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## Legislation

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## I

*(Acts whose publication is obligatory)*

**REGULATION (EEC) No 754/75 OF THE COMMISSION****of 24 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 <sup>(1)</sup> of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 85/75 <sup>(2)</sup>, 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 Regulation (EEC) No 2524/74 <sup>(3)</sup> 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 25 March 1975.

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

Done at Brussels, 24 March 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 11, 16. 1. 1975, p. 1.

<sup>(3)</sup> OJ No L 271, 5. 10. 1974, p. 9.

## ANNEX

to the Commission Regulation of 24 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                  | 32.26                               |
| 10.01 B        | Durum wheat                              | 16.27 <sup>(1)</sup> <sup>(4)</sup> |
| 10.02          | Rye                                      | 47.92 <sup>(5)</sup>                |
| 10.03          | Barley                                   | 20.14                               |
| 10.04          | Oats                                     | 22.97                               |
| 10.05 B        | Maize other than hybrid maize for sowing | 21.08 <sup>(2)</sup> <sup>(3)</sup> |
| 10.07 A        | Buckwheat                                | 0                                   |
| 10.07 B        | Millet                                   | 0                                   |
| 10.07 C        | Grain sorghum                            | 27.68                               |
| 10.07 D        | Canary seed; other cereals               | 0 <sup>(4)</sup>                    |
| 11.01 A        | Wheat or meslin flour                    | 64.32                               |
| 11.01 B        | Rye flour                                | 86.27                               |
| 11.02 A I a    | Durum wheat groats and meal              | 44.12                               |
| 11.02 A I b    | Common wheat groats and meal             | 68.55                               |

<sup>(1)</sup> 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.

<sup>(2)</sup> 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.

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

<sup>(4)</sup> 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.

<sup>(5)</sup> 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 755/75 OF THE COMMISSION**  
**of 24 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<sup>(1)</sup> of 13 June 1967 on the common organiza-  
tion of the market in cereals, as last amended by Regu-  
lation (EEC) No 85/75<sup>(2)</sup>, 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<sup>(3)</sup> 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 25 March  
1975.

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

Done at Brussels, 24 March 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 11, 16. 1. 1975, p. 1.

<sup>(3)</sup> OJ No L 210, 1. 8. 1974, p. 4.

## ANNEX

to the Commission Regulation of 24 March 1975 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour <sup>(1)</sup>

(u.a./metric ton)

| CCT heading No | Description of goods                     | Current<br>3 | 1st period<br>4 | 2nd period<br>5 | 3rd period<br>6 |
|----------------|------------------------------------------|--------------|-----------------|-----------------|-----------------|
| 10.01 A        | Common wheat and meslin                  | 0            | 0               | 0               | 0               |
| 10.01 B        | Durum wheat                              | 0            | 0               | 0               | 5.40            |
| 10.02          | Rye                                      | 0            | 0               | 0               | 0               |
| 10.03          | Barley                                   | 0            | 4.81            | 4.81            | 11.22           |
| 10.04          | Oats                                     | 0            | 0               | 0               | 4.99            |
| 10.05 B        | Maize other than hybrid maize for sowing | 0            | 1.21            | 1.21            | 1.21            |
| 10.07 A        | Buckwheat                                | 0            | 0               | 0               | 16.39           |
| 10.07 B        | Millet                                   | 0            | 0               | 0               | 0               |
| 10.07 C        | Grain sorghum                            | 0            | 0.46            | 0.46            | 0.46            |
| 10.07 D        | Other                                    | 0            | 0               | 0               | 0               |
| 11.01 A        | Wheat or meslin flour                    | 0            | 0               | 0               | 0               |

(<sup>1</sup>) 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<br>3 | 1st period<br>4 | 2nd period<br>5 | 3rd period<br>6 | 4th period<br>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            | 0.856           | 0.856           | 1.997           | 1.997           |
| 11.07 A II (b) | Unroasted malt, other than that obtained from wheat, other than in the form of flour | 0            | 0.640           | 0.640           | 1.492           | 1.492           |
| 11.07 B        | Roasted malt                                                                         | 0            | 0.746           | 0.746           | 1.739           | 1.739           |

**REGULATION (EEC) No 756/75 OF THE COMMISSION**  
**of 24 March 1975**  
**fixing the import levies on frozen beef and veal**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community;

Having regard to Council Regulation (EEC) No  
805/68 <sup>(1)</sup> of 27 June 1968 on the common organiza-  
tion of the market in beef and veal, as last amended  
by Regulation (EEC) No 1855/74 <sup>(2)</sup>, and in particular  
Article 13 (6) thereof;

Whereas the import levies on frozen beef and veal  
were fixed by Regulation (EEC) No 487/75 <sup>(3)</sup>;

Whereas it follows from applying the rules and other  
provisions contained in Regulation (EEC) No 487/75  
to the quotations and other information known to the  
Commission, that the levies should be fixed as shown  
in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The levies referred to in Article 13 of Regulation  
(EEC) No 805/68 are hereby fixed as shown in the  
Annex to this Regulation.

*Article 2*

To be classified as products falling within:

- subheading 02.01 A II a) 2 aa)
- subheading 02.01 A II a) 2 bb) and cc)
- subheading 02.01 A II a) 2 dd) and 22 bbb)

products must correspond to the definitions contained  
in Regulation (EEC) No 2260/73 <sup>(4)</sup>.

*Article 3*

This Regulation shall enter into force on 7 April  
1975.

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

Done at Brussels, 24 March 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 195, 18. 7. 1974, p. 14.

<sup>(3)</sup> OJ No L 53, 28. 2. 1975, p. 21.

<sup>(4)</sup> OJ No L 233, 21. 8. 1973, p. 10.

## ANNEX

### Levies applicable from 7 April 1975 to imports from third countries (1)

[illegible]

(<sup>1</sup>) Regulation (EEC) No 521/70, as amended by Regulation (EEC) No 241/75, provides that the levies are not applied to imports into the French overseas departments of products originating in the AASM and CCT.

(a) Subject to the provisions of Regulation (EEC) No 1063/74 (OJ No L 119, 1. 5. 1974, p. 70) where these products are imported under the conditions set out in Article 14 of Council Regulation (EEC) No 805/68 of 27 June 1968 and in the provisions adopted for its application, the levy is totally or partially suspended in accordance with these provisions.

(b) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

**REGULATION (EEC) No 757/75 OF THE COMMISSION****of 24 March 1975****fixing the basic amount of the special export levy on syrups and other sugars**

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<sup>(1)</sup> of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 2476/74<sup>(2)</sup>, and in particular Article 16 (5), second indent;

Whereas the special export levy on syrups and other sugars were introduced by Regulation (EEC) No 403/74<sup>(3)</sup>, as last amended by Regulation (EEC) No 732/75<sup>(4)</sup>;

Whereas Commission Regulation (EEC) No 389/74<sup>(5)</sup> of 14 February 1974, as last amended by Regulation (EEC) No 3164/74<sup>(6)</sup>, has laid down detailed rules for applying the special export levy on syrups and other sugars;

Whereas it follows from applying the rules and other provisions contained in the amended Regulation (EEC) No 403/74 to the information at present available to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The basic amount of the special export levy on the products specified in Article 1 (1) (d), of Regulation No 1009/67/EEC shall be as shown in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 25 March 1975.

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

Done at Brussels, 24 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 44, 16. 2. 1974, p. 12.

(4) OJ No L 73, 21. 3. 1975, p. 22.

(5) OJ No L 43, 15. 2. 1974, p. 35.

(6) OJ No L 334, 14. 12. 1974, p. 49.

## ANNEX

to the Commission Regulation of 24 March 1975 fixing the basic amount of the special export levy on syrups and other sugars

| (u.a./100 kg)  |                                                                                                                                                                                                                                                                   |                                                                                                |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| CCT heading No | Description of goods                                                                                                                                                                                                                                              | Basic amount of the special export levy per percentage point of sucrose content <sup>(1)</sup> |
| 17.02          | Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel:                                                                                                                                                                  |                                                                                                |
|                | ex D. Invert sugar and other syrups, but not including sucrose syrups which are 97 % or less pure <sup>(2)</sup> and are in packings the contents of which is not more than 25 kg                                                                                 | 0.2150                                                                                         |
|                | ex F. Caramel made from beet sugar and cane sugar                                                                                                                                                                                                                 | 0.2150                                                                                         |
| 17.05          | Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion:<br>ex C. Other, excluding syrups and vanilla sugar in immediate packings the net contents of which do not exceed 2.5 kg, and molasses | 0.2150                                                                                         |

<sup>(1)</sup> Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

<sup>(2)</sup> The purity of the syrups is determined in accordance with Article 13 (2) of Regulation (EEC) No 394/70.

# REGULATION (EEC) No 758/75 OF THE COMMISSION

of 21 March 1975

concerning the invitation to tender for the costs of manufacture and delivery of butteroil as food aid to Mauritania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68<sup>(1)</sup> of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 465/75<sup>(2)</sup>, and in particular Article 6(7) and Article 28 thereof;

Whereas Council Regulation (EEC) No 3235/74<sup>(3)</sup> of 17 December 1974 on the supply of butteroil as food aid to the countries of the Sahel, Ethiopia and Somalia under Regulation (EEC) No 530/74 provides more particularly for the supply to Mauritania of 1 000 metric tons of butteroil; whereas this country has requested the delivery of the abovementioned quantity; whereas the costs of delivering this supply must be put out to tender as provided in Commission Regulation (EEC) No 750/75<sup>(4)</sup> of 21 March 1975 concerning invitations to tender for the costs of manufacture and delivery of butteroil as food aid to the countries of the Sahel and Ethiopia;

Whereas certain items must be specified in pursuance of Regulation (EEC) No 750/75, such as the time limit for the submission of tenders and the terms of delivery of the butteroil; whereas it may prove necessary owing to congestion at the proposed port of destination, to divert the butteroil to another port; whereas provision should therefore be made for amending, should the need arise, the costs already agreed on;

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

Tenders are hereby invited, pursuant to Regulation (EEC) No 750/75, for the costs of manufacture and delivery cif Nouakchott of 1 000 metric tons of butteroil, divided into the following lots:

- Lot A: 500 metric tons,
- Lot B: 500 metric tons.

## Article 2

1. The butter which is to be manufactured into butteroil shall be removed from the premises of the German intervention agency.

2. The quality and packaging of the butteroil shall satisfy the requirements laid down in the Annex to Regulation (EEC) No 750/75.

It shall only be put up in 5 kg canisters.

The wording referred to in Chapter II (3) of the said Annex shall be, in letters at least one centimetre high: 'Don de la Communauté économique européenne à la République Islamique de Mauritanie — à distribuer gratuitement'.

3. Loading shall take place as soon as possible and not later than 15 May 1975.

## Article 3

1. Tenders are invited to determine costs incurred in the manufacture, packaging and delivery of the butteroil between removal of the butter from the intervention agency's storage depots and the time when the presence of the butteroil in the hold of the ship at the port of unloading is verified. The country of destination shall bear all costs subsequent to delivery, including unloading costs (for example shifting, hoisting or reception costs) and any lighterage costs.

2. Any demurrage costs or dispatch money at the port of unloading shall be paid or received (as the case may be) by the recipient country. The rates of and rules governing such costs and dispatch money shall be specified in the contract between the successful tenderer, acting as agent for the Community, and the shipper, and shall be agreed upon in advance between the successful tenderer and the reception agent in the country of destination.

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 52, 28. 2. 1975, p. 8.

<sup>(3)</sup> OJ No L 65, 7. 3. 1974, p. 1.

<sup>(4)</sup> OJ No L 74, 22. 3. 1975, p. 30.

*Article 4*

The time limit for the submission of tenders is 8 April 1975 at 12 noon.

*Article 5*

The German Government shall :

1. ensure that the successful tenderer shall :

- (a) notify the country of destination, as soon as possible, after the goods have been loaded on board ship, of details of the ship, the loading date, the quantity and quality of the goods as recorded on shipment and the port of unloading,
- (b) at least 10 clear days in advance, inform the country of destination of the expected date of arrival at the port of ship's unloading,
- (c) have included in the terms of the charter-party a provision stipulating that the ship's captain shall, at least 72 hours in advance, notify the country of destination of the ship's probable date of arrival in port ;

2. send to the Commission as soon as possible the information specified in paragraph 1 (a) and (b).

*Article 6*

1. On request of the Commission nominating a port other than that provided for in Article 1, the German intervention agency may in agreement with the successful tenderer have the butteroil delivered to the new nominated port.

2. In such case the German intervention agency is to agree with the successful tenderer any cost reduction or increase against the costs originally agreed.

3. The intervention agency shall forthwith communicate to the Commission the agreed new amounts of costs.

*Article 7*

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, 21 March 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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## REGULATION (EEC) No 759/75 OF THE COMMISSION

of 21 March 1975

opening an invitation to tender for the mobilization of maize as food aid for Ethiopia

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<sup>(1)</sup> of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 85/75<sup>(2)</sup> ;

Having regard to Council Regulation (EEC) No 1693/72<sup>(3)</sup> of 3 August 1972 laying down the conditions for the mobilization of cereals as food aid, and in particular Article 6 thereof ;

Whereas on 4 October 1973 the Council of the European Communities declared that by way of Community action it proposed to grant Ethiopia, 9 000 metric tons of maize under its 1973/74 food-aid programme ;

Whereas pursuant to Article 3(3) of Council Regulation (EEC) No 1693/72 the goods may be purchased anywhere on the Community market ;

Whereas the proposed invitation to tender should be for supply of the products delivered cif ; that is at the moment when the goods are actually removed from the ship's hold at the port of unloading ;

Whereas tenders may be submitted by tenderers established in any Member State of the Community and may relate to products mobilized anywhere within those Member States ; whereas, in view of the currency situation in the Member States and in order to ensure that the tenders are as comparable as possible, account should be taken of the effect on each tender of the currency situation in the Member State in which the customs export formalities will be completed ;

Whereas the award under the invitation to tender must be made in favour of the tenderer offering the best terms ;

Whereas, should *force majeure*, make it impossible to complete the operation in question within the set time limits, it must be made clear who is to bear the liability for any resulting costs ;

Whereas provision should be made for security to be given for the purpose of guaranteeing that the obligations arising by virtue of participation in the invitation to tender for supplies to Ethiopia will be fulfilled ;

Whereas the French intervention agency should be made responsible for the tendering procedure ;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency ;

Whereas the Monetary Committee will be consulted ; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3(2) of Council Regulation No 129<sup>(4)</sup> on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy, as last amended by Regulation (EEC) No 2543/73<sup>(5)</sup>, and in particular Article 3 thereof ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

1. Tenders are hereby invited for the supply to Ethiopia, by way of Community food-aid action, of 9 000 metric tons of maize.

2. The tendering procedure shall take place in France in one lot. The product shall be mobilized on the Community market. The products shall be loaded for departure from any Community port.

3. The invitation to tender provided for in paragraph 1 is for supply of products delivered cif, that is at the moment when the goods are actually removed from the ship's hold at the port of Assab, Massawa or Djibouti (optional bill of lading).

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

<sup>(2)</sup> OJ No L 11, 16. 1. 1975, p. 1.

<sup>(3)</sup> OJ No L 178, 5. 8. 1972, p. 3.

<sup>(4)</sup> OJ No 106, 30. 10. 1962, p. 2553/62.

<sup>(5)</sup> OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks of a net capacity of 50 kilogrammes. The following shall be printed on the sacks :

'Maize — gift of the European Community — to be distributed free of charge.'

#### Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 8 April 1975.

2. The closing date for the receipt of tenders shall be 8 April 1975 at 12 noon.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

#### Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.

2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.

3. For the purpose of rendering the tenders comparable, the prices shall, where appropriate, be corrected by the monetary compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2.

Such correction shall be made by :

- increasing prices which mention a Member State whose currency has depreciated,
- reducing prices which mention a Member State whose currency has been revalued.

Such monetary compensatory amount shall, where appropriate, be converted into the currency of the Member State in which the invitation to tender is issued using :

- in the case when the currencies concerned are kept at any given moment within a band of 2.25 %, a conversion rate resulting from their central rate,
- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued

during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

#### Article 4

The contract shall be awarded to the tenderer offering the best terms, taking into consideration the adjustment referred to in Article 3 (3).

However, if the tenders submitted do not appear to reflect normal market prices and costs, the intervention agency may cancel the invitation to tender.

#### Article 5

1. The tenderer shall give security in an amount of five units of account per metric ton of goods.

It shall be released :

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3 (2),
- in the case of the successful tenderer for quantities not supplied by reason of *force majeure*.

2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by each Member State.

#### Article 6

1. The product referred to in Article 1 which is to be supplied for human consumption to Ethiopia must be of fair and sound merchantable quality, be free from odour, and correspond at least to the standard quality for which the intervention price is fixed.

2. Tenders for supply to Ethiopia of the product specified in Article 1 must relate to products of maize of fair and sound merchantable quality, free from odour, and correspond at least to the standard quality for which the intervention price is fixed.

#### Article 7

1. The French intervention agency shall be responsible for organizing the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3(3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall request the successful tenderer to supply the following information :

- (a) after each shipment, a certificate showing the quantities dispatched, the quality of the products and the type of packing ;
- (b) the date of departure of the ships, the estimated date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

#### *Article 8*

This Regulation shall enter into force on the day of 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, 21 March 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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## REGULATION (EEC) No 760/75 OF THE COMMISSION

of 21 March 1975

opening an invitation to tender for the mobilization of maize as food aid for the Democratic Republic of Somalia

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<sup>(1)</sup> of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 85/75<sup>(2)</sup> ;

Having regard to Council Regulation (EEC) No 1693/72<sup>(3)</sup> of 3 August 1972 laying down the conditions for the mobilization of cereals as food aid, and in particular Article 6 thereof ;

Whereas on 17 February 1975 the Council of the European Communities declared that by way of Community action it proposed to grant the Democratic Republic of Somalia 5 000 metric tons of maize under its 1974/75 food-aid programme ;

Whereas pursuant to Article 3(3) of Council Regulation (EEC) No 1693/72 the goods may be purchased anywhere on the Community market ;

Whereas the proposed invitation to tender should be for supply of the products delivered cif, that is at the moment when the goods are actually placed in lighter at the port of unloading ;

Whereas tenders may be submitted by tenderers established in any Member State of the Community and may relate to products mobilized anywhere within those Member States ; whereas, in view of the currency situation in the Member States and in order to ensure that the tenders are as comparable as possible, account should be taken of the effect on each tender of the currency situation in the Member State in which the customs export formalities will be completed ;

Whereas the award under the invitation to tender must be made in favour of the tenderer offering the best terms ;

Whereas, should *force majeure* make it impossible to complete the operation in question within the set time limits, it should be made clear who is to bear the liability for any resulting costs ;

Whereas provisions should be made for security to be given for the purpose of guaranteeing that the obligations arising by virtue of participation in the invitation to tender for supplies to the Democratic Republic of Somalia will be fulfilled ;

Whereas the French intervention agency should be made responsible for the tendering procedure ;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency ;

Whereas the Monetary Committee will be consulted ; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3(2) of Council Regulation No 129<sup>(4)</sup> on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy, as last amended by Regulation (EEC) No 2543/73<sup>(5)</sup>, and in particular Article 3 thereof ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

1. Tenders are hereby invited for the supply to the Democratic Republic of Somalia of by way of Community food-aid action, of 5 000 metric tons of maize.

2. The tendering procedure shall take place in France in one lot. The product shall be mobilized on the Community market. The product shall be loaded for departure from any Community port.

3. The invitation to tender provided for in paragraph 1 is for supply of products delivered cif that is to say, actually placed in lighter of the port of Mogadiscio.

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

<sup>(2)</sup> OJ No L 11, 16. 1. 1975, p. 1.

<sup>(3)</sup> OJ No L 178, 5. 8. 1972, p. 3.

<sup>(4)</sup> OJ No 106, 30. 10. 1962, p. 2553/62.

<sup>(5)</sup> OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks of a net capacity of 30 kilogrammes. The following shall be printed on the sacks:

'Maize — gift of the European Community — to be distributed free of charge.'

#### Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 8 April 1975.

2. The closing date for the receipt of tenders shall be 8 April 1975 at 12 noon.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

#### Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.

2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.

3. For the purpose of rendering the tenders comparable, the prices shall, where appropriate, be corrected by the monetary compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2.

Such correction shall be made by:

- increasing prices which mention a Member State whose currency has depreciated,
- reducing prices which mention a Member State whose currency has been revalued.

Such monetary compensatory amount shall, where appropriate, be converted into the currency of the Member State in which the invitation to tender is issued using:

- in the case when the currencies concerned are kept at any given moment within a band of 2.25 %, a conversion rate resulting from their central rate,
- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued during a period from the Wednesday of one week

to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

#### Article 4

The contract shall be awarded to the tenderer offering the best terms, taking into consideration the adjustment referred to in Article 3 (3).

However, if the tenders submitted do not appear to reflect normal market prices and costs, the intervention agency may cancel the invitation to tender.

#### Article 5

1. The tenderer shall give security in an amount of five units of account per metric ton of goods.

It shall be released:

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3 (2),
- in the case of the successful tenderer for quantities not supplied by reason of *force majeure*.

2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by each Member State.

#### Article 6

1. The product referred to in Article 1 which is to be supplied for human consumption to the Democratic Republic of Somalia must be of fair and sound merchantable quality, be free from odour, and correspond at least to the standard quality for which the intervention price is fixed.

2. Tenders for supply to the Democratic Republic of Somalia of the product specified in Article 1 must relate to maize of fair and sound merchantable quality, free from odour, and correspond at least to the standard quality for which the intervention price is fixed.

#### Article 7

1. The French intervention agency shall be responsible for organizing the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3(3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall request the successful tenderer to supply the following information :

- (a) after each shipment, a certificate showing the quantities dispatched, the quality of the products and the type of packing ;
- (b) the date of the departure of the ships, the estimated date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

#### *Article 8*

This Regulation shall enter into force on the day of 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, 21 March 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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## REGULATION (EEC) No 761/75 OF THE COMMISSION

of 21 March 1975

opening an invitation to tender for the mobilization of common wheat flour as food aid for the Democratic Republic of Somalia

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<sup>(1)</sup> of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 85/75<sup>(2)</sup> ;

Having regard to Council Regulation (EEC) No 1693/72<sup>(3)</sup> of 3 August 1972 laying down the conditions for the mobilization of cereals as food aid, and in particular Article 6 thereof ;

Whereas on 17 February 1975 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 2 500 metric tons of common wheat (in other words 1 655 metric tons of common wheat flour) to the Democratic Republic of Somalia under its 1974/75 food-aid programme ;

Whereas pursuant to Article 3 (3) of Council Regulation (EEC) No 1693/72 the goods may be purchased anywhere on the Community market ;

Whereas the proposed invitation to tender should be for supply of the products cif, that is to say actually placed on the quay at the port of unloading ;

Whereas tenders may be submitted by tenderers established in any Member State of the Community and may relate to products mobilized anywhere within those Member States ; whereas, in view of the currency situation in the Member States and in order to ensure that the tenders are as comparable as possible, account should be taken of the effect on each tender of the currency situation in the Member State in which the customs export formalities will be completed ;

Whereas the award under the invitation to tender must be made in favour of the tenderer offering the best terms ;

Whereas, should *force majeure* make it impossible to complete the operation in question within the time limits specified, it must be made clear who is to bear the liability for any resulting costs ;

Whereas provision should be made for security to be given for the purpose of guaranteeing that the obligations arising by virtue of participation in the invitation to tender for supplies to the Democratic Republic of Somalia will be fulfilled ;

Whereas the Italian intervention agency should be made responsible for the tendering procedure ;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency ;

Whereas the Monetary Committee will be consulted ; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3 (2) of Council Regulation No 129<sup>(4)</sup> on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy, as last amended by Regulation (EEC) No 2543/73<sup>(5)</sup>, and in particular Article 3 thereof ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

1. Tenders are hereby invited for the supply to the Democratic Republic of Somalia, by way of Community food-aid action, of 1 655 metric tons of common wheat flour.

2. The tendering procedure shall take place in Italy in one lot. The product shall be mobilized on the Community market. The product shall be loaded for departure from any Community port.

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

<sup>(2)</sup> OJ No L 11, 16. 1. 1975, p. 1.

<sup>(3)</sup> OJ No L 178, 5. 8. 1972, p. 3.

<sup>(4)</sup> OJ No 106, 30. 10. 1962, p. 2553/62.

<sup>(5)</sup> OJ No L 263, 19. 9. 1973, p. 1.

3. The invitation to tender provided for in paragraph 1 is for supply of products delivered cif that is to say, actually placed on the quay in the port of unloading.

4. The successful tenderer shall deliver the product specified in paragraph 1 cif to the port of Berbera in new double cotton sacks, having a net capacity of 50 kilogrammes.

The following shall be printed on the sacks:

'Wheat flour — gift of the European Community — to be distributed free of charge'.

#### Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 8 April 1975.

2. The closing date for the receipt of tenders shall be 8 April 1975 at 12 noon.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

#### Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.

2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.

3. For the purpose of rendering the tenders comparable, the prices shall, where appropriate, be corrected by the monetary compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2.

Such correction shall be made by:

- increasing prices which mention a Member State whose currency has depreciated,
- reducing prices which mention a Member State whose currency has been revalued.

Such monetary compensatory amount shall, where appropriate, be converted into the currency of the Member State in which the invitation to tender is issued using:

- in the case when the currencies concerned are kept at any given moment within a band of

2.25 %, a conversion rate resulting from their central rate,

- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

#### Article 4

The contract shall be awarded to the tenderer offering the best terms, taking into consideration the adjustment referred to in Article 3 (3).

However, if the tenders submitted do not appear to reflect normal market prices and costs, the intervention agency may cancel the invitation to tender.

#### Article 5

1. The tenderer shall give security in an amount of 10 units of account per metric ton of goods.

It shall be released:

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3 (2),
- in the case of the successful tenderer for quantities not supplied by reason of *force majeure*.

2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by each Member State.

#### Article 6

1. The common wheat flour referred to in Article 1 to be supplied to the Democratic Republic of Somalia must meet the following requirements:

- moisture: 14 % maximum,
- protein content: 10.5 % minimum ( $N \times 6.25$  on dry matter),
- ash content: 0.52 % maximum referred to dry matter.

Flour not meeting these requirements shall be refused.

2. Tenders for supply to the Democratic Republic of Somalia of the common wheat flour referred to in Article 1 must relate to a product with the following characteristics :

- moisture : 14 % maximum,
- protein content : 10.5 % minimum ( $N \times 6.25$  on dry matter),
- ash content : 0.52 % maximum referred to dry matter.

#### *Article 7*

1. The Italian intervention agency shall be responsible for organizing the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall ask that the tenderer specifies the following information :

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and the type of packing ;
- (b) the date of the departure of the ships, the estimated date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

#### *Article 8*

This Regulation shall enter into force on the day of 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, 21 March 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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**REGULATION (EEC) No 762/75 OF THE COMMISSION****of 21 March 1975****opening an invitation to tender for the mobilization of milled rice as food aid  
for the Democratic Republic of Somalia**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community ;

Having regard to Council Regulation No 359/  
67/EEC <sup>(1)</sup> of 25 July 1967 on the common organiza-  
tion of the market in rice, as last amended by Regula-  
tion (EEC) No 476/75 <sup>(2)</sup> ;

Having regard to Council Regulation (EEC) No  
1693/72 <sup>(3)</sup> of 3 August 1972 laying down the condi-  
tions for the mobilization of cereals as food aid, and  
in particular Article 6 thereof ;

Whereas on 17 February 1975 the Council of the  
European Communities declared that it proposed, by  
way of Community action, to grant the equivalent of  
7 500 metric tons of husked rice (in other words,  
5 813 metric tons of round grain milled rice) to the  
Democratic Republic of Somalia under its 1974/75  
food-aid programme ;

Whereas pursuant to Article 3 (3) of Council Regula-  
tion (EEC) No 1693/72 the goods may be purchased  
anywhere on the Community market ;

Whereas the proposed invitation to tender should be  
for supply of the products cif, that is to say actually  
placed on the quay at the port of unloading ;

Whereas in view of the different monetary circum-  
stances in the Member States, the observation of these  
conditions is not guaranteed by the application of  
exchange rates applicable in the framework of the  
common agricultural policy since monetary compensa-  
tory amounts do not apply in the rice sector ; whereas  
it is advisable to take account of the monetary situa-  
tion as regards different offers ;

Whereas the award under the invitation to tender  
must be made to the tenderer offering the best terms ;

Whereas, should *force majeure* make it impossible to  
complete the operation in question within the time  
limits specified, it must be made clear who is to bear  
the liability for any resulting costs ;

Whereas provision should be made for security to be  
given for the purpose of guaranteeing that the obliga-  
tion arising by virtue of participation in the invitation  
to tender for supplies to the Democratic Republic of  
Somalia will be fulfilled ;

Whereas the Italian intervention agency should be  
made responsible for the tendering procedure ;

Whereas the Commission must be informed quickly  
of the tenders submitted in response to the invitation  
and of those accepted by the intervention agency ;

Whereas the Monetary Committee will be consulted ;  
whereas, in view of the urgency, the measures envis-  
aged should be adopted in accordance with the condi-  
tions laid down in Article 3 (2) of Council Regulation  
No 129 <sup>(4)</sup> on the value of the unit of account and the  
exchange rates to be applied for the purposes of the  
common agricultural policy, as last amended by Regu-  
lation (EEC) No 2543/73 <sup>(5)</sup>, and in particular Article  
3 thereof ;

Whereas the measures provided for in this Regulation  
are in accordance with the Opinion of the Manage-  
ment Committee for Cereals,

HAS ADOPTED THIS REGULATION :

*Article 1*

1. Tenders are hereby invited for the supply to the  
Democratic Republic of Somalia, by way of Commu-  
nity food-aid action, of 5 813 metric tons of round  
grain milled rice.

2. The tendering procedure shall take place in Italy  
in one lot. The product shall be mobilized on the  
Community market. The product shall be loaded for  
departure from any Community port.

3. The invitation to tender provided for in para-  
graph 1 is for supply of products delivered cif that is  
to say, actually placed on the quay in the port of  
unloading.

<sup>(1)</sup> OJ No 174, 31. 7. 1967, p. 1.

<sup>(2)</sup> OJ No L 52, 28. 2. 1975, p. 31.

<sup>(3)</sup> OJ No L 178, 5. 8. 1972, p. 3.

<sup>(4)</sup> OJ No 106, 30. 10. 1962, p. 2553/62.

<sup>(5)</sup> OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the product specified in paragraph 1 *cif* to the port of Berbera in new jute sacks of a net capacity of 50 kilogrammes.

The following shall be printed on the sacks :

'Milled rice — gift of the European Community — to be distributed free of charge'.

#### Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 8 April 1975.

2. The closing date for the receipt of tenders shall be 8 April 1975 at 12 noon.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

#### Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.

2. The rates used for converting into units of account those offers made in national currencies shall be :

- the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
- in other cases the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of offers.

#### Article 4

The contract shall be awarded to the tenderer offering the best terms.

However, if the tenders submitted do not appear to reflect normal market prices and costs, the intervention agency may cancel the invitation to tender.

#### Article 5

1. The tenderer shall give security of a value of 10 units of account per metric ton of the product ; for the successful tenderer the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeited if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by each Member State.

#### Article 6

1. The round grain milled rice referred to in Article 1 to be supplied to the Democratic Republic of Somalia must meet the following requirements :

- moisture : 15 %,
- broken rice : 5 % maximum,
- chalky grains : 3 % maximum,
- grains striated with red : 3 % maximum,
- spotted grains : 1 % maximum,
- stained grains : 0.50 % maximum,
- yellow grains : 0.050 %,
- amber grains : 0.125 % maximum.

Rice not meeting these requirements shall be refused.

2. Tenders for supply to the Democratic Republic of Somalia of the round grain milled rice referred to in Article 1 must relate to a product with the following characteristics :

- moisture : 15 %,
- broken rice : 5 % maximum,
- chalky grains : 3 % maximum,
- grains striated with red : 3 % maximum,
- spotted grains : 1 % maximum,
- stained grains : 0.5 % maximum,
- yellow grains : 0.050 % maximum,
- amber grains : 0.125 % maximum.

#### Article 7

1. The Italian intervention agency shall be responsible for organizing the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3(2) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall request the successful tenderer to supply the following information :

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and the type of packing ;
- (b) the date of the departure of the ships ; the estimated date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

#### *Article 8*

This Regulation shall enter into force on the day of 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, 21 March 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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**REGULATION (EEC) No 763/75 OF THE COMMISSION****of 24 March 1975****amending Commission Regulation (EEC) No 375/69 of 27 February 1969 on the declaration of particulars relating to the value of goods for customs purposes**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 803/68 <sup>(1)</sup> of 27 June 1968 on the value of goods for customs purposes, and in particular Article 14 thereof ;

Having regard to Commission Regulation (EEC) No 375/69 <sup>(2)</sup> of 27 February 1969 on the declaration of particulars relating to the value of goods for customs purposes, as amended by Commission Regulation (EEC) No 581/72 <sup>(3)</sup> ;

Whereas experience has shown that it is justified to raise the value of imported goods below which Member States may waive the requirement of a written or oral declaration of all or part of the particulars relating to the value for customs purposes, in so far as this does not affect the level of tariff protection or the level of current receipts ;

Whereas it is desirable for the sake of simplicity to express in national currencies and in round figures the value fixed by this Regulation ;

Whereas the provisions of this Regulation are in accordance with the Opinion of the Customs Valuation Committee,

HAS ADOPTED THIS REGULATION :

*Article 1*

Article 5 of Commission Regulation (EEC) No 375/69 of 27 February 1969 on the declaration of particulars relating to the value of goods for customs purposes is replaced by the following text :

*'Article 5*

Member States may waive the requirement of a written or oral declaration of all or part of the particulars relating to the value for customs purposes :

- where the value of the imported goods in a consignment does not exceed Bfrs 45 000, Dkr 7 000, DM 3 000, FF 5 000, Lit 800 000, Fl 3 000, £ 500 (as appropriate in each case) and provided that they do not constitute split or multiple consignments from the same sender to the same consignee ; or
- where the goods involved are not of a commercial nature, but in respect of which a written customs declaration must ordinarily be lodged ; or
- where the nature of the customs procedure to which the goods are subject does not require submission of the particulars in question.'

*Article 2*

This Regulation shall enter into force on 1 July 1975.

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

Done at Brussels, 24 March 1975.

*For the Commission*

*The President*

François-Xavier ORTOLI

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 6.

<sup>(2)</sup> OJ No L 52, 3. 3. 1969, p. 1.

<sup>(3)</sup> OJ No L 70, 23. 3. 1972, p. 10.

**REGULATION (EEC) No 764/75 OF THE COMMISSION**  
**of 24 March 1975**

**amending Regulation (EEC) No 2012/74 laying down detailed rules of application as regards production refunds in the cereals and rice sector**

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<sup>(1)</sup> of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 85/75<sup>(2)</sup> ;

Having regard to Council Regulation No 359/67/EEC<sup>(3)</sup> of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 476/75<sup>(4)</sup> ;

Having regard to Council Regulation (EEC) No 1132/74<sup>(5)</sup> of 29 April 1974 on production refunds in the cereals and rice sector, as last amended by Regulation (EEC) No 3113/74<sup>(6)</sup>, and in particular Article 9 thereof ;

Whereas Commission Regulation (EEC) No 2012/74<sup>(7)</sup> of 30 July 1974 laying down detailed rules for the application of Regulation (EEC) No 1132/74 as regards production refunds in the cereals and rice sector, as last amended by Regulation (EEC) No 10/75<sup>(8)</sup>, provides that the production refund shall be granted only when the person entitled to the refund has lodged a security equal to the refund requested, plus 5 % ;

Whereas at present this security may not be released until the person entitled to the refund has furnished proof that at least 96 % of the quantity of the basic product placed under official supervision has been processed within the period allowed ; whereas experience has shown that the manufacturer, because of changes in market conditions, is not always in a position to process within the period allowed the quantity of products under supervision ; whereas in order to avoid excessive finance costs in such cases it appears advisable to provide for the security to be released in respect of an amount equal to that of the production refund payable on the amount of the basic product actually processed ;

Whereas Regulation (EEC) No 10/75 effectively deleted that provision of Article 2(3) of Regulation (EEC) No 2012/75 whereby certain sums paid to the person entitled to the refund were to be repaid ; whereas Article 4(4) of Regulation (EEC) No 2012/74 has therefore become superfluous ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The following subparagraphs are added to Article 4(3) of Regulation (EEC) No 2012/74 :

‘However, when proof is furnished, in accordance with the preceding subparagraphs, that quantity equal to less than 96 % of the amount of the basic product has been processed, shall be released in respect of an amount equal to that of the production refund payable on the quantity of the basic product which has been processed.

The security or part thereof not released in accordance with this Article shall be forfeit and applied by way of reimbursement of the refund paid.’

*Article 2*

Paragraph 4 of Article 4 of Regulation (EEC) No 2012/74 is deleted.

*Article 3*

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

Where those concerned so request, it shall be applied with effect from :

— 1 August 1974 for products covered by Regulation No 120/67/EEC,

— 1 September 1974 for products covered by Regulation No 359/67/EEC.

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

<sup>(2)</sup> OJ No L 11, 16. 1. 1975, p. 1.

<sup>(3)</sup> OJ No 174, 31. 7. 1967, p. 1.

<sup>(4)</sup> OJ No L 52, 28. 2. 1975, p. 31.

<sup>(5)</sup> OJ No L 128, 10. 5. 1974, p. 24.

<sup>(6)</sup> OJ No L 332, 12. 12. 1974, p. 1.

<sup>(7)</sup> OJ No L 209, 31. 7. 1974, p. 44.

<sup>(8)</sup> OJ No L 1, 3. 1. 1975, p. 24.

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

Done at Brussels, 24 March 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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**REGULATION (EEC) No 765/75 OF THE COMMISSION**  
**of 24 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<sup>(1)</sup> of 18 December 1967 on the common  
organization of the market in sugar, as last amended  
by Regulation (EEC) No 2476/74<sup>(2)</sup>;

Having regard to Council Regulation (EEC) No  
608/72<sup>(3)</sup> 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<sup>(4)</sup>, as last amended by Regulation (EEC) No  
752/75<sup>(5)</sup>;

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 25 March  
1975.

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

Done at Brussels, 24 March 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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<sup>(1)</sup> OJ No 308, 18. 12. 1967, p. 1.

<sup>(2)</sup> OJ No L 264, 1. 10. 1974, p. 70.

<sup>(3)</sup> OJ No L 75, 28. 3. 1972, p. 5.

<sup>(4)</sup> OJ No L 187, 11. 7. 1974, p. 23.

<sup>(5)</sup> OJ No L 74, 22. 3. 1975, p. 42.

## ANNEX

to the Commission Regulation of 24 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                          | 22.50                             |
|                | II. Raw sugar                           | 18.00 <sup>(1)</sup>              |
|                | B. Undenatured :                        |                                   |
|                | I. White sugar                          | 22.50                             |
|                | ex II. Raw sugar other than candy sugar | 18.00 <sup>(1)</sup>              |

<sup>(1)</sup> 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.

## CORRIGENDA

**Corrigendum to Commission Regulation (EEC) No 539/75 of 28 February 1975 fixing the monetary compensatory amounts and certain rates for their application**

*(Official Journal of the European Communities, No L 57 of 3 March 1975)*

Page 20, Annex I, part 5, note <sup>(1)</sup> :

*for* : '<sup>(1)</sup> When a product is denaturalized, according to Article 2 of Regulation (EEC) No 990/72 ...'

*read* : '<sup>(1)</sup> In intra-Community trade and when a product is denaturalized, according to Article 2 of Regulation (EEC) No 990/72 ...'.

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**Corrigendum to Commission Regulation (EEC) No 564/75 of 4 March 1975 establishing the standard average values for customs purposes of imported citrus fruits**

*(Official Journal of the European Communities, No L 60 of 6 March 1975)*

Page 6, Annex, Code 3.2, column FF :

*for* : '101·39'

*read* : '101·31'.

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**Corrigendum to Commission Regulation (EEC) No 612/75 of 6 March 1975 amending Regulation (EEC) No 1019/70 on detailed rules for establishing free-at-frontier offer prices and fixing the countervailing charge in the wine sector**

*(Official Journal of the European Communities, No L 64 of 11 March 1975)*

Page 3, Annex I, box 3 :

*for* : 'Geological'

*read* : 'Oenological'.

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**Corrigendum to Commission Regulation (EEC) No 709/75 of 18 March 1975 amending the amounts applicable as compensatory amounts for cereals and rice**

*(Official Journal of the European Communities, No L 70 of 19 March 1975)*

Page 11, Annex C, CCT subheading 11.06 A, column DK :

*for* : '0,115'

*read* : '0,113'.

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