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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 2452/75 OF THE COMMISSION**of 26 September 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 665/75 ⁽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 1976/75 ⁽³⁾ and subsequent amending
Regulations;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 1976/75 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 27
September 1975.

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

Done at Brussels, 26 September 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 72, 20. 3. 1975, p. 14.

⁽³⁾ OJ No L 202, 1. 8. 1975, p. 1.

ANNEX

to the Commission Regulation of 26 September 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	7.29
10.01 B	Durum wheat	0 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	16.27 ⁽⁶⁾
10.03	Barley	0
10.04	Oats	6.44
10.05 B	Maize other than hybrid maize for sowing	10.75 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0.80 ⁽⁴⁾
10.07 C	Grain sorghum	13.82 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	29.09
11.01 B	Rye flour	41.68
11.02 A I a	Durum wheat groats and meal	14.85
11.02 A I b	Common wheat groats and meal	31.25

⁽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 originated in the ACP or OCT is imported into the French overseas departments, the levy is reduced by 6 u.a./metric ton as provided for in Regulation (EEC) No 1599/75.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.50 u.a./metric ton subject to the application of the provisions of Article 22 of Regulation (EEC) No 1599/75.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 % subject to the application of the provisions of Article 22 of Regulation (EEC) No 1599/75.

⁽⁵⁾ 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.

⁽⁶⁾ 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 2453/75 OF THE COMMISSION**of 26 September 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 665/75 ⁽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
1977/75 ⁽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 27
September 1975.

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

Done at Brussels, 26 September 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 72, 20. 3. 1975, p. 14.

⁽³⁾ OJ No L 202, 1. 8. 1975, p. 4.

ANNEX

to the Commission Regulation of 26 September 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 9	1st period 10	2nd period 11	3rd period 12
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize other than hybrid maize for sowing	0	1.63	1.63	1.53
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

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

B. Malt

(u.a. / metric ton)

CCT heading No	Description of goods	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

REGULATION (EEC) No 2454/75 OF THE COMMISSION

of 26 September 1975

on an invitation to tender for the levy and/or the refund for the export of wholly milled long grain rice to third countries

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⁽¹⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 476/75⁽²⁾ ;

Having regard to Council Regulation (EEC) No 2737/73⁽³⁾ of 8 October 1973 laying down general rules to be applied in the event of the rice market being disturbed, as last amended by Regulation (EEC) No 477/75⁽⁴⁾, and in particular Article 4(2) thereof ;

Having regard to Council Regulation No 366/67/EEC⁽⁵⁾ of 25 July 1967 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds, as last amended by Regulation (EEC) No 478/75⁽⁶⁾, and in particular Article 3a thereof ;

Whereas, having regard to the current situation on the rice market, there should be opened in respect of wholly milled long grain rice an invitation to tender for the export levy provided for in the first indent of Article 2(1) of Regulation (EEC) No 2737/73 and for the export refund provided for in Article 3a of Regulation No 366/67/EEC ;

Whereas the detailed rules governing invitations to tender are as regards the export levy contained in Commission Regulation (EEC) No 3197/73⁽⁷⁾ of 23 November 1973 establishing the conditions for the application of the system of tendering for export levies on rice, as last amended by Regulation (EEC) No 583/75⁽⁸⁾, and as regards the export refund in Commission Regulation (EEC) No 584/75⁽⁹⁾ of 6 March 1975 laying down detailed rules for the application of the system of tendering for export refunds on rice ;

Whereas the objective of the tendering procedure can be attained only if every successful tenderer fulfils all the commitments entered into by him when submitting his tender ; whereas these commitments include an obligation to lodge an application for an export

licence ; whereas compliance with this obligation may be ensured by requiring the tenderer to give security when submitting his tender ;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to make provision such that the effective period of validity of licences issued to successful tenderers in connection with the invitation to tender is identical ;

Whereas provision must be made to ensure the smooth operation of the procedure for tendering for export levies and refunds ; whereas to this end it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities ;

Whereas the second subparagraph of Article 1(1) of respectively Commission Regulations (EEC) No 3197/73 and (EEC) No 584/75 provides that invitations to tender for the export levy and/or refund shall be open on equal terms to all persons established within the Community ; whereas by reason of the differing monetary circumstances in the various Member States, the satisfaction of this condition cannot be ensured by the application of the exchange rates applicable for the purposes of the common agricultural policy, since monetary compensatory amounts do not apply in the rice sector ; whereas it is therefore advisable to make provision for the effects of the monetary situation to be taken into account in respect of each tender ;

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 shall be invited for the export levy provided for in the first indent of Article 2(1) of Council Regulation (EEC) No 2737/73 and/or the export refund provided for in Article 3a of Regulation No 366/67/EEC.

⁽¹⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽²⁾ OJ No L 52, 28. 2. 1975, p. 31.

⁽³⁾ OJ No L 282, 9. 10. 1973, p. 13.

⁽⁴⁾ OJ No L 52, 28. 2. 1975, p. 33.

⁽⁵⁾ OJ No 174, 31. 7. 1967, p. 34.

⁽⁶⁾ OJ No L 52, 28. 2. 1974, p. 34.

⁽⁷⁾ OJ No L 326, 27. 11. 1973, p. 10.

⁽⁸⁾ OJ No L 61, 7. 3. 1975, p. 24.

⁽⁹⁾ OJ No L 61, 7. 3. 1975, p. 25.

2. The invitation to tender shall relate to wholly milled long grain rice.

3. The invitation shall remain open until 29 January 1976. During this period weekly awards shall be made, the time limits for the submission of tenders to be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 20 metric tons.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 3197/73 and of Regulation (EEC) No 584/75 shall be 10 units of account per metric ton.

Article 4

If a tenderer fails to comply with the undertaking given by him pursuant to Article 2 (3) (b) of the Regulations referred to in the preceding Article, no export licence shall be issued and the security lodged pursuant to Article 3 of those Regulations shall accordingly be forfeit.

Article 5

By way of derogation from the provisions of Article 9 (1) and (2) of Regulation (EEC) No 193/75 ⁽¹⁾ export licences issued under Article 8 (1) of Regulation (EEC) No 3197/73 or under the like provision of Regulation (EEC) No 584/75 shall for the purpose of determining their period of validity be deemed to have been issued on the day on which the tender was submitted.

Article 6

1. If the obligation to export is not fulfilled, the security mentioned in Article 3 of Regulations (EEC) No 3197/73 and (EEC) No 584/75 shall be forfeit in respect of a quantity equal to the difference between :

- (a) 93 % of the net quantity indicated on the export licence, and
- (b) the net quantity actually exported.

2. However, if the quantity exported is less than 7 % of the net quantity indicated on the licence, the security shall be forfeit in its entirety.

3. On request by the titular holder of the licence, Member States may release the security by instalments in proportion to the quantities of product for which proof of exportation as referred to in Article 7 (1) of Regulations (EEC) No 3197/73 and (EEC) No 584/75 has been furnished, provided that such proof establishes that a quantity equal to at least 7 % of the net quantity indicated on the licence has been exported.

⁽¹⁾ OJ No L 25, 31. 1. 1975, p. 10.

Article 7

The tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex hereto.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 8

During the period in which Summer Time applies in Italy, the times fixed for the submission of tenders shall be regarded in that Member State as extended by one hour. During the period during which Summer Time does not apply in the United Kingdom and in Ireland, the times fixed for the submission of tenders shall be regarded in those Member States as brought forward by one hour.

Article 9

1. By way of derogation from Article 5 of Regulations (EEC) No 3197/73 and (EEC) No 584/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation No 359/67/EEC :

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation No 366/67/EEC, or
- to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2737/73, or
- to make no award.

2. Where a maximum export refund is fixed a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed a contract shall be awarded to any tenderer whose tender indicates a rate of levy equal to or greater than such minimum export levy.

Article 10

The rates used for converting into units of account those offers made in national currencies and for converting into national currencies the maximum refund or minimum levy as fixed in units of accounts shall be :

- in the case of currencies held at any given moment within a band of 2.25 %, the central rate,
- in all other cases the average spot exchange rate during a week ending on the Tuesday immediately preceding the final date for the submission of tenders.

Article 11

This Regulation shall enter into force on the 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, 26 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

*ANNEX***Weekly tender for the levy/refund for the export of wholly milled long grain rice to third countries**

Expiry of the period for the submission of tenders (date/time)

I

1	2	3
Number of tender	Quantity in metric tons	Amount of export levy in national currency per metric ton
1		
2		
3		
4		
5		
etc.		

II

1	2	3
Number of tender	Quantity in metric tons	Amount of export refund in national currency per metric ton
1		
2		
3		
4		
5		
etc.		

REGULATION (EEC) No 2455/75 OF THE COMMISSION

of 26 September 1975

on an invitation to tender for the levy and/or the refund for the export of husked long grain rice to third countries

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⁽¹⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 476/75⁽²⁾;

Having regard to Council Regulation (EEC) No 2737/73⁽³⁾ of 8 October 1973 laying down general rules to be applied in the event of the rice market being disturbed, as last amended by Regulation (EEC) No 477/75⁽⁴⁾, and in particular Article 4(2) thereof;

Having regard to Council Regulation No 366/67/EEC⁽⁵⁾ of 25 July 1967 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds, as last amended by Regulation (EEC) No 478/75⁽⁶⁾, and in particular Article 3a thereof;

Whereas, having regard to the current situation on the rice market, there should be opened in respect of husked long grain rice an invitation to tender for the export levy provided for in the first indent of Article 2(1) of Regulation (EEC) No 2737/73 and for the export refund provided for in Article 3a of Regulation No 366/67/EEC;

Whereas the detailed rules governing invitations to tender are as regards the export levy contained in Commission Regulation (EEC) No 3197/73⁽⁷⁾ of 23 November 1973 establishing the conditions for the application of the system of tendering for export levies on rice, as last amended by Regulation (EEC) No 583/75⁽⁸⁾, and as regards the export refund in Commission Regulation (EEC) No 584/75⁽⁹⁾ of 6 March 1975 laying down detailed rules for the application of the system of tendering for export refunds on rice;

Whereas the objective of the tendering procedure can be attained only if every successful tenderer fulfils all the commitments entered into by him when submitting his tender; whereas these commitments include an obligation to lodge an application for an export

licence; whereas compliance with this obligation may be ensured by requiring the tenderer to give security when submitting his tender;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to make provision such that the effective period of validity of licences issued to successful tenderers in connection with the invitation to tender is identical;

Whereas provision must be made to ensure the smooth operation of the procedure for tendering for export levies and refunds; whereas to this end it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

Whereas the second subparagraph of Article 1(1) of respectively Commission Regulations (EEC) No 3197/73 and (EEC) No 584/75 provides that invitations to tender for the export levy and/or refund shall be open on equal terms to all persons established within the Community; whereas by reason of the differing monetary circumstances in the various Member States, the satisfaction of this condition cannot be ensured by the application of the exchange rates applicable for the purposes of the common agricultural policy, since monetary compensatory amounts do not apply in the rice sector; whereas it is therefore advisable to make provision for the effects of the monetary situation to be taken into account in respect of each tender;

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 shall be invited for the export levy provided for in the first indent of Article 2(1) of Council Regulation (EEC) No 2737/73 and/or the export refund provided for in Article 3a of Regulation No 366/67/EEC.

⁽¹⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽²⁾ OJ No L 52, 28. 2. 1975, p. 31.

⁽³⁾ OJ No L 282, 9. 10. 1973, p. 13.

⁽⁴⁾ OJ No L 52, 28. 2. 1975, p. 33.

⁽⁵⁾ OJ No L 174, 31. 7. 1967, p. 34.

⁽⁶⁾ OJ No L 52, 28. 2. 1975, p. 34.

⁽⁷⁾ OJ No L 326, 27. 11. 1973, p. 10.

⁽⁸⁾ OJ No L 61, 7. 3. 1975, p. 24.

⁽⁹⁾ OJ No L 61, 7. 3. 1975, p. 25.

2. The invitation to tender shall relate to husked long grain rice.

3. The invitation shall remain open until 29 January 1976. During this period weekly awards shall be made, the time limits for the submission of tenders to be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 20 metric tons.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 3197/73 and of Regulation (EEC) No 584/75 shall be 10 units of account per metric ton.

Article 4

If a tenderer fails to comply with the undertaking given by him pursuant to Article 2 (3) (b) of the Regulations referred to in the preceding Article, no export licence shall be issued and the security lodged pursuant to Article 3 of those Regulations shall accordingly be forfeit.

Article 5

By way of derogation from the provisions of Article 9 (1) and (2) of Regulation (EEC) No 193/75 ⁽¹⁾ export licences issued under Article 8 (1) of Regulation (EEC) No 3197/73 or under the like provision of Regulation (EEC) No 584/75 shall for the purpose of determining their period of validity be deemed to have been issued on the day on which the tender was submitted.

Article 6

1. If the obligation to export is not fulfilled, the security mentioned in Article 3 of Regulations (EEC) No 3197/73 and (EEC) No 584/75 shall be forfeit in respect of a quantity equal to the difference between :

- (a) 93 % of the net quantity indicated on the export licence, and
- (b) the net quantity actually exported.

2. However, if the quantity exported is less than 7 % of the net quantity indicated on the licence, the security shall be forfeit in its entirety.

3. On request by the titular holder of the licence, Member States may release the security by instalments in proportion to the quantities of product for which proof of exportation as referred to in Article 7 (1) of Regulations (EEC) No 3197/73 and (EEC) No 584/75 has been furnished, provided that such proof establishes that a quantity equal to at least 7 % of the net quantity indicated on the licence has been exported.

⁽¹⁾ OJ No L 25, 31. 1. 1975, p. 10.

Article 7

The tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex hereto.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 8

During the period in which Summer Time applies in Italy, the times fixed for the submission of tenders shall be regarded in that Member State as extended by one hour. During the period during which Summer Time does not apply in the United Kingdom and in Ireland, the times fixed for the submission of tenders shall be regarded in those Member States as brought forward by one hour.

Article 9

1. By way of derogation from Article 5 of Regulations (EEC) No 3197/73 and (EEC) No 584/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation No 359/67/EEC :

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation No 366/67/EEC, or
- to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2737/73, or
- to make no award.

2. Where a maximum export refund is fixed a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed a contract shall be awarded to any tenderer whose tender indicates a rate of levy equal to or greater than such minimum export levy.

Article 10

The rates used for converting into units of account those offers made in national currencies and for converting into national currencies the maximum refund or minimum levy as fixed in units of account shall be :

- in the case of currencies held at any given moment within a band of 2.25 %, the central rate,
- in all other cases the average spot exchange rate during a week ending on the Tuesday immediately preceding the final date for the submission of tenders.

Article 11

This Regulation shall enter into force on the 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, 26 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

*ANNEX***Weekly tender for the levy/refund for the export of husked long grain rice to third countries**

Expiry of the period for the submission of tenders (date/time)

I

1	2	3
Number of tender	Quantity in metric tons	Amount of export levy in national currency per metric ton
1		
2		
3		
4		
5		
etc.		

II

1	2	3
Number of tender	Quantity in metric tons	Amount of export refund in national currency per metric ton
1		
2		
3		
4		
5		
etc.		

REGULATION (EEC) No 2456/75 OF THE COMMISSION

of 26 September 1975

on an invitation to tender for the levy and/or the refund for the export of wholly milled round grain rice to third countries

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⁽¹⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 476/75⁽²⁾ ;

Having regard to Council Regulation (EEC) No 2737/73⁽³⁾ of 8 October 1973 laying down general rules to be applied in the event of the rice market being disturbed, as last amended by Regulation (EEC) No 477/75⁽⁴⁾, and in particular Article 4(2) thereof ;

Having regard to Council Regulation No 366/67/EEC⁽⁵⁾ of 25 July 1967 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds, as last amended by Regulation (EEC) No 478/75⁽⁶⁾, and in particular Article 3a thereof ;

Whereas, having regard to the current situation on the rice market, there should be opened in respect of wholly milled round grain rice an invitation to tender for the export levy provided for in the first indent of Article 2(1) of Regulation (EEC) No 2737/73 and for the export refund provided for in Article 3a of Regulation No 366/67/EEC ;

Whereas the detailed rules governing invitations to tender are as regards the export levy contained in Commission Regulation (EEC) No 3197/73⁽⁷⁾ of 23 November 1973 establishing the conditions for the application of the system of tendering for export levies on rice, as amended by Regulation (EEC) No 583/75⁽⁸⁾, and as regards the export refund in Commission Regulation (EEC) No 584/75⁽⁹⁾ of 6 March 1975 laying down detailed rules for the application of the system of tendering for export refunds on rice ;

Whereas the objective of the tendering procedure can be attained only if every successful tenderer fulfils all the commitments entered into by him when submitting his tender ; whereas these commitments include an obligation to lodge an application for an export

licence ; whereas compliance with this obligation may be ensured by requiring the tenderer to give security when submitting his tender ;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to make provision such that the effective period of validity of licences issued to successful tenderers in connection with the invitation to tender is identical ;

Whereas provision must be made to ensure the smooth operation of the procedure for tendering for export levies and refunds ; whereas to this end it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities ;

Whereas the second subparagraph of Article 1(1) respectively of Commission Regulations (EEC) No 3197/73 and (EEC) No 584/75 provides that invitations to tender for the export levy and/or refund shall be open on equal terms to all persons established within the Community ; whereas by reason of the differing monetary circumstances in the various Member States, the satisfaction of this condition cannot be ensured by the application of the exchange rates applicable for the purposes of the common agricultural policy, since monetary compensatory amounts do not apply in the rice sector ; whereas it is therefore advisable to make provision for the effects of the monetary situation to be taken into account in respect of each tender ;

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 shall be invited for the export levy provided for in the first indent of Article 2(1) of Council Regulation (EEC) No 2737/73 and/or the export refund provided for in Article 3a of Regulation No 366/67/EEC.

⁽¹⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽²⁾ OJ No L 52, 28. 2. 1975, p. 31.

⁽³⁾ OJ No L 282, 9. 10. 1973, p. 13.

⁽⁴⁾ OJ No L 52, 28. 2. 1975, p. 33.

⁽⁵⁾ OJ No 174, 31. 7. 1967, p. 34.

⁽⁶⁾ OJ No L 52, 28. 2. 1975, p. 34.

⁽⁷⁾ OJ No L 326, 27. 11. 1973, p. 10.

⁽⁸⁾ OJ No L 61, 7. 3. 1975, p. 24.

⁽⁹⁾ OJ No L 61, 7. 3. 1975, p. 25.

2. The invitation to tender shall relate to wholly milled round grain rice.

3. The invitation shall remain open until 29 January 1976. During this period weekly awards shall be made, the time limits for the submission of tenders to be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 20 metric tons.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 3197/73 and of Regulation (EEC) No 584/75 shall be 10 units of account per metric ton.

Article 4

If a tenderer fails to comply with the undertaking given by him pursuant to Article 2 (3) (b) of the Regulations referred to in the preceding Article, no export licence shall be issued and the security lodged pursuant to in Article 3 of those Regulations shall accordingly be forfeit.

Article 5

By way of derogation from the provisions of Article 9 (1) and (2) of Regulation (EEC) No 193/75 ⁽¹⁾, export licences issued under Article 8 (1) of Regulation (EEC) No 3197/73 or under the like provision of Regulation (EEC) No 584/75 shall for the purpose of determining their period of validity be deemed to have been issued on the day on which the tender was submitted.

Article 6

1. If the obligation to export is not fulfilled, the security mentioned in Article 3 of Regulations (EEC) No 3197/73 and (EEC) No 584/75 shall be forfeit in respect of a quantity equal to the difference between:

- (a) 93 % of the net quantity indicated on the export licence, and
- (b) the net quantity actually exported.

2. However, if the quantity exported is less than 7 % of the net quantity indicated on the licence, the security shall be forfeit in its entirety.

3. On request by the titular holder of the licence, Member States may release the security by instalments in proportion to the quantities of product for which proof of exportation as referred to in Article 7 (1) of Regulations (EEC) No 3197/73 and (EEC) No 584/75 has been furnished, provided that such proof esta-

blishes that a quantity equal to at least 7 % of the net quantity indicated on the licence has been exported.

Article 7

The tenders submitted must reach the Commission through the intermediary of Member States at the latest one and half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex hereto.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 8

During the period in which Summer Time applies in Italy, the times fixed for the submission of tenders shall be regarded in that Member State as extended by one hour. During the period during which Summer Time does not apply in the United Kingdom and in Ireland, the times fixed for the submission of tenders shall be regarded in those Member States as brought forward by one hour.

Article 9

1. By way of derogation from Article 5 of Regulations (EEC) No 3197/73 and (EEC) No 584/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation No 359/67/EEC:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation No 366/67/EEC, or
- to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2737/73, or
- to make no award.

2. Where a maximum export refund is fixed a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed a contract shall be awarded to any tenderer whose tender indicates a rate of levy equal to or greater than such minimum export levy.

Article 10

The rates used for converting into units of account those offers made in national currencies and for converting into national currencies the maximum refund or minimum levy as fixed in units of accounts shall be:

⁽¹⁾ OJ No L 25, 31. 1. 1975, p. 10.

- in the case of currencies held at any given moment within band of 2.25 %, the central rate,
- in all other cases the average spot exchange rate during a week ending on the Tuesday immediately preceding the final date for the submission of tenders.

Article 11

This Regulation shall enter into force on the 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, 26 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

*ANNEX***Weekly tender for the levy/refund for the export of wholly milled round grain rice to third countries**

Expiry of the period for the submission of tenders (date/time)

I

1	2	3
Number of tender	Quantity in metric tons	Amount of export levy in national currency per metric ton
1		
2		
3		
4		
5		
etc.		

II

1	2	3
Number of tender	Quantity in metric tons	Amount of export refund in national currency per metric ton
1		
2		
3		
4		
5		
etc.		

REGULATION (EEC) No 2457/75 OF THE COMMISSION

of 26 September 1975

on an invitation to tender for the levy and/or the refund for the export of husked round grain rice to third countries

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⁽¹⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 476/75⁽²⁾ ;

Having regard to Council Regulation (EEC) No 2737/73⁽³⁾ of 8 October 1973 laying down general rules to be applied in the event of the rice market being disturbed, as last amended by Regulation (EEC) No 477/75⁽⁴⁾, and in particular Article 4(2) thereof ;

Having regard to Council Regulation No 366/67/EEC⁽⁵⁾ of 25 July 1967 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds, as last amended by Regulation (EEC) No 478/75⁽⁶⁾, and in particular Article 3a thereof ;

Whereas, having regard to the current situation on the rice market, there should be opened in respect of husked round grain rice an invitation to tender for the export levy provided for in the first indent of Article 2(1) of Regulation (EEC) No 2737/73 and for the export refund provided for in Article 3a of Regulation No 366/67/EEC ;

Whereas the detailed rules governing invitations to tender are as regards the export levy contained in Commission Regulation (EEC) No 3197/73⁽⁷⁾ of 23 November 1973 establishing the conditions for the application of the system of tendering for export levies on rice, as amended by Regulation (EEC) No 583/75⁽⁸⁾, and as regards the export refund in Commission Regulation (EEC) No 584/75⁽⁹⁾ of 6 March 1975 laying down detailed rules for the application of the system of tendering for export refunds on rice ;

Whereas the objective of the tendering procedure can be attained only if every successful tenderer fulfils all the commitments entered into by him when submitting his tender ; whereas these commitments include an obligation to lodge an application for an export

licence ; whereas compliance with this obligation may be ensured by requiring the tenderer to give security when submitting his tender ;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to make provision such that the effective period of validity of licences issued to successful tenderers in connection with the invitation to tender is identical ;

Whereas provision must be made to ensure the smooth operation of the procedure for tendering for export levies and refunds ; whereas to this end it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities ;

Whereas the second subparagraph of Article 1(1) respectively of Commission Regulation (EEC) No 3197/73 and (EEC) No 584/75 provides that invitations to tender for the export levy and/or refund shall be open on equal terms to all persons established within the Community ; whereas by reason of the differing monetary circumstances in the various Member States, the satisfaction of this condition cannot be ensured by the application of the exchange rates applicable for the purposes of the common agricultural policy, since monetary compensatory amounts do not apply in the rice sector ; whereas it is therefore advisable to make provision for the effects of the monetary situation to be taken into account in respect of each tender ;

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 shall be invited for the export levy provided for in the first indent of Article 2(1) of Council Regulation (EEC) No 2737/73 and/or the export refund provided for in Article 3a of Regulation No 366/67/EEC.

⁽¹⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽²⁾ OJ No L 52, 28. 2. 1975, p. 31.

⁽³⁾ OJ No L 282, 9. 10. 1973, p. 13.

⁽⁴⁾ OJ No L 52, 28. 2. 1975, p. 33.

⁽⁵⁾ OJ No 174, 31. 7. 1967, p. 34.

⁽⁶⁾ OJ No L 52, 28. 2. 1975, p. 34.

⁽⁷⁾ OJ No L 326, 27. 11. 1973, p. 10.

⁽⁸⁾ OJ No L 61, 7. 3. 1975, p. 24.

⁽⁹⁾ OJ No L 61, 7. 3. 1975, p. 25.

2. The invitation to tender shall relate to husked round grain rice.

3. The invitation shall remain open until 29 January 1976. During this period weekly awards shall be made, the time limits for the submission of tenders to be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 20 metric tons.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 3197/73 and of Regulation (EEC) No 584/75 shall be 10 units of account per metric ton.

Article 4

If a tenderer fails to comply with the undertaking given by him pursuant to Article 2 (3) (b) of the Regulations referred to in the preceding Article, no export licence shall be issued and the security lodged pursuant to Article 3 of those Regulations shall accordingly be forfeit.

Article 5

By way of derogation from the provisions of Article 9 (1) and (2) of Regulation (EEC) No 193/75⁽¹⁾, export licences issued under Article 8 (1) of Regulation (EEC) No 3197/73 or under the like provision of Regulation (EEC) No 584/75 shall for the purpose of determining their period of validity be deemed to have been issued on the day on which the tender was submitted.

Article 6

1. If the obligation to export is not fulfilled, the security mentioned in Article 3 of Regulations (EEC) No 3197/73 and (EEC) No 584/75 shall be forfeit in respect of a quantity equal to the difference between :

- (a) 93 % of the net quantity indicated on the export licence, and
- (b) the net quantity actually exported.

2. However, if the quantity exported is less than 7 % of the net quantity indicated on the licence, the security shall be forfeit in its entirety.

3. On request by the titular holder of the licence, Member States may release the security by instalments in proportion to the quantities of product for which proof of exportation as referred to in Article 7 (1) of Regulations (EEC) No 3197/73 and (EEC) No 584/75 has been furnished, provided that such proof establishes that a quantity equal to at least 7 % of the net quantity indicated on the licence has been exported.

⁽¹⁾ OJ No L 25, 31. 1. 1975, p. 10.

Article 7

The tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex hereto.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 8

During the period in which Summer Time applies in Italy, the times fixed for the submission of tenders shall be regarded in that Member State as extended by one hour. During the period during which Summer Time does not apply in the United Kingdom and in Ireland, the times fixed for the submission of tenders shall be regarded in those Member States as brought forward by one hour.

Article 9

1. By way of derogation from Article 5 of Regulations (EEC) No 3197/73 and (EEC) No 584/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation No 359/67/EEC ;

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation No 366/67/EEC, or
- to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2737/73, or
- to make no award.

2. Where a maximum export refund is fixed a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed a contract shall be awarded to any tenderer whose tender indicates a rate of levy equal to or greater than such minimum export levy.

Article 10

The rates used for converting into units of account those offers made in national currencies and for converting into national currencies the maximum refund or minimum levy as fixed in units of accounts shall be :

- in the case of currencies held at any given moment within a band of 2.25 %, the central rate,
- in all other cases the average spot exchange rate during a week ending on the Tuesday immediately preceding the final date for the submission of tenders.

Article 11

This Regulation shall enter into force on the 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, 26 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

*ANNEX***Weekly tender for the levy/refund for the export of husked round grain rice to third countries**

Expiry of the period for the submission of tenders (date/time)

I

1	2	3
Number of tender	Quantity in metric tons	Amount of export levy in national currency per metric ton
1		
2		
3		
4		
5		
etc.		

II

1	2	3
Number of tender	Quantity in metric tons	Amount of export refund in national currency per metric ton
1		
2		
3		
4		
5		
etc.		

REGULATION (EEC) No 2458/75 OF THE COMMISSION

of 26 September 1975

opening an invitation to tender for the mobilization of common wheat flour as aid for the Republic of Rwanda

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 665/75 ⁽²⁾ ;

Having regard to Council Regulation (EEC) No 1693/72 ⁽³⁾ of 3 August 1972 establishing the criteria for the mobilization of cereals to be used as food aid, and in particular Article 6 thereof ;

Whereas on 21 March 1974, the Council of the European Communities declared that by way of Community action it proposed to grant to the Republic of Rwanda the equivalent of 3 000 metric tons of common wheat in the form of flour, i.e. 1 986 metric tons of common wheat flour, 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 unloaded to Ruhengeri and to Kigali ;

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 provision should be made for security to be given to guarantee fulfilment of obligations arising by virtue of participation in the invitation to tender for the supply of goods to the Republic of Rwanda ;

Whereas the Belgian intervention agency should be made responsible for organizing the invitation to tender ;

Whereas it is important that the Commission be informed without delay 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 ⁽⁴⁾ 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 ⁽⁵⁾, 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. An invitation to tender shall be issued in respect of the supply of 1 986 metric tons of common wheat flour to the Republic of Rwanda by way of Community food-aid action.
2. The tendering procedure shall take place in the Kingdom of Belgium and shall be in respect of four lots.
3. The goods shall be mobilized on the Community market.
4. Shipment shall be from any Community port.
5. The invitation to tender provided for in paragraph 1 is for supply of products delivered unloaded to Ruhengeri and to Kigali in new cotton sacks of a net capacity of 50 kilogrammes.
6. The following shall be printed on the sacks :
'Farine de froment — Don de la Communauté économique européenne'.

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

⁽²⁾ OJ No L 72, 20. 3. 1975, p. 14.

⁽³⁾ OJ No L 178, 5. 8. 1972, p. 3.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 10 October 1975.
2. The closing date for submission of tenders shall be 10 October 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 and the accession 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 or a new Member State,
- reducing prices which mention a Member State whose currency has been revalued.

The 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 criteria laid down by each Member State.

Article 6

1. The goods referred to in Article 1 which are to be supplied to the Republic of Rwanda must meet the following requirements:

common wheat flour:

- moisture content: 15 % maximum,
- acidity: 4 ml NaOH/n maximum per 100 g (calculated on the dry matter),
- ash content: 0.52 % maximum on the dry matter.

If the goods referred to in Article 1 do not meet the foregoing requirements they shall be rejected and the successful tenderer shall be owner thereof.

2. Tenders for supply to the Republic of Rwanda of the goods referred to in Article 1 must relate to products with the following characteristics:

common wheat flour:

- moisture content: 15 % maximum,
- acidity: 4 ml NaOH/n maximum per 100 g (calculated on the dry matter),
- ash content: 0.52 % maximum on the dry matter.

Article 7

1. The Belgian intervention agency shall be responsible for operations relating to 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 and the quality of the products ;
- (b) the date of departure of the vessels ;
- (c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information provided for to the Commission as soon as it is received.

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, 26 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

REGULATION (EEC) No 2459/75 OF THE COMMISSION

of 26 September 1975

fixing 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 organiza-
tion of the market in cereals, as last amended by Regu-
lation (EEC) No 665/75⁽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 organiza-
tion of the market in rice, as last amended by Regula-
tion (EEC) No 668/75⁽⁴⁾, and in particular Article 12
(4) thereof;

Having regard to the Opinion of the Monetary
Committee;

Whereas the rules to be applied to calculating the vari-
able component of the import levy on products
processed from cereals and rice are laid down in
Article 14 (1) (A) of Regulation No 120/67/EEC and
Article 12 (1) (a) of Regulation No 359/67/EEC;
whereas Article 2 of Council Regulation (EEC) No
1052/68⁽⁵⁾ of 23 July 1968 on the import and export
system for products processed from cereals and rice, as
last amended by Regulation (EEC) No 980/75⁽⁶⁾,
provides that the incidence on the prime costs of
these products of the levies applicable to their basic
products should be calculated on the basis of the
average of the levies applicable to these basic products
for the first twenty-five days of the month preceding
that of importation; whereas this average, adjusted on
the basis of the threshold price valid for the basic
products in question during the month of importa-
tion, is calculated on the basis of the quantities of
basic products considered to have been used in the
manufacture of the processed product or the
competing product which serves as a reference for
processed products not containing cereals;

Whereas Commission Regulation (EEC) No
1579/74⁽⁷⁾ of 24 June 1974 on the procedure for
calculating the import levy on products processed

from cereals and from rice and for the advance fixing
of this levy for these products and for compound
feedingstuffs manufactured from cereals, as last
amended by Regulation (EEC) No 1997/75⁽⁸⁾,
provides that the levy thus determined, increased by
the fixed component, is valid in general for one
month but is altered where the levy applicable to the
basic product concerned differs by not less than 2.5
units of account per metric ton from the average of
the levies calculated as described above;

Whereas in accordance with Article 5 of Regulation
(EEC) No 1052/68 and Article 2 of Regulation (EEC)
No 1579/74, the levy on certain processed products
must be reduced by an amount equal to the produc-
tion refund granted in respect of basic products for
processing; whereas Regulation (EEC) No 1921/75⁽⁹⁾
laid down certain transitional measures in respect of
starches;

Whereas the fixed component of the levy is specified
in Regulation (EEC) No 1052/68;

Whereas, in order that account may be taken of the
interests of the African, Caribbean and Pacific States
or in the 'overseas countries and territories', the levy
relating to them in respect of certain products
processed from cereals must be reduced by the
amount of the fixed component and, in respect of
some of these products, by part of the variable compo-
nent; whereas this reduction must be made in accor-
dance with Article 12 of Council Regulation (EEC)
No 1599/75⁽¹⁰⁾ of 24 June 1975 on the arrangements
applicable to agricultural products and certain goods
resulting from the processing of agricultural products
originating in the African, Caribbean and Pacific
States or in the 'overseas countries and territories';

Whereas Article 4 (2) of Regulation (EEC) No 1052/68
provides that the levy to be charged on the products
listed in the Annex to that Regulation under heading
No 07.06 A is limited, with effect from the date of
entry into force of the Geneva Protocol (1967)
annexed to the General Agreement on Tariffs and
Trade, to the amount resulting from application of the
rate of duty bound within GATT;

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

(²) OJ No L 72, 20. 3. 1975, p. 14.

(³) OJ No 174, 31. 7. 1967, p. 1.

(⁴) OJ No L 72, 20. 3. 1975, p. 18.

(⁵) OJ No L 179, 25. 7. 1968, p. 8.

(⁶) OJ No L 95, 17. 4. 1975, p. 1.

(⁷) OJ No L 168, 25. 6. 1974, p. 7.

(⁸) OJ No L 202, 1. 8. 1975, p. 57.

(⁹) OJ No L 195, 26. 7. 1975, p. 25.

(¹⁰) OJ No L 166, 28. 6. 1975, p. 67.

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

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

Whereas, in accordance with Article 18 (1) of Regulation No 120/67/EEC, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation No 120/67/EEC and in Article 1 (1) (c) of Regulation No 359/67/EEC and subject to Regulation (EEC) No 1052/68 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 October 1975.

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

Done at Brussels, 26 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

CCT heading No	Nomenclature in simplified wording	Levies in u.a./metric ton	
		Third countries (other than ACP and OCT) (*)	ACP and OCT (*)
07.06 A	Manioc, arrowroot, salep and other similar roots and tubers with high starch content, excluding sweet potatoes	0.32 ⁽¹⁾	0 ⁽¹⁾⁽²⁾
11.01 C	Barley flour ⁽²⁾	8.22	3.22
11.01 D	Oat flour ⁽²⁾	23.85	18.85
11.01 E I	Maize flour, of a fat content not exceeding 1.5 % by weight ⁽²⁾	34.21	29.21
11.01 E II	Maize flour, of a fat content exceeding 1.5 % by weight ⁽²⁾	19.05	16.55
11.01 F	Rice flour ⁽²⁾	2.50	0
11.01 G	Buckwheat flour ⁽²⁾	8.76	3.76
11.01 H	Millet flour ⁽²⁾	9.90	7.40
11.01 I J	Canary seed flour ⁽²⁾	2.50	0
11.01 K	Grain sorghum flour ⁽²⁾	24.63	22.13
11.01 L	Cereals flours, other than flour of wheat, meslin, rye, barley, oats, maize, rice, buckwheat, millet, canary seed or grain sorghum ⁽²⁾	2.50	0
11.02 A II	Rye groats and meal ⁽²⁾	48.70	43.70
11.02 A III	Barley groats and meal ⁽²⁾	8.22	3.22
11.02 A IV	Oat groats and meal ⁽²⁾	23.85	18.85
11.02 A V a) 1	Maize groats and meal, of a fat content not exceeding 1.5 % by weight, for the brewing industry ⁽²⁾	34.21	29.21
11.02 A V a) 2	Maize groats and meal, of a fat content not exceeding 1.5 % by weight, other than for the brewing industry ⁽²⁾	34.21	29.21
11.02 A V b)	Maize groats and meal, of a fat content exceeding 1.5 % by weight ⁽²⁾	19.05	16.55
11.02 A VI	Rice groats and meal ⁽²⁾	2.50	0
11.02 A VII	Buckwheat groats and meal ⁽²⁾	8.76	3.76
11.02 A VIII	Millet groats and meal ⁽²⁾	9.90	7.40

CCT heading No	Nomenclature in simplified wording	Levies in u.a./metric ton	
		Third countries (other than ACP and OCT) (*)	ACP and OCT (*)
11.02 A IX	Grain sorghum groats and meal (*)	24.63	22.13
11.02 A X	Cereals groats and meal, other than groats and meal of wheat, meslin, rye, barley, oats, maize, rice, buckwheat, millet or grain sorghum (*)	2.50	0
11.02 B I a) 1	Hulled (shelled or husked) barley (*)	5.36	2.86
11.02 B I a) 2 aa)	Clipped oats	13.18	10.68
11.02 B I a) 2 bb)	Hulled (shelled or husked) oats other than clipped oats (*)	21.35	18.85
11.02 B I a) 3	Hulled (shelled or husked) buckwheat (*)	5.84	3.34
11.02 B I a) 4	Hulled (shelled or husked) millet (*)	14.10	11.60
11.02 B I b) 1	Hulled and sliced or kibbled barley ('Grütze' or 'Grutten') (*)	5.36	2.86
11.02 B I b) 2	Hulled and sliced or kibbled oats ('Grütze' or 'Grutten') (*)	21.35	18.85
11.02 B I b) 3	Hulled and sliced or kibbled buckwheat ('Grütze' or 'Grutten') (*)	5.84	3.34
11.02 B I b) 4	Hulled and sliced or kibbled millet ('Grütze' or 'Grutten') (*)	14.10	11.60
11.02 B II a)	Hulled (shelled or husked) wheat, whether or not sliced or kibbled (*)	24.23	21.73
11.02 B II b)	Hulled (shelled or husked) rye, whether or not sliced or kibbled (*)	34.79	32.29
11.02 B II c)	Hulled (shelled or husked) maize, whether or not sliced or kibbled (*)	28.47	25.97
11.02 B II d)	Hulled (shelled or husked) grain sorghum, whether or not sliced or kibbled (*)	37.22	34.72
11.02 B II e)	Hulled (shelled or husked) grains, whether or not sliced or kibbled, other than those of wheat, rye, maize, barley, oats, buckwheat, millet or grain sorghum (*)	2.50	0
11.02 C I	Pearled wheat (*)	28.64	26.14
11.02 C II	Pearled rye (*)	41.35	38.85
11.02 C III	Pearled barley (*)	9.48	4.48
11.02 C IV	Pearled oats (*)	19.25	16.75
11.02 C V	Pearled maize (*)	28.47	25.97
11.02 C VI	Pearled buckwheat (*)	5.84	3.34
11.02 C VII	Pearled millet (*)	14.10	11.60
11.02 C VIII	Pearled grain sorghum (*)	37.22	34.72
11.02 C IX	Pearled grains, other than grains of wheat, rye, barley, oats, maize, buckwheat, millet or grain sorghum (*)	2.50	0

CCT heading No	Nomenclature in simplified wording	Levies in u.a./metric ton	
		Third countries (other than ACP and OCT) (*)	ACP and OCT (*)
11.02 D I	Wheat not otherwise worked than kibbled (*)	19.17	16.67
11.02 D II	Rye not otherwise worked than kibbled (*)	27.27	24.77
11.02 D III	Barley not otherwise worked than kibbled (*)	4.33	1.83
11.02 D IV	Oats not otherwise worked than kibbled (*)	13.18	10.68
11.02 D V	Maize not otherwise worked than kibbled (*)	19.05	16.55
11.02 D VI	Buckwheat not otherwise worked than kibbled (*)	4.63	2.13
11.02 D VII	Millet not otherwise worked than kibbled (*)	9.90	7.40
11.02 D VIII	Grain sorghum not otherwise worked than kibbled (*)	24.63	22.13
11.02 D IX	Grains not otherwise worked than kibbled, other than grains of wheat, rye, barley, oats, maize, buckwheat, millet or grain sorghum (*)	2.50	0
11.02 E I a) 1	Rolled barley (*)	4.33	1.83
11.02 E I a) 2	Rolled oats (*)	13.18	10.68
11.02 E I a) 3	Rolled buckwheat (*)	4.63	2.13
11.02 E I a) 4	Rolled millet (*)	9.90	7.40
11.02 E I b) 1	Flaked barley (*)	8.58	3.58
11.02 E I b) 2	Flaked oats (*)	25.94	20.94
11.02 E I b) 3	Flaked buckwheat (*)	8.76	3.76
11.02 E I b) 4	Flaked millet (*)	18.05	13.05
11.02 E II a)	Rolled or flaked wheat (*)	34.41	29.41
11.02 E II b)	Rolled or flaked rye (*)	48.70	43.70
11.02 E II c)	Rolled or flaked maize (*)	34.21	29.21
11.02 E II d)	Rolled or flaked grain sorghum (*)	44.06	39.06
11.02 E II e) 1	Flake rice (*)	5.00	0
11.02 E II e) 2	Rolled or flaked grains other than grains of wheat, rye, barley, oats, maize, rice, buckwheat, millet or grain sorghum, excluding flaked rice (*)	5.00	0
11.02 F I	Wheat pellets (*)	34.41	29.41
11.02 F II	Rye pellets (*)	48.70	43.70
11.02 F III	Barley pellets (*)	8.22	3.22

CCT heading No	Nomenclature in simplified wording	Levies in u.a./metric ton	
		Third countries (other than ACP and OCT) (*)	ACP and OCT (*)
11.02 F IV	Oat pellets ⁽²⁾	23.85	18.85
11.02 F V	Maize pellets ⁽²⁾	34.21	29.21
11.02 F VI	Rice pellets ⁽²⁾	2.50	0
11.02 F VII	Buckwheat pellets ⁽²⁾	8.76	3.76
11.02 F VIII	Millet pellets ⁽²⁾	9.90	7.40
11.02 F IX	Grain sorghum pellets ⁽²⁾	24.63	22.13
11.02 F X	Pellets of cereals other than wheat, rye, barley, oats, maize, rice, buckwheat, millet or grain sorghum ⁽²⁾	2.50	0
11.02 G I	Wheat germ, whole, rolled, flaked or ground	17.26	12.26
11.02 G II	Germ of cereals other than wheat, whole, rolled flaked or ground	17.17	12.17
11.06 A	Denatured flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06, for the manufacture of starches	2.82	0 ⁽⁵⁾
11.06 B I	Undenatured flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06, for the manufacture of starches	27.03	7.03 ⁽⁵⁾
11.06 B II	Undenatured flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06, other than for the manufacture of starches	43.13	23.13 ⁽⁵⁾
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	38.09	29.09
11.07 A I b)	Unroasted malt, obtained from wheat, other than in the form of flour	30.73	21.73
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	12.19 ⁽⁴⁾	3.19
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	11.38	2.38
11.07 B	Roasted malt	11.77 ⁽⁴⁾	2.77
11.08 A I	Maize starch	27.03	10.03
11.08 A II	Rice starch	25.50	0
11.08 A III	Wheat starch	17.09	0.09
11.08 A IV	Potato starch	27.03	10.03
11.08 A V	Starches other than maize, rice, wheat or potato starch	27.03	5.02 ⁽⁵⁾
11.09 A	Dried wheat gluten	150.16	0.16

CCT heading No	Nomenclature in simplified wording	Levies in u.a./metric ton	
		Third countries (other than ACP and OCT) (*)	ACP and OCT (*)
11.09 B	Wheat gluten, other than dried	150.16	0.16
17.02 B II a)	Glucose other than glucose containing, in the dry state, 99 % or more by weight of the pure product ⁽³⁾ , in the form of white crystalline powder, whether or not agglomerated	93.08	13.08
17.02 B II b)	Glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product ⁽³⁾ , other than glucose in the form of white crystalline powder, whether or not agglomerated	65.03	10.03
17.05 B I	Flavoured or coloured glucose, in the form of white crystalline powder, whether or not agglomerated	93.08	13.08
17.05 B II	Flavoured or coloured glucose syrup, other than in the form of white crystalline powder, whether or not agglomerated	65.03	10.03
23.02 A I a)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, with a starch content not exceeding 35 % by weight	3.43	3.43
23.02 A I b)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, with a starch content exceeding 35 % but not exceeding 45 % by weight, and having undergone a denaturing process	5.50	5.50
23.02 A I b) 2	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, with a starch content exceeding 35 % but not exceeding 45 % by weight, not having undergone a denaturing process, or with a starch content exceeding 45 % by weight	10.99	10.99
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, of which the starch content does not exceed 28 % by weight, and of which the percentage which passes through a sieve with an aperture of 0.2 mm does not exceed 10 % by weight or of which the sieved product has an ash content, calculated on the dry product, of 1.5 % or more by weight	2.75	2.75
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not falling within subheading No 23.02 A II a)	10.99	10.99
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40 % by weight	162.46	12.46

(*) Subject to the application of the provisions of Article 22 of Regulation (EEC) No 1599/75.

(1) This levy is limited to 6 % of the value for customs purposes.

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

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 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.

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

(4) In accordance with Regulation (EEC) No 3375/73 this levy is reduced by 0.45 u.a./100 kg for products originating in Turkey.

(5) In accordance with Regulation (EEC) No 1599/75 the levy shall not be charged on the following products originating in the countries and territories:

- arrow-root falling within sub-heading ex 07.06 A
- flours and meal of arrow-root falling within sub-headings ex 11.06 A, ex 11.06 B I and II
- arrow-root starch falling within sub-heading ex 11.08 A V.

REGULATION (EEC) No 2460/75 OF THE COMMISSION

of 26 September 1975

fixing the import levies on compound feedingstuffs

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 665/75⁽²⁾, and in particular Article 14 (4) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation No 120/67/EEC; whereas the incidence of the levies applicable to the basic products of compound feedingstuffs on their prime costs should be determined, in pursuance of Article 4 of Council Regulation (EEC) No 968/68⁽³⁾ of 15 July 1968 on the system to be applied to cereal-based compound feedingstuffs, as amended by Regulation (EEC) No 2196/69⁽⁴⁾, on the basis of the average of the levies applicable during the first 25 days of the month preceding the month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is specified in Article 6 of Regulation (EEC) No 968/68;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States or in the 'overseas countries and territories', the levy relating to them in respect of certain products

processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 1599/75⁽⁵⁾ of 24 June 1975, on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories';

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

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

Whereas, in accordance with Article 18 (1) of Regulation No 120/67/EEC, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation No 120/67/EEC and subject to Regulation (EEC) No 968/68 are fixed hereby as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 October 1975.

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

⁽²⁾ OJ No L 72, 20. 3. 1975, p. 14.

⁽³⁾ OJ No L 166, 17. 7. 1968, p. 2.

⁽⁴⁾ OJ No L 279, 6. 11. 1969, p. 1.

⁽⁵⁾ OJ No L 166, 28. 6. 1975, p. 67.

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

Done at Brussels, 26 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

CCT heading No	Nomenclature in simplified wording	Levies in u.a./metric ton	
		Third countries (other than ACP and OCT) (*)	ACP and OCT) (*)
	Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 968/68, containing starch, glucose or glucose syrup falling within subheading Nos 17.02 B and 17.05 B, or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04, and subheading Nos 17.02 A and 17.05 A) containing starch, glucose or glucose syrup :		
	Containing no starch or containing 10 % or less by weight of starch :		
23.07 B I a) 1	— Containing no milk products or containing less than 10 % by weight of such products	11.60	2.60
23.07 B I a) 2	— Containing 10 % or more but less than 50 % by weight of milk products	319.05	310.05
	Containing more than 10 % but not more than 30 % by weight of starch :		
23.07 B I b) 1	— Containing no milk products or containing less than 10 % by weight of such products	17.12	8.12
23.07 B I b) 2	— Containing 10 % or more but less than 50 % by weight of milk products	324.57	315.57
	Containing more than 30 % by weight of starch :		
23.07 B I c) 1	— Containing no milk products or containing less than 10 % by weight of such products	25.23	16.23
23.07 B I c) 2	— Containing 10 % or more but less than 50 % by weight of milk products	332.68	323.68

(*) Subject to the application of the provisions of Article 22 of Regulation (EEC) No 1599/75.

REGULATION (EEC) No 2461/75 OF THE COMMISSION

of 26 September 1975

fixing the export refunds 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 665/75⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 16 (2) 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 668/75⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas Article 16 of Regulation No 120/67/EEC and Article 17 of Regulation No 359/67/EEC provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation No 139/67/EEC⁽⁵⁾ of 21 June 1967, as last amended by Regulation (EEC) No 87/75⁽⁶⁾, and Article 2 of Council Regulation No 366/67/EEC⁽⁷⁾ of 25 July 1967 laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, as last amended by Regulation (EEC) No 478/75⁽⁸⁾, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice and broken rice on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No 1052/68⁽⁹⁾ of 23 July 1968 on the import and export system for products processed from cereals and from rice, as last amended by Regulation (EEC) No 980/75⁽¹⁰⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 1052/68, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy; whereas, therefore, as is laid down for the determination of the variable component, account should be taken of the average of the levies on the basic products concerned during a representative period, namely the first 25 days of the month preceding the month of exportation; whereas this average should be adjusted for the threshold price for these basic products which will be in force during the month of exportation; whereas Article 8 of Regulation (EEC) No 1052/68 and Article 1 of Regulation (EEC) No 1077/68⁽¹¹⁾, amended by Regulation (EEC) No 2764/71⁽¹²⁾, provide that the amount of the export refund should, for certain products, be reduced by an amount equal to the production refund granted in respect of the basic product;

Whereas it follows from applying these rules and criteria to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product

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

(2) OJ No L 72, 20. 3. 1975, p. 14.

(3) OJ No 174, 31. 7. 1967, p. 1.

(4) OJ No L 72, 20. 3. 1975, p. 18.

(5) OJ No 125, 26. 6. 1967, p. 2453/67.

(6) OJ No L 11, 16. 1. 1975, p. 3.

(7) OJ No 174, 31. 7. 1967, p. 34.

(8) OJ No L 52, 28. 2. 1975, p. 34.

(9) OJ No L 179, 25. 7. 1968, p. 8.

(10) OJ No L 95, 17. 4. 1975, p. 1.

(11) OJ No L 181, 27. 7. 1968, p. 1.

(12) OJ No L 283, 24. 12. 1971, p. 30.

may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

Whereas Regulation (EEC) No 2806/71 ⁽¹⁾ lays down additional rules for granting export refunds for certain products processed from cereals and rice;

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

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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 export refunds on the products listed in Article 1 (d) of Regulation No 120/67/EEC and in Article 1 (1) (c) of Regulation No 359/67/EEC and subject to Regulation (EEC) No 1052/68 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 October 1975.

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

Done at Brussels, 26 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

ANNEX

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund in u.a./metric ton (third countries)
11.01 C (I)	Barley flour, of an ash content, referred to dry matter, not exceeding 0.9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight	—
11.01 C (II)	Barley flour not included under No 11.01 C (I)	—
11.01 D (I)	Oat flour, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a crude fibre content, referred to dry matter, not exceeding 1.8 % by weight, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	—
11.01 D (II)	Oat flour not included under No 11.01 D (I)	—
11.01 E (I)	Maize flour, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight	—
11.01 E (II)	Maize flour, of a fat content, referred to dry matter, exceeding 1.3 % but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	—
11.01 E (III)	Maize flour not included under No 11.01 E (I) and (II)	—
11.01 F	Rice flour	—
11.01 H	Millet flour	—
11.02 A III (a)	Barley groats and meal, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight	—
11.02 A III (b)	Barley groats and meal not included under No 11.02 A III (a)	—
11.02 A IV (a)	Oat groats and meal, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	—
11.02 A IV (b)	Oat groats and meal not included under No 11.02 A IV (a)	—
11.02 A V (a)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 0.9 % by weight and a crude fibre content, referred to dry matter, not exceeding 0.6 % by weight ⁽¹⁾	—
11.02 A V (b)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight ⁽¹⁾	—
11.02 A V (c)	Maize groats and meal, of a fat content, referred to dry matter, exceeding 1.3 % by weight but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1.0 % by weight ⁽¹⁾	—
11.02 A VI	Rice groats and meal	—
11.02 B I a) 1 (aa)	Hulled (shelled or husked) barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight ⁽²⁾	—
11.02 B I a) 1 (bb)	Hulled (shelled or husked) barley not included under No 11.02 B I a) 1 (aa) ⁽²⁾	—
11.02 B I a) 2 (aa)	Clipped oats	—
11.02 B I a) 2 bb) (11)	Hulled (shelled or husked) oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.5 % of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ⁽²⁾	—
11.02 B I a) 2 bb) (22)	Hulled (shelled or husked) oats, not included under No 11.02 B I a) 2 bb) (11) ⁽²⁾	—

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund in u.a./metric ton (third countries)
11.02 B I b) 1 (aa)	Hulled and sliced or kibbled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B I b) 1 (bb)	Hulled and sliced or kibbled barley, not included under No 11.02 B I b) 1 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B I b) 2 (aa)	Hulled and sliced or kibbled oats, of an ash content, referred to dry matter, not exceeding 2.3 % weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B I b) 2 (bb)	Hulled and sliced or kibbled oats not included under No 11.02 B I b) 2 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B II a) (1)	Hulled (shelled or husked) wheat, not sliced or kibbled ⁽²⁾	—
11.02 C III (a)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 1st category ⁽³⁾	—
11.02 C III (b)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 2nd category ⁽³⁾	—
11.02 C IV	Pearled oats ⁽³⁾	—
11.02 D II	Rye not otherwise worked than kibbled	—
11.02 E I b) 1 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight	—
11.02 E I b) 1 (bb)	Flaked barley not included under 11.02 E I b) 1 (aa)	—
11.02 E I b) 2 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	—
11.02 E I b) 2 (bb)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content exceeding 0.1 % but not exceeding 1.5 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	—
11.02 E I b) 2 (cc)	Flaked oats not included under Nos 11.02 E I b) 2 (aa) and 11.02 E I b) 2 (bb)	—
ex 11.02 E II c) (1)	Flaked maize, of a fat content, referred to dry matter, not exceeding 0.9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.7 % by weight	—
ex 11.02 E II c) (2)	Flaked maize, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight	—
ex 11.02 E II c) (3)	Flaked maize, of a fat content, referred to dry matter, exceeding 1.3 % but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % weight	—
11.02 E II e) 1	Flaked rice	—
11.02 F III	Barley pellets	—
11.02 F IV	Oat pellets	—
11.02 F V	Maize pellets	—
11.02 G I	Wheat germ, whole, rolled, flaked or ground	—
11.02 G II	Germ of cereals other than wheat, whole, rolled, flaked or ground	—
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	—

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund in u.a./metric ton (third countries)
11.07 A I b)	Unroasted malt, obtained from wheat, other than in the form of flour	—
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	—
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	—
11.07 B	Roasted malt	—
11.08 A I	Maize starch	—
11.08 A III	Wheat starch	—
11.08 A IV	Potato starch	—
11.08 A V	Starches other than maize, rice, wheat, or potato starch	—
11.09 A	Dried wheat gluten, of a protein content, referred to dry matter, not exceeding 82 % by weight ($N \times 6.25$)	—
17.02 B II a)	Glucose other than glucose containing, in the dry state, 99 % or more by weight of the pure product, in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾	—
17.02 B II b)	Glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product, other than glucose in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾	—
17.05 B I	Flavoured or coloured glucose, in the form of white crystalline powder, whether or not agglomerated	—
17.05 B II	Flavoured or coloured glucose and glucose syrup, other than in the form of white crystalline powder, whether or not agglomerated	—
23.02 A I a)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice of a starch content not exceeding 35 % by weight	—
23.02 A I b) 1	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content exceeding 35 % but not exceeding 45 % by weight, and having undergone a denaturing process	—
23.02 A I b) 2	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content exceeding 35 % by weight, and not having undergone a denaturing process, or of a starch content exceeding 45 % by weight and having undergone denaturing process	—
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content not exceeding 28 % by weight and of which the percentage which passes through a sieve with an aperture of 0.2 mm does not exceed 10 % by weight or of which the sifted product has an ash content, calculated on dry matter, not exceeding 1.5 % by weight	—
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not included under No 23.02 A II a)	—
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on dry matter, not exceeding 63 % by weight ($N \times 6.25$)	—

⁽¹⁾ The export refund is paid in respect of maize, groats and meal:

— of which a percentage not exceeding 30 % passes through a sieve with an aperture of 315 microns,
— of which a percentage not exceeding 5 % of product passes through a sieve with an aperture of 150 microns.

⁽²⁾ 'Hulled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).

⁽³⁾ 'Pearled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).

⁽⁴⁾ Pursuant to Regulation No 189/66/EEC the product falling within subheading 17.02 B I enjoys the same export refund as the product falling within subheading 17.02 B II.

REGULATION (EEC) No 2462/75 OF THE COMMISSION
of 26 September 1975
fixing the export refunds on cereal-based compound feedingstuffs

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 665/75⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 16 (2) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas Article 16 of Regulation No 120/67/EEC provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation No 139/67/EEC⁽³⁾ of 21 June 1967 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds, as last amended by Regulation (EEC) No 87/75⁽⁴⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the cereal markets;

Whereas it follows from applying rules and criteria to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 968/68⁽⁵⁾ of 15 July 1968 on the system to be applied to cereal-based compound feedingstuffs, as amended by Regulation (EEC) No 2196/69⁽⁶⁾, provides that,

when export refunds on cereal-based compound feedingstuffs are being fixed, only the products normally used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69⁽⁷⁾ of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs provides that calculation of the export refund must be based on the levy applicable to maize; whereas this calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of a quantity of maize which is representative of the usual cereal products content for the category concerned; whereas, furthermore, the amount of the refund may also take into account the situation on the market in cereal products other than maize;

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

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

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

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

⁽²⁾ OJ No L 72, 20. 3. 1975, p. 14.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2453/67.

⁽⁴⁾ OJ No L 11, 16. 1. 1975, p. 3.

⁽⁵⁾ OJ No L 166, 17. 7. 1968, p. 2.

⁽⁶⁾ OJ No L 279, 6. 11. 1969, p. 1.

⁽⁷⁾ OJ No L 246, 30. 9. 1969, p. 11.

HAS ADOPTED THIS REGULATION :

Regulation (EEC) No 968/68 are hereby fixed as shown in the Annex to this Regulation.

Article 1

The export refunds on the compound feedingstuffs covered by Regulation No 120/67/EEC and subject to

Article 2

This Regulation shall enter into force on 1 October 1975.

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

Done at Brussels, 26 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

CCT heading No	Special specification for refund	Nomenclature in simplified wording	Refund in u.a./metric ton (third countries)
23.07 B I		Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 968/68, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 17.05 B or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04 and subheadings 17.02 A and 17.05 A) :	
		of a milk powder content of less than 50 % by weight and of cereal products ⁽¹⁾ content by weight :	
	3010	— Exceeding 5 % but not exceeding 15 %	—
	4010	— Exceeding 15 % but not exceeding 30 %	—
	5010	— Exceeding 30 % but not exceeding 50 %	—
	6010	— Exceeding 50 % but not exceeding 65 %	—
	7010	— Exceeding 65 %	—

⁽¹⁾ 'Cereal products' means the products falling within Chapter 10 and heading Nos 11.01 and 11.02 (excluding subheading 11.02 G) of the Common Customs Tariff.

REGULATION (EEC) No 2463/75 OF THE COMMISSION
of 26 September 1975
determining the world market price for colza and rape seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 136/66/EEC⁽¹⁾ of 22 September 1966 on the establishment of a common organization of the markets in oils and fats, as last amended by Regulation (EEC) No 1707/73⁽²⁾ ;

Having regard to Council Regulation (EEC) No 1569/72⁽³⁾ of 20 July 1972 laying down special measures for colza and rape seed, as last amended by Regulation (EEC) No 3477/73⁽⁴⁾ ;

Having regard to Commission Regulation (EEC) No 2300/73⁽⁵⁾ of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73, as last amended by Regulation (EEC) No 632/75⁽⁶⁾, and in particular Article 9 (4) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas, pursuant to Article 9 (4) of Regulation (EEC) No 2300/73, the Commission must determine the world market price for colza and rape seed ;

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 1662/75⁽⁷⁾ of 30 June 1975 fixing the amount of the

subsidy on oil seeds, as last amended by Regulation (EEC) No 2406/75⁽⁸⁾ ;

Whereas to enable the price system to operate normally, the world market price 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, applying all these provisions, the world market price for colza and rape seed should be fixed as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The world market price referred to in Article 9 (4) of Regulation (EEC) No 2300/73 and the rates to be used for converting them into national currencies shall be as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 29 September 1975.

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

Done at Brussels, 26 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 357, 28. 12. 1973, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 66, 13. 3. 1975, p. 11.

⁽⁷⁾ OJ No L 168, 1. 7. 1975, p. 33.

⁽⁸⁾ OJ No L 246, 20. 9. 1975, p. 42.

ANNEX

World market price applicable from 29 September 1975 for colza and rape seed (CCT heading No ex 12.01)

	<i>u.a./100 kg⁽¹⁾</i>
World market price	23.758
World market price where the subsidy is fixed in advance :	
— for the month of September 1975	23.758
— for the month of October 1975	23.758
— for the month of November 1975	23.758
— for the month of December 1975	23.758
— for the month of January 1976	24.475
— for the month of February 1976	24.316

⁽¹⁾ The conversion rates from units of account into national currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following :

1 u.a. =	DM	3.21978
1 u.a. =	Fl	3.35507
1 u.a. =	Bfr/Lfr	48.6572
1 u.a. =	FF	5.55419
1 u.a. =	Dkr	7.57828
1 u.a. =	£	0.592421
1 u.a. =	I £	0.592421
1 u.a. =	Lit	843.505

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 22 September 1975

approving an amendment to the statutes of the joint undertaking known as the
'Société belgo-française d'énergie nucléaire mosane (SEMO)'

(75/575/Euratom)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 50 thereof;

Having regard to the proposal from the Commission;

Whereas the Council, by Decision No 74/590/Euratom⁽¹⁾ established the 'Société belgo-française d'énergie nucléaire mosane (SEMO)' as a joint undertaking;

Whereas it was decided at the extraordinary general meeting of the joint undertaking, held on 6 December 1974, to increase the Company's share capital;

Whereas this amendment does not constitute an infringement of the provisions governing the joint undertaking, and should therefore be approved,

HAS ADOPTED THIS DECISION:

Article 1

The amendment to the statutes of the joint undertaking known as the 'Société belgo-française d'énergie nucléaire mosane (SEMO)', annexed to this Decision, is hereby approved.

Article 2

This Decision is addressed to the Member States and to the Société belgo-française d'énergie nucléaire mosane (SEMO).

Done at Brussels, 22 September 1975.

For the Council

The President

F. FABBRI

⁽¹⁾ OJ No L 325, 5. 12. 1974, p. 9.

ANNEX

Amendment to the statutes of the joint undertaking known as the 'Société belgo-française d'énergie nucléaire mosane (SEMO)'**Amendment to Article 6 of the statutes**

The wording of the first paragraph shall be replaced by the following :

'The capital of the Company is 3 000 million francs, divided into 300 000 shares of 10 000 francs each.'

The text of the third paragraph shall be replaced by the following :

'The abovementioned 300 000 shares are subscribed in cash to the amount of 10 000 francs each, as follows :

Électricité de France (EDF), one hundred and fifty thousand shares	150 000
Sociétés réunies d'Énergie du Bassin de l'Escaut (EBES), thirty seven thousand four hundred and ninety eight shares	37 498
Société intercommunale belge de Gaz et d'Électricité (Intercom), seventy one thousand nine hundred and ninety eight shares	71 998
Interbrabant (Union intercommunale des Centrales électriques du Brabant), fourteen thousand eight hundred and forty nine shares	14 849
Société d'Électricité de Sambre-et-Meuse, des Ardennes et du Luxembourg (Esmalux), seven thousand four hundred and ninety nine shares	7 499
Centre et Sud, five shares	5
Compagnie générale d'Entreprises électrique et industrielles (Electrobel), one share	1
Société de Traction et d'électricité, one share	1
Union des Centrales électriques de Liège, Namur, Luxembourg, Hainaut (U.C.E. Linalux-Hainaut), fourteen thousand nine hundred and ninety nine shares	14 999
Union des Centrales électriques de Campine (UCEC), three thousand one hundred and fifty shares	3 150
Total : three hundred thousand shares	300 000'

A final paragraph shall be added as follows :

'According to the report drawn up by Maître Scheyven, notary, on the sixth of December one thousand nine hundred and seventy four, the capital has been increased to three thousand million francs by the issue of fifty thousand shares of ten thousand francs each, all subscribed in cash.'