbrug i Italien;
- section 106 must be completed and one of the following endorsements be entered:
 - Tendering Regulation (EEC) No 558/75 (OJ No L 59 of 5 March 1975),
time limit for submission of tenders expires . . . ;
 - Règlement d'adjudication (CEE) n° 558/75 (JO n° L 59 du 5 mars 1975),
délai de présentation des offres expirant le . . . ;
 - Ausschreibungsverordnung (EWG) Nr. 558/75 (ABl. Nr. L 59 vom 5. März 1975),
Ablauf der Angebotsfrist am . . . ;
 - Regolamento di gara (CEE) n. 558/75 (GU n. L 59 del 5 marzo 1975),
il termine di presentazione delle offerte scade il . . . ;
 - Verordening m.b.t. inschrijving (EEG) nr. 558/75 (PB nr. L 59 van 5 maart 1975),
indieningstermijn aanbiedingen eindigt op . . . ;
 - Forordning om licitation (EØF) nr. 558/75 (EFT nr. L 59 af 5. marts 1975),
fristen for indgivelse af tilbud udløber den . . . ;

⁽¹⁾ OJ No L 25, 31. 1. 1975, p. 10.

⁽²⁾ OJ No L 295, 24. 11. 1969, p. 14.

- (b) the tenderer must deliver the white sugar at a price not exceeding 35.56 units of account per 100 kilogrammes, exclusive of packaging, free-at-Italian frontier or cif Italian ports;
- (c) the tenderer must include in the contract of sale a clause requiring the sugar to be retailed, in the unaltered state, in Italy.

Article 13

1. The obligations referred to in the third indent of Article 11 (1) (a) 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 put into free circulation;
- (b) where the successful tenderer is himself to manufacture products containing the imported white sugar, he may give an undertaking that such products will be manufactured on his own premises; 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;
- (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, exclusive of packaging.

To the maximum selling price for refined sugar as specified in (c) and (d) there shall be added the cost of transport from the point of delivery cif in the Member State concerned to the place of refining.

2. Furthermore, 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 subject as provided in the third subparagraph of paragraph 1, when calculating such selling price he will

not in respect of that part of the refined white sugar corresponding to the raw sugar imported under the invitation to tender exceed the maximum price specified in paragraph 1 (d).

Article 14

1. The subsidy in respect of the tonnage put into free circulation in a Member State shall be paid forthwith to the successful tenderer by that State upon production:

- (a) of proof that the obligation under the second indent of Article 11 (1) (a) 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 entered by the Member State as indicated in the tender in which the product is to be put in free circulation;
- (b) of the contract or of the relevant undertaking as referred to in Article 13.

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. Where the right referred to in Article 11 (1) (c) has been exercised by the completion of customs formalities for the export of the sugar concerned from a Member State other than that into which the imported sugar was put into free circulation, the subsidy shall be increased or reduced, as appropriate by amounts to be determined for each partial invitation to tender.

For the partial invitation to tender taking place on 7 March 1975 these amounts shall be those shown in the Annex hereto.

3. Without prejudice to paragraph 2, the subsidy shall be increased or reduced for every partial invitation to tender by amounts to be determined if between the day on which contracts are awarded and the day on which the application for an export certificate is lodged there occurs a change;

- (a) in the target price fixed for the sugar marketing year 1975/76, and/or
- (b) in the representative rate used for the purposes of the common agricultural policy in respect of the Member State from whose territory the sugar is exported.

The adjustment shall be calculated by reference to the change in question.

3. In order that the adjustment shall be calculated by reference to the change in question.

4. In order that the adjustments referred to in paragraphs 2 and 3 may be made the exporter must produce to the issuing Member State, within four weeks following the day on which customs export formalities are completed, copy No 1 of the export licence or, where appropriate, copy No 1 of the extract or extracts of the licences bearing attributions entered by the Member State from which the sugar was exported.

5. A successful tenderer shall not become finally entitled to the subsidy referred to in paragraph 1 until he has fulfilled the obligations set out in Article 13, and any deductions required pursuant to paragraphs 2 and 3 have been made.

Article 15

No monetary compensatory amounts shall be applicable in respect of imports and exports made with third countries under this tendering system.

Article 16

1. The provisions of Article 33a of Regulation (EEC) No 2637/70 shall not apply to white sugar or raw sugar which a tenderer is entitled to export pursuant to Article 11 (1) (c).

2. By way of derogation from Article 33 (1) (a) of Regulation (EEC) No 2637/70, the security required in connection with import licences shall be zero units of account per 100 kilogrammes net and that required in connection with export licences shall be 2.50 units of account per 100 kilogrammes net. This latter security shall be released only when the provisions of Article 14 (2) and (3) have been complied with.

Article 17

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

'Article 30 (c)

1. For the purposes of Article 11 (1) (b) of Regulation (EEC) No 558/75, section 20 of the import licence shall contain one of the following endorsements:

- import subsidy applicable: . . . per 100 kg, to be adjusted as appropriate (Regulation (EEC) No 558/75),
- licence valid in (Member State);
- subvention à l'importation applicable: . . . par 100 kg, à adapter le cas échéant, au règlement (CEE) n° 558/75,
- certificat valable en (État membre);
- Einfuhrsubvention: . . . je 100 kg, gegebenenfalls anzupassen, Verordnung (EWG) Nr. 558/75,

- Lizenz gültig in Deutschland;
- sovvenzione all'importazione applicabile: . . . /100 kg, adattare se necessario, regolamento (CEE) n. 558/75,
- titolo valido in (Stato membro);
- invoersubsidie: . . . per 100 kg, eventueel aan te passen, Verordening (EEG) nr. 558/75,
- certificaat geldig in (Lid-Staat);
- tilskud til indførsel: . . . pr. 100 kg, tilpasses i givet fald, forordning (EØF) nr. 558/75,
- licens gyldig i (Medlemstat).

2. For the purpose of Article 11 (1) (c) of Regulation (EEC) No 558/75, section 18 of the export licence shall contain one of the following endorsements:

- for export without levy (Regulation (EEC) No 558/75);
- ohne Abschöpfungen auszuführen (Verordnung (EWG) Nr. 558/75);
- à exporter sans prélèvements (Règlement (CEE) n° 558/75);
- da esportare senza prelievi (Regolamento (CEE) n. 558/75);
- uit te voeren zonder heffingen (Verordening (EEG) nr. 558/75);
- udføres uden afgifter (forordning (EØF) nr. 558/75).

Article 18

The provisions of Article 30 of Regulation (EEC) No 2637/70 shall apply *mutatis mutandis* to the import and export licences issued under Article 11 (1) (b) and (c).

Article 19

Member States shall take all the measures required to ensure the necessary supervision of the implementation of this Regulation and, in cases where the tenderer's obligations have not been fulfilled, the recovery of all or part of the subsidy. The sums to be so recovered shall be determined by reference to the amounts by which the maximum prices specified Article 13 are exceeded. The competent Italian authorities shall return the control copy referred to in Article 12 (a) immediately after the completion of customs formalities for importation into Italy.

Article 20

This Regulation shall enter into force on 5 March 1975.

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

Done at Brussels, 4 March 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

(Applicable à l'adjudication partielle du 7 mars 1975)

(Applicable to the partial invitation to tender of 7 March 1975)

(Anwendbar auf die Teilausschreibung am 7. März 1975)

(Applicabile alla gara parziale del 7 marzo 1975)

(Toe te passen voor de deelinschrijving van 7 maart 1975)

(Gældende for del-licitationen af 7. marts 1975)

Montant visé à l'article 14 § 2 du règlement (CEE) n° 558/75 dont la subvention doit être augmentée (+) ou diminuée (—)

The amount referred to in Article 14 § 2 of Regulation (EEC) No 558/75 by which the subsidy must be increased (+) or reduced (—)

Der in Artikel 14 § 2 der Verordnung (EWG) Nr. 558/75 genannte Betrag, um den die Subvention zu erhöhen (+) oder zu vermindern (—) ist

Importo indicato all'articolo 14 § 2 del regolamento (CEE) n. 558/75 di cui la sovvenzione deve essere aumentata (+) ovvero diminuita (—)

Bedrag bedoeld in artikel 14 § 2 van Verordening (EEG) nr. 558/75 waarvan de subsidie verhoogd (+) of verlaagd (—) moet worden

Det i artikel 14 § 2 i forordning (EØF) nr. 558/75 nævnte beløb, med hvilken tilskudet skal formindskes (—) eller forhøjes (+)

Etat membre d'exportation Exporting Member State Ausführer Mitgliedstaat Stato membro di esportazione Uitvoerende Lid-Staat Eksporterende medlemsstat	Etat 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	—	— 12,08	+ 10,71	+ 1.463		— 2,15	— 33,1	+ 2.386
Deutschland	+ 28,43	—	+ 33,04	+ 3.642		+ 10,44	+ 149,4	+ 4.565
France	— 13,64	— 17,87	—	+ 0.418		— 8,19	— 120,7	+ 1.341
Ireland	— 19,10	— 20,19	— 4,28	—		— 10,60	— 153,7	+ 0.923
Italia	— 8,54	— 15,71	+ 4,01	+ 0.809		— 5,93	— 37,9	+ 1.732
Benelux	+ 5,00	— 9,95	+ 14,64	+ 1.846		—	—	+ 2.770
United Kingdom	— 31,14	— 25,37	— 13,74	— 0.923		— 15,93	— 233,0	—

REGULATION (EEC) No 559/75 OF THE COMMISSION

of 4 March 1975

applying the duty in the Common Customs Tariff to certain varieties of sweet oranges originating in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 2047/70⁽¹⁾ of 13 October 1970 on imports of citrus fruit originating in Spain, and in particular Article 5 thereof ;

Whereas Article 7 of Annex 1 to the Agreement between the European Economic Community and Spain provides for a reduced rate of duty on imports into the Community of certain citrus fruit originating in Spain ; whereas, during the period in which reference prices are applied, this reduction is dependent on the observance of a specified price on the Community market ; whereas detailed rules for the application of this system are contained in Regulation (EEC) No 2047/70 ;

Whereas, in certain respects, these rules refer to provisions of Regulation No 23 which were incorporated in Council Regulation (EEC) No 1035/72⁽²⁾ of 18 May 1972 on the common organization of the market in fruit and vegetables, as last amended by Regulation (EEC) No 2745/72⁽³⁾ ; whereas, in this case, reference should be made to Regulation (EEC) No 1035/72, in accordance with the Table which appears in Annex IV thereto ;

Whereas Regulation (EEC) No 2047/70 provides that, where one of the products listed in Article 1 of that Regulation is imported, the duty in the Common Customs Tariff is applied where quotations for that product, converted where necessary to Class I in accordance with the provisions of Article 24(2) of Regulation (EEC) No 1035/72 recorded on the representative Community markets at the importer/wholesaler stage or converted to that stage, adjusted by the conversion factors and following deduction of transport costs and import charges other than customs duties, remain lower than the reference price in force, plus the incidence of the Common Customs Tariff on that price and a standard amount fixed at 1.2 units of account per 100 kilogrammes, for three consecutive market days on the representative markets of the Community with the lowest quotations ;

Whereas the conversion factors, the transport costs and import charges other than customs duties are those used for the purpose of calculating the entry

price referred to in Regulation (EEC) No 1035/72 ; whereas the method of calculating import charges other than customs duties is, for certain cases, defined in Article 2 (2) of Regulation (EEC) No 2047/70 ;

Whereas, if the system is to operate normally, it 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 application of these rules to quotations recorded for sweet oranges imported into the Community and originating in Spain indicates that the conditions set out in the first paragraph of Article 4 of Regulation (EEC) No 2047/70 are fulfilled, for the varieties listed in Article 1(3)(c) of Regulation (EEC) No 3025/74⁽⁴⁾ fixing reference prices for sweet oranges for the 1974/75 marketing year ; whereas the duty in the Common Customs Tariff should, therefore, be applied to the products in question,

HAS ADOPTED THIS REGULATION :

Article 1

As from 6 March 1975, the duty in the Common Customs Tariff shall be applied to fresh sweet oranges imported into the Community and originating in Spain other than the varieties Moro, Tarocco, Biondo comune (Blanca comuna, Blonde commune), Grano de oro (Imperial, Sucrena), Baladi, Pera, Macetera, Pineapple, Blood oval (Doblefina, Double fine), Portuguese sanguine, Sanguina redonda (Entrefina), Surinam varieties and the ordinary Sanguina variety, with the exception of Navel sanguines (improved Double fine, Washington sanguina, Sanguina grande) and Maltese sanguines (subheading ex 08.02 A I of the Common Customs Tariff).

Article 2

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

⁽¹⁾ OJ No L 228, 15. 10. 1970, p. 2.

⁽²⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽³⁾ OJ No L 291, 28. 12. 1972, p. 147.

⁽⁴⁾ OJ No L 321, 30. 11. 1974, p. 68.

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

Done at Brussels, 4 March 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

REGULATION (EEC) No 560/75 OF THE COMMISSION**of 4 March 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 503/75 ⁽⁶⁾, as amended by Regulation (EEC) No 551/75 ⁽⁷⁾;

Whereas the application of the rules referred to in Regulation (EEC) No 503/75 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 503/75 are amended as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 5 March 1975.

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

Done at Brussels, 4 March 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 55, 1. 3. 1975, p. 7.
⁽⁷⁾ OJ No L 58, 4. 3. 1975, p. 16.

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/u.a./1 000 kg)

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolltarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief CCT heading No	DK	IRL	UK
10.04	6,03	10.21	22.00

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/11.01/100 kg)

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolltarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief CCT heading No	DK	IRL	UK
11.01 D ⁽¹⁾	0,844	1.429	3.080
11.02 A IV ⁽¹⁾	0,844	1.429	3.080
11.02 B I a) 2 aa)	0,615	1.041	2.244
11.02 B I a) 2 bb) ⁽¹⁾	0,844	1.429	3.080
11.02 B I b) 2 ⁽¹⁾	0,844	1.429	3.080
11.02 C IV ⁽¹⁾	0,844	1.429	3.080
11.02 D IV ⁽¹⁾	0,615	1.041	2.244
11.02 E I a) 2 ⁽¹⁾	0,615	1.041	2.244
11.02 E I b) 2 ⁽¹⁾	0,844	1.429	3.080
11.02 F IV ⁽¹⁾	0,615	1.041	2.244

⁽¹⁾ Pour la distinction entre les produits des n° 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° 11.01 et 11.02 les produits ayant simultanément :

- une teneur en amidon (déterminée d'après la méthode polarimétrique Ewers modifiée) supérieure à 45 % (en poids) sur matière sèche,
- une teneur en cendres (en poids) sur matière sèche (déduction faite des matières minérales ayant pu être ajoutées) inférieure ou égale à 1,6 % pour le riz, 2,5 % pour le froment et le seigle, 3 % pour l'orge, 4 % pour le sarrasin, 5 % pour l'avoine et 2 % pour les autres céréales.

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

⁽¹⁾ Med henblik på sondringen mellem varer tariferet under pos. 11.01 og 11.02 på den ene side og under pos. 23.02 A på den anden side anses som tariferet under pos. 11.01 og 11.02 varer, der samtidig har

- et indhold af stivelse (bestemt ved Ewers modificerede polarimetriske metode) på over 45 vægtprocent, beregnet på grundlag af tørsubstansen,
- et askeindhold (efter fradrag af eventuelle tilsatte mineralske stoffer) på 1,6 vægtprocent eller derunder for ris, 2,5 vægtprocent eller derunder for hvede og rug, 3 vægtprocent eller derunder for byg, 4 vægtprocent eller derunder for boghvede, 5 vægtprocent eller derunder for havre og 2 vægtprocent eller derunder for de øvrige kornsorter, beregnet på grundlag af tørsubstansen.

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

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

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

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

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

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

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

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

- een zetmeelgehalte hebben (bepaald volgens de gewijzigde polarimetrische methode van Ewers) van meer dan 45 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.

REGULATION (EEC) No 561/75 OF THE COMMISSION**of 4 March 1975****altering the import levies on products processed from cereals and rice**

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⁾, and in particular Article 14 (4) thereof;

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 476/75⁽⁴⁾, and in particular Article 12 (4) thereof;

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 449/75⁽⁵⁾, as last amended by Regulation (EEC) No 552/75⁽⁶⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 0.25 unit

of account per 100 kilogrammes of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽⁷⁾, the levies at present in force must therefore be altered as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 1052/68⁽⁸⁾, as last amended by Regulation (EEC) No 881/73⁽⁹⁾, as fixed in the Annex to amended Regulation (EEC) No 449/75 are hereby altered as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 5 March 1975.

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

Done at Brussels, 4 March 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 174, 31. 7. 1967, p. 1.

⁽⁴⁾ OJ No L 52, 28. 2. 1975, p. 31.

⁽⁵⁾ OJ No L 50, 26. 2. 1975, p. 9.

⁽⁶⁾ OJ No L 58, 4. 3. 1975, p. 20.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 179, 25. 7. 1968, p. 8.

⁽⁹⁾ OJ No L 86, 31. 3. 1973, p. 30.

ANNEX

to the Commission Regulation of 4 March 1975 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./100 kg	
	Third countries (other than AASM and OCT, Tanzania, Uganda and Kenya)	AASM, OCT, Tanzania, Uganda and Kenya
11.01 D ⁽²⁾	4.068	3.568
11.02 A II ⁽²⁾	8.433	7.933
11.02 A IV ⁽²⁾	4.068	3.568
11.02 B I a) 2 aa)	2.272	2.022
11.02 B I a) 2 bb) ⁽²⁾	3.818	3.568
11.02 B I b) 2 ⁽²⁾	3.818	3.568
11.02 B II a) ⁽²⁾	5.167	4.917
11.02 B II b) ⁽²⁾	6.111	5.861
11.02 C I ⁽²⁾	6.165	5.915
11.02 C II ⁽²⁾	7.301	7.051
11.02 C IV ⁽²⁾	3.421	3.171
11.02 D I ⁽²⁾	4.021	3.771
11.02 D II ⁽²⁾	4.745	4.495
11.02 D IV ⁽²⁾	2.272	2.022
11.02 E I a) 2 ⁽²⁾	2.272	2.022
11.02 E I b) 2 ⁽²⁾	4.464	3.964
11.02 E II a) ⁽²⁾	7.155	6.655
11.02 E II b) ⁽²⁾	8.433	7.933
11.02 F I ⁽²⁾	7.155	6.655
11.02 F II ⁽²⁾	8.433	7.933
11.02 F IV ⁽²⁾	4.068	3.568
11.02 G I	3.273	2.773
11.07 A I a)	7.481	6.581
11.07 A I b)	5.817	4.917
11.08 A III	1.700	0
11.09 A	15.000	0
11.09 B	15.000	0

⁽²⁾ 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 heading 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, 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.

CORRIGENDA

Corrigendum to the Council Decision of 27 February 1975 concerning the system of aid in the United Kingdom for the slaughter of certain adult bovine animals intended for slaughter

(Official Journal of the European Communities, No L 52 of 28 February 1975)

Page 35, Article 1 to read :

‘The national aid in respect of the slaughter of certain adult bovine animals intended for slaughter laid down by the notification to the Commission on 28 January 1975 by the British authorities is hereby authorized for the period from 1 February to 30 April 1975, on condition that it is not paid for meat bought by the intervention agencies.’
