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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 620/75 OF THE COMMISSION**of 11 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 12 March
1975.

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

Done at Brussels, 11 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 11 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	35.92
10.01 B	Durum wheat	20.10 ⁽¹⁾ ⁽⁴⁾
10.02	Rye	50.09 ⁽⁵⁾
10.03	Barley	16.32
10.04	Oats	22.75
10.05 B	Maize other than hybrid maize for sowing	25.14 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0.94
10.07 B	Millet	0
10.07 C	Grain sorghum	28.47
10.07 D	Canary seed; other cereals	0 ⁽⁴⁾
11.01 A	Wheat or meslin flour	69.45
11.01 B	Rye flour	89.31
11.02 A I a	Durum wheat groats and meal	50.05
11.02 A I b	Common wheat groats and meal	74.09

⁽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 621/75 OF THE COMMISSION**of 11 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 12 March
1975.

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

Done at Brussels, 11 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 11 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	7.06	7.06	12.71
10.02	Rye	0	0	0	0
10.03	Barley	0	5.81	5.81	16.28
10.04	Oats	0	4.24	4.24	4.59
10.05 B	Maize other than hybrid maize for sowing	0	2.97	2.97	3.32
10.07 A	Buckwheat	0	0	0	5.73
10.07 B	Millet	0	0	0	2.82
10.07 C	Grain sorghum	0	4.24	4.24	5.65
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	1.034	1.034	2.898	2.898
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0.773	0.773	2.165	2.165
11.07 B	Roasted malt	0	0.901	0.901	2.523	2.523

REGULATION (EEC) No 622/75 OF THE COMMISSION**of 11 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 12 March 1975.

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

Done at Brussels, 11 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	1.620	Bordeaux	No quotation
Montpellier	No quotation	Nantes	1.507
Narbonne	1.689	Bari	1.116
Nîmes	1.619	Cagliari	1.261
Perpignan	No quotation	Chieti	No quotation
Asti	1.660	Ravenna (Lugo, Faenza)	1.212
Firenze	1.261	Trapani (Alcamo)	1.116
Lecce	1.321	Treviso	1.351
Pescara	No quotation		
Reggio Emilia	1.501		
Treviso	1.381		
Verona (for local wines)	1.381		
			u.a./hl
		A II	
		Rheinfalz (Oberhaardt)	19.60
		Rheinhessen (Hügelland)	24.59
R II		The wine-growing region of the Luxembourg Moselle	No quotation ⁽¹⁾
Bari	1.561		
Barletta	1.561		
Cagliari	No quotation		
Lecce	No quotation	A III	
Taranto	1.453	Mosel-Rheingau	33.14
		The wine-growing region of the Luxembourg Moselle	No quotation ⁽¹⁾
R III	u.a./hl		
Rheinfalz-Rheinhessen (Hügelland)	No quotation ⁽¹⁾		

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

REGULATION (EEC) No 623/75 OF THE COMMISSION**of 11 March 1975****repealing Regulation (EEC) No 559/75 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 Commission Regulation (EEC) No 559/75⁽²⁾ of 4 March 1975 applied the duty in the Common Customs Tariff to certain varieties of sweet oranges originating in Spain;

Whereas, pursuant to the second paragraph of Article 4 of Regulation (EEC) No 2047/70, this rule remains in force until the quotations referred to in Article 2 (1) of that Regulation, adjusted by the conversion factors and following deduction of transport costs and import charges other than customs duties, remain equal to or higher than the price laid down in Article 3 of that Regulation 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 Council Regulation No 1035/72⁽³⁾ of 18 May 1972 on the common organization of the market in fruit and vegetables, as last amended by Regulation (EEC) No 2745/72⁽⁴⁾; 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;

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

Done at Brussels, 11 March 1975.

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 second paragraph of Article 4 of Regulation (EEC) No 2047/70 are fulfilled for varieties listed in Article 1 (3) (c) of Regulation (EEC) No 3025/74⁽⁵⁾ fixing for the 1974/75 marketing year reference prices for sweet oranges; whereas Regulation (EEC) No 559/75 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Commission Regulation (EEC) No 559/75 of 4 March 1975 applying the duty in the Common Customs Tariff to certain varieties of sweet oranges imported from Spain is hereby repealed.

Article 2

This Regulation shall enter into force on 12 March 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 228, 15. 10. 1970, p. 2.

⁽²⁾ OJ No L 59, 5. 3. 1975, p. 24.

⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 147.

⁽⁵⁾ OJ No L 321, 30. 11. 1974, p. 68.

REGULATION (EEC) No 624/75 OF THE COMMISSION**of 11 March 1975****altering the accession compensatory amounts applicable to milk and milk products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation (EEC) No 233/73⁽²⁾ of 31 January 1973 laying down general rules for the system of compensatory amounts for milk and milk products, and in particular Articles 2(3) and 6 thereof;

Whereas the accession compensatory amounts applicable to milk and milk products were fixed by Regulation (EEC) No 531/75⁽³⁾; whereas on examination it has been found that owing to an error of transcription, the amounts appearing in respect of products of tariff subheading 04.01 A II a) are incorrect; whereas Regulation (EEC) No 531/75 should therefore be corrected;

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

HAS ADOPTED THIS REGULATION:

Article 1

The compensatory amounts for products appearing under tariff subheading 04.01 A II a), as fixed in Regulation (EEC) No 531/75 should be altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 12 March 1975. Where any party concerned so requests, it shall be applied with effect from 3 March 1975.

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

Done at Brussels, 11 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 28, 1. 2. 1973, p. 37.

⁽³⁾ OJ No L 56, 3. 3. 1975, p. 10.

ANNEX

CCT heading No	Description of goods	Compensatory amounts (in u.a./100 kg net weight unless otherwise indicated)				
		To be applied by :				
		Original Community and Denmark	Ireland	United Kingdom		
		In trade with :				
		Ireland	Third countries	Original Community and Denmark	Ireland	Third countries
04.01	Milk and cream, fresh, not concentrated or sweetened : II. Other : a) In immediate packings of a net capacity of two litres or less	0.47	0.47	0.80	1.27	0.80

REGULATION (EEC) No 625/75 OF THE COMMISSION
of 11 March 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
618/75⁽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 12 March
1975.

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

Done at Brussels, 11 March 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 64, 11. 3. 1975, p. 15.

ANNEX

to the Commission Regulation of 11 March 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	25.50
	II. Raw sugar	21.50 ⁽¹⁾
	B. Undenatured :	
	I. White sugar	25.50
	ex II. Raw sugar other than candy sugar	21.50 ⁽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 626/75 OF THE COMMISSION
of 11 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 acces-
sion 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 last amended by Regulation (EEC) No
619/75 ⁽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 12 March
1975.

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

Done at Brussels, 11 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 64, 11. 3. 1975, p. 17.

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 Zolldtarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief CCT heading No	DK	IRL	UK
10.01 B	8,71	12,87	22,00

REGULATION (EEC) No 627/75 OF THE COMMISSION**of 11 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 608/75 ⁽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 12 March 1975.

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

Done at Brussels, 11 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 63, 8. 3. 1975, p. 32.

⁽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 11 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
11.02 A II ⁽²⁾	9.333	8.833
11.02 B II b) ⁽²⁾	6.776	6.526
11.02 C II ⁽²⁾	8.101	7.851
11.02 D II ⁽²⁾	5.255	5.005
11.02 E II b) ⁽²⁾	9.333	8.833
11.02 F II ⁽²⁾	9.333	8.833

^(*) 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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 16 December 1974

on the acquisition by the Federal Republic of Germany of a majority shareholding in Gelsenberg AG, Essen

(Only the German text is authentic)

(75/156/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 66 and 80 thereof ;

Having regard to Decision No 24/54 of 6 May 1954 laying down in implementation of Article 66 (1) of the Treaty a Regulation on what constitutes control of an undertaking ;

Having regard to the communication from the Government of the Federal Republic of Germany of 13 March 1974 concerning its intention to acquire a majority shareholding in Gelsenberg AG, Essen ;

Whereas :

1. Through a number of State-controlled undertakings the Federal Republic of Germany engages in the production and distribution of coal. It owns :

— a controlling 40 % holding in Vereinigte Elektrizitäts- und Bergwerks-Aktiengesellschaft (VEBA), Bonn and Berlin ; the remainder of VEBA's shares is dispersed over a large number of holdings. VEBA holds 99.1 % of the share capital of Hugo Stinnes AG, Mülheim, an undertaking engaged in the wholesale coal trade, which itself holds controlling interests in this field. VEBA also has a 14.1 % share in the capital of the coalproducing undertaking Ruhrkohle AG ;

— about 83 % of the share capital of Vereinigte Industrie-Unternehmungen Aktiengesellschaft (VIAG), Berlin.

Together with VIAG, VEBA controls Braunschweigische Kohlenbergwerke (BKB), Helmstedt. BKB stopped production of brown coal briquettes on 1 April 1974, but it controls other smaller distribution undertakings within the meaning of Article 80 of the Treaty.

BKB, together with VEBA, also controls BKB/Stinnes-Stromeyer GmbH, which is also a coal wholesaler.

The Federal Republic of Germany also owns :

— 76 % of the shares of Saarbergwerke AG, Saarbrücken, which is a coal-producing undertaking within the meaning of Article 80 of the Treaty. Saarbergwerke has a majority holding in several coal distribution undertakings within the meaning of Article 80 ;

— 100 % of the share capital of Salzgitter AG, which has a 10.8 % holding in Ruhrkohle AG.

2. Gelsenberg AG is a group with activities in the fields of hydrocarbons, chemicals, nuclear processing/ electricity generation, inland waterways, transport and distribution ; 48.3 % of its shares are held by Rheinisch-Westfälische Elektrizitätswerk-Aktiengesellschaft (RWE), Essen. The remainder of the shares is dispersed over a number of holdings. Its wholly-owned subsidiary Raab Karcher GmbH is a coal distri-

bution undertaking within the meaning of Article 80 of the Treaty. Raab Karcher GmbH has links with Bayerische Brennstoffhandel GmbH KG and Hansen Neuerburg Export-Import GmbH OHG: these last two undertakings are controlled jointly by Raab Karcher and other firms. Gelsenberg AG also has a 13.55 % holding in Ruhrkohle AG.

3. The Federal Government proposes to acquire 51.3 % of the share capital of Gelsenberg AG. The combination of Gelsenberg AG and VEBA is designed to produce a viable large-scale group whose activities would centre on oil and electricity production. Since a merger of the two undertakings means the combination of their coal production and distribution businesses too, this constitutes a concentration within the meaning of Article 66 (1).

The Federal Government controls, directly or indirectly, other undertakings within the meaning of Article 80. With regard however to these holdings of the Federal Government it should be noted that the undertakings controlled by the Government are not subject to any central planning or decision-making authority but are operated as economically independent undertakings. Although therefore VEBA, Vereinigte Industrie-Unternehmungen AG, Saarbergwerke AG and Salzgitter AG are effectively linked to each other, nevertheless the connection does not bring about any restrictive effect on competition. Consequently, assessment of the concentration can be confined to the integration of Gelsenberg AG into VEBA.

4. VEBA and Gelsenberg AG, like all shareholders of Ruhrkohle AG, were formerly mining companies and transferred their mining holdings to Ruhrkohle AG in 1969. Like the many other shareholders, they do not have a large enough shareholding to control Ruhrkohle AG. Acquisition of holdings in Gelsenberg AG will, however, give the Federal Government a further 13.55 % of the shares of Ruhrkohle AG. The undertakings controlled by the Federal Government will then hold approximately 39 % of the capital of Ruhrkohle and will undoubtedly have a considerable influence on its business policy. However, there are no indications that the Government of the Federal Republic of Germany could use its strengthened position to modify the supply conditions of Ruhrkohle AG so as to favour the merchants controlled by it. In addition the terms of business of Ruhrkohle AG as authorized by the Commission⁽¹⁾ ensure equal treatment for all wholesalers in terms of direct purchasing from Ruhrkohle AG.

The change in the pattern of ownership of Ruhrkohle AG will thus not give the VEBA/Gelsenberg AG Group any advantage as regards access to production.

⁽¹⁾ OJ No L 120, 7. 5. 1973, p. 14.

5. To judge by 1973 figures, annual sales of solid fuels on the relevant market (the Federal Republic of Germany) can be expected to be as follows:

Sales by VEBA, including wholesale deliveries by Braunschweigische Kohlenbergwerke, Helmstedt, controlled jointly with VIAG	approx. metric tons
Sales by Gelsenberg AG	approx. metric tons
	approx. metric tons

The total sales of approximately metric tons per annum by the two undertakings to be merged represent some 33 % of total sales by coal wholesalers on the relevant market. This share of the wholesale market will be the largest in the Federal Republic. However there are seven other coal wholesalers in the Federal Republic with market shares of between 5 and 10 %. And there are about 150 smaller undertakings. Consequently, and because these wholesalers are widely scattered throughout the Federal Republic of Germany consumers still have a wide choice in covering their requirements for solid fuels despite the concentration amounting to 33 % of the market.

VEBA/Gelsenberg AG are not in a position to fix prices for solid fuels. Of the approximately metric tons of solid fuels sold in 1973, about metric tons were produced in the Community. Since the trade margin allowed for this coal by the main supplier fields is only about 4 % of the list price, the two undertakings cannot sell at much below list price. On the other hand, VEBA/Gelsenberg AG can only raise prices as far as the competition from fuel oil allows, because for many years the price of fuel oil has been well below that of Community coal. This applies also, though to a lesser extent, to the approximately metric tons of coal imported in 1973. VEBA/Gelsenberg AG account for approximately % of the market in coal imports from non-Community countries — a market position of much the same strength as their position in the wholesale coal business as a whole. However, prices for imported coal from the duty-free import quota have invariably been above the price for fuel oil. The only exception is coal from state-trading countries, some of which has been imported at the same price as fuel oil.

This price situation has changed substantially the wholesale fuel trade in two ways: most consumers have converted their installations to use fuel-oil or modified them to use either solid or liquid fuels. As a result the coal wholesalers in Germany sold about 49 000 000 metric tons of fuel oil in 1973 in addition to solid fuels. This means that currently only about 30

to 32 % of sales by coal wholesalers (ton for ton) is accounted for by solid fuels : by far the greater part of their business is in fuel oil. The oil companies, however, also sold about 33 000 000 metric tons direct rather than through coal wholesalers. As a result there is less opportunity today for a wholesaler to exploit a strong market position. The possibility of substituting fuel oil for solid fuel and the appearance of new competitors in the market ensure a sufficiently competitive situation. This competition among wholesalers is primarily in terms of the variety of their supplies, their reputation for delivery on time, quality, delivery arrangements and their treatment of complaints.

In determining whether the merger of the two undertakings might afford them other exceptional competitive advantage, consideration should be given to the fact that they have their own inland waterway vessels. VEBA and Gelsenberg AG have a carrying capacity of their own which enabled them in 1971 to transport about % and % respectively of total shipments by German firms within the Federal Republic of Germany and to and from foreign ports. However, less than 20 % of the solid fuels sold in the Federal Republic of Germany is shipped by water, and VEBA and Gelsenberg AG each carried less than % of their solid fuels sales in their own vessels. Another pointer indicating that the two undertakings will not gain a privileged position through the use of their own vessels is the fact that on inland waterways the supply of cargo space exceeds demand and VEBA/Gelsenberg AG have no direct influence on transport charges since waterway freight charges, where not fixed at set rates (as in German domestic traffic), are

determined freely on the freight market. Given this market structure and this relationship between supply and demand, the two undertakings have virtually no scope for granting special terms to buyers to make use of their transport facilities.

6. Consequently, the merger will not enable the undertakings involved to determine prices or to control or restrict distribution in a substantial part of the solid fuel market or to evade the rules of competition instituted under the Treaty. Also, it will not give them an artificially privileged position affording a substantial advantage in access to supplies or markets,

HAS ADOPTED THIS DECISION :

Article 1

The Federal Republic of Germany is authorized to acquire a majority of the shares of Gelsenberg AG, Essen.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 16 December 1974.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 24 January 1975

authorizing the establishment by SOLLAC, USINOR and August Thyssen-Hütte AG of joint control over MARCOKE

(Only the French and German texts are authentic)

(75/157/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 66 thereof;

Having regard to High Authority Decision No 24/54⁽¹⁾ of 6 May 1954 laying down in implementation of Article 66 (1) of the Treaty a Regulation on what constitutes control of an undertaking;

Having regard to the applications made by SOLLAC and USINOR on 29 January 1974 and by August Thyssen-Hütte AG on 11 February 1974;

Having obtained the comments of the Governments of the French Republic and of the Federal Republic of Germany;

Whereas :

Société Lorraine de Laminage Continu SA (SOLLAC), Paris, Union Sidérurgique du Nord et de l'Est de la France SA (USINOR), Paris, and August Thyssen-Hütte AG (ATH), Duisburg-Hamborn, which are steel-producing undertakings within the meaning of Article 80, exercise joint control within the meaning of Decision No 24/54 over the steel-producing undertaking Société Lorraine et Méridionale de Laminage Continu SA (SOLMER), Paris. Consequently, SOLMER is concentrated within the meaning of Article 66 (1) with each of the undertakings SOLLAC, USINOR and ATH.

On 13 December 1973, SOLLAC, USINOR and ATH (hereinafter called the 'members') initialled an agreement concerning the coal-producing undertaking SA Société Marseillaise de Cokéfaction (MARCOKE), Paris, with a capital of FF 263 000 000 as at 31 December 1976.

ATH is to acquire in the first instance a holding of 5 % in the capital of MARCOKE with an option of increasing its holding to a probable 25 %, the holdings of SOLLAC and USINOR being simultaneously reduced.

The members are to entrust the management and operation of the MARCOKE coking plant to SOLMER.

All matters relating to the application and interpretation of the agreement, including relations between the members themselves and with MARCOKE and relations between MARCOKE and SOLMER are to be examined and settled at the members' meeting of SOLMER. The members meeting must reach its decisions by agreement.

MARCOKE will thus be jointly controlled by the three members. Following the transaction there will therefore be a concentration between MARCOKE SOLLAC, USINOR, and ATH, though there will be no concentration between the members.

MARCOKE is to set up a coking plant with related installations in Fos-sur-Mer. MARCOKE is to provide metallurgical coke supplies for SOLMER. MARCOKE's coking potential in 1978 is estimated at 1 200 000 metric tons of coke (about 3 % of Community production), which it will supply entirely to SOLMER at cost.

MARCOKE, although legally separate, constitutes economically a division of SOLMER and will supply one of the raw materials necessary for SOLMER's pig iron production on terms which can be considered normal for iron and steel companies in the Community.

MARCOKE will neither sell coke on the market nor supply coke to the other works of its members.

MARCOKE will be a new buyer on the Community coke and coking coal market, which is characterized by market interpenetration, high imports and effective competition. In 1973, 34 % of the 11 800 000 metric tons of metallurgical coke used in France was supplied by French steel works' own coke ovens, 37 % was purchased from French collieries and 29 % was imported.

The members are under no other obligation regarding the purchase, production and sale of coke, other than those incumbent upon them for the purposes of the proper operation of the joint company; the joint production of coke for SOLMER can in no way affect the actions taken independently by the three members to secure their own coke supplies.

⁽¹⁾ OJ No 9, 11. 5. 1954, p. 345.

Having regard to all these considerations, the proposed transaction will not give the parties the power to determine prices, to control or restrict production or distribution or to hinder effective competition in a substantial part of the market for coal and steel, or to evade the rules of competition instituted under the Treaty, in particular by establishing an artificially privileged position involving a substantial advantage in access to supplies or markets.

Consequently, the proposed transaction satisfies the conditions for authorization set out in Article 66 (2) and may therefore be authorized,

HAS ADOPTED THIS DECISION :

Article 1

The establishment of joint control over SA Société Marseillaise de Cokéfaction (MARCOKE) by Société

Lorraine de Laminage Continu SA (SOLLAC), Union Sidérurgique du Nord et de l'Est de la France SA (USINOR) and August Thyssen-Hütte AG is hereby authorized.

Article 2

This Decision is addressed to SOLLAC, Paris, to USINOR, Paris, and to August Thyssen-Hütte AG, Duisburg-Hamborn.

Done at Brussels, 24 January 1975.

For the Commission

The President

François-Xavier ORTOLI

Rates used for converting currencies into units of account for certain purposes of the Treaty establishing the ECSC during the period 1 January 1975 to 30 June 1975

(75/158/ECSC)

The rates used for converting currencies into units of account for certain purposes of the Treaty establishing the ECSC and determined in accordance with Commission Decision No 3542/73/ECSC ⁽¹⁾ of 19 December 1973 as last extended and amended by Commission Decision No 3328/74/ECSC ⁽²⁾ of 20 December 1974 shall, for the period 1 January to 30 June 1975, be as follows :

National currency	Value of one unit of account	
	Second half of 1974 (*)	First half of 1975
1. Belgian franc	48·6572	48·6572
2. Luxembourg franc	48·6572	48·6572
3. Danish kroner	7·57831	7·57831
4. German mark	3·21978	3·21979
5. French franc	6·30504	6·03089
6. Dutch guilder	3·35507	3·35507
7. Italian lira	818·743	829·753
8. United Kingdom pound	0·536880	0·536880
9. Irish pound	0·536880	0·536880
10. Swiss franc	3·76971	3·69496
11. US dollar	1·29475	1·26125

(*) For comparison.

⁽¹⁾ OJ No L 361, 29. 12. 1973, p. 11.

⁽²⁾ OJ No L 357, 31. 12. 1974, p. 16.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3206/74 of 18 December 1974 laying down detailed rules for the application of a charge on the exportation of certain goods covered by Regulation (EEC) No 1059/69

(Official Journal of the European Communities, No L 341 of 20 December 1974)

Page 44, Article 6 (8), third line :

for: 'advance fixing of sugar ...'

read: 'advance fixing of sucrose ...'.
