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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 417/76**of 26 February 1976****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 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 3058/75⁽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 Regulation (EEC) No 38/76⁽³⁾ and subsequent amending Regulations;

Whereas it follows from applying the provisions contained in Regulation (EEC) No 38/76, 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 27 February 1976.

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

Done at Brussels, 26 February 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 306, 26. 11. 1975, p. 3.

⁽³⁾ OJ No L 6, 13. 1. 1976, p. 1.

ANNEX

to the Commission Regulation of 26 February 1976 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	24.01
10.01 B	Durum wheat	50.05 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	51.40 ⁽⁶⁾
10.03	Barley	22.52
10.04	Oats	15.70
10.05 B	Maize other than hybrid maize for sowing	33.71 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	2.31
10.07 B	Millet	15.38 ⁽⁴⁾
10.07 C	Grain sorghum	32.52 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	45.19
11.01 B	Rye flour	83.56
11.02 A I a	Durum wheat groats and meal	88.19
11.02 A I b	Common wheat groats and meal	47.80

⁽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.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽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.

COMMISSION REGULATION (EEC) No 418/76**of 26 February 1976****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 of 29 October 1975 on the common organ-
ization of the market in cereals⁽¹⁾, as amended by
Regulation (EEC) No 3058/75⁽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
2832/75⁽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 (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 27 February
1976.

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

Done at Brussels, 26 February 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 306, 26. 11. 1975, p. 3.

⁽³⁾ OJ No L 283, 1. 11. 1975, p. 4.

ANNEX

to the Commission Regulation of 26 February 1976 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 2	1st period 3	2nd period 4	3rd period 5
10.01 A	Common wheat and meslin	0	0.80	0.80	0
10.01 B	Durum wheat	0	0	0	10.48
10.02	Rye	0	0	0	4.03
10.03	Barley	0	0	0	2.98
10.04	Oats	0	0	0	6.86
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	1.61
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	1.11	1.11	0

B. Malt

(u.a. / metric ton)

CCT heading No	Description of goods	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	1.42	1.42	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	1.06	1.06	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	5.30	5.30
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	3.96	3.96
11.07 B	Roasted malt	0	0	0	4.62	4.62

COMMISSION REGULATION (EEC) No 419/76
of 26 February 1976
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 of 25 July 1967 on the common organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (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 3386/75 ⁽³⁾ and
subsequent amending Regulations;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 3386/75
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 27 February
1976.

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

Done at Brussels, 26 February 1976.

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 334, 31. 12. 1975, p. 10.

ANNEX

to the Commission Regulation of 26 February 1976 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 b) Long grain II. Husked rice : a) Round grain b) Long grain B. Semi-milled or wholly milled rice : I. Semi-milled rice : a) Round grain b) Long grain II. Wholly milled rice : a) Round grain b) Long grain C. Broken rice :	51.41 86.62 64.26 108.28 90.19 200.87 96.05 215.33 29.25	22.71 40.31 29.13 51.14 35.20 90.57 37.78 97.42 12.13

⁽¹⁾ Subject to the application of the provisions of Article 9 of Regulation (EEC) No 1599/75.

⁽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'.

COMMISSION REGULATION (EEC) No 420/76

of 26 February 1976

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 of 25 July 1967 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (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 of 25 July 1975 on special detailed rules for the application of the system of import and export licences for cereals and rice ⁽³⁾;

Whereas Council Regulation No 365/67/EEC of 25 July 1967 ⁽⁴⁾, 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 3320/75 ⁽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 328, 20. 12. 1975, p. 32.

HAS ADOPTED THIS REGULATION :

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

Article 1

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

Article 2

This Regulation shall enter into force on 27 February 1976.

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

Done at Brussels, 26 February 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 26 February 1976 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description of goods	(u.a. / metric ton)			
		Current 2	1st period 3	2nd period 4	3rd period 5
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

COMMISSION REGULATION (EEC) No 421/76

of 26 February 1976

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 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, 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 356/76 ⁽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 Regulation (EEC) No 805/68 are hereby fixed as shown in the Annex to this Regulation.

*Article 2*To be classified as products falling within 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 1 March 1976.

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

Done at Brussels, 26 February 1976.

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 44, 20. 2. 1976, p. 9.⁽⁵⁾ OJ No L 230, 18. 8. 1973, p. 15.

ANNEX

Levies applicable from 1 March 1976 to imports from third countries ⁽¹⁾

CCT heading No	Description of goods	(in u.s./100 kg)	
		Austria Sweden Switzerland	Other third countries
01.02	Live animals of the bovine species :	Live weight	
	A. Domestic species :		
	II. Other :		
	a) Calves	36·281 (b)	48·460 (b)
	b) Other :		
02.01	1. Cows for immediate slaughter, the meat of which is intended for processing (a)	36·281	—
	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)	—	48·460
	bb) Other	36·281 (b)	48·460 (b)
	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen :	Net weight	
02.01	A. Meat :		
	II. Of bovine animals :		
	a) Of domestic bovine animals :		
	1. Fresh or chilled :		
	aa) Of calves :		
02.01	11. Carcases and half-carcases	68·934	92·074
	22. Separated or unseparated forequarters	55·147	73·659
	33. Separated or unseparated hindquarters	82·721	110·489
	bb) Of adult animals :		
	11. Carcases, half-carcases or 'compensated' quarters :		
02.01	aaa) Carcases of a weight of not less than 180 kg but not more than 270 kg and half-carcases 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)	—	92·074
	bbb) Other	68·934	92·074
	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)	—	73·659
	bbb) Other	55·147	73·659

CCT heading No	Description of goods	(in u.a./100 kg)	
		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)	—	110-489
	bbb) Other	82-721	110-489
	cc) Other cuts of veal and beef :		
	11. Unboned (bone-in)	103-401	138-111
02 06	22. Boned or boneless	118-276	157-980
	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)	103-401	138-111
	2. Boned or boneless	118-276	157-980

(¹) In accordance with Regulation (EEC) No 1599/75, amended by Regulation (EEC) No 3329/75, 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.

COMMISSION REGULATION (EEC) No 422/76

of 25 February 1976

on the invitation to tender for the costs of delivery of skimmed-milk powder as food aid to Somalia

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

Whereas Council Regulation (EEC) No 713/75 of 18 March 1975 laying down the general rules for the supply of skimmed-milk powder as food aid to Somalia⁽³⁾, provides for a reserve of 2 000 metric tons of skimmed-milk powder to be delivered following the evolution of the needs of Somalia; whereas this country has applied for the supply cif of 1 000 metric tons of skimmed-milk powder;

Whereas Article 5 of Regulation (EEC) No 713/75 provides that for the purposes of the supply and shipment of skimmed-milk powder invitations to tender are to be issued;

Whereas the procedure to be adopted for this tendering should in the main be the procedure used hitherto in similar cases;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders shall be invited in accordance with the provisions of Regulation (EEC) No 713/75 for the costs of delivery to Somalia of a lot of 1 000 metric tons of skimmed-milk powder which has been subject to the intervention measures specified in Article 7 of Regulation (EEC) No 804/68, divided into two lots of 500 metric tons.

The skimmed-milk powder shall be taken from the Belgian intervention agency.

2. The skimmed-milk powder shall, as to quality and packing, satisfy the provisions laid down in

⁽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.

Annex I to Commission Regulation (EEC) No 1108/68 of 27 July 1968 on detailed rules of application for public storage of skimmed-milk powder⁽⁴⁾, as last amended by Regulation (EEC) No 1457/75⁽⁵⁾.

The Belgian intervention agency has the following words in letters at least one centimetre high applied on the packing:

'Skimmed-milk powder — gift of the European Economic Community to the Somali Democratic Republic — to be distributed free of charge'.

3. The intervention agency shall supply a further 5 % empty bags identical to those containing the goods. The successful tenderer undertakes to have these bags mentioned on the bill of lading.

4. Delivery shall be made cif Mogadishu (Somalia) according to Article 5 (1).

5. Loading shall take place:

for lot A (500 metric tons): after 1 and before 15 April 1976,

for lot B (500 metric tons): after 1 and before 15 May 1976.

Article 2

1. The Belgian intervention agency shall draw up the notice of invitation to tender, which shall be published in the *Official Journal of the European Communities* not less than 10 days before the closing date for the submission of tenders.

2. The closing date for the submission of tenders shall be 16 March 1976 at 12 noon.

3. The intervention agency shall indicate in its notice of invitation the warehouses where the skimmed-milk powder is held.

Article 3

1. Tenders, which shall be in writing, shall be submitted either by delivery by hand to the intervention agency against acknowledgement of receipt or by registered letter addressed to the intervention agency. Each tender may only relate to one lot.

⁽⁴⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽⁵⁾ OJ No L 145, 6. 6. 1975, p. 17.

2. The tender shall indicate :

- (a) the name and address of the tenderer ;
- (b) the amount of bid exclusive of tax, expressed in Belgian francs, for which the tenderer undertakes to deliver the skimmed-milk powder cif under the conditions laid down in Article 5 including the insurance costs covering the value of the goods ;
- (c) the port of embarkation which may be any Community port.

3. The tender shall not be valid unless :

- (a) it relates to the whole of the lot to which the invitation to tender relates ;
- (b) proof is furnished that before expiry of the time limit for the submission of tenders, the tenderer has given the security fixed in Article 4.

4. The tender may not be withdrawn.

Article 4

1. The security required for the invitation to tender shall be two units of account per metric ton of skimmed-milk powder.

2. It shall take the form, at the option of the Member State concerned, either of a cheque made out in favour of the country of destination, or of a bank guarantee which satisfies the criteria laid down by that Member State.

Article 5

1. Delivery costs shall be the costs incurred up to the time when the goods are deposited on the quay-side or on board lighters, if used, all costs subsequent to delivery, including costs of taking delivery, to be borne by the country of destination.

2. Any demurrage costs at the port of unloading in respect of delays attributable to the country of destination shall be chargeable to the latter. The rates and other details concerning such costs shall be laid down in the contract between the successful tenderer and the carrier and must have been previously agreed upon between the former and the delivery agent of the country of destination.

3. Except in cases of *force majeure* every successful tenderer shall accept all financial liability devolving upon the Community by reason of failure to deliver the skimmed-milk powder at the place and by the time appointed, provided always that the country of destination has made it possible for the skimmed-milk powder to be so delivered. Costs incurred by reason of failure to deliver the skimmed-milk powder as a result of *force majeure* shall be borne by the Belgian intervention agency.

Article 6

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 maximum amount, expressed in units of account, shall be fixed or alternatively a decision shall be taken to make no award.

Article 7

1. A tender shall be refused if the amount proposed, converted into units of account, is more than the maximum amount fixed for the lot in question.

2. Without prejudice to the provisions of paragraph 1, the successful tenderer shall for each lot be the one making the lowest offer.

Where two or more valid offers specify amounts which when converted into units of account are identical, the award shall be made by drawing lots.

3. Each tenderer shall be immediately notified by the intervention agency of the result of his participation in the invitation to tender. The intervention agency concerned shall immediately inform the Commission of the name of the successful tenderer.

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

Article 8

When the successful tenderer takes delivery of the skimmed-milk powder, he shall ensure that the quantity handed over corresponds to the quantity to be delivered.

Furthermore, he shall ensure that the packing of the skimmed-milk powder satisfies the requirements laid down in Article 1 (2).

Article 9

The Belgian Government shall :

1. ensure that the successful tenderer shall :

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

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

Article 10

1. The goods shall be regarded as delivered *cif* when they are deposited on the quayside in the port of unloading or on board lighters, if used.

2. On *cif* delivery in accordance with paragraph 1 the country of destination shall issue a certificate declaring that the skimmed-milk powder has been delivered.

Article 11

1. Save in the case of *force majeure*, the tendering security shall be released only if:

(a) the tender has not been accepted;

(b) the tenderer:

- has not withdrawn his tender before the decision awarding the tender,
- has furnished the certificate provided for in Article 10 (2).

2. The security shall be released immediately.

Article 12

In cases of *force majeure* the intervention agency selling the skimmed-milk powder shall decide on the

measures to be taken having regard to the circumstances invoked and shall inform the Commission thereof.

Article 13

The intervention agency shall pay to the successful tenderer the amount stated in his tender upon production of the certificate referred to in Article 10 (2).

Article 14

No refund or compensatory amount (whether monetary or accession) shall be applied in respect of the skimmed-milk powder to which this Regulation applies.

Article 15

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, 25 February 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION REGULATION (EEC) No 423/76
of 26 February 1976
fixing the import levies on milk and milk products

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 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 740/75⁽²⁾, and in
particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 829/75⁽³⁾, as last
amended by Regulation (EEC) No 315/76⁽⁴⁾;

Whereas it follows from applying the rules contained
in Regulation (EEC) No 829/75 to the prices known

to the Commission that the levies at present in force
should be altered as shown in the Annex to this Regu-
lation,

HAS ADOPTED THIS REGULATION :

Article 1

The levies referred to in Article 14 (2) of Regulation
(EEC) No 804/68 are hereby fixed as shown in the
Annex.

Article 2

This Regulation shall enter into force on 1 March
1976.

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

Done at Brussels, 26 February 1976.

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 79, 28. 3. 1975, p. 31.

⁽⁴⁾ OJ No L 39, 14. 2. 1976, p. 7.

ANNEX

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
04.01	Milk and cream, fresh, not concentrated or sweetened : A. Of a fat content, by weight, not exceeding 6 % : I. Yoghourt, kephir, curdled milk, whey, buttermilk and other fermented or acidified milk : a) In immediate packings of a net capacity of 2 litres or less b) Other II. Other : a) In immediate packings of a net capacity of 2 litres or less and of a fat content, by weight : 1. Not exceeding 4 % 2. Exceeding 4 % b) Other, of a fat content, by weight : 1. Not exceeding 4 % 2. Exceeding 4 % B. Other, of a fat content, by weight : I. Exceeding 6 % but not exceeding 21 % II. Exceeding 21 % but not exceeding 45 % III. Exceeding 45 %	0110 0120 0130 0140 0150 0160 0200 0300 0400	18.75 16.75 16.75 20.37 15.75 19.37 39.56 83.69 129.34
04.02	Milk and cream, preserved, concentrated or sweetened : A. Not containing added sugar : I. Whey II. Milk and cream, in powder or granules : a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight : 1. Not exceeding 1.5 % 2. Exceeding 1.5 % but not exceeding 27 % 3. Exceeding 27 % but not exceeding 29 % 4. Exceeding 29 % b) Other, of a fat content, by weight : 1. Not exceeding 1.5 % 2. Exceeding 1.5 % but not exceeding 27 % 3. Exceeding 27 % but not exceeding 29 % 4. Exceeding 29 % III. Milk and cream, other than in powder or granules : a) In hermetically sealed cans of a net capacity of 454 g or less, or in glass containers of a capacity of 0.5 litre or less and of a fat content, by weight, of 11 % or less : 1. Of a fat content, by weight, of 8.9 % or less 2. Other b) Other, of a fat content, by weight : 1. Not exceeding 45 % 2. Exceeding 45 %	0500 0620 0720 0820 0920 1020 1120 1220 1320 1420 1520 1620 1720	13.80 81.55 95.93 97.93 111.25 75.55 89.93 91.93 105.25 10.66 14.39 83.69 129.34

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
04.02 (cont'd)	B. Containing added sugar :		
	I. Milk and cream, in powder or granules :		
	a) Special milk for infants ⁽¹⁾ , in hermetically sealed cans of a net capacity of 500 g or less and of a fat content, by weight, exceeding 10 % but not exceeding 27 % ⁽²⁾	1820	30-00
	b) Other :		
	1. In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight :		
	aa) Not exceeding 1.5 % ⁽³⁾	2220	per kg 0.7555 ⁽⁹⁾
	bb) Exceeding 1.5 % but not exceeding 27 % ⁽³⁾	2320	per kg 0.8993 ⁽⁹⁾
	cc) Exceeding 27 % ⁽³⁾	2420	per kg 1.0525 ⁽⁹⁾
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 % ⁽³⁾	2520	per kg 0.7555 ⁽¹⁰⁾
	bb) Exceeding 1.5 % but not exceeding 27 % ⁽³⁾	2620	per kg 0.8993 ⁽¹⁰⁾
	cc) Exceeding 27 % ⁽³⁾	2720	per kg 1.0525 ⁽¹⁰⁾
	II. Milk and cream, other than in powder or granules :		
	a) In hermetically sealed cans of a net capacity of 454 g or less and of a fat content, by weight, not exceeding 9.5 %	2810	19-97
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 % ⁽³⁾	2910	per kg 0.8369 ⁽¹⁰⁾
	2. Exceeding 45 % ⁽³⁾	3010	per kg 1.2934 ⁽¹⁰⁾
04.03	Butter :		
	A. Of a fat content, by weight, not exceeding 85 %	3110	152-17
	B. Other	3210	185-65
04.04	Cheese and curd :		
	A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered :		
	I. Of a minimum fat content of 45 % by weight, referred to dry matter, matured for at least 3 months ⁽²⁾ :		
	a) Whole cheese ⁽⁴⁾ of a free-at-frontier value ⁽⁵⁾ per 100 kg net weight of :		
	1. 196-06 u.a. (a) or more but less than 216-06 u.a. (a)	3318	15-00
	2. 216-06 u.a. (a) or more	3417	129-90 ⁽¹¹⁾

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
04.04 (cont'd)	b) Pieces packed in vacuum or in inert gas :		
	1. With rind on at least one side, of a net weight :		
	aa) Of 1 kg or more but less than 5 kg and of a free-at-frontier value ⁽⁵⁾ of 216.06 u.a. (a) or more but less than 244.06 u.a. (a) per 100 kg net weight	3518	15.00
	bb) Of 450 g or more and of a free-at-frontier value ⁽⁵⁾ of 244.06 u.a. (a) or more per 100 kg net weight	3616	129.90 ⁽¹¹⁾
	2. Other, of a net weight of 75 g or more but not exceeding 250 g ⁽⁶⁾ and of a free-at-frontier value ⁽⁵⁾ of 264.06 u.a. (a) or more per 100 kg net weight	3716	129.90 ⁽¹¹⁾
	II Other	3800	129.90
	B. Glarus herb cheese (known as Schabziger) made from skimmed milk and mixed with finely-ground herbs ⁽²⁾	3900	102.44 ⁽¹²⁾
	C. Blue-veined cheese, not grated or powdered	4000	99.61
	D. Processed cheese, not grated or powdered :		
	I. In the blending of which only Emmentaler, Gruyère and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger), put up for retail sale ⁽⁷⁾ , of a free-at-frontier value ⁽⁵⁾ of not less than 150 u.a. per 100 kg net weight and of a fat content, by weight, in the dry matter, not exceeding 56 % ⁽²⁾	4120	30.00
	II. Other, of a fat content, by weight :		
	a) Not exceeding 36 % and of a fat content, by weight, referred to dry matter :		
	1. Not exceeding 48 %	4410	102.65
	2. Exceeding 48 %	4510	110.30
	b) Exceeding 36 %	4610	190.30
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :		
	a) Not exceeding 47 %	4710	102.44

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
04.04 (cont'd)	b) Exceeding 47 % but not exceeding 72 % : 1. Cheddar, including Chester : aa) Whole Cheddar cheeses ⁽⁴⁾ made from unpasteurized milk, of a minimum fat content of 50 % by weight, in the dry matter, matured for a least nine months and of a free-at-frontier value of not less than 193.10 u.a. per 100 kg net weight ⁽²⁾ bb) Other 2. Tilsit and Butterkäse, of a fat content, by weight, referred to the dry matter ⁽²⁾ : aa) Not exceeding 48 % bb) Exceeding 48 % 3. Kashkaval ⁽²⁾ 4. Cheese of sheep's milk or buffalo milk in containers holding brine, or in sheep- or goat-skin bottles ⁽²⁾ 5. Other c) Exceeding 72 % : 1. In immediate packings of a net capacity not exceeding 500 g 2. Other II. Not specified : a) Grated or powdered b) Other	4831 4850 4922 5022 5030 5060 5120 5210 5250 5310 5410	15.00 130.57 106.30 ⁽¹³⁾ 106.30 ⁽¹⁴⁾ 106.30 ⁽¹⁵⁾ 106.30 ⁽¹⁵⁾ 106.30 79.73 186.30 102.44 186.30
17.02	Other sugars ; sugar syrups ; artificial honey (whether or not mixed with natural honey) ; caramel : A. Lactose and lactose syrup : II. Other than that containing, in the dry state, 99 % or more by weight of the pure product ⁽¹⁶⁾	5500	16.25
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion : A. Lactose and lactose syrup	5600	16.25
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : B. Other, containing starch or glucose or glucose syrup falling within subheadings 17.02 B and 17.05 B, or milk products ⁽⁸⁾ : I. Containing starch, or glucose or glucose syrup : a) Containing no starch or containing 10 % or less by weight of starch : 1. 2. 3. Containing 50 % or more but less than 75 % by weight of milk products 4. Containing 75 % or more by weight of milk products	5700 5800	58.66 76.04

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
23.07 (cont'd)	b) Containing more than 10 % but not more than 30 % by weight of starch :		
	1.		
	2.		
	3. Containing 50 % or more by weight of milk products	5900	70-58
	c) Containing more than 30 % by weight of starch :		
	1.		
	2.		
	3. Containing 50 % or more by weight of milk products	6000	56-70
	II. Containing no starch, glucose or glucose syrup, but containing milk products	6100	76-04

For notes (1) to (9), see notes (1) to (9) of Council Regulation (EEC) No 823/68 (OJ No L 151, 30. 6. 1968).

(9) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :

- a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
- b) 6 u.a.; and
- c) 3.63 u.a.

(10) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components ;

- a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product; and
- b) 3.63 u.a.

(11) The levy is limited to 7.50 u.a. per 100 kg net weight.

(12) The levy is limited to 6% of the value for customs purposes.

(13) The levy is limited to 48.65 u.a. per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

(14) The levy is limited to 68.65 u.a. per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

(15) The levy is limited to 48.65 u.a. per 100 kg net weight for imports from Bulgaria, Hungary, Romania and Turkey (Regulation (EEC) No 1054/68 as amended).

(16) Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.

(a) For imports into the United Kingdom, this free-at-frontier value shall be reduced by 9.99 u.a. per 100 kg net.

NB : For the purposes of heading No 04.04, the exchange rate to be applied in converting into national currencies the unit of account referred to in the subdivisions of this heading shall, notwithstanding general rule C 3 contained in Part I, Section I of the Common Customs Tariff be the representative rate, if such a rate is fixed pursuant to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy (OJ No 106, 30. 10. 1962, p. 2553/62).

COMMISSION REGULATION (EEC) No 424/76
of 26 February 1976
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 of 19 December 1974 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 3058/75 ⁽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 415/76 ⁽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 27 February 1976.

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

Done at Brussels, 26 February 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 306, 26. 11. 1975, p. 3.

⁽³⁾ OJ No L 168, 1. 7. 1975, p. 61.

⁽⁴⁾ OJ No L 50, 26. 2. 1976, p. 21.

ANNEX

to the Commission Regulation of 26 February 1976 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	6.21 4.65 ⁽¹⁾ 6.21 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.

COMMISSION REGULATION (EEC) No 425/76**of 26 February 1976****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 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 3058/75⁽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 207/76⁽³⁾, as last amended by Regulation (EEC) No 416/76⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 207/76

to the information at present available to the Commission 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 0.0621 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 27 February 1976.

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

Done at Brussels, 26 February 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 306, 26. 11. 1975, p. 3.

⁽³⁾ OJ No L 26, 31. 1. 1976, p. 23.

⁽⁴⁾ OJ No L 50, 26. 2. 1976, p. 22.

COMMISSION REGULATION (EEC) No 426/76**of 26 February 1976****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 of 29 October 1975 laying down general
rules for the system of accession compensatory
amounts for cereals ⁽²⁾, and in particular Article 7
thereof,

Having regard to Council Regulation (EEC) No
243/73 of 31 January 1973 laying down general rules
for a system of compensatory amounts for rice and
fixing these amounts for certain products ⁽³⁾, 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

204/76 ⁽⁵⁾, as last amended by Regulation (EEC) No
404/76 ⁽⁶⁾;

Whereas the application of the rules referred to in
Regulation (EEC) No 204/76 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 204/76 are amended as shown in the Annex to
this Regulation.

Article 2

This Regulation shall enter into force on 27 February
1976.

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

Done at Brussels, 26 February 1976.

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 26, 31. 1. 1976, p. 9.

⁽⁶⁾ OJ No L 49, 25. 2. 1976, p. 18.

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

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

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

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
10.06 A I a)	49,16	49.16	49.16
10.06 A II a)	61,45	61.45	61.45
10.06 B I a)	74,45	74.45	74.45
10.06 B II a)	79,29	79.29	79.29

(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 gewichtspereenten, 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 gewichtspereenten voor rijst, 2,5 gewichtspereenten voor tarwe en rogge, 3 gewichtspereenten voor gerst, 4 gewichtspereenten voor boekweit, 5 gewichtspereenten voor haver en 2 gewichtspereenten 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.

COMMISSION REGULATION (EEC) No 427/76

of 26 February 1976

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 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 3058/75⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (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 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, 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 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 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 quantities of cereals required for their manufacture; whereas

these quantities were fixed in Regulation No 162/67/EEC⁽⁴⁾, as amended by Regulation (EEC) No 1607/71⁽⁵⁾;

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

Whereas 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 Management 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 27 February 1976.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 306, 26. 11. 1975, p. 3.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ 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, 26 February 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 26 February 1976 fixing the refunds applicable to cereals
and wheat or rye flour groats and meal

CCT heading No	Description of products	Refund (u.a./metric ton)
10.01 A	Common wheat ⁽¹⁾ and meslin for export to : — Switzerland, Austria and Liechtenstein — other third countries	20-00 0
10.01 B	Durum wheat	45-00
10.02	Rye ⁽¹⁾	0
10.03	Barley for export to : — Switzerland, Austria and Liechtenstein — other third countries	20-00 0
10.04	Oats	12-00
10.05 B	Maize (other than hybrid maize for sowing) for export to : — the Iberian peninsular — other third countries	30-00 —
10.07 C	Grain sorghum	25-00
ex 11.01 A	Wheat flour : — of an ash content of 0 to 520 — of an ash content of 521 to 600 — of an ash content of 601 to 900 — of an ash content of 901 to 1 100 — of an ash content of 1 101 to 1 650 — of an ash content of 1 651 to 1 900	40-00 40-00 32-00 32-00 22-00 22-00
ex 11.01 B	Rye flour : — of an ash content of 0 to 700 — of an ash content of 701 to 1 150 — of an ash content of 1 151 to 1 600 — of an ash content of 1 601 to 2 000	48-00 48-00 48-00 48-00
11.02 A I a	Durum wheat groats and meal : — of an ash content of 0 to 950 — of an ash content of 951 to 1 300 — of an ash content of 1 301 to 1 500	63-00 63-00 63-00
11.02 A I b	Common wheat groats and meal : — of an ash content of 0 to 520	40-00

⁽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 (EEC) No 2727/75.

N.B. The zones are those defined in Regulation (EEC) No 306/76 (OJ No L 38, 13. 2. 1976).

COMMISSION REGULATION (EEC) No 428/76

of 26 February 1976

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 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 3058/75⁽²⁾, and in particular the third sentence of the second subparagraph of Article 16 (4) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾,

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 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, 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⁽⁵⁾ 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 Commu-

nity 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 306, 26. 11. 1975, p. 3.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ 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 1 March 1976.

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

Done at Brussels, 26 February 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 26 February 1976 fixing the corrective amount applicable to the refund on cereals and malt

Cereals

(u.a. / metric ton)

CCT heading No	Description of goods	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8	6th period 9
10.01 A	Common wheat, and meslin	0	0	0	0	0	—	—
10.01 B	Durum wheat	0	0	0	0	0	—	—
10.02	Rye	0	0	0	0	—	—	—
10.03	Barley	0	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	— 6-00	— 8-00	—	—
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	— 6-00	— 8-00	—	—

N.B. The zones are those defined in Regulation (EEC) No 306/76 (OJ No L 38, 13. 2. 1976).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION OPINION

of 17 February 1976

addressed to the Government of the Kingdom of Belgium on two ministerial decrees of 29 October 1975, one governing cross-frontier transport to France and the Netherlands by inland waterway, the other amending the conditions under which vessels engaged in the carriage of goods for own account are freed from the control of the freighting rota offices of the Office régulateur de la Navigation intérieure (Central Office for Inland Waterway Transport)

(76/257/EEC)

In accordance with Article 1 of the Council Decision of 21 March 1962 instituting a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States⁽¹⁾, as amended by the Council Decision of 22 November 1973⁽²⁾, the Belgian Government sent the Commission, under cover of a letter of 21 November 1975 from the office of its Permanent Representative to the European Communities, the text of two ministerial decrees, one governing cross-frontier transport to France and the Netherlands by inland waterway, the other amending the conditions under which vessels engaged in the carriage of goods for own account are freed from the control of the freighting rota offices of the Office régulateur de la Navigation intérieure.

The letter from the office of the Belgian Permanent Representative reached the Commission on 24 November 1975 and, in accordance with the said Article 1, was also sent to the other Member States.

In view of the difficulties confronting the Belgian inland waterways and the need for immediate action, the Belgian Government without previously consulting the Commission, brought these ministerial decrees into force on 29 October 1975, the date of their publication in the 'Moniteur belge'. Pursuant to

Article 2 (5) of the Council Decision the Belgian Government informed the Commission of the steps it had taken.

On the Commission's initiative an information meeting with representatives of the Belgian Government was held in Brussels on 22 January 1976. In accordance with Article 2 (4) of the Council Decision, and with the agreement of the Belgian Government, the period of two months within which the Commission had to address its opinion or recommendation was extended until 24 February 1976.

Pursuant to Article 2 (1) of the said Decision, the Commission hereby delivers the following opinion:

1. The Commission notes that the measures taken by Belgium govern inland waterway transport from Belgium to France and the Netherlands and provide that transport operations to France shall be subject to the same chartering arrangements as internal transport operations — arrangements which include not only compulsory minimum prices fixed by the Ministry of Communications but also a freighting rota system — and introduces arrangements for the publication of information relating to inland waterway transport operations from Belgium to the Netherlands.

The Commission notes that the Belgian Government has unilaterally introduced a compulsory tariff for transport to France, while the rates for transport from France to Belgium are free market prices.

⁽¹⁾ OJ No 23, 3. 4. 1962, p. 720/62.

⁽²⁾ OJ No L 347, 17. 12. 1973, p. 48.

The Commission reaffirms its position on the issue of compulsory tariffs: experience has shown that such a system is not likely to solve structural problems faced by inland waterway transport; it is difficult to check whether compulsory tariffs are being observed; it has never been possible to use compulsory tariffs as an instrument of short-term market policy because they cannot be adapted to the actual situation of the markets. In its communication to the Council of 1 October 1975⁽¹⁾ the Commission chose a transport market based on the market economy and free price formation.

The Commission also notes that the unilateral measures taken by the Belgian Government constitute a break with the uniform chartering system for inland waterway transport between Member States which it considers to be of prime importance. It recalls that it recently presented to the Council a proposal for a Regulation introducing a system of non-obligatory reference tariffs for the carriage of goods by inland waterway between Member States. This Regulation, if it is adopted, will re-establish a uniform system in this sector.

The Commission considers that a freighting rota system has serious economic drawbacks. Its effect is not only to deprive the user of his freedom of choice but also to create situations, such as that faced by Belgian inland waterway transport, by artificially keeping alive marginal undertakings whose operations, equipment and quality of service no longer correspond in any way to the level of demand.

The Commission notes that the publication of certain information relating to transport operations to the Netherlands will ensure a better transparency of the market.

2. The Commission takes the view that restrictions on the hiring or acquisition of vessels by undertakings effecting the carriage of goods for their own account are not economically justified. They introduce a rota of vessels capable of being hired or purchased by shippers and exclude, at least for the immediate future, vessels being hired for own account as was possible under the former regulations. They thus create discrimination between transport undertakings and deprive the user of his freedom of choice; they are therefore likely to encourage shippers to turn to other

forms of transport or to build their own carrying capacity, which could lead to excess structural capacity or to an increase in existing capacity.

3. The Commission notes that the measures set out in the decrees in question will impede the gradual and balanced harmonization of a Community transport system as defined by the Commission in its communication of October 1973. The measures in question will not offer any solution of the structural problems currently facing the Belgian inland waterway transport system.

However, the Commission is aware of the fact that the Belgian Government, faced by the critical situation in the Belgian inland waterway transport system, has had to take emergency measures.

Irrespective of its opinion on the effectiveness and the value of these measures from the economic point of view, it finds nevertheless that the majority of steps undertaken by the Belgian Government are not along the lines envisaged by the Commission for the operation of the transport market and should therefore be maintained only for the shortest possible period. The Commission draws the attention of the Belgian Government to the need gradually to adapt an owner-operator inland waterway transport system to a modern economy. The Commission would point out in this connection it has recommended certain concrete measures to help improve the structure of the inland waterway transport market. They include, in particular, the recommendation to the Member States to take national action to scrap obsolete equipment⁽²⁾ and the proposal for a Directive on the conditions of access to the profession⁽³⁾. The inclusion of Belgian waterways in the laying-up scheme which is now being worked out will also encourage the restructuring of the trade. Mention might also be made of the Commission's proposal concerning social harmonization in inland waterway transport which, if adopted, could be of assistance⁽⁴⁾.

Until a Community structural policy in the field of inland navigation has been introduced, national initiatives should be taken to promote the formation of companies of technically and economically viable proportions by encouraging undertakings to conclude agreements, ranging from cooperation and the pooling of operations to mergers, while respecting the competition provisions of the EEC Treaty.

⁽¹⁾ Doc. COM(75) 490 fin.

⁽²⁾ OJ No L 218, 4. 9. 1968, p. 10.

⁽³⁾ Doc. R/2531/75 (TRANS 89), 14. 10. 1975.

⁽⁴⁾ OJ No C 259, 12. 11. 1975, p. 2.

4. The Commission did not consider it necessary to consult the other Member States under Article 2 (3) of the Council Decision.

Done at Brussels, 17 February 1976.

For the Commission

Carlo SCARASCIA MUGNOZZA

Vice-President

5. The Commission is informing the other Member States of this opinion.

COMMISSION DECISION**of 17 February 1976****authorizing the Italian Republic temporarily to permit the marketing of seed of
some varieties of rice subject to less stringent requirements****(Only the Italian text is authentic)**

(76/258/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Council Directive of 14 June
1966 on the marketing of cereal seed⁽¹⁾, as last
amended by the Council Directive of 26 June
1975⁽²⁾, and in particular Article 17 thereof,

Having regard to the request made by the Italian
Republic,

Whereas the Italian Republic does not have sufficient
supplies of rice seed of the varieties Arborio, Monticelli,
Redi, Romeo and S. Andrea which satisfy the
requirements for analytical purity prescribed for certification
to meet the demand for the 1976 sowing
season;

Whereas this demand cannot satisfactorily be met
from certified seed from other Member States;

Whereas the Italian Republic should therefore be authorized,
during the period expiring on 30 June 1976,
to permit the marketing of certified rice seed of varieties
of rice Arborio, Monticelli, Redi, Romeo and S.
Andrea which satisfies less stringent requirements for
analytical purity;

Whereas the measures provided for this Decision are
in accordance with the opinion of the Standing
Committee on Seeds and Propagating Material for
Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is authorized to permit the
marketing in its territory, during the period expiring
on 30 June 1976, of certified rice seed of the second

generation of varieties Arborio, Monticelli, Redi,
Romeo and S. Andrea which do not satisfy the requirements
set out in Annex II to the Council Directive of
14 June 1966 with regard to the maximum number of
red grains, under the following conditions:

- (a) the quantities shall not exceed:
 - 400 metric tons for the variety 'Arborio',
 - 180 metric tons for the variety 'Monticelli',
 - 100 metric tons for the variety 'Redi',
 - 150 metric tons for the variety 'Romeo',
 - 200 metric tons for the variety 'S. Andrea';
- (b) the number of red grains per 500 g shall not
exceed 20;
- (c) the official label shall bear the following endorsements:
 - maximum number of red grains 20 per 500 g,
 - intended exclusively for marketing in Italy.

Article 2

The Italian Republic shall report to the Commission,
before 1 October 1976, the quantity of seed satisfying
less stringent requirements permitted to be marketed
in its territory pursuant to this Decision.

The Commission shall inform other Member States
thereof.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 17 February 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽²⁾ OJ No L 196, 26. 7. 1975, p. 6.

COMMISSION DECISION

of 17 February 1976

authorizing the French Republic temporarily to permit the marketing of
commercial seed of white clover subject to less stringent requirements

(Only the French text is authentic)

(76/259/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Council Directive of 14 June
1966 on the marketing of fodder plant seed ⁽¹⁾, as last
amended by the Council Directive of 26 June
1975 ⁽²⁾, and in particular Article 17 thereof,

Having regard to the request made by the French
Government,

Whereas the production of seeds of the 'certified seed'
category of the sub-species *Trifolium repens* L., var.
giganteum, is insufficient in 1975 and will not be
adequate to supply French requirements;

Whereas the demand cannot be met from certified
seed from other Member States;

Whereas the French Republic should therefore be
authorized, during the period expiring on 31 July
1976, to permit the marketing of commercial seed of
Trifolium repens L., var. *giganteum*;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Seeds and Propagating Material for
Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized to permit the
marketing in its territory, during the period expiring
on 31 July 1976, of 100 metric tons of commercial
seed of the sub-species *Trifolium repens* L., var. *gigan-
teum*, provided that the conditions in points 2 and 3
of Part I of Annex II to Directive 66/401/EEC are
satisfied. The official label shall bear the endorsement
'intended exclusively for marketing in France'.

Article 2

The French Republic shall report to the Commission,
before 1 November 1976, the quantities of commer-
cial seed marketed in its territory under this Decision.

The Commission shall inform the other Member
States thereof.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 17 February 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2298/66.

⁽²⁾ OJ No L 196, 26. 7. 1975, p. 6.

COMMISSION DECISION

of 17 February 1976,

fixing the minimum selling prices for butter for the 22nd individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 232/75

(76/260/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 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, 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 of 15 July 1968 laying down general rules for intervention on the market in butter and cream⁽³⁾, 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 of 30 January 1975 on the sale of butter at reduced prices for use in the manufacture of pastry products and ice-cream⁽⁵⁾, 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 22nd 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 22nd individual invitation to tender under Regulation (EEC) No 232/75, in respect of which the time limit for the submission of tenders expires on 10 February 1976, 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	107	120
	Formula B	150	80

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 February 1976.

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 17 February 1976

concerning the sale of skimmed-milk powder in public storage to certain international organizations for supply to developing countries

(Only the French text is authentic)

(76/261/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 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 740/75⁽²⁾, and in
particular Article 7 (5) thereof,Whereas Council Regulation (EEC) No 155/75 of 21
January 1975⁽³⁾ as amended by Regulation (EEC) No
1960/75⁽⁴⁾, provides for the sale of skimmed-milk
powder from public stocks for supply to developing
countries;Whereas the International Committee of the Red
Cross and Caritas, as mentioned in Article 2 of
Commission Regulation (EEC) No 602/75 of 7 March
1975 laying down detailed rules for the sale of
skimmed-milk powder in public storage for supply to
developing countries⁽⁵⁾, as last amended by Regula-
tion (EEC) No 3193/75⁽⁶⁾, have submitted applica-
tions to the Commission totalling 90 metric tons of
skimmed-milk powder for supply to certain devel-
oping countries; whereas these applications should
be granted and the intervention agencies should be
designated to supply the quantity requested;Whereas the international organizations in question
should be exempted from having to provide the secu-
rity referred to in Article 8 (2) and to provide, prior to
purchase, the undertaking specified in Article 7 of
Regulation (EEC) No 602/75;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 French and Luxembourg intervention agen-
cies are authorized to sell skimmed-milk powder
according to the provisions of Regulation (EEC) No
602/75 and under the terms laid down in the Annex.
2. By way of derogation from Article 8 (2) of Regula-
tion (EEC) No 602/75, the international organizations
in question shall not be required to furnish a security
prior to taking delivery of the quantities of skimmed-
milk powder indicated in the said Annex.
3. By way of derogation from the first indent of
Article 6 (c) of Regulation (EEC) No 602/75, conclu-
sion of the contract of sale for the skimmed-milk
powder mentioned in paragraph 1 shall not be subject
to the production of the certificate mentioned in
Article 7 of the said Regulation.

*Article 2*This Decision is addressed to the French Republic
and the Grand Duchy of Luxembourg.

Done at Brussels, 17 February 1976.

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, 24. 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 316, 6. 12. 1975, p. 15.

ANNEX

Intervention agency	International organization	Quantity (metric tons)	Country of destination
French	Caritas	10	Rwanda
Luxembourg	International Committee of the Red Cross ('Luxembourg Red Cross')	80	Lebanon