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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 3171/75 OF THE COUNCIL

of 3 December 1975

amending Regulation No 17/64/EEC on the conditions for granting aid from the European Agricultural Guidance and Guarantee Fund

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 209 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament⁽¹⁾;

Whereas, in order to take account of the difficulties experienced in certain sectors, the maximum possible amount of aid from the European Agricultural Guidance and Guarantee Fund for projects relating to production structure submitted in accordance with Council Regulation No 17/64/EEC⁽²⁾ of 5 February 1964 on the conditions for granting aid from the European Agricultural Guidance and Guarantee Fund, as last amended by Regulation (EEC) No 2684/74⁽³⁾, should be raised to 45 %; whereas, however, it is only in the case of certain projects that these difficulties justify aid being granted in excess of 25 % of the total amount of the investment;

Whereas provision should also be made for the financial contribution by the beneficiary to vary according to whether the project relates to marketing structures or to production structures;

Whereas in accordance with Article 6 of the Financial Regulation of 25 April 1973⁽⁴⁾ applicable to the general budget of the European Communities, appropriations committed for the financing of projects shall lapse if they have not been paid within a certain period;

Whereas provision should be made to ensure as far as possible that appropriations allocated for the improvement of the agricultural structure are not lost to agriculture; whereas, therefore, where it appears doubtful

whether a project or part of a project will be carried out, the aid should, after a certain period, be cancelled or reduced and assigned to another project, so that the appropriations concerned can be used within the period prescribed by the Financial Regulation,

HAS ADOPTED THIS REGULATION:

Article 1.

The text of the first subparagraph of Article 18 (1) of Regulation No 17/64/EEC shall be replaced by the following:

'For a given project, in relation to the investment made:

- the subsidies granted by the Fund may not exceed 25 %; however, in the case of certain projects satisfying the requirements of Article 11 (1) (a) or (b) subsidies of up to 45 % may be granted by the Fund,
- the financial contribution of the party benefiting from the improvement shall not be less than:
 - 20 %, in the case of projects satisfying the requirements of Article 11 (1) (a) or (b),
 - 38 %, in the case of projects satisfying the requirements of Article 11 (1) (c) or (d).'

Article 2

1. The following new paragraph shall be inserted in Article 22 of Regulation No 17/64/EEC:

'3. Without prejudice to Article 6 (5) of the Financial Regulation, aid from the Fund may be cancelled or, if necessary, reduced and the corresponding appropriations used to finance other projects:

⁽¹⁾ OJ No C 257, 10. 11. 1975, p. 37.

⁽²⁾ OJ No 34, 27. 2. 1964, p. 586/64.

⁽³⁾ OJ No L 288, 25. 10. 1974, p. 5.

⁽⁴⁾ OJ No L 116, 1. 5. 1973, p. 1.

- if the beneficiary abandons the project, or
- if the beneficiary, contrary to the information contained in his application and set out in the decision to grant aid, has neither begun the work within two years from the date of notification of that decision nor furnished assurances before the end of the said period sufficient to ensure that the project will be carried out, or
- if the beneficiary reduces the investment provided for in the decision to grant aid.

A decision under the proceeding subparagraph to cancel or reduce aid shall be taken in accordance with the procedure laid down in Article 19 (1); the

decision shall be taken by the Commission, after consultation with the Fund Committee on the financial aspects. The decision shall be notified to the Member State concerned and to the beneficiaries.'

2. Paragraph 3 of Article 22 of Regulation No 17/64/EEC shall become paragraph 4.

Article 3

This Regulation shall enter into force on the third day following that 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, 3 December 1975.

For the Council

The President

F. FABBRI

REGULATION (EEC) No 3172/75 OF THE COMMISSION
of 4 December 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 (EEC) No
2727/75 ⁽¹⁾ of 29 October 1975 on the common organ-
ization of the market in cereals, 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 2831/75 ⁽²⁾ and subsequent amending
Regulations ;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 2831/75 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 (EEC) No
2727/75 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 5 December
1975.

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

Done at Brussels, 4 December 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 283, 1. 11. 1975, p. 1.

ANNEX

to the Commission Regulation of 4 December 1975 fixing the import levies on cereals and on wheat or rye flour groats and meal

(u.a./metric ton)		
CCT heading No	Description of goods	Levies
10.01 A	Common wheat and meslin	32.89
10.01 B	Durum wheat	52.70 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	41.35 ⁽⁶⁾
10.03	Barley	20.28
10.04	Oats	14.92
10.05 B	Maize other than hybrid maize for sowing	28.09 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	22.26 ⁽⁴⁾
10.07 C	Grain sorghum	26.69 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	65.35
11.01 B	Rye flour	77.21
11.02 A I a	Durum wheat groats and meal	100.35
11.02 A I b	Common wheat groats and meal	69.90

⁽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 2754/75 and Commission Regulation (EEC) No 2622/71.

REGULATION (EEC) No 3173/75 OF THE COMMISSION
of 4 December 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 (EEC) No
2727/75 ⁽¹⁾ of 29 October 1975 on the common organ-
ization of the market in cereals, 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
2832/75 ⁽²⁾ 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 (EEC) No 2727/75, to the
import levies fixed in advance in respect of cereals
and malt is hereby fixed as shown in the tables
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 5 December
1975.

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

Done at Brussels, 4 December 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 283, 1. 11. 1975, p. 4.

ANNEX

to the Commission Regulation of 4 December 1975 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.a. / metric ton)

CCT heading No	Description of goods	Current 12	1st period 1	2nd period 2	3rd period 3
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	2.42	2.42	2.42
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	1.20	1.20	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

B. Malt

(u.a. / metric ton)

CCT heading No	Description of goods	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
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 3174/75 OF THE COMMISSION
of 4 December 1975
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community ;

Having regard to Council Regulation No 359/
67/EEC⁽¹⁾ of 25 July 1967 on the common organiza-
tion of the market in rice, as last amended by Regula-
tion (EEC) No 668/75⁽²⁾, and in particular Article 11
(5) thereof ;

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2231/75⁽³⁾ and
subsequent amending Regulations ;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2231/75
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 table annexed to
this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed
in Article 1 (1) (a) and (b) of Regulation No 359/
67/EEC are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 5 December
1975.

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

Done at Brussels, 4 December 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽²⁾ OJ No L 72, 20. 3. 1975, p. 18.

⁽³⁾ OJ No L 229, 30. 8. 1975, p. 5.

to the Commission Regulation of 4 December 1975 fixing the import levies on rice and broken rice

(u.a. / metric ton)

CCT heading No	Description of goods	Third countries	ACP and OCT ⁽¹⁾ ⁽²⁾
10.06	Rice :		
	A. Paddy rice ; husked rice :		
	I. Paddy rice :		
	a) Round grain	28.32	11.16
	b) Long grain	62.41	28.21
	II. Husked rice :		
	a) Round grain	35.40	14.70
	b) Long grain	78.01	36.01
	B. Semi-milled or wholly milled rice :		
	I. Semi-milled rice :		
	a) Round grain	54.98	17.59
	b) Long grain	140.60	60.44
	II. Wholly milled rice :		
	a) Round grain	58.55	19.03
b) Long grain	150.72	65.11	
C. Broken rice :	0	0	

(2) In accordance with Regulation (EEC) No 1599/75 provides that the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

REGULATION (EEC) No 3175/75 OF THE COMMISSION**of 4 December 1975****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community;

Having regard to Council Regulation No 359/
67/EEC⁽¹⁾ of 25 July 1967 on the common organiza-
tion of the market in rice, as last amended by Regula-
tion (EEC) No 668/75⁽²⁾, and in particular Article 13
(6) thereof;

Having regard to the Opinion of the Monetary
Committee;

Whereas the premiums to be added to the import
levies fixed in advance for rice and broken rice must
include a premium for the current month and a
premium for each of the following months until the
expiry of the period of validity of the import licence;
whereas this period of validity was laid down in
Article 8 of Commission Regulation (EEC) No
2042/75⁽³⁾ of 25 July 1975 on special detailed rules
for the application of the system of import and export
licences for cereals and rice;

Whereas Council Regulation No 365/67/EEC⁽⁴⁾ of 25
July 1967, as last amended by Regulation (EEC) No
2435/70⁽⁵⁾, lays down rules for the advance fixing of
levies on rice and broken rice;

Whereas under the terms of Regulation No 365/
67/EEC, where the cif price for husked rice for milled
rice or for broken rice determined on the day on
which the premiums are fixed is higher than the cif
forward delivery price for the same product, the
premium should as a general rule be equal to the
difference between these two prices; whereas the cif
price is that determined in accordance with Article 16
of Regulation No 359/67/EEC on the day on which
the premiums are fixed; whereas the detailed rules for
determining cif prices were laid down in Regulation
(EEC) No 1613/71⁽⁶⁾, as last amended by Regulation
(EEC) No 1057/73⁽⁷⁾; whereas the cif forward
delivery price must also be determined in accordance

with Article 16 of Regulation No 359/67/EEC but on
the basis of offers at North Sea ports; whereas this
price must be the cif price for shipment during the
month in which the import licence is issued in the
case of imports to be effected during that month;
whereas this price must be the cif price for shipment
during the month in which importation is expected to
take place in the case of imports to be effected during
the month following the month in which the import
licence is issued; whereas this price must be the cif
price for shipment during the month preceding the
month in which importation is expected to take place
in the case of imports to be effected during the
remaining months for which the import licence is
valid; whereas, if no offer for forward delivery is made
for shipment during a given month, this price should
be the price ruling for shipment during the last
month in which an offer for forward delivery was
made;

Whereas the premium is equal to 0 unit of account if
the cif price determined on the day on which the
scale of the premiums is fixed is equal to the cif
forward delivery price or exceeds that price by not
more than 0.25 unit of account per metric ton;

Whereas the premium may, however, be fixed at a
higher level in exceptional circumstances and within
certain specified limits;

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

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

Whereas it follows from applying all these provisions
that the premiums should be fixed as shown in the
table annexed to this Regulation; whereas the amount
of the premiums should be altered only if application
of the abovementioned provisions entails a change of
more than 0.25 unit of account,

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

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

(3) OJ No L 213, 11. 8. 1975, p. 5.

(4) OJ No 174, 31. 7. 1967, p. 32.

(5) OJ No L 262, 3. 12. 1970, p. 3.

(6) OJ No L 168, 27. 7. 1971, p. 28.

(7) OJ No L 105, 20. 4. 1973, p. 10.

HAS ADOPTED THIS REGULATION :

hereby fixed as shown in the table annexed to this Regulation.

*Article 1**Article 2*

The premiums to be added to the import levies fixed in advance in respect of rice and broken rice are

This Regulation shall enter into force on 5 December 1975.

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

Done at Brussels, 4 December 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 4 December 1975 fixing the premiums to be added to the import levies on rice and broken rice

(u.a. / metric ton)

CCT heading No	Description of goods	Current 12	1st period 1	2nd period 2	3rd period 3
10.06	Rice :				
	A. Paddy rice ; husked rice :				
	I. Paddy rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	0
	II. Husked rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	0
	B. Semi-milled or wholly milled rice :				
	I. Semi-milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	0
	II. Wholly milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	0
	C. Broken rice	0	0	0	0

REGULATION (EEC) No 3176/75 OF THE COMMISSION**of 4 December 1975****fixing the import levies on calves and adult bovine animals and on beef and veal
other than frozen**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community ;

Having regard to Council Regulation (EEC) No
805/68 ⁽¹⁾ of 27 June 1968 on the common organiza-
tion of the market in beef and veal, as last amended
by Regulation (EEC) No 1855/74 ⁽²⁾, and in particular
the second line of Article 10 (7), and Article 12 (7)
thereof ;

Whereas the import levies on calves and adult bovine
animals and on beef and veal other than frozen were
fixed by Regulation (EEC) No 2070/75 ⁽³⁾, as last
amended by Regulation (EEC) No 3082/75 ⁽⁴⁾ ;

Whereas it follows from applying the rules and other
provisions contained in amended Regulation (EEC)
No 2070/75 to the quotations and other information
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 levies referred to in Articles 10 and 12 of Regula-
tion (EEC) No 805/68 are hereby fixed as shown in
the Annex to this Regulation.

Article 2

To be classified as products falling within subheadings
02.01 A II a) 1 aa) and 02.01 A II a) 1 bb), products
must correspond to the definition contained in Article
2 of Regulation (EEC) No 2249/73 ⁽⁵⁾.

Article 3

This Regulation shall enter into force on 8 December
1975.

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

Done at Brussels, 4 December 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 195, 18. 7. 1974, p. 14.

⁽³⁾ OJ No L 210, 8. 8. 1975, p. 9.

⁽⁴⁾ OJ No L 308, 28. 11. 1975, p. 9.

⁽⁵⁾ OJ No L 230, 18. 8. 1973, p. 15.

ANNEX

Levies applicable from 8 December 1975 to imports from third countries ⁽¹⁾

(in u.a./100 kg)

CCT heading No	Description of goods	Austria Sweden Switzerland	Other third countries
01.02	Live animals of the bovine species :	Live weight	
	A. Domestic species :		
	II. Other :		
	a) Calves	33.080 (b)	43.820 (b)
	b) Other :		
02.01	1. Cows for immediate slaughter, the meat of which is intended for processing (a)	33.080	—
	2. Other :		
	aa) Not yet having any permanent teeth, of a weight of not less than 350 kg but not more than 450 kg in the case of male animals, or of not less than 320 kg but not more than 420 kg in the case of female animals (c)	—	43.820
	bb) Other	33.080 (b)	43.820 (b)
		Net weight	
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 :		
	II. Of bovine animals :		
	a) Of domestic bovine animals :		
	1. Fresh or chilled :		
	aa) Of calves :		
	11. Carcasses and half-carcasses	62.852	83.258
	22. Separated or unseparated forequarters	50.282	66.606
	33. Separated or unseparated hindquarters	75.422	99.910
	bb) Of adult animals :		
	11. Carcasses, half-carcasses or 'compensated' quarters :		
	aaa) Carcasses of a weight of not less than 180 kg but not more than 270 kg and half-carcasses or 'compensated' quarters of a weight of not less than 90 kg but not more than 135 kg, with a low degree of ossification of the cartilages (more especially those of the symphysis pubis and the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (c)	—	83.258
	bbb) Other	62.852	83.258
	22. Forequarters :		
	aaa) Of a weight of not less than 45 kg but not more than 68 kg, with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (c)	—	66.606
	bbb) Other	50.282	66.606

(in u.a./100 kg)			
CCT heading No	Description of goods	Austria Sweden Switzerland	Other third countries
02.01 (cont'd)	33. Hindquarters :	Net weight	
	aaa) Of a weight of not less than 45 kg but not more than 68 kg (not less than 38 kg but not more than 61 kg in the case of 'Pistola' cuts), with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (c)	—	99-910
	bbb) Other	75-422	99-910
	cc) Other cuts of veal and beef :		
	11. Unboned (bone-in)	94-278	124-887
02.06	22. Boned or boneless	107-841	142-853
	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked :		
	C. Other :		
	I. Of domestic bovine animals :		
	a) Meat :		
	1. Unboned (bone-in)	94-278	124-887
	2. Boned or boneless	107-841	142-853

(¹) In accordance with Regulation (EEC) No 1599/75 provides that the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities and to the special conditions at present applicable to cows imported under the bilateral agreement on cattle for the food processing industry between the European Communities and Austria.

(b) Where these products are imported under the conditions set out in Article 11 of Council Regulation (EEC) No 805/68 of 27 June 1968 and in the provisions adopted for its application, the levy is either refunded or not collected in accordance with those provisions.

(c) Entry under this subheading is subject to the production of the certificate referred to in paragraph 2 (c) of Protocol 1, Annex I to the trade agreement between the EEC and the Socialist Federal Republic of Yugoslavia.

REGULATION (EEC) No 3177/75 OF THE COMMISSION
of 4 December 1975

**fixing for the marketing year 1975/76 the minimum purchase price for oranges
supplied for processing and the amount of financial compensation payable in
respect of the processing of such oranges**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community;

Having regard to Council Regulation (EEC) No
2601/69 ⁽¹⁾ of 18 December 1969 laying down special
measures to encourage the processing of certain varie-
ties of oranges, as last amended by Regulation (EEC)
No 2483/75 ⁽²⁾, and in particular Articles 2 (3) and 3
(2) thereof;

Whereas Article 2 of Regulation (EEC) No 2601/69
provides that the minimum price which, under the
contracts, must be paid by the processors to the
producers is to be calculated on the basis of the
purchase price plus 10 % of the basic price of the
varieties which, by reason of their commercial charac-
teristics, are usually sent for processing; whereas,
since the products in question are oranges of the
Biondo communé variety, the minimum price should
be fixed on the basis of the average purchase price
operative for oranges of that variety in the current
marketing year under Regulation (EEC) No 474/75 ⁽³⁾
fixing the basic prices and the purchase prices for
sweet oranges, and Regulation (EEC) No 1203/73 ⁽⁴⁾
fixing the conversion factors to be applied to the
purchase price for sweet oranges, as last amended by
Regulation (EEC) No 2571/75 ⁽⁵⁾, plus 10 % of the
average basic price for that period;

Whereas, as regards the calculation of the financial
compensation, it has proved necessary, in order to
provide the maximum incentive for the processing of
the products in question, to base it on the difference
between the minimum price paid to the producer and
80 % of the average price prevailing in the industry in
the principal producer Member State during the three
marketing years 1972/73, 1973/74 and 1974/75;

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

Done at Brussels, 4 December 1975.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the marketing year 1975/76, the minimum
price referred to in Article 2 (2) of Regulation (EEC)
No 2601/69 shall be as follows:

- 7.30 units of account per 100 kg net for products
of Class I,
- 6.00 units of account per 100 kg net for products
of Class II,
- 4.70 units of account per 100 kg net for products
of Class III or of mixed grades.

2. This price shall apply to goods ex-producers'
packing station.

Article 2

The amount of the financial compensation referred to
in Article 3 (1) of Regulation (EEC) No 2601/69 shall
be as follows:

- 4.70 units of account per 100 kg net for products
of Class I,
- 3.40 units of account per 100 kg net for products
of Class II,
- 2.10 units of account per 100 kg net for products
of Class III or of mixed grades.

Article 3

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

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 324 27. 12. 1969, p. 21.

⁽²⁾ OJ No L 254, 1. 10. 1975, p. 5.

⁽³⁾ OJ No L 52, 28. 2. 1975, p. 24.

⁽⁴⁾ OJ No L 123 10. 5. 1973, p. 1.

⁽⁵⁾ OJ No L 262, 10. 10. 1975, p. 22.

REGULATION (EEC) No 3178/75 OF THE COMMISSION
of 4 December 1975

**on the sale by tender of skimmed-milk powder at a reduced price for export in
the form of compound feedingstuffs**

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 Articles 7 (5) and 28 thereof;

Whereas, under Council Regulation (EEC) No
2808/75⁽³⁾ of 29 October 1975 laying down special
measures for the disposal, with a view to its incorpora-
tion in compound feedingstuffs, of skimmed-milk
powder held in public storage, skimmed-milk powder
held by intervention agencies and put into storage
before 1 April 1974 may be sold at a reduced price;
whereas approximately 50 % of the quantity in ques-
tion is to be sold for export in the form of compound
feedingstuffs; whereas in view of the magnitude of
public stocks this provision should be applied;
whereas, in order to ensure equal access to all expor-
ters, the skimmed-milk powder should be sold by
tender;

Whereas a system of supervision should be set up to
ensure that the skimmed-milk powder is not diverted
from its destination; whereas such supervision should
operate from the time of removal from storage until
export of the product in the form of compound
feedingstuffs; whereas, moreover, the provision of
security, on-the-spot supervision during processing of
the said products and the use of distinctive packaging
will assist in achieving this aim;

Whereas, in order to ensure that the skimmed-milk
powder is not diverted from its destination during
processing, provision should be made for the
compound feedingstuffs to be manufactured in an
undertaking approved by the Member State
concerned;

Whereas, where processing and/or exportation take
place in a Member State other than the Member State
of sale, provision should be made, for the purpose of

verifying that the powder is in fact processed and
exported, for the use of the control copy provided for
by Commission Regulation (EEC) No 2315/69⁽⁴⁾ of
19 November 1969 on the use of Community transit
documents for the purpose of applying Community
measures for verifying the use and/or destination of
goods, as last amended by Regulation (EEC) No
690/73⁽⁵⁾;

Whereas, in order to facilitate control, the aid
provided for in Article 10 of Regulation (EEC) No
804/68 should not be granted in the case of
compound feedingstuffs manufactured from skimmed-
milk powder sold under this measure, and whereas
Commission Regulation (EEC) No 532/75⁽⁶⁾ of 28
February 1975 concerning the recovery on exportation
of aids granted in respect of skimmed-milk powder
for use as feed and in respect of skimmed milk
processed into compound feedingstuffs should there-
fore not be applied to exports of these compound
feedingstuffs;

Whereas, for purposes of the compensatory amounts
fixed pursuant to Council Regulation (EEC) No
974/71⁽⁷⁾ of 12 May 1971 on certain measures of
conjunctural policy to be taken in agriculture
following the temporary widening of the margins of
fluctuation for the currencies of certain Member
States, as last amended by Regulation (EEC) No
475/75⁽⁸⁾, the value of the products concerned should
be taken into account;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. There shall be put for sale, on the terms here-
inafter set out, skimmed-milk powder bought in
pursuant to Article 7 (1) of Regulation (EEC) No
804/68 and taken into storage after 31 May and before
1 October 1973.

⁽⁴⁾ OJ No L 295, 24. 11. 1969, p. 14.

⁽⁵⁾ OJ No L 66, 13. 3. 1973, p. 23.

⁽⁶⁾ OJ No L 56, 3. 3. 1975, p. 20.

⁽⁷⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁸⁾ OJ No L 52, 28. 2. 1975, p. 28.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 74, 22. 3. 1975, p. 1.

⁽³⁾ OJ No L 280, 31. 10. 1975, p. 2.

2. The skimmed-milk powder in question shall be exported in the form of compound feedingstuffs.

3. For the purpose of this Regulation, 'compound feedingstuffs' means products containing at least:

- 50 % skimmed-milk powder sold pursuant to this Regulation,
- 2.5 % lucerne meal or grass meal containing at least 70 % particles not exceeding 0.3 mm,
- 2 % starch as such or in the form of meal.

No skimmed milk or skimmed-milk powder other than as above may be used in the manufacture of such products.

Article 2

The skimmed-milk powder shall be sold by tender, to be arranged by each intervention agency for the relevant quantities held by it.

Article 3

1. The intervention agency shall issue an invitation to tender indicating in particular:

- (a) the quantities of skimmed-milk powder for sale pursuant to this Regulation;
- (b) the location of the depot or depots in which these quantities are stored;
- (c) the closing date and address for the submission of tenders.

2. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* at least 20 days before the closing date for the submission of tenders. The intervention agency may also publish such notice elsewhere.

3. The first closing date for the submission of tenders shall be 6 January 1976 at 12 noon.

4. As regards the quantities not awarded on the first invitation to tender, a new closing date for the submission of tenders shall be fixed subsequently.

Article 4

The intervention agency shall take the necessary measures to enable prospective tenderers to examine at their own expense, before submitting a tender, samples of the skimmed-milk powder for sale.

Article 5

A tenderer may not take part in the invitation to tender unless he gives a written undertaking:

- (a) to have all the skimmed-milk powder awarded to him processed into compound feedingstuffs as defined in Article 1 (3) in an undertaking approved by the Member State in whose territory the processing is carried out;
- (b) to export to a non-member country within two months from the day on which he takes delivery in accordance with Article 14 (2) the entire quantity of compound feedingstuffs thus produced.

Approval for the purposes of (a) may be granted only in respect of undertakings capable of processing at least 15 metric tons of skimmed-milk powder per day.

Article 6

1. Tenders, which shall be in writing, shall be sent to the intervention agency either by hand against acknowledgement of receipt or by registered letter addressed to the intervention agency. Intervention agencies may also authorize the use of telex.

2. Every tenderer shall indicate:

- (a) the name and address of the tenderer;
- (b) the quantity to which the tender relates;
- (c) the price offered per metric ton, exclusive of internal taxes, ex storage depot, expressed in the currency of the Member State in which the invitation to tender is held;
- (d) the depot in which the skimmed-milk powder is stored.

A tender relating to two or more storage depots shall be regarded as comprising a number of separate tenders equal to the number of depots mentioned.

3. A tender shall not be valid unless it relates to a quantity of at least 300 metric tons.

However, if the quantity available in a storage depot is less than the above quantity, the quantity available shall constitute the minimum quantity for tender.

4. A tender shall not be valid unless accompanied by:

- (a) the written undertaking referred to in Article 5 specifying the undertaking in which processing is to be carried out;
- (b) a declaration whereby the tenderer agrees to forego any claim as to the quality and characteristics of any skimmed-milk powder sold to him;
- (c) proof that before expiry of the period set for the submission of tenders, the tenderer has lodged the security for tender referred to in Article 7.

5. A tender may stipulate that it is not to be regarded as having been submitted unless a contract is awarded in respect of the entire quantity indicated in the tender.

A tender may stipulate that it is not to be regarded as having been submitted unless a contract is awarded in respect of a specific quantity indicated in the tender.

6. No tender may be withdrawn.

Article 7

1. The security for tender shall be 10 units of account per metric ton.

2. It shall take the form, at the option of the Member State concerned, either of a cheque made out in favour of the intervention agency, or of a guarantee satisfying criteria laid down by that Member State.

3. Except in the event of *force majeure*, the security for tender shall be released only in respect of that quantity:

(a) in respect of which the tenderer:

- has not withdrawn his tender before the award of contracts and
- has, within the time prescribed, paid the amount corresponding to his tender and lodged the processing and export security provided for in Article 13;

or

(b) in respect of which the tender has been refused.

Article 8

In the light of the tenders received and in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68, a minimum selling price shall be fixed, or alternatively a decision shall be taken to make no award.

Article 9

At the same time as the minimum selling price is fixed and under the same procedure, the processing and export security required under Article 13 shall be fixed per 100 kg by reference to the difference between the market price of skimmed-milk powder and the minimum price fixed.

Article 10

1. A tender shall be refused if the price offered is lower than the minimum price fixed.

2. Subject as provided in paragraph 1, the contract shall be awarded to the tenderer offering the highest price.

If the quantity available in the storage depot in question is not exhausted by this award, contracts shall be awarded to other tenderers in descending order of tender until the quantity outstanding has been accounted for.

3. Where acceptance of a tender would result in a contract being awarded for more skimmed-milk powder than is available at the storage depot in question, then a contract shall be awarded to the tenderer concerned only in respect of the quantity available.

4. Where acceptance of two or more tenders offering the same price would result in contracts being awarded in excess of the quantity still available, the award shall be made by drawing lots.

Article 11

Rights and obligations arising in connection with the invitation to tender shall not be transferable.

Article 12

1. Every tenderer shall immediately be notified by the intervention agency of the result of his tender.

2. Every successful tenderer shall, before taking delivery of any quantity in accordance with Article 14 (2), pay to the intervention agency an amount corresponding to his tender in respect of that quantity.

Article 13

1. Before taking delivery of any quantity of skimmed-milk powder the competent authority shall in accordance with Article 7 (2) lodge with the intervention agency of the Member State in whose territory the processing referred to in Article 5 (a) takes place the processing and export security fixed in accordance with Article 9.

2. Where the security is lodged in a Member State other than that of sale, the competent authority which receives the security shall forward without delay to the intervention agency of the Member State of sale a declaration stating the amount of the security provided and the quantities of skimmed-milk powder involved and confirming approval of the undertaking in which the processing referred to in Article 5 (a) is to be carried out.

Article 14

1. When payment has been made in accordance with Article 12 (2) and the security required under Article 13 has been lodged and, in the case specified in Article 13 (2), after receipt of the declaration referred to in that paragraph, the intervention agency shall issue a removal voucher showing:

- (a) the quantity in respect of which these conditions have been fulfilled;
- (b) the depot in which that quantity is stored;
- (c) the final date for taking delivery of the skimmed-milk powder concerned.

2. Every successful tenderer shall take delivery of the skimmed-milk powder awarded to him within 30 days of receiving the notification provided for in Article 12 (1). He may take delivery in instalments of not less than 10 metric tons each.

Except in the event of *force majeure*, if a successful tenderer has not taken delivery within the time prescribed of all the skimmed-milk powder awarded to him, the contract shall be cancelled in respect of that quantity still outstanding.

Article 15

The skimmed-milk powder shall be delivered by the intervention agency in packages marked in letters at least 1 cm high as follows:

'Skimmed-milk powder for export in the form of compound feedingstuffs (Regulation (EEC) No 3178/75)',

'Lait écrémé en poudre destiné à l'exportation sous forme d'aliments composés pour animaux (règlement (CEE) n° 3178/75)',

'Zur Ausfuhr als Mischfutter bestimmtes Magermilchpulver (Verordnung (EWG) Nr. 3178/75)',

'Latte scremato in polvere destinato all'esportazione sotto forma di alimenti composti per animali (regolamento (CEE) n. 3178/75)',

'Magere-melkpoeder bestemd voor uitvoer in de vorm van mengvoeder (Verordening (EEG) nr. 3178/75)',

'Skummetmælkspulver bestemt til eksport i form af foderblandinger (forordning (EØF) nr. 3178/75)'.

Article 16

1. From the time of its removal from store until its export, the skimmed-milk powder and the compound feedingstuffs in which it is incorporated shall be placed and remain under customs or equivalent administrative control.

2. The competent authority of the Member State on whose territory the processing into compound feedingstuffs takes place shall exercise physical supervision of this operation.

The extra costs involved by such supervision shall be borne by the successful tenderer. They shall be calculated at a flat rate of two units of account per metric ton of skimmed-milk powder, subject to a minimum of 50 units of account per day of supervision.

Article 17

1. Proof of processing and export shall be furnished as follows:

- (a) if the processing into compound feedingstuffs and the dispatch of the goods from the geographical territory of the Community both take place in the Member State of sale: by documents showing that these conditions have been fulfilled;
- (b) if processing of the skimmed-milk powder and/or dispatch from the geographical territory of the Community of the compound feedingstuffs take place in a Member State other than the Member State of sale: by the production of the control copy specified in Article 1 of Regulation (EEC) No 2315/69.

Sections 101, 103, 104 and 106 on the control copy shall be completed.

- (aa) If the skimmed-milk powder is to be processed in a Member State other than the Member State of sale, Section 104 shall be completed by deletion of the items not applicable and by insertion against the second indent of one of the following endorsements:

'Skimmed-milk powder:

- (i) to be processed into compound feedingstuffs as defined in Regulation (EEC) No 3178/75,

- (ii) and then to be exported';

'Lait écrémé en poudre destiné:

- (i) à être transformé en aliments composés au sens du règlement (CEE) n° 3178/75,

- (ii) puis à être exporté';

'Magermilchpulver bestimmt:

- (i) zur Verarbeitung zu Mischfutter, gemäß Verordnung (EWG) Nr. 3178/75,

- (ii) alsdann zur Ausfuhr';

'Latte scremato in polvere destinato:

- (i) ad essere trasformato in alimenti composti ai sensi del regolamento (CEE) n. 3178/75,

- (ii) ad essere esportato';

'Magere-melkpoeder bestemd:

- (i) om te worden verwerkt tot mengvoeder in de zin van Verordening (EEG) nr. 3178/75,

- (ii) om nadien te worden uitgevoerd';

'Skummetmælkspulver bestemt til:

- (i) fremstilling af foderblandinger i henhold til forordning (EØF) nr. 3178/75,

- (ii) herefter til eksport'.

Section 106 shall indicate the date on which the successful tenderer took delivery of the skimmed-milk powder.

Where verification of exportation as specified in (ii) is carried out in a Member State other than the State in which processing as referred to in (i) was carried out, the customs office which verified the said processing shall return the control copy to the customs office of departure, indicating that it has verified only such processing, and shall issue to the person concerned, in respect of the compound feedingstuffs produced, one or more control copies as referred to in Article 1 of Regulation (EEC) No 2315/69 in which Sections 101, 103, 104 and 106 shall be completed.

Section 104 shall contain one of the endorsements set out in (bb) hereunder;

Section 106 shall indicate:

- the number of the control copy issued by the customs office of departure and the name of that office,
- the date on which the successful tenderer took delivery of the skimmed-milk powder,
- the weight of the skimmed-milk powder used to produce the quantity of compound feedingstuffs indicated in Section 103.

The customs office which has verified that exportation as specified in (ii) has taken place shall endorse the control copy from the office which verified processing and shall return this copy via the said office to the customs office of departure in the Member State of sale.

- (bb) If the skimmed-milk powder is processed into compound feedingstuffs in the Member State of sale and is to be dispatched from the geographical territory of the Community via another Member State, Section 104 shall be completed by deletion of the items inapplicable and by insertion against the second indent of one of the following endorsements:

'Compound feedingstuffs for export pursuant to Regulation (EEC) No 3178/75',

'Aliments composés destinés à être exportés au titre du règlement (CEE) n° 3178/75',

'Zur Ausfuhr bestimmtes Mischfutter gemäß Verordnung (EWG) Nr. 3178/75',

'Alimenti composti destinati ad essere esportati a titolo del regolamento (CEE) n. 3178/75',

'Mengvoeder bestemd voor uitvoer volgens Verordening (EEG) nr. 3178/75',

'Foderblandinger bestemt til eksport i henhold til forordning (EØF) nr. 3178/75'.

Section 106 shall indicate:

- the date on which the successful tenderer took delivery of the skimmed-milk powder,
- the weight of skimmed-milk powder used to produce the quantity of compound feedingstuffs indicated in Section 103.

The customs office which verified exportation shall endorse the control copy and return it to the customs office of departure in the Member State of sale.

2. Except in the event of *force majeure*, the processing and export security referred to in Article 13 (1) shall be released only in respect of those quantities in respect of which the proof specified in paragraph 1 has been furnished.

The security shall be released at once.

Article 18

In the event of *force majeure*, the intervention agency shall take such action as it considers necessary having regard to the circumstances invoked.

Article 19

Member States shall inform the Commission by Tuesday of each week of the quantities of skimmed-milk powder released from storage pursuant to this Regulation during the preceding week.

Article 20

1. In respect of skimmed-milk powder sold under this Regulation, the compensatory amounts fixed pursuant to Regulation (EEC) No 974/71 shall be multiplied by a coefficient to be determined under the procedure referred to in Article 8 at the same time as the minimum selling price by reference to the difference between that price and the market price of skimmed-milk powder.

2. The aid provided for in Article 10 of Regulation (EEC) No 804/68 shall not be granted for in respect of skimmed-milk powder incorporated in compound feedingstuffs manufactured pursuant to this Regulation.

3. Regulation (EEC) No 532/75 shall not apply to the compound feedingstuffs referred to in paragraph 2.

Article 21

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

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

Done at Brussels, 4 December 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

REGULATION (EEC) No 3179/75 OF THE COMMISSION
of 4 December 1975

extending the suspension of the advance fixing of the levy on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

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

Having regard to Council Regulation (EEC) No 19/69⁽³⁾ of 20 December 1968 on the advance fixing of the levy on imports of olive oil, as last amended by Regulation (EEC) No 2429/72⁽⁴⁾, and in particular the first subparagraph of Article 1 (2) thereof;

Whereas the offer prices for olive oil on the world market are at present inferior to the ruling threshold price and are subject to considerable fluctuations; whereas this situation has led to import licences with advance fixing of the import levy being issued for substantial quantities;

Whereas current features of the Community market are a lack of fluidity and a certain sluggishness of prices; whereas this situation may be aggravated if

imports continue on a large scale; whereas such imports would place a burden on the Community market, in which already a large proportion of production has been put up for intervention; whereas, the Commission has by Regulation (EEC) No 3135/75⁽⁵⁾ of 1 December 1975 accordingly suspended the advance fixing of the import levy on olive oil;

Whereas, in face of the difficulties referred to above and following a further examination of the situation based on all the available information, it is necessary to renew the said suspension;

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

HAS ADOPTED THIS REGULATION:

Article 1

Advance fixing of the import levy on olive oil is hereby suspended.

Article 2

This Regulation shall enter into force on 5 December 1975.

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

Done at Brussels, 4 December 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 3, 7. 1. 1969, p. 2.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 7.

⁽⁵⁾ OJ No L 312, 2. 12. 1975, p. 19.

REGULATION (EEC) No 3180/75 OF THE COMMISSION
of 4 December 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, as amended by Regulation (EEC) No 2623/75 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EEC) No 3141/75 ⁽⁴⁾ ;

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 5 December 1975.

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

Done at Brussels, 4 December 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 268, 17. 10. 1975, p. 1.

⁽³⁾ OJ No L 168, 1. 7. 1975, p. 61.

⁽⁴⁾ OJ No L 313, 3. 12. 1975, p. 10.

ANNEX

to the Commission Regulation of 4 December 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	 8.40 7.22 ⁽¹⁾ 8.40 7.22 ⁽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 3181/75 OF THE COMMISSION**of 4 December 1975****fixing the corrective amount applicable to the refund on cereals and malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 2727/75 ⁽¹⁾ of 29 October 1975 the common organization of the market in cereals, and in particular the third sentence of the second subparagraph of Article 16 (4) thereof;

Having regard to Council Regulation (EEC) No 2746/75 ⁽²⁾ of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds;

Having regard to the Opinion of the Monetary Committee;

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, the corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 ⁽³⁾ of 29 October 1975 on the import and export system for products processed from cereals and from rice, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) and (d) of Regulation (EEC) No 2727/75;

Whereas Regulation (EEC) No 1281/75 ⁽⁴⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals

and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 and for malt account should be taken of the specific criteria laid down in Article 2 (2) and (3) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure;

Whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

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

Whereas it follows from applying the provisions referred to above that the corrective amount must be fixed as shown in the table annexed to this Regulation;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁴⁾ OJ No L 131, 22. 5. 1975, p. 15.

HAS ADOPTED THIS REGULATION :

hereby fixed as shown in the table annexed to this Regulation.

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of cereals is

Article 2

This Regulation shall enter into force on 5 December 1975.

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

Done at Brussels, 4 December 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 4 December 1975 fixing the corrective amount applicable to the refund on cereals and malt

Cereals

(u.a./metric ton)

CCT heading No	Description of goods	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5	6th period 6
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	—	—	—	—	—	—	—
10.07 C	Grain sorghum	0	0	0	0	—	—	—
11.01 A	Common wheat flour	0	0	0	— 3.00	— 6.00	—	—
11.01 B	Rye flour	0	0	0	0	0	—	—
11.02 A I a	Durum wheat groats and meal	0	0	0	0	0	—	—
11.02 A I b	Common wheat groats and meal	0	0	0	— 3.00	— 6.00	—	—

N.B. The zones are those defined in Regulation (EEC) No 941/72 (OJ No L 107, 6. 5. 1972).

REGULATION (EEC) No 3182/75 OF THE COMMISSION**of 4 December 1975****altering the import levies on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 2727/75⁽¹⁾ of 29 October 1975 on the common organization of the market in cereals, and in particular Article 14 (4) thereof;

Having regard to Council Regulation No 359/67/EEC⁽²⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 668/75⁽³⁾, and in particular Article 12 (4) thereof;

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 3071/75⁽⁴⁾, as last amended by Regulation (EEC) No 3169/75⁽⁵⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 2.5 units of

account per metric ton of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽⁶⁾, the levies at present in force must therefore be altered as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75⁽⁷⁾, as fixed in the Annex to amended Regulation (EEC) No 3071/75 are hereby altered as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 5 December 1975.

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

Done at Brussels, 4 December 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽³⁾ OJ No L 72, 20. 3. 1975, p. 18.

⁽⁴⁾ OJ No L 307, 27. 11. 1975, p. 11.

⁽⁵⁾ OJ No L 314, 4. 12. 1975, p. 11.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

ANNEX

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

CCT heading No	Levies in u.a./metric ton	
	Third countries (other than ACP and OCT) (*)	ACP and OCT (*)
11.01 H ⁽²⁾	25.73	23.23
11.02 A VIII ⁽²⁾	25.73	23.23
11.02 B I a) 4 ⁽²⁾	38.93	36.43
11.02 B I b) 4 ⁽²⁾	38.93	36.43
11.02 C VII ⁽²⁾	38.93	36.43
11.02 D VII ⁽²⁾	25.73	23.23
11.02 E I a) 4 ⁽²⁾	25.73	23.23
11.02 E I b) 4 ⁽²⁾	45.99	40.99
11.02 F VIII ⁽²⁾	25.73	23.23

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

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

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

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

REGULATION (EEC) No 3183/75 OF THE COMMISSION
of 4 December 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
2757/75 ⁽²⁾ of 29 October 1975 laying down general
rules for the system of accession compensatory
amounts for cereals, and in particular Article 7
thereof;

Having regard to Council Regulation (EEC) No
243/73 ⁽³⁾ 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 ⁽⁴⁾, and in
particular Article 5 thereof;

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

3096/75 ⁽⁵⁾, as amended by Regulation (EEC) No
3168/75 ⁽⁶⁾;

Whereas the application of the rules referred to in
Regulation (EEC) No 3096/75 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 3096/75 are amended as shown in the Annex to
this Regulation.

Article 2

This Regulation shall enter into force on 5 December
1975.

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

Done at Brussels, 4 December 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 281, 1. 11. 1975, p. 104.

⁽³⁾ OJ No L 29, 1. 2. 1973, p. 26.

⁽⁴⁾ OJ No L 209, 31. 7. 1974, p. 5.

⁽⁵⁾ OJ No L 309, 29. 11. 1975, p. 9.

⁽⁶⁾ OJ No L 314, 4. 12. 1975, p. 7.

ANNEXE B — BILAG B — ANHANG B — ALLEGATO B — BIJLAGE B — ANNEX B

Montants applicables au titre des montants compensatoires pour le riz et les brisures

Beløb, der skal anvendes som udligningsbeløb for ris og brudris

Für Reis und Bruchreis als Ausgleichsbeträge anzuwendende Beträge

Importi applicabili a titolo di importi di compensazione per il riso e le rotture di riso

Als compenserende bedragen toe te passen bedragen voor rijst en breukrijst

Amounts applicable as compensatory amounts for rice and broken rice

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

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolldtarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief CCT heading No	DK	IRL	UK
10.06 A I a)	26,40	26.40	26.40
10.06 A I b)	55,84	55.84	55.84
10.06 A II a)	33,00	33.00	33.00
10.06 A II b)	69,80	69.80	69.80
10.06 B I a)	39,98	39.98	39.98
10.06 B I b)	94,37	94.37	94.37
10.06 B II a)	42,58	42.58	42.58
10.06 B II b)	101,16	101.16	101.16

REGULATION (EEC) No 3184/75 OF THE COMMISSION
of 4 December 1975

fixing the refunds applicable to cereals and 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 (EEC) No
2727/75 ⁽¹⁾ of 29 October 1975 on the common organ-
ization of the market in cereals, and in particular the
first sentence of the fourth subparagraph of Article 16
(2) thereof ;

Having regard to the Opinion of the Monetary
Committee ;

Whereas Article 16 of Regulation (EEC) No 2727/75
provides that the difference between quotations or
prices on the world market for the products listed in
Article 1 of that Regulation and prices for those
products in the Community may be covered by an
export refund ;

Whereas Article 2 of Council Regulation No (EEC)
No 2746/75 ⁽²⁾ of 29 October 1975 laying down
general rules for granting export refunds on cereals
and criteria for fixing the amount of such refunds,
provides that when refunds are being fixed account
must be taken of the existing situation and the future
trend with regard to prices and availabilities of cereals
on the Community market on the one hand and
prices for cereals and cereal products on the world
market on the other ; whereas the same article
provides that it is also important to ensure equi-
librium and the natural development of prices and
trade on cereal markets and, furthermore, to take into
account the economic aspect of the proposed exports
and the need to avoid disturbances on the Commu-
nity market ;

Whereas Article 3 of Regulation (EEC) No 2746/75
defines the specific criteria to be taken into account
when the refund on cereals is being calculated ;

Whereas these specific criteria are defined, as far as
wheat and rye flour, groats and meal are concerned, in
Article 4 of Regulation (EEC) No 2746/75 ; whereas,
furthermore, when the refund on these products is
being calculated, account must be taken of the quanti-
ties of cereals required for their manufacture ; whereas
these quantities were fixed in Regulation No 162/

67/EEC ⁽³⁾, as amended by Regulation (EEC) No
1607/71 ⁽⁴⁾ ;

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

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

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

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

Whereas it follows from applying the rules outlined
above to the present situation on the market in
cereals, and in particular to quotations or prices for
these products within the Community and on the
world market, that the refunds, should be fixed as
shown in the Annex to this Regulation ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The refunds on the products listed in Article 1 (a), (b)
and (c) of Regulation (EEC) No 2727/75, exported in
the natural state, are hereby fixed as shown in the
Annex to this Regulation.

Article 2

This Regulation shall enter into force on 5 December
1975.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽³⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁴⁾ OJ No L 168, 27. 7. 1971, p. 16.

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

Done at Brussels, 4 December 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 4 December 1975 fixing the refunds applicable to cereals
and wheat or rye flour groats and meal

(u.a. / metric ton)

CCT heading No	Description of products	Refund
10.01 A	Common wheat ⁽¹⁾ and meslin for export to : — Switzerland, Austria, Liechtenstein and Norway	8-00
	— other third countries	0
10.01 B	Durum wheat	0
10.02	Rye ⁽¹⁾	0
10.03	Barley for export to : — Switzerland, Austria and Liechtenstein	5-00
	— other third countries	0
10.04	Oats for export to : — Switzerland, Austria and Liechtenstein	8-00
	— other third countries	0
10.05 B	Maize (other than hybrid maize for sowing)	—
10.07 C	Grain sorghum	0
ex 11.01 A	Wheat flour : — of an ash content of 0 to 520	25-00
	— of an ash content of 521 to 600	25-00
	— of an ash content of 601 to 900	20-00
	— of an ash content of 901 to 1 100	20-00
	— of an ash content of 1 101 to 1 650	15-00
	— of an ash content of 1 651 to 1 900	15-00
ex 11.01 B	Rye flour : — of an ash content of 0 to 700	0
	— of an ash content of 701 to 1 150	0
	— of an ash content of 1 151 to 1 600	0
	— of an ash content of 1 601 to 2 000	0
11.02 A I a	Durum wheat groats and meal : — of an ash content of 0 to 950	25-00
	— of an ash content of 951 to 1 300	25-00
	— of an ash content of 1 301 to 1 500	25-00
11.02 A I b	Common wheat groats and meal : — of an ash content of 0 to 520	25-00

⁽¹⁾ The refund is granted solely in respect of common wheat and rye which has not been denatured pursuant to Article 7 (3) and (5) Regulation No 120/67/EEC.

N.B. The zones are those defined in Regulation (EEC) No 941/72 (OJ No L 107, 6. 5. 1972).

REGULATION (EEC) No 3185/75 OF THE COMMISSION**of 4 December 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, as amended by Regulation (EEC) No 2623/75⁽²⁾, 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 3099/75⁽³⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3099/75 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 0.0840 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 5 December 1975.

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

Done at Brussels, 4 December 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 268, 17. 10. 1975, p. 1.

⁽³⁾ OJ No L 309, 29. 11. 1975, p. 23.

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