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Contents

I *Acts whose publication is obligatory*

Regulation (EEC) No 2551/75 of the Commission of 8 October 1975 fixing the import levies on cereals and on wheat or rye flour groats and meal	1
Regulation (EEC) No 2552/75 of the Commission of 8 October 1975 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Regulation (EEC) No 2553/75 of the Commission of 8 October 1975 fixing additional amounts for egg products	5
Regulation (EEC) No 2554/75 of the Commission of 8 October 1975 fixing additional amounts for ovalbumin and lactalbumin	7
Regulation (EEC) No 2555/75 of the Commission of 8 October 1975 fixing the additional amounts for certain pigmeat products	9
Regulation (EEC) No 2556/75 of the Commission of 8 October 1975 fixing additional amounts for poultrymeat products	12
Regulation (EEC) No 2557/75 of the Commission of 8 October 1975 fixing additional amounts for live and slaughtered poultry	14
★ Regulation (EEC) No 2558/75 of the Commission of 8 October 1975 amending Regulation (EEC) No 831/75 on exchanges of information between Member States and the Commission concerning dehydrated fodder	16
Regulation (EEC) No 2559/75 of the Commission of 8 October 1975 fixing the import levies on white sugar and raw sugar	18
Regulation (EEC) No 2560/75 of the Commission of 8 October 1975 altering the export levy on white sugar and raw sugar	19
Regulation (EEC) No 2561/75 of the Commission of 8 October 1975 altering the basic amount of the import levy on syrups and certain other sugar products	21

Contents (continued)

Regulation (EEC) No 2562/75 of the Commission of 8 October 1975 amending the amounts applicable as compensatory amounts for cereals and rice	22
--	----

II Acts whose publication is not obligatory

Commission

75/597/EEC :

★ Commission Opinion of 26 September 1975 on the draft Convention for the European Patent for the common market	26
---	----

75/598/EEC :

Commission Decision of 29 September 1975 fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 2314/75, the maximum amount for the delivery of butteroil as food aid	31
---	----

75/599/EEC :

Commission Decision of 29 September 1975 fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 2315/75, the maximum amount for the costs of delivery of skimmed-milk powder to be purchased on the Community market	32
--	----

75/600/EEC :

Commission Decision of 29 September 1975 fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 2316/75, the maximum amount for the delivery of butteroil	33
---	----

75/601/EEC :

Commission Decision of 29 September 1975 fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 2317/75, the maximum amounts for the costs of delivery of skimmed-milk powder	34
---	----

75/602/EEC :

Commission Decision of 29 September 1975 fixing the minimum selling prices for butter for the fourteenth individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 232/75	35
---	----

75/603/EEC :

★ Commission Decision of 1 October 1975 placing foot-and-mouth disease vaccine at the disposal of the FAO	36
---	----

75/604/EEC :

Commission Decision of 1 October 1975 on the sale of skimmed-milk powder in public storage to a non-profit-making body for supply to developing countries	37
---	----

75/605/EEC :

Commission Decision of 1 October 1975 fixing the minimum export levy for the sixth partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75	38
--	----

75/606/EEC :

Commission Decision of 2 October 1975 relating to the urgent supply of skimmed-milk powder and butter to the League of Red Cross societies for victims of the earthquake in Turkey	39
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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 2551/75 OF THE COMMISSION**of 8 October 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 9 October
1975.

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

Done at Brussels, 8 October 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 8 October 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	8.69
10.01 B	Durum wheat	5.91 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	18.48 ⁽⁶⁾
10.03	Barley	0
10.04	Oats	11.91
10.05 B	Maize other than hybrid maize for sowing	16.62 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	7.08 ⁽⁴⁾
10.07 C	Grain sorghum	18.48 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	31.19
11.01 B	Rye flour	44.91
11.02 A I a	Durum wheat groats and meal	27.88
11.02 A I b	Common wheat groats and meal	29.65

⁽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 2552/75 OF THE COMMISSION**of 8 October 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 9 October
1975.

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

Done at Brussels, 8 October 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 8 October 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 10	1st period 11	2nd period 12	3rd period 1
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	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
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 10	1st period 11	2nd period 12	3rd period 1	4th period 2
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 2553/75 OF THE COMMISSION**of 8 October 1975****fixing additional amounts for egg products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 122/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in eggs, as last amended by the Act of Accession⁽²⁾, and in particular Article 8 (4) thereof;

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC⁽³⁾ of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries, as last amended by Regulation (EEC) No 1527/73⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Article 1 of Regulation (EEC) No 990/69⁽⁵⁾, the levies on imports of eggs not in

shell and egg yolks originating in and coming from Austria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 (1) (b) of Regulation No 122/67/EEC indicates that additional amounts corresponding to the figures shown in the Annex below should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation No 122/67/EEC are hereby fixed as shown in the Annex for the products listed in Article 1 (1) of that Regulation which appear in the Annex.

Article 2

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

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

Done at Brussels, 8 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2293/67.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 130, 31. 5. 1969, p. 4.

ANNEX

**Additional amounts applicable to certain products listed in Article 1 (1) (b) of Regulation
No 122/67/EEC**

CCT heading No	Description of goods	Additional amount (u.a./100 kg)	Imports affected
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not : B. Eggs, not in shell ; egg yolks : I. Suitable for human consumption : a) Eggs, not in shell : 1. Dried 2. Other b) Egg yolks : 1. Liquid 2. Frozen 3. Dried	150.00 35.00 50.00 10.00 80.00 140.00 30.00	Origin : Hungary, Yugoslavia or Czechoslovakia All imports ⁽¹⁾ Origin : People's Republic of China, Yugoslavia, Switzerland, Romania, Czechoslovakia or Finland Other imports ⁽¹⁾ All imports ⁽¹⁾ Origin : People's Republic of China Other imports ⁽¹⁾

⁽¹⁾ With the exception of products originating in and coming from Austria.

REGULATION (EEC) No 2554/75 OF THE COMMISSION
of 8 October 1975
fixing additional amounts for ovalbumin and lactalbumin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 170/67/EEC⁽¹⁾ of 27 June 1967 on the common system of trade for ovalbumin and lactalbumin and repealing Regulation No 48/67/EEC, as amended by Regulation (EEC) No 1081/71⁽²⁾, and in particular Article 5(5) thereof;

Whereas, if for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC⁽³⁾ of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries, as last amended by Regulation (EEC) No 1527/73⁽⁴⁾; whereas that Article 1 applies by virtue of Article 2 of Commission Regulation No 201/67/EEC⁽⁵⁾ of 28 June 1967 on detailed rules for the application of Regulation No 170/67/EEC on the common system of trade for ovalbumin and lactalbumin and repealing Regulation No 48/67/EEC;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for

other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Article 2 of Regulation (EEC) No 990/69⁽⁶⁾, the import levies on ovalbumin and lactalbumin originating in and coming from Austria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 of Regulation No 170/67/EEC indicates that additional amounts corresponding to the figures shown in the Annex below should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 5 of Regulation No 170/67/EEC are hereby fixed as shown in the Annex for the products listed in Article 1 of that Regulation which appear in the Annex.

Article 2

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

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

Done at Brussels, 8 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 130, 28. 6. 1967, p. 2596/67.

⁽²⁾ OJ No L 116, 28. 5. 1971, p. 9.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No 134, 30. 6. 1967, p. 2836/67.

⁽⁶⁾ OJ No L 130, 31. 5. 1969, p. 4.

ANNEX

Additional amounts applicable to ovalbumin and lactalbumin

CCT heading No	Description of goods	Additional amount (u.a./100 kg)	Imports affected
35.02	Albumins, albuminates and other albumin derivatives :		
	A. Albumins :		
	II. Other (i.e. other than unfit, or rendered unfit, for human consumption) :		
	a) Ovalbumin and lactalbumin :		
	1. Dried (for example, in sheets, scales, flakes, powder)	20.00	All imports ⁽¹⁾
	2. Other	10.00	All imports ⁽¹⁾

⁽¹⁾ With the exception of products originating in and coming from Austria.

REGULATION (EEC) No 2555/75 OF THE COMMISSION
of 8 October 1975

fixing the additional amounts for certain pigmeat products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community ;

Having regard to Council Regulation No 121/
67/EEC ⁽¹⁾ of 13 June 1967 on the common organiza-
tion of the market in pigmeat, as last amended by
Regulation (EEC) No 1861/74 ⁽²⁾, and in particular
Article 13 ⁽⁵⁾ thereof ;

Whereas, if, for a given product, the free-at-frontier
offer price (hereinafter called the 'offer price') falls
below the sluice-gate price, the levy applicable to that
product must be increased by an additional amount
equal to the difference between the sluice-gate price
and the offer price determined in accordance with
Article 1 of Commission Regulation No 202/
67/EEC ⁽³⁾ of 28 June 1967 on fixing the additional
amount for imports of pigmeat products from third
countries, as last amended by Regulation No 614/
67/EEC ⁽⁴⁾ ;

Whereas the offer price must be determined for all
imports from all third countries ; whereas, however, if
exports from one or more third countries are effected
at abnormally low prices, lower than prices ruling for
other third countries, a second offer price must be
determined for exports from these other countries ;

Whereas the regular review of the information serving
as a basis for the determination of average offer prices
for the products listed in Article 1 (1) of Regulation
121/67/EEC indicates that additional amounts shown
in the Annex specified according to product and
country of origin should be fixed at the level there
indicated ;

Whereas in Council Regulation No 137/67/EEC ⁽⁵⁾ of
13 June 1967, as last amended by Regulation (EEC)
No 3158/73 ⁽⁶⁾, the general rules for fixation of addi-

tional amounts for those products are laid down, for
which no sluice-gate price is fixed ;

Whereas Regulation No 202/67/EEC provides certain
detailed rules, especially as concerns the constation of
the free-at-frontier offers for those products ; whereas
according to the information given to the Commis-
sion the offers from third countries at which consta-
tion, as well as the prices indicated in tariff papers as
also all other indications of the prices constated in
third countries, was taken into account, in such a way
that the additional amounts for these products should
be fixed at the level indicated in the Annex ;

Whereas, according to Article 1 of Regulation No
121/65/EEC ⁽⁷⁾ and Regulation (EEC) Nos 564/64 ⁽⁸⁾,
998/68 ⁽⁹⁾, 2260/69 ⁽¹⁰⁾, and 1570/71 ⁽¹¹⁾, the levy for
certain products mentioned in the Regulations with
origin in the Federal Republic of Austria, the People's
Republic of Poland, the Hungarian People's Republic,
the Socialist Republic of Romania, and the People's
Republic of Bulgaria should not be increased by an
additional amount ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The additional amounts provided for in Article 13 of
Regulation No 121/67/EEC are fixed as shown in the
Annex concerning the products mentioned in Article
1 (1) of that Regulation and mentioned in that Annex.

Article 2

This Regulation shall enter into force on 13 October
1975.

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2283/67.

⁽²⁾ OJ No L 197, 19. 7. 1974, p. 3.

⁽³⁾ OJ No 134, 30. 6. 1967, p. 2837/67.

⁽⁴⁾ OJ No 231, 27. 9. 1967, p. 6.

⁽⁵⁾ OJ No L 122, 22. 6. 1967, p. 2395/67.

⁽⁶⁾ OJ No L 322, 23. 11. 1973, p. 1.

⁽⁷⁾ OJ No 155, 18. 9. 1965, p. 2560/65.

⁽⁸⁾ OJ No L 107, 8. 5. 1968, p. 6.

⁽⁹⁾ OJ No L 170, 19. 7. 1968, p. 14.

⁽¹⁰⁾ OJ No L 286, 14. 11. 1969, p. 22.

⁽¹¹⁾ OJ No L 165, 23. 7. 1971, p. 23.

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

Done at Brussels, 8 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

Additional amounts for specified products in Article 1 (1) of Regulation No 121/67/EEC ⁽¹⁾

CCT heading No	Description of goods	Supplementary amount u.a./100 kg	Description of imports
01.03	Live swine : A. Domestic species : II. Other : a) Sows having farrowed at least once, of a weight of not less than 160 kg b) Other	5.00 5.00	Origin : German Democratic Republic ⁽²⁾ Origin : German Democratic Republic ⁽²⁾
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen A. Meat : III. Of swine : a) Of domestic swine : 1. Carcases or half-carcases with or without heads, feet or flare fat 6. Other : aa) Boned or boneless and frozen bb) Other	7.00 15.00 15.00	Origin : German Democratic Republic ⁽²⁾ Origin : German Democratic Republic ⁽²⁾ , People's Republic of China Origin : German Democratic Republic ⁽²⁾ , People's Republic of China
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked : B. Meat and edible meat offals of domestic swine : I. Meat : a) Salted or in brine : 1. Carcases or half-carcases, with or without heads, feet or flare fat	7.00	Origin : German Democratic Republic ⁽²⁾
16.02	Other prepared or preserved meat of meat offal : B. Other : III. Other : a) Containing meat or offals of domestic swine and containing by weight : 1. 80 % or more of meat or offal, of any kind, including fats or any kind of origin : aa) Hams, fillets and loins, pieces thereof bb) Shoulders and pieces thereof cc) Other	30.00 30.00 15.00	Origin : Poland Origin : Poland Origin : Romania

⁽¹⁾ The specification of the products results from Annex II to Regulation No 137/67/EEC.⁽²⁾ With the exception of the German internal trade pursuant to the Protocol on German internal trade and connected problems.

REGULATION (EEC) No 2556/75 OF THE COMMISSION
of 8 October 1975
fixing additional amounts for poultrymeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 123/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in poultrymeat, as last amended by the Act of Accession⁽²⁾, and in particular Article 8 (4) thereof ;

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC⁽³⁾ of 26 June 1967 on fixing the additional amount for imports of poultry farming products from third countries, as last amended by Regulation (EEC) No 1527/73⁽⁴⁾ ;

Whereas the offer price must be determined for all imports from all third countries ; whereas, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries ;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for poultrymeat products other than slaughtered poultry and halves or quarters indicates that additional amounts corresponding to the figures shown in the Annex below should be fixed for the imports specified in that Annex ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The additional amounts provided for in Article 8 of Regulation No 123/67/EEC are hereby fixed as shown in the Annex for the products listed in Article 1 (1) of that Regulation which appear in the Annex.

Article 2

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

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

Done at Brussels, 8 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2301/67.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

ANNEX

Additional amounts applicable to poultrymeat products with the exception of live and slaughtered poultry and halves or quarters

CCT heading No	Description of goods	Additional amount (u.a./100 kg)	Imports affected
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen :		
	B. Poultry cuts (excluding offals) :		
	I. Boned or boneless	30.00	Origin : United States of America or Israel
	II. Unboned (bone-in) :		
	d) Breasts and cuts of breasts :		
	2. Of turkeys	40.00	Origin : United States of America
	3. Of other poultry	20.00	Origin : Hungary
	e) Legs and cuts of legs :		
	2. Of turkeys :		
	aa) Drumsticks and cuts of drumsticks	20.00	All imports
	bb) Other	80.00	Origin : United States of America

REGULATION (EEC) No 2557/75 OF THE COMMISSION
of 8 October 1975
fixing additional amounts for live and slaughtered poultry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 123/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in poultrymeat, as last amended by the Act of Accession⁽²⁾, and in particular Article 8 (4) thereof;

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC⁽³⁾ on fixing the additional amount for imports of poultry-farming products from third countries, as amended by Regulation (EEC) No 1527/73⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Regulation (EEC) No 565/68⁽⁵⁾, the import levies on slaughtered fowls, ducks and geese originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2261/69⁽⁶⁾, the import levies on slaughtered ducks and geese originating in and coming from Romania are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2474/70⁽⁷⁾, the import levies on slaughtered turkeys originating in and coming from Poland are not increased by an additional amount;

Whereas pursuant to Regulation (EEC) No 2164/72⁽⁸⁾ the import levies on slaughtered fowls and geese originating in and coming from Bulgaria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for slaughtered poultry and halves or quarters indicates that additional amounts corresponding to the figures shown in the Annex below should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation No 123/67/EEC are hereby fixed as shown in the Annex for the products listed in Article 1 (1) of that Regulation which appear in the Annex.

Article 2

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

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

Done at Brussels, 8 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2301/67.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁶⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁷⁾ OJ No L 265, 8. 12. 1970, p. 13.

⁽⁸⁾ OJ No L 232, 12. 10. 1972, p. 3.

ANNEX

Additional amounts applicable to live and slaughtered poultry and halves or quarters

CCT heading No	Description of goods	Additional amount (u.a./100 kg)	Imports affected
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen : A. Whole poultry : I. Fowls : a) Plucked and gutted, with heads and feet, known as '83 % chickens' b) Plucked and drawn, without heads and feet but with hearts, livers and gizzards, known as '70 % chickens' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens' B. Poultry cuts (excluding offals) : II. Unboned (bone in) : a) Halves or quarters : 1. Of fowls	10-00 10-00 10-00 10-00	All imports ⁽¹⁾ All imports ⁽¹⁾ All imports ⁽¹⁾ All imports

⁽¹⁾ With the exception of products originating in and coming from Poland and Bulgaria.

REGULATION (EEC) No 2558/75 OF THE COMMISSION**of 8 October 1975****amending Regulation (EEC) No 831/75 on exchanges of information between Member States and the Commission concerning dehydrated fodder**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1067/74 ⁽¹⁾ of 30 April 1974 on the common organization of the market in dehydrated fodder, as amended by Regulation (EEC) No 1420/75 ⁽²⁾, and in particular Article 9 thereof;

Whereas Commission Regulation (EEC) No 831/75 ⁽³⁾ of 26 March 1975 laid down detailed rules for exchanges of information between Member States and the Commission concerning dehydrated fodder;

Whereas Regulation (EEC) No 1420/75 has extended the scope of Regulation (EEC) No 1067/74 to include certain potato-based products; whereas, therefore, Regulation (EEC) No 831/75 should be amended to include those particulars relating to such products which must be communicated by the Member States to the Commission at regular intervals;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 831/75 is amended as follows:

Article 2

1. Article 1 (b) is amended to read as follows:

- '(b) — not later than 31 March each year, in the case of the products specified in Article 1 (a) of Regulation (EEC) No 1067/74, and
— not later than 31 December each year, in the case of the products specified in Article 1 (b) thereof,

particulars of the quantities of dehydrated fodder having left drying plants during the previous marketing year in respect of which aid has been paid.'

⁽¹⁾ OJ No L 120, 1. 5. 1974, p. 2.

⁽²⁾ OJ No L 141, 3. 6. 1975, p. 1.

⁽³⁾ OJ No L 79, 28. 3. 1975, p. 40.

2. There is added to Article 1 the following subparagraph:

'The abovementioned particulars shall be supplied separately at least for the products of Common Customs Tariff subheadings ex 07.04 B, ex 11.05 and ex 12.10 B, as specified in Article 1 of Regulation (EEC) No 1067/74.'

Article 3

1. There is added to Article 2 (1) the following subparagraph:

- '(c) before the 15th of each month, the quantities of potatoes which the drying plants plan to dehydrate during that month and for which figures have been given in accordance with the second subparagraph of Article 3 of Regulation (EEC) No 1192/74';

2. Article 2 (2) is amended to read as follows:

'2. For purposes of paragraph 1, separate figures, broken down by crop, shall be given in respect of:

- (a) either areas or quantities as appropriate, declared by plants processing their own fodder;
(b) either areas or quantities, as appropriate, declared by plants processing fodder produced by their members.'

Article 4

Article 3 is amended to read as follows:

Article 3

1. With regard to the contracts referred to in Article 4 (1) of Regulation (EEC) No 1192/74 which have been concluded in respect of fodder for the manufacture of the products specified in Article 1 (b) of Regulation (EEC) No 1067/74, Member States shall provide the Commission each year with particulars as to the following, giving a breakdown by fodder crop and stating the term of validity of the contracts concerned:

- (a) before 31 August, the areas or the quantities, as appropriate, of fodder in respect of which contracts have been lodged not later than 31 July;
- (b) before 15 January, the areas or the quantities, as appropriate, of fodder in respect of which contracts have been lodged during the period 1 August to 31 December;
- (c) before 15 April, the areas or the quantities, as appropriate, of fodder in respect of which contracts have been lodged during the period from 1 January to 31 March.

2. With regard to the contracts referred to in the said Article 4 (1) which have been concluded in respect of potatoes, Member States shall provide the Commission, before the 15th day of each month, with particulars of the areas or the quantities, as appropriate, of potatoes for dehydration in respect of which contracts have been lodged during the preceding month.

The particulars provided shall distinguish between those areas or quantities of potatoes in respect of which contracts have been concluded by the authorized agents of drying plants and those areas or

quantities in respect of which contracts have been concluded by the drying plants themselves.'

Article 5

Article 4 is amended to read as follows:

'Article 4

1. The Member States shall, not later than 31 July of each year starting in 1976, inform the Commission of the estimated quantities of stocks of the products specified in Article 1 (a) of Regulation (EEC) No 1067/74 held in the drying plants at 30 June of that year.

2. The Member States shall, not later than 30 April of each year, inform the Commission of the estimated quantities of stocks of the products specified in Article 1 (b) of the said Regulation held in the drying plants at 31 March of that year.'

Article 6

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, 8 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

REGULATION (EEC) No 2559/75 OF THE COMMISSION
of 8 October 1975

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 3330/74 ⁽¹⁾ of 19 December 1974 on the common organization of the market in sugar, and in particular Article 15 (7) thereof ;

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1675/75 ⁽²⁾, as last amended by Regulation (EEC) No 2541/75 ⁽³⁾ ;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1675/75 to the information at present available to the Commis-

sion 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 levies referred to in Article 15 (1) of Regulation (EEC) No 3330/74 are, in respect of white sugar and standard quality raw sugar, hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 October 1975.

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

Done at Brussels, 8 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1975, p. 61.

⁽³⁾ OJ No L 259, 7. 10. 1975, p. 10.

ANNEX

to the Commission Regulation of 8 October 1975 fixing the import levies on white sugar and raw sugar

CCT heading No	Description of goods	Levy (u.a./100 kg)
17.01	Beet sugar and cane sugar, solid : A. Denatured : I. White sugar II. Raw sugar B. Undenatured : I. White sugar II. Raw sugar	7.41 4.65 ⁽¹⁾ 7.41 4.65 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

REGULATION (EEC) No 2560/75 OF THE COMMISSION
of 8 October 1975
altering the export levy on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 3330/74⁽¹⁾ of 19 December 1974 on the common organization of the market in sugar, and in particular Article 17 (6) thereof;

Having regard to Council Regulation (EEC) No 608/72⁽²⁾ of 23 March 1972 laying down rules to be applied in cases of considerable price rises on the world sugar market, and in particular Article 1 (2) thereof;

Whereas, pursuant to Article 17 (1) of Regulation (EEC) No 3330/74, where the Community or any region thereof cannot be supplied with sugar at prices within the limit of the threshold price, provision may be made for charging a special export levy on sugar;

Whereas the threshold price for white sugar and raw sugar was fixed by Regulation (EEC) No 660/75⁽³⁾;

Whereas the list of products subject to the special levy is given in Commission Regulation (EEC) No

825/75⁽⁴⁾ of 25 March 1975 laying down detailed rules for applying export levies on sugar;

Whereas the export levy on white sugar and raw sugar was fixed by Regulation (EEC) No 1702/75⁽⁵⁾, as last amended by Regulation (EEC) No 2542/75⁽⁶⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in the Regulation (EEC) No 1702/75 to the information at present available to the Commission, that the export levy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The export levy on sugar provided for in the first subparagraph of Article 17 (1) of Regulation (EEC) No 3330/74 is fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 October 1975.

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

Done at Brussels, 8 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽³⁾ OJ No L 72, 20. 3. 1975, p. 7.

⁽⁴⁾ OJ No L 79, 28. 3. 1975, p. 17.

⁽⁵⁾ OJ No L 172, 3. 7. 1975, p. 15.

⁽⁶⁾ OJ No L 259, 7. 10. 1975, p. 11.

ANNEX

to the Commission Regulation of 8 October 1975 altering the export levy on white sugar and raw sugar

(u.a./100 kg)		
CCT heading No	Description of goods	Amount of the export levy
17.01	Beet sugar and cane sugar, solid :	
	A. Denatured :	
	I. White sugar	0
	II. Raw sugar	0.48 ⁽¹⁾
	B. Undenatured :	
	I. White sugar	0
	ex II. Raw sugar other than candy sugar	0.48 ⁽¹⁾

⁽¹⁾ This amount applies to raw sugar with a 92 % yield. If the yield of the exported raw sugar is different from 92 % the levy to be applied shall be calculated in conformity with Article 2 of Regulation (EEC) No 1076/72.

REGULATION (EEC) No 2561/75 OF THE COMMISSION**of 8 October 1975****altering the basic amount of the import levy on syrups and certain other sugar products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 3330/74 ⁽¹⁾ of 19 December 1974 on the common organization of the market in sugar, and in particular Article 15 (7) thereof ;

Whereas the basic amount of the import levy on syrups and certain other sugar products was fixed by Regulation (EEC) No 2491/75 ⁽²⁾, as last amended by Regulation (EEC) No 2543/75 ⁽³⁾ ;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2491/75 to the information at present available to the Commis-

sion that the basic amount of the levy at present in force should be altered as shown in this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) d) of Regulation (EEC) No 3330/74 is hereby fixed, per 100 kilogrammes of product, at 0.0741 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 9 October 1975.

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

Done at Brussels, 8 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 254, 1. 10. 1975, p. 25.

⁽³⁾ OJ No L 259, 7. 10. 1975, p. 13.

REGULATION (EEC) No 2562/75 OF THE COMMISSION**of 8 October 1975****amending the amounts applicable as compensatory amounts for cereals and rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community;

Having regard to the Treaty of Accession ⁽¹⁾;

Having regard to Council Regulation (EEC) No
229/73 ⁽²⁾ of 31 January 1973 laying down general
rules for a system of compensatory amounts for
cereals and fixing these amounts for certain products,
as last amended by Regulation (EEC) No 1602/75 ⁽³⁾,
and in particular Article 7 thereof;

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

Whereas compensatory amounts for cereals and rice
have been fixed pursuant to Regulation (EEC) No

2488/75 ⁽⁶⁾, as last amended by Regulation (EEC) No
2549/75 ⁽⁷⁾;

Whereas the application of the rules referred to in
Regulation (EEC) No 2488/75 requires that the
amounts at present in force should be amended as
shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts applicable as compensatory amounts
shown in the Annex to amended Regulation (EEC)
No 2488/75 are amended as shown in the Annex to
this Regulation.

Article 2

This Regulation shall enter into force on 9 October
1975.

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

Done at Brussels, 8 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.
⁽²⁾ OJ No L 27, 1. 2. 1973, p. 25.
⁽³⁾ OJ No L 164, 27. 6. 1975, p. 2.
⁽⁴⁾ OJ No L 29, 1. 2. 1973, p. 26.
⁽⁵⁾ OJ No L 209, 31. 7. 1974, p. 5.

⁽⁶⁾ OJ No L 254, 1. 10. 1975, p. 15.
⁽⁷⁾ OJ No L 260, 8. 10. 1975, p. 8.

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

Montants applicables au titre des montants compensatoires pour les céréales

Beløb, der skal anvendes som udligningsbeløb for korn

Für Getreide als Ausgleichsbeträge anzuwendende Beträge

Importi applicabili a titolo di importi di compensazione per i cereali

Als compenserende bedragen toe te passen bedragen voor granen

Amounts applicable as compensatory amounts for cereals

(RE/UC/u.a./1 000 kg)

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolltarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief CCT heading No	DK	IRL	UK
10.01 A ⁽¹⁾	6,00	4.50	10.00

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

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

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

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

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

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

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

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

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

Für Getreide- und Reisverarbeitungserzeugnisse als Ausgleichsbeträge anzuwendende Beträge

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

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

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

(RE/UC/u.a./1 000 kg)

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolltarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief CCT heading No	DK	IRL	UK
11.01 A ⁽¹⁾	8,07	5.57	14.00
11.02 B II a) ⁽¹⁾	7,98	5.99	13.30
11.02 C I ⁽¹⁾	8,40	6.30	14.00
11.02 D I ⁽¹⁾	6,12	4.59	10.20
11.02 E II a) ⁽¹⁾	8,40	6.30	14.00
11.02 F I ⁽¹⁾	6,12	4.59	10.20
11.02 G I	1,50	1.13	2.50
11.07 A I a)	10,68	8.01	17.80
11.07 A I b)	7,98	5.99	13.30
23.02 A I a)	0,48	1.25	2.24
23.02 A I b) 1	0,48	1.25	2.24
23.02 A I b) 2	0,48	1.25	2.24
23.02 A II a)	0,48	1.25	2.24
23.02 A II b)	0,48	1.25	2.24

⁽¹⁾ Pour la distinction entre les produits des n°s 11.01 et 11.02, d'une part, et ceux de la sous-position 23.02 A d'autre part, sont considérés comme relevant des n°s 11.01 et 11.02 les produits ayant simultanément :

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION OPINION

of 26 September 1975

on the draft Convention for the European Patent for the common market

(75/597/EEC)

1. In its Opinion of 4 April 1974 the Commission made known its general views on the draft Convention for the European patent for the Common Market (Community patent) and stated that the 'Protocol on the deferred Application of the Provisions on the Exhaustion of Rights attached to Community Patents and National Patents' was basically incompatible with Community law. The Opinion was delivered with a view to the intergovernmental Conference due to take place between 6 and 28 May 1974 and in the course of which the draft Convention was to be finally adopted. This Conference was adjourned at the request of the United Kingdom government. It will now take place in Luxembourg from 17 November to 15 December 1975.

The Commission, noting that a proposal for amendment of the rules forbidding partitioning of the Common Market by means of patents (Arts. 32 and 78) is to be submitted to the Luxembourg Conference⁽¹⁾, and no decision has yet been taken concerning the abovementioned Protocol, would now take this opportunity to deliver a new Opinion.

I

The Working Party on Community Patent has proposed two important amendments to the draft Convention on the European Patent.

2. In its previous version, the draft provided that designation of a Member State of the Community in an application for a European patent results automatically in the grant of a Community patent with effect throughout the Member States.

⁽¹⁾ c.f. preparatory document No 17 for the Luxembourg Conference (Doc. R 416/74) p. 2.

The new Article 84a of the draft provides that, during a transitional period of ten years, an applicant for a patent will have a choice between a Community patent and a European patent. The applicant may state that he wants a patent only in one or more Member States. If, for example, he makes such a statement and designates Germany and France in the application, he obtains a European patent for these two countries which has the effect of a national patent only.

The Commission regrets this amendment. It still considers it essential that the procedure for the grant of a European patent in which a Member State is designated should lead only to the grant of a Community patent whose scope extends to all the Member States and which is subject to the uniform law created by the Convention for a Community patent.

The Commission considers that there is no convincing reason for allowing the holder of a patent to have such a choice as mentioned above and that it derogates from an important principle of the Convention.

3. The second amendment also entails the abandonment of an important principle.

In the previous draft it was provided that the European Patent Office has sole jurisdiction to cancel the Community patent with effect for all the Member States. The new Article 84b of the draft provides, however, that national courts before which an infringement action has been taken may also decide on the

validity of a Community patent. Such a decision has effect only in the territory of the State over which the court has jurisdiction.

By virtue of this new provision national courts can decide on the validity of the patent, with the result that the Community patent may be considered valid in one Member State and void in another. The principle laid down in Article 2 of the draft, whereby the Community patent is to have the same effect in all the Member States, is thus contravened. Furthermore, abandonment of the unitary character of the Community patent creates obstacles to the free movement of patented goods and to the creation of equal conditions of competition and also is at variance with the principle of the 'free movement' of judgments under the Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters.

The Commission is not unaware of the difficulties which may result from the division of jurisdiction concerning infringement and validity actions. However, in accordance with a draft resolution submitted to the Luxembourg Conference, the work necessary for the resolution of these difficulties is to be undertaken after signature of the Convention.

The Commission considers that it is in the context of that work that a solution should be found which will ensure the unitary character of the European patent.

II

4. The provisions of Articles 32 and 78 are designed to ensure that a patent product put on the market in any Member State by the holder of a Community patent or by the holder of one or more parallel national patents may move freely throughout the territory of the Community. The partitioning of the common market into nine national markets is thus forbidden.

5. Under a proposal submitted to the Luxembourg Conference, the scope of these two Articles is to be limited. This proposal provides that a patentee may prohibit the import of goods which have been put on the market by himself or with his consent in a Member State in which the Community patent has no effect (on account of the existence of a prior national patent opposed to it) or in which a parallel national patent does not exist. In order to justify this proposal it is suggested that a patentee who puts his products on the market in a country where they are not protected by a patent would have to take account of the prices charged by his competitors in that country, and would thus be deprived of the profit due to his creativity.

6. It is true that in certain cases the patentee may be forced to sell his products more cheaply in a country where he has no patent if a third party is able to market the subject of the invention in that country at a lower price.

As a result, if goods put on the market by a patentee in a country where there is no protection are imported into those countries where that patentee holds parallel patents, his profit may be reduced. It is not however the purpose of the law of patents to guarantee to the patentee a higher profit than that which can be derived from the market price. A patentee is only granted, for a certain period, the exclusive right to forbid anybody to make and market the subject of his invention. This exclusive right is the counterpart of the fact that application for a patent makes the invention accessible to the public. The opportunity for the patentee to obtain an additional profit in selling his product depends in particular on his market position and on the existence of substitute products. On patent law grounds alone, the proposal concerning Article 78 should be rejected.

7. Furthermore, this proposal is incompatible with the EEC Treaty, as it envisages free movement of patented goods only where parallel national patents exist in all the Member States. In practice this would never happen or would happen only very rarely. According to forecasts of the number of applications for European patents which will be made every year a firm will apply for a European patent when it holds national patents in two or more Member States of the EEC; thus as a general rule national patents will exist only in one or two Member States.

It is therefore clear that the proposed amendment would in the ordinary course of events lead to a partitioning of the market as regards products put on the market by the patentee or by a third party with his consent in a part of the Community where those products are not protected.

Such a partitioning of the market could be of advantage to a patentee, particularly where his productive capacity is sufficient to cover the needs of the common market as a whole, and in the Member States in which he has no national patent he has no serious competition for technical or economic reasons. In such cases the amendment of Article 78 which is proposed would enable the patentee to maintain different price levels in two separate areas of the common market by putting a part of his production on the market directly in the territory in which no protection exists. The patentee could then, by means of an infringement action, prevent the importation of those products into that part of the common market in which they are patented.

The result of the abovementioned proposal is incompatible with one of the fundamental aims of the EEC Treaty, namely the creation of conditions in regard to free movement of goods within the Community which are identical to those which exist in a domestic market. It is therefore essential to maintain the present solution, which prevents a patentee from dividing common market into two separate areas through his choice of the place in which he puts his products on the market.

8. In its Opinion No 74/209/EEC⁽¹⁾ of 4 April 1974, paragraph 11, last subparagraph addressed to the Member States, the Commission declared that Community law forbade the holder of a patent to exercise his exclusive right to oppose importation of a protected product into a Member State when that product has already been put on the market by himself or with his consent in another Member State.

9. In its decision of 8 June 1971, in the *Deutsche Grammophongesellschaft (DGG)* case (Recueil) XVII, 487, the Court of Justice of the European Communities has already stated (p. 500):

'If a protection right analogous to copyright is used in order to prohibit in one Member State the marketing of goods that have been brought into the market by the holder of the right or with his consent in the territory of another Member State solely because this marketing has not occurred in the domestic market, such a prohibition maintaining the isolation of the national markets conflicts with the essential aim of the Treaty, the integration of the national markets into one uniform market. This aim could not be achieved if by virtue of the various legal systems of the Member States private persons were able to divide the market and cause arbitrary discriminations or disguised restrictions in trade between the Member States.

Accordingly, it would conflict with the provisions regarding the free movement of goods in the common market if manufacturer of recordings exercised the exclusive right granted to him by the legislation of a Member State to market the protected articles in order to prohibit the marketings in that Member State of products that had been sold by him himself or with his consent in another Member State solely because this marketing had not occurred in the territory of the first Member State.'

The phrase 'in order to prohibit the marketing in that Member State of products that had been sold by him himself or with his consent in another Member State', shows clearly that it matters little whether, when the goods were put on the market for the first time, it was in a State in which a parallel patent existed or not. In the DGG case the manufacturer of records did not have an exclusive parallel right in the State in which the goods were first put on the market (France).

10. The decision of the Court of Justice in *Centrafarm v. Sterling Drug* case 15/74 of 31 October 1974, confirms the interpretation by the Commission of the DGG decision, namely that the principles enunciated in the latter case apply also to patents. In regard to the question raised here the Court of Justice declared in the *Sterling Drug* case (ECR 1974-6 p. 1147), p. 1163:

'In fact, if a patentee could prevent the import of protected products marketed by him or with his consent in another Member State, he would be able to partition off national markets and thereby restrict trade between Member States, in a situation where no such restriction was necessary to guarantee the essence of the exclusive right flowing from the parallel patents.

The question referred should therefore be answered to the effect that the exercise, by a patentee, of the right which he enjoys under the legislation of a Member State to prohibit the sale, in that State, of a product protected by the patent which has been marketed in another Member State by the patentee or with his consent is incompatible with the rules of the EEC Treaty concerning the free movement of goods within the common market'.

11. The proposal for amendment cannot be defended on the ground that the *Sterling Drug* case was concerned with products imported from a Member State in which a parallel patent existed. In fact the reasons given for this decision, like those in the DGG decision (a case in which a parallel exclusive right did not exist), are based solely on the fact that the putting of the goods on the market took place in another Member State independently of the existence or absence of parallel protection.

The *Sterling Drug* decision contains furthermore a statement which dispels all doubt. In discussing the conditions in which a patentee may prohibit imports under Article 36 of the EEC Treaty, the Court of Justice takes the view that the patentee may, by means of an infringement action, oppose importation of 'a product coming from a Member State where it is not patentable and has been manufactured by third parties without the consent of the patentee'. It follows that the patentee cannot forbid importation of products from a Member State in which the product cannot be patented but where it has been put on the market by a third party with his consent. This is also the case if the patentee himself puts the product on the market in a Member State in which parallel protection does not exist.

12. The same considerations apply to the proposed amendment to Article 32: free circulation of goods must also be guaranteed when the holder of a Community patent puts the patented goods on the market in a Member State in which his patent has no effect.

⁽¹⁾ JO No L 109, 23. 4. 1974, p. 34.

13. Consequently a limitation of the scope of Articles 32 and 78 of the draft Convention would be contrary to the provisions of the EEC Treaty.

The Commission is also of the opinion that the scope of Article 78 should be extended. Under Article 78 (2) the free circulation of goods is also ensured where two or more persons who have economic connections with each other hold different national patents for the same invention. This rule includes those cases in which legally independent subsidiaries and their parent company are holders of different national patents for the same invention.

14. However, Article 78 does not cover the case where the holder of two or more parallel national patents assigns one of these to a third party with which he has no 'economic connection'. Article 78 in its present form thus permits partitioning of the common market through the assignment of a national patent to a third party who is economically independent of the assignor. This procedure may be used to circumvent the rules which guarantee the free movement of patented goods.

So far, the Court of Justice has not had to declare itself in such a case. In the *Centrafarm v. Sterling Drug* case it nevertheless gave a clear indication of what the solution to this problem might be. The Court of Justice declared that Article 36 of the Treaty allows derogations to be made to the principle of free circulation of goods 'in cases where there exist patents, the original proprietors of which are legally and economically independent'. By original proprietors is meant persons who have made an invention independently of each other and who have obtained a patent for that invention.

In the case in question here the person to whom a patent has been assigned is not the original proprietor of a patent. He is only the holder of a derived right which he has acquired as a result of the assignment. Thus an exception to the principle of free circulation of goods cannot be justified where there is an assignment of a national patent.

There is no obvious justification for treating someone who acquired a national patent as a result of an assignment differently from the holder of an exclusive licence, which from a commercial point of view is very close to an assignment. It is to be feared that, where until now an exclusive licence was granted, assignment will be used. This could have the effect of effectively partitioning national markets.

Such a result is incompatible with the principle of free circulation of goods. For this reason the Commission takes the view, for which it finds support in the decisions of the Court of Justice, that assignment of a licence to a third party economically independent of

the assignor cannot be allowed to lead to partitioning of the market. Similar provisions should apply to any case where an invention which has not yet been patented is assigned to a third party who applies under his own name for a patent in respect of that invention.

The Commission therefore proposes that Article 78 (2) be amended to read as follows:

The provisions of paragraph 1 shall apply also in respect of a product put on the market by the proprietor of a national patent, granted for the same invention in another Contracting State, to whom the right to the patent or the patent itself has been assigned by the proprietor of the patent referred to in paragraph 1. (The second sentence is deleted).

III

15. The Commission reiterates the view expressed in its first Opinion, that the 'Protocol on the deferred Application of the Provisions on the Exhaustion of Rights attached to Community Patents and National Patents' is contrary to Community law. This Protocol provides that the provisions of Article 32 and 78, which forbid the partitioning of markets, will not be applicable during a transitional period of five to ten years, maximum.

The adoption of this Protocol would allow a patentee to control the marketing of his products within the common market. By taking an infringement action against the importers of products which he himself or his licensee has put on the market in another Member State he can protect national markets and charge different prices in each Member State.

In accordance with the interpretation given by the Court of Justice of the European Communities in the *Deutsche Grammophongesellschaft* and *Sterling Drug* cases, Community law forbids a patent holder to exercise his exclusive right to oppose importation into a Member State of a patented product when that product was put on the market by him or with his consent in another Member State.

IV

16. The Commission, acting on the considerations hereinbefore set out and in pursuance of its powers under Article 155 of the EEC Treaty, hereby expresses itself in favour of signature by the Member States of the European Communities of the Convention for the European Patent for the common market, but at the same time declares that it is not in favour of the adoption of the Protocol, annexed to the said Convention, on the deferred Application of the Provisions on the Exhaustion of Rights attached to Community Patents

and National Patents, and furthermore that it is not in favour of the proposal to limit the scope of Articles 32 and 78. On the contrary it considers that the scope of Article 78 should be extended as proposed in the foregoing paragraphs.

Should the proposals in regard to which the Commission has expressed an unfavourable view in the foregoing paragraph be adopted, the Commission reserves its right to institute proceedings under Article 169 for failure to observe the obligations of the EEC Treaty.

17. This Opinion is addressed to the Member States.

Done at Brussels, 26 September 1975.

For the Commission

F.O. GUNDELACH

Member of the Commission

COMMISSION DECISION**of 29 September 1975****fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 2314/75, the maximum amount for the delivery of butteroil as food aid****(Only the German text is authentic)****(75/598/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 740/75 ⁽²⁾, and in particular Article 6 (7) thereof;

Whereas, pursuant to Commission Regulation (EEC) No 2314/75 ⁽³⁾ of 9 September 1975, the German intervention agency has invited tenders for the manufacture and delivery of 500 metric tons of butteroil to the United Nations High Commissioner for refugees for South Vietnam;

Whereas Article 7 of Commission Regulation (EEC) No 2247/75 ⁽⁴⁾ of 29 August 1975 concerning conditions for invitations to tender for the costs of manufacture and delivery of butteroil as food aid to certain developing countries and to the World Food Programme, provides that in the light of the tenders received the maximum amounts are to be fixed or the tendering procedure is to be cancelled;

Whereas, on the basis of the tenders received, the maximum amount should be that specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 2314/75 shall be 1 352 534 units of account.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 29 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 74, 22. 3. 1975, p. 1.

⁽³⁾ OJ No L 239, 11. 9. 1975, p. 5.

⁽⁴⁾ OJ No L 229, 30. 8. 1975, p. 60.

COMMISSION DECISION

of 29 September 1975

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 2315/75, the maximum amount for the costs of delivery of skimmed-milk powder to be purchased on the Community market

(75/599/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 740/75⁽²⁾, and in particular Article 7 (5) thereof;

Having regard to Council Regulation (EEC) No 713/75⁽³⁾ of 18 March 1975 on the general rules relating to the supply of skimmed-milk powder as food aid to Somalia, and in particular Article 6 thereof;

Whereas, pursuant to Commission Regulation (EEC) No 2315/75⁽⁴⁾ of 9 September 1975 concerning the issue of an invitation to tender for the supply to Somalia, the intervention agencies of the Member States have invited tenders for the costs of supplying 500 metric tons of skimmed-milk powder; whereas Article 5 of this Regulation provides that in the light of the tenders received a maximum amount is to be fixed or the tendering procedure is to be cancelled;

Whereas, on the basis of the tenders received, the maximum amount should be that specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 2315/75 shall be 519 035 units of account.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 74, 22. 3. 1975, p. 1.

⁽³⁾ OJ No L 71, 20. 3. 1975, p. 4.

⁽⁴⁾ OJ No L 239, 11. 9. 1975, p. 7.

COMMISSION DECISION

of 29 September 1975

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 2316/75, the maximum amount for the delivery of butteroil

(Only the French text is authentic)

(75/600/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 804/68 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 740/75 ⁽²⁾, and in particular Article 6 (7) thereof ;

Whereas pursuant to Commission Regulation (EEC) No 2316/75 ⁽³⁾ of 9 September 1975, the French intervention agency has invited tenders for the manufacture and delivery of 850 metric tons of butteroil to Somalia as food aid ;

Whereas Article 7 of Commission Regulation (EEC) No 2247/75 ⁽⁴⁾ of 29 August 1975 on the terms of invitations to tender for the costs of manufacture and delivery of butteroil as food aid to certain developing countries and to the World Food Programme, provides that in the light of the tenders received a maximum amount shall be fixed or alternatively a decision shall be taken to make no award ;

Whereas, on the basis of the tenders received, the maximum amount should be that specified below ;

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

HAS ADOPTED THIS DECISION :

Article 1

The maximum amount to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 2316/75 is fixed at 2 389 044 units of account.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 29 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 74, 22. 3. 1975, p. 1.

⁽³⁾ OJ No L 239, 11. 9. 1975, p. 11.

⁽⁴⁾ OJ No L 229, 30. 8. 1975, p. 60.

COMMISSION DECISION

of 29 September 1975

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 2317/75, the maximum amounts for the costs of delivery of skimmed-milk powder

(Only the French text is authentic)

(75/601/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 740/75⁽²⁾, and in particular Article 7 (5) thereof;

Whereas, pursuant to Commission Regulation (EEC) No 2317/75⁽³⁾ of 9 September 1975, the Luxembourg intervention agency invited tenders for the delivery to Sri Lanka of one lot of 1 000 metric tons of skimmed-milk powder;

Whereas Article 5 of Commission Regulation (EEC) No 2557/74⁽⁴⁾ of 4 October 1974, concerning the invitation to tender for the costs of delivery, as food aid, of skimmed-milk powder to certain third countries, provides that in the light of the tenders received the maximum amount is to be fixed for each lot for which tenders are invited or the tendering procedure is to be cancelled;

Whereas, on the basis of the tenders received the maximum amount should be that specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 2317/75 shall be 9 208 units of account.

Article 2

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 29 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 74, 22. 3. 1975, p. 1.

⁽³⁾ OJ No L 239, 11. 9. 1975, p. 13.

⁽⁴⁾ OJ No L 274, 9. 10. 1974, p. 7.

COMMISSION DECISION

of 29 September 1975

fixing the minimum selling prices for butter for the fourteenth individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 232/75

(75/602/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 740/75 ⁽²⁾, and in particular Article 6 (7) thereof;

Having regard to Council Regulation (EEC) No 985/68 ⁽³⁾ of 15 July 1968 laying down general rules for intervention on the market in butter and cream, as last amended by Regulation (EEC) No 2714/72 ⁽⁴⁾, and in particular Article 7a thereof;

Whereas, pursuant to Commission Regulation (EEC) No 232/75 ⁽⁵⁾ of 30 January 1975 on the sale of butter at reduced prices for use in the manufacture of pastry products and ice-cream, as last amended by Regulation (EEC) No 2124/75 ⁽⁶⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

Whereas Article 9 of that Regulation provides that, in the light of the tenders received, a minimum selling price must be fixed which may vary according to the use to which the butter is to be put and according to

the fat content of the butter; whereas alternatively a decision may be taken not to proceed with the invitation to tender; whereas the amounts of the processing security must be fixed in the light of the difference between the minimum selling prices and the market prices of the butter;

Whereas, in the light of the tenders received in response to the fourteenth individual invitation to tender, the minimum selling prices should be fixed at the level specified below and the processing securities determined accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

For the fourteenth individual invitation to tender under Regulation (EEC) No 232/75, in respect of which the time limit for the submission of tenders expires on 23 September 1975, the minimum selling prices and, without prejudice to the provisions of the second subparagraph of Article 12 (1) of the said Regulation, the processing securities, shall be as follows:

Fat content of the butter	Use to which the butter is to be put (Article 6 (1) (c) of Regulation (EEC) No 232/75)	Minimum selling price in u.a./100 kg butter	Processing security in u.a./100 kg butter
82 % or more	Formula A	101	124
	Formula B	127	98

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 74, 22. 3. 1975, p. 1.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 15.

⁽⁵⁾ OJ No L 24, 31. 1. 1975, p. 45.

⁽⁶⁾ OJ No L 216, 14. 8. 1975, p. 10.

COMMISSION DECISION**of 1 October 1975****placing foot-and-mouth disease vaccine at the disposal of the FAO****(75/603/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community;

Having regard to the Council Decision of 26 March
1973⁽¹⁾ on action to protect Community livestock
against certain foot-and-mouth diseases, as amended
by the Commission Decision of 8 October 1973⁽²⁾
and in particular Article 5 thereof;

Whereas in view of the present health situation in the
Community, provision can be made to place at the
disposal of the FAO part of the Community stock of
vaccine in order to assist that organization in its
campaign against foot-and-mouth disease in south-
east Europe;

Whereas the measure provided for in this Decision is
in accordance with the Opinion of the Standing Vete-
rinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

With effect from 20 September 1975, 250 000 doses
of foot-and-mouth disease vaccine Asia 1, and 250 000
doses of foot-and-mouth disease vaccine A 22, shall be
held at the disposal of the FAO as a contribution
from the EEC to assist in the campaign against foot-
and-mouth disease in south-east Europe.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 1 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 106, 20. 4. 1973, p. 26.

⁽²⁾ OJ No L 308, 8. 11. 1973, p. 21.

COMMISSION DECISION

of 1 October 1975

on the sale of skimmed-milk powder in public storage to a non-profit-making
body for supply to developing countries

(Only the French and Dutch texts are authentic)

(75/604/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community;

Having regard to Council Regulation (EEC) No
804/68 ⁽¹⁾ of 27 June 1968 on the common organiza-
tion of the market in milk and milk products, as last
amended by Regulation (EEC) No 740/75 ⁽²⁾, and in
particular Article 7 (5) thereof;

Whereas Council Regulation (EEC) No 155/75 ⁽³⁾ of
21 January 1975, as amended by Regulation (EEC) No
1960/75 ⁽⁴⁾, makes provision for the sale of skimmed-
milk powder from public stocks for supply to deve-
loping countries; whereas, under Article 4 of Commis-
sion Regulation (EEC) No 602/75 ⁽⁵⁾ of 7 March 1975
laying down detailed rules for the sale of skimmed-
milk powder in public storage for supply to deve-
loping countries, as last amended by Regulation (EEC)
No 1996/75 ⁽⁶⁾, non-profit-making bodies and associa-
tions wishing to purchase skimmed-milk powder for
this purpose must be approved on the basis of
supporting documents establishing that they fulfil the
requirements laid down in Article 1 (b) of the above-
mentioned Regulation;

Whereas the Belgian non-profit-making body 'Aide et
Espoir' has lodged with the Belgian intervention
agency an application for the supply of 10 metric tons
of skimmed-milk powder for delivery to Haïti and has
submitted the supporting documents mentioned
above; whereas it is therefore appropriate to approve
this application and to authorize the intervention
agency concerned in accordance with Article 5 (2) of
Regulation (EEC) No 602/75 to make the requested
quantity available to the said body;

Whereas on account of the small quantity requested
and of the urgency of the supply, it would seem appro-

priate to exempt, under Article 5 (2) of Regulation
(EEC) No 602/75, the body in question from the obli-
gation to provide prior to purchase the undertaking
referred to in Article 7 of the said Regulation;

Whereas the measures provided for in this Decision
are in accordance with the Opinion of the Manage-
ment Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION:

Article 1

1. The Belgian intervention agency is hereby autho-
rized to sell, in accordance with the terms set out in
Regulation (EEC) No 602/75, 10 metric tons of skim-
med-milk powder for Haïti to the non-profit-making
body 'Aide et Espoir'.

2. By way of derogation from Article 6 (c), first
indent, of Regulation (EEC) No 602/75, conclusion of
the contract of sale for this quantity of skimmed-milk
powder mentioned in paragraph 1 shall not be subject
to the production of the certificate mentioned in
Article 7 (2) of the said Regulation.

Article 2

This Decision is addressed to the Kingdom of
Belgium.

Done at Brussels, 1 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 74, 22. 3. 1975, p. 1.

⁽³⁾ OJ No L 19, 14. 1. 1975, p. 3.

⁽⁴⁾ OJ No L 200, 31. 7. 1975, p. 5.

⁽⁵⁾ OJ No L 63, 8. 3. 1975, p. 18.

⁽⁶⁾ OJ No L 202, 1. 8. 1975, p. 55.

COMMISSION DECISION**of 1 October 1975****fixing the minimum export levy for the sixth partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75****(75/605/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 3330/74 ⁽¹⁾ of 19 December 1974 on the common organization of the market in sugar, and in particular Article 17 (5) thereof;

Having regard to Council Regulation (EEC) No 608/72 ⁽²⁾ of 23 March 1972 laying down rules to be applied in case of considerable price rises on the world sugar market, and in particular Article 1 (1) thereof;

Whereas Commission Regulation (EEC) No 2101/75 ⁽³⁾ of 11 August 1975 on a standing invitation to tender to determine levies and/or refunds on export of white sugar requires Member States to carry out partial invitations to tender for the export of white sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2101/75 a minimum export levy shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the sixth partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Management Committee for Sugar,

HAS ADOPTED THIS DECISION:

Article 1

The minimum export levy for the sixth partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75 is hereby fixed at 0.00 unit of account per 100 kilogrammes.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 1 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽³⁾ OJ No L 214, 12. 8. 1975, p. 5.

COMMISSION DECISION

of 2 October 1975

relating to the urgent supply of skimmed-milk powder and butter to the League of Red Cross societies for victims of the earthquake in Turkey

(Only the German text is authentic)

(75/606/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 804/68⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 740/75⁽²⁾, and in particular Articles 6 (7), 7 (5) and 28 thereof ;

Whereas Council Regulation (EEC) No 1348/75⁽³⁾ of 26 May 1975 on the supply of skimmed-milk powder, under the 1975 food-aid-programme, to certain developing countries and to certain international organizations, provides to leave a reserve stock of skimmed-milk powder for unforeseeable cases ;

Whereas Council Regulation (EEC) No 1542/75⁽⁴⁾ of 16 June 1975, on the supply of milk fats, under the 1975 food-aid-programme to certain developing countries and to certain international organizations, provides to leave a reserve stock of butter fats for unforeseeable cases ;

Whereas the League of Red Cross societies has requested an urgent delivery of 100 metric tons of skimmed-milk powder and 50 metric tons of butter on behalf of the victims of the earthquake in Turkey ; whereas appropriate action should be taken for this request and to set aside the quantities in question from the abovementioned reserve ; whereas the methods of transport shall be chosen following the urgency and the existing possibilities ;

Whereas under Article 5 of Council Regulations (EEC) No 1347/75⁽⁵⁾ of 26 May 1975 laying down the general rules for the supply of skimmed-milk powder, under the 1975 food-aid-programme, to certain developing countries and to certain international organiza-

tions, and No 1541/75⁽⁶⁾ of 16 June 1975 laying down the general rules for the supply of milk fats, under the 1975 food-aid-programme, to certain developing countries and to certain international organizations, it would be advisable, for this emergency action, to have recourse to a procedure of mutual agreement, in the case where it has proved that the goods shall be taken over by the recipient organization to a port or to an airport ;

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

HAS ADOPTED THIS DECISION :

Article 1

1. In pursuance of Regulation (EEC) No 1348/75, 100 metric tons of skimmed-milk powder bought in pursuant to Article 7 of Regulation (EEC) No 804/68 shall be delivered to the League of Red Cross societies for victims of the earthquake in Turkey.

2. The skimmed-milk powder shall be collected from the German intervention agency.

3. The skimmed-milk powder shall, as regards quality and packing, satisfy the requirements laid down in Annex I to Commission Regulation (EEC) No 1108/68⁽⁷⁾ of 27 July 1968 concerning the methods of public storage of skimmed-milk powder, as last amended by Regulation (EEC) No 1457/75⁽⁸⁾.

The packing of the skimmed-milk powder shall be marked in letters at least 1 cm high :

'Skimmed-milk powder — Gift of the European Economic Community to the League of Red Cross societies — for free distribution in Turkey'.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 74, 22. 3. 1975, p. 1.

⁽³⁾ OJ No L 138, 29. 5. 1975, p. 3.

⁽⁴⁾ OJ No L 157, 19. 6. 1975, p. 6.

⁽⁵⁾ OJ No L 138, 29. 5. 1975, p. 1.

⁽⁶⁾ OJ No L 157, 19. 6. 1975, p. 4.

⁽⁷⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽⁸⁾ OJ No L 145, 6. 6. 1975, p. 17.

Article 2

1. In pursuance of Regulation (EEC) No 1542/75, 50 metric tons of butter bought in pursuant to Article 6 of Regulation (EEC) No 804/68 shall be delivered to the League of Red Cross societies for victims of the earthquake in Turkey.
2. The butter shall be collected from the German intervention agency.
3. The butter shall satisfy the following conditions concerning the quality:
 - (a) Minimum fat content of the milk : 82 %
 - b) Maximum water content : 16 %
 - (c) Produced from pasteurized acid cream.
4. The butter shall satisfy the following conditions concerning the packaging:
 - (a) In blocks of 25 kg
 - (b) The packaging must be of resistant materials to protect the butter throughout transport, storage and disposal
 - (c) The packing of the butter shall be marked in letters at least 1 cm high : 'Butter — Gift of the European Economic Community to the League of Red Cross societies — for free distribution in Turkey'.
5. When the goods are received by the recipient organization, the temperature of the butter must not exceed -10° C in the centre of the blocks.

Article 3

The skimmed-milk powder and the butter shall be at the disposal of the recipient organization on the territory of the Federal Republic of Germany at one of the following stages communicated at a later moment by the Commission to the German intervention agency, that is to say :

- fob to a port of the Community accessible for ocean-going ships having regular lines with Turkey,
- or free at German airport,
- or from the warehouse of the intervention agency in the case where the recipient organization ensures the transport by lorries to Turkey.

Article 4

1. In case of delivery to an airport or port of embarkation, for determining the costs of transport in question, the German intervention agency shall conclude one or several private contracts to the least onerous terms.

The intervention agency shall forward to the Commission without delay a copy of such private contracts.

In the case mentioned in the first subparagraph, delivery shall be effected when they are deposited, following the case, to the airport or to the port of shipment at a point designated by the recipient organization.

2. In case of transport by lorry from the warehouse, as soon as the loading of the goods shall be effected, the German intervention agency shall communicate to the Commission the date of loading, the quantity and the quality established at the time of loading.

Article 5

No refund or compensatory amount (whether monetary or accession) shall be payable in respect of the skimmed-milk powder and butter delivered in pursuance of this Decision.

Article 6

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 2 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission