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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 609/76
of 18 March 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 organ-
ization 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 Regula-
tion (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 28 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 19 March
1976.

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

Done at Brussels, 18 March 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 18 March 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	31.45
10.01 B	Durum wheat	60.42 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	48.77 ⁽⁶⁾
10.03	Barley	23.92
10.04	Oats	21.94
10.05 B	Maize other than hybrid maize for sowing	35.92 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	19.20 ⁽⁴⁾
10.07 C	Grain sorghum	35.33 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	55.75
11.01 B	Rye flour	80.02
11.02 A I a	Durum wheat groats and meal	104.24
11.02 A I b	Common wheat groats and meal	58.42

⁽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 610/76**of 18 March 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 19 March
1976.

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

Done at Brussels, 18 March 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 18 March 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 3	1st period 4	2nd period 5	3rd period 6
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	3.23
10.02	Rye	0	3.23	3.23	0.81
10.03	Barley	0	0	0	0.16
10.04	Oats	0	2.82	2.82	2.82
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0.40	0.40	0.40
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	1.61	1.61	1.61
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 3	1st period 4	2nd period 5	3rd period 6	4th period 7
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0.28	0.28
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0.21	0.21
11.07 B	Roasted malt	0	0	0	0.25	0.25

COMMISSION REGULATION (EEC) No 611/76
of 18 March 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 organization of the market in rice ⁽¹⁾, as last amended by Regulation (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 19 March 1976.

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

Done at Brussels, 18 March 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.

to the Commission Regulation of 18 March 1976 fixing the import levies on rice and broken rice

CCT heading No	Description of goods	Third countries	(u.a. / metric ton) 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 :	75.71 93.33 94.64 116.66 131.09 209.08 139.61 224.13 34.57	34.86 43.67 44.32 55.33 55.65 94.69 59.56 101.82 14.79

(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 612/76

of 18 March 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 organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (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 19 March 1976.

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

Done at Brussels, 18 March 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 18 March 1976 fixing the premiums to be added to the import levies on rice and broken rice

(u.d. / metric ton)

CCT heading No	Description of goods	Current 3	1st period 4	2nd period 5	3rd period 6
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 613/76**of 18 March 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 568/76⁽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 585/76⁽³⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 585/76
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⁽⁴⁾.

Article 3

This Regulation shall enter into force on 22 March
1976.

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

Done at Brussels, 18 March 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 67, 15. 3. 1976, p. 28.

⁽³⁾ OJ No L 69, 15. 3. 1976, p. 38.

⁽⁴⁾ OJ No L 230, 18. 8. 1973, p. 15.

ANNEX

Levies applicable from 22 March 1976 to imports from third countries ⁽¹⁾

		(in u.s./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	44-352 (b)	51-460 (b)
	b) Other :		
	1. Cows for immediate slaughter, the meat of which is intended for processing (a)	44-352	—
02.01	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)	—	51-460
	bb) Other	44-352 (b)	51-460 (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	
	A. Meat :		
	II. Of bovine animals :		
	a) Of domestic bovine animals :		
	1. Fresh or chilled :		
	aa) Of calves :		
	11. Carcases and half-carcases	84-269	97-774
	22. Separated or unseparated forequarters	67-415	78-219
	33. Separated or unseparated hindquarters	101-123	117-329
	bb) Of adult animals :		
	11. Carcases, half-carcases or 'compensated' quarters :		
	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)	—	97-774
	bbb) Other	84-269	97-774
	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)	—	78-219
	bbb) Other	67-415	78-219

		(in u.s./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)	—	117·329
	bbb) Other	101·123	117·329
	cc) Other cuts of veal and beef :		
	11. Unboned (bone-in)	126·403	146·661
	22. Boned or boneless	144·588	167·760
02.06	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)	126·403	146·661
	2. Boned or boneless	144·588	167·760

(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 614/76

of 17 March 1976

on an invitation to tender for the supply of butteroil bought on the Community market for the Islamic Republic of Pakistan as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Article 1

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 559/76 ⁽²⁾, and in particular Article 6 (7) thereof,

1. Tenders are invited in accordance with the provisions of Regulation (EEC) No 2660/75 for the supply to the Islamic Republic of Pakistan of a lot of 500 metric tons of butteroil manufactured from butterfats which are of Community origin and not taken from public stocks.

Whereas Council Regulation (EEC) No 1542/75 of 16 June 1976 on the supply of milk fats as food aid to certain developing countries and international organizations under the 1975 food-aid programme ⁽³⁾, provides *inter alia* that 3 500 metric tons of butteroil should be made available to the Islamic Republic of Pakistan; whereas this country has made a request for delivery of 500 metric tons;

2. With regard to quality and packaging, the butteroil shall comply with the conditions laid down in the Annex to Regulation (EEC) No 2660/75. However it shall exclusively be put in 5 kg canisters.

Whereas on account of the market situation for butter in the Community, the supply of the abovementioned quantity should be ensured by means of butterfat available on the Community market in accordance with Article 2 (2) of Council Regulation (EEC) No 1541/75 of 16 June 1975 laying down general rules for the supply of milk fats as food aid to certain developing countries and international organizations under the 1975 food-aid programme ⁽⁴⁾; whereas an invitation to tender should therefore be issued in accordance with Commission Regulation (EEC) No 2660/75 of 20 October 1975 on invitations to tender for the supply of butteroil bought on the Community market as food aid to certain developing countries and to the World Food Programme ⁽⁵⁾;

3. The words to be stamped on the packaging as referred to in Chapter II under 2 (b) of the Annex mentioned in the precedent paragraph shall be as follows :

'Butteroil — Gift of the European Economic Community to the Islamic Republic of Pakistan.'

Article 2

1. The port of embarkation indicated in the tender shall be chosen from among the ports in the Community, accessible for ocean-going ships and having a regular service to the recipient country.

2. Delivery in the port of embarkation shall take place on a date specified by the intervention agency in question and which is after 1 and before 15 May 1976.

Article 3

Whereas for the application of Regulation (EEC) No 2660/75 certain detailed rules are however required, in particular as regards the time limit for the submission of tenders and the conditions of delivery of the butteroil.

The time limit for the submission of tenders expires on 6 April 1976 at 12 noon.

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

Article 4

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 157, 19. 6. 1975, p. 6.

⁽⁴⁾ OJ No L 157, 19. 6. 1975, p. 4.

⁽⁵⁾ OJ No L 270, 21. 10. 1975, p. 11.

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

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

Done at Brussels, 17 March 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION REGULATION (EEC) No 615/76
of 18 March 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 608/76⁽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 19 March 1976.

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

Done at Brussels, 18 March 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 72, 18. 3. 1976, p. 14.

ANNEX

to the Commission Regulation of 18 March 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	5.32
	II. Raw sugar	2.42 ⁽¹⁾
	B. Undenatured :	
	I. White sugar	5.32
	II. Raw sugar	2.42 ⁽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 616/76
of 18 March 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 442/76 ⁽³⁾, as last amended by Regulation (EEC) No 600/76 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 442/76

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 0.0532 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 19 March 1976.

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

Done at Brussels, 18 March 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 53, 28. 2. 1976, p. 41.

⁽⁴⁾ OJ No L 71, 17. 3. 1976, p. 16.

COMMISSION REGULATION (EEC) No 617/76

of 18 March 1976

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 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 14 (4) thereof,

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

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 436/76⁽⁵⁾, as last amended by Regulation (EEC) No 520/76⁽⁶⁾;

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⁽⁷⁾, 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⁽⁸⁾, as fixed in the Annex to amended Regulation (EEC) No 436/76 are hereby altered as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 19 March 1976.

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

Done at Brussels, 18 March 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 174, 31. 7. 1967, p. 1.

⁽⁴⁾ OJ No L 72, 20. 3. 1975, p. 18.

⁽⁵⁾ OJ No L 53, 28. 2. 1976, p. 23.

⁽⁶⁾ OJ No L 61, 9. 3. 1976, p. 13.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 281, 1. 11. 1975, p. 65.

ANNEX

to the Commission Regulation of 18 March 1976 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 F ⁽²⁾	37·95	35·45
11.02 A VI ⁽²⁾	37·95	35·45
11.02 E II e) 1 ⁽²⁾	65·19	60·19
11.02 F VI ⁽²⁾	37·95	35·45
11.08 A II	57·63	32·13

⁽²⁾ 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, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 15 March 1976

on mutual assistance for the recovery of claims resulting from operations forming part of the system of financing the European Agricultural Guidance and Guarantee Fund, and of agricultural levies and customs duties

(76/308/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2788/72⁽²⁾, and in particular Article 8 (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas it is not at present possible to enforce in one Member State a claim for recovery substantiated by a document drawn up by the authorities of another Member State;

Whereas the fact that national provisions relating to recovery are applicable only within national territories is in itself an obstacle to the establishment and func-

tioning of the common market; whereas this situation prevents Community rules from being fully and fairly applied, particularly in the area of the common agricultural policy, and facilitates fraudulent operations;

Whereas it is therefore necessary to adopt common rules on mutual assistance for recovery;

Whereas these rules must apply both to the recovery of claims resulting from the various measures which form part of the system of total or partial financing of the European Agricultural Guidance and Guarantee Fund and to the recovery of agricultural levies and customs duties within the meaning of Article 2 of Decision 70/243/ECSC, EEC, Euratom of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources⁽⁵⁾, and of Article 128 of the Act of Accession; whereas they must also apply to the recovery of interest and costs incidental to such claims;

Whereas mutual assistance must consist of the following: the requested authority must on the one hand supply the applicant authority with the information which the latter needs in order to recover claims arising in the Member State in which it is situated and notify the debtor of all instruments relating to such claims emanating from that Member State, and on the other hand it must recover, at the request of the applicant authority, the claims arising in the Member State in which the latter is situated;

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 295, 30. 12. 1972, p. 1.

⁽³⁾ OJ No C 19, 12. 4. 1973, p. 38.

⁽⁴⁾ OJ No C 69, 28. 8. 1973, p. 3.

⁽⁵⁾ OJ No L 94, 28. 4. 1970, p. 19.

Whereas these different forms of assistance must be afforded by the requested authority in compliance with the laws, regulations and administrative provisions governing such matters in the Member State in which it is situated;

Whereas it is necessary to lay down the conditions in accordance with which requests for assistance must be drawn up by the applicant authority and to give a limitative definition of the particular circumstances in which the requested authority may refuse assistance in any given case;

Whereas when the requested authority is required to act on behalf of the applicant authority to recover a claim, it must be able, if the provisions in force in the Member State in which it is situated so permit and with the agreement of the applicant authority, to allow the debtor time to pay or authorize payment by instalment; whereas any interest charged on such payment facilities must also be remitted to the Member State in which the applicant authority is situated;

Whereas, upon a reasoned request from the applicant authority, the requested authority must also be able, in so far as the provisions in force in the Member State in which it is situated so permit, to take precautionary measures to guarantee the recovery of claims arising in the applicant Member State; whereas such claims must not however be given any preferential treatment in the Member State in which the requested authority is situated;

Whereas it is possible that during the recovery procedure in the Member State in which the requested authority is situated the claim or the instrument authorizing its enforcement issued in the Member State in which the applicant authority is situated may be contested by the person concerned; whereas it should be laid down in such cases that the person concerned must bring the action contesting the claim before the competent body of the Member State in which the applicant authority is situated and that the requested authority must suspend any enforcement proceedings which it has begun until a decision is taken by the aforementioned body;

Whereas it should be laid down that documents and information communicated in the course of mutual assistance for recovery may not be used for other purposes;

Whereas this Directive should not curtail mutual assistance between particular Member States under bilateral or multilateral agreements or arrangements;

Whereas it is necessary to ensure that mutual assistance functions smoothly and to this end to lay down a Community procedure for determining the detailed

rules for the application of such assistance within an appropriate period; whereas it is necessary to set up a committee to organize close and effective collaboration between the Member States and the Commission in this area,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive lays down the rules to be incorporated into the laws, regulations and administrative provisions of the Member States to ensure the recovery in each Member State of the claims referred to in Article 2 which arise in another Member State.

Article 2

This Directive shall apply to all claims relating to:

- (a) refunds, interventions and other measures forming part of the system of total or partial financing of the European Agricultural Guidance and Guarantee Fund, including sums to be collected in connection with these actions;
- (b) agricultural levies, within the meaning of Article 2 (a) of Decision 70/243/EEC, Euratom and Article 128 (a) of the Act of Accession;
- (c) customs duties, within the meaning of Article 2 (b) of the said Decision and Article 128 (b) of the Act of Accession;
- (d) interest and costs incidental to the recovery of the claims referred to above.

Article 3

in this Directive:

- 'applicant authority' means the competent authority of a Member State which makes a request for assistance concerning a claim referred to in Article 2;
- 'requested authority' means the competent authority of a Member State to which a request for assistance is made.

Article 4

1. At the request of the applicant authority, the requested authority shall provide any information which would be useful to the applicant authority in the recovery of its claim.

In order to obtain this information, the requested authority shall make use of the powers provided under the laws, regulations or administrative provisions applying to the recovery of similar claims arising in the Member State where that authority is situated.

2. The request for information shall indicate the name and address of the person to whom the information to be provided relates and the nature and amount of the claim in respect of which the request is made.

3. The requested authority shall not be obliged to supply information :

- (a) which it would not be able to obtain for the purpose of recovering similar claims arising in the Member State in which it is situated ;
- (b) which would disclose any commercial, industrial or professional secrets ; or
- (c) the disclosure of which would be liable to prejudice the security of or be contrary to the public policy of the State.

4. The requested authority shall inform the applicant authority of the grounds for refusing a request for information.

Article 5

1. The requested authority shall, at the request of the applicant authority, and in accordance with the rules of law in force for the notification of similar instruments or decisions in the Member State in which the requested authority is situated, notify to the addressee all instruments and decisions, including those of a judicial nature, which emanate from the Member State in which the applicant authority is situated and which relate to a claim and/or to its recovery.

2. The request for notification shall indicate the name and address of the addressee concerned, the nature and the subject of the instrument or decision to be notified, if necessary the name and address of the debtor and the claim to which the instrument or decision relates, and any other useful information.

3. The requested authority shall promptly inform the applicant authority of the action taken on its request for notification and, more especially, of the date on which the instrument or decision was forwarded to the addressee.

Article 6

1. At the request of the applicant authority, the requested authority shall, in accordance with the laws, regulations or administrative provisions applying to the recovery of similar claims arising in the Member State in which the requested authority is situated, recover claims which are the subject of an instrument permitting their enforcement.

2. For this purpose any claim in respect of which a request for recovery has been made shall be treated as a claim of the Member State in which the requested authority is situated, except where Article 12 applies.

Article 7

1. The request for recovery of a claim which the applicant authority addresses to the requested authority must be accompanied by an official or certified copy of the instrument permitting its enforcement, issued in the Member State in which the applicant authority is situated and, if appropriate, by the original or a certified copy of other documents necessary for recovery.

2. The applicant authority may not make a request for recovery unless :

- (a) the claim and/or the instrument permitting its enforcement are not contested in the Member State in which it is situated ;
- (b) it has, in the Member State in which it is situated, applied the recovery procedure available to it on the basis of the instrument referred to in paragraph 1, and the measures taken have not resulted in the payment in full of the claim.

3. The request for recovery shall indicate the name and address of the person concerned, the nature of the claim, the amount of the principal and the interest and costs due, as well as any other relevant information.

4. The request for recovery shall contain in addition a statement by the applicant authority indicating the date from which enforcement is possible under the laws in force in the Member State in which it is situated and confirming that the conditions set out in paragraph 2 are fulfilled.

5. As soon as any relevant information relating to the matter which gave rise to the request for recovery comes to the knowledge of the applicant authority it shall forward it to the requested authority.

Article 8

The instrument permitting enforcement of the claim shall, where appropriate, and in accordance with the provisions in force in the Member State in which the requested authority is situated, be accepted, recognized, supplemented, or replaced by an instrument authorizing enforcement in the territory of that Member State.

Such acceptance, recognition, supplementing or replacement must take place as soon as possible following the date of receipt of the request for recovery. They may not be refused if the instrument permitting enforcement in the Member State in which the applicant authority is situated is properly drawn up.

If any of these formalities should give rise to an examination or contestation in connection with the claim and/or the instrument permitting enforcement issued by the applicant authority, Article 12 shall apply.

Article 9

1. Claims shall be recovered in the currency of the Member State in which the requested authority is situated.

2. The requested authority may, where the laws, regulations or administrative provisions in force in the Member State in which it is situated so permit, and after consultations with the applicant authority, allow the debtor time to pay or authorize payment by instalment. Any interest charged by the requested authority in respect of such extra time to pay shall be remitted to the Member State in which the applicant authority is situated.

Any other interest charged for late payment under the laws, regulations and administrative provisions in force in the Member State in which the requested authority is situated shall also be remitted to the Member State in which the applicant authority is situated.

Article 10

The claims to be recovered shall not be given preferential treatment in the Member State in which the requested authority is situated.

Article 11

The requested authority shall inform the applicant authority immediately of the action it has taken on the request for recovery.

Article 12

1. If, in the course of the recovery procedure, the claim and/or the instrument permitting its enforcement issued in the Member State in which the applicant authority is situated are contested by an interested party, the action shall be brought by the latter before the competent body of the Member State in which the applicant authority is situated, in accordance with the laws in force there. This action must be notified by the applicant authority to the requested authority. The party concerned may also notify the requested authority of the action.

2. As soon as the requested authority has received the notification referred to in paragraph 1 either from the applicant authority or from the interested party, it shall suspend the enforcement procedure pending the decision of the body competent in the matter. Should the requested authority deem it necessary, and without prejudice to Article 13, that authority may take precautionary measures to guarantee recovery in so far as the

laws or regulations in force in the Member State in which it is situated allow such action for similar claims.

3. Where it is the enforcement measures taken in the Member State in which the requested authority is situated that are being contested the action shall be brought before the competent body of that Member State in accordance with its laws and regulations.

4. Where the competent body before which the action has been brought in accordance with paragraph 1 is a judicial or administrative tribunal, the decision of that tribunal, in so far as it is favourable to the applicant authority and permits recovery of the claim in the Member State in which the applicant authority is situated shall constitute the 'instrument permitting enforcement' within the meaning of Articles 6, 7 and 8 and the recovery of the claim shall proceed on the basis of that decision.

Article 13

On a reasoned request by the applicant authority, the requested authority shall take precautionary measures to ensure recovery of a claim in so far as the laws or regulations in force in the Member State in which it is situated so permit.

In order to give effect to the provisions of the first paragraph, Articles 6, 7 (1), (3) and (5), 8, 11, 12 and 14 shall apply *mutatis mutandis*.

Article 14

The requested authority shall not be obliged :

- (a) to grant the assistance provided for in Articles 6 to 13 if recovery of the claim would, because of the situation of the debtor, create serious economic or social difficulties in the Member State in which that authority is situated ;
- (b) to undertake recovery of a claim if the applicant authority has not exhausted the means of recovery in the territory of the Member State in which it is situated.

The requested authority shall inform the applicant authority of the grounds for refusing a request for assistance. Such reasoned refusal shall also be communicated to the Commission.

Article 15

1. Questions concerning periods of limitation shall be governed solely by the laws in force in the Member State in which the applicant authority is situated.

2. Steps taken in the recovery of claims by the requested authority in pursuance of a request for assistance, which, if they had been carried out by the applicant authority, would have had the effect of suspending or interrupting the period of limitation according to the laws in force in the Member State in which the applicant authority is situated, shall be deemed to have been taken in the latter State, in so far as that effect is concerned.

Article 16

Documents and information sent to the requested authority pursuant to this Directive may only be communicated by the latter to:

- (a) the person mentioned in the request for assistance;
- (b) those persons and authorities responsible for the recovery of the claims, and solely for that purpose;
- (c) the judicial authorities dealing with matters concerning the recovery of the claims.

Article 17

Requests for assistance and relevant documents shall be accompanied by a translation in the official language, or one of the official languages of the Member State in which the requested authority is situated, without prejudice to the latter authority's right to waive the translation.

Article 18

Member States shall renounce all claims upon each other for the reimbursement of costs resulting from mutual assistance which they grant each other pursuant to this Directive.

However, the Member State in which the applicant authority is situated shall remain liable to the Member State in which the requested authority is situated for costs incurred as a result of actions held to be unfounded, as far as either the substance of the claim or the validity of the instrument issued by the applicant authority are concerned.

Article 19

Member States shall provide each other with a list of authorities authorized to make or receive requests for assistance.

Article 20

1. A Committee on Recovery (hereinafter called 'the committee') is hereby set up and shall consist of

representatives of the Member States with a Commission representative as chairman.

2. The committee shall adopt its own rules of procedure.

Article 21

The committee may examine any matter concerning the application of this Directive raised by its chairman either on his own initiative or at the request of the representative of a Member State.

Article 22

1. The detailed rules for implementing Articles 4 (2) and (4), 5 (2) and (3), 7 (1), (3) and (5), 9, 11 and 12 (1) and the rules on conversion, transfer of sums recovered, and the fixing of a minimum amount for claims which may give rise to a request for assistance, shall be adopted in accordance with the procedure laid down in paragraph 2 and 3.

2. The Commission representative shall submit to the committee a draft of the measures to be adopted. The committee shall deliver its opinion on the draft within a time limit set by the chairman, having regard to the urgency of the matter. Opinions shall be adopted by a majority of 41 votes, the votes of the Member States being weighted as provided in Article 148 (2) of the Treaty. The chairman shall not vote.

3. (a) The commission shall adopt the proposed measures where they are in accordance with the opinion of the committee.

(b) Where the proposed measures are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall without delay propose to the Council the measures to be adopted. The Council shall act by a qualified majority.

(c) If within three months of the proposal being submitted to it, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 23

The provisions of this Directive shall not prevent a greater measure of mutual assistance being afforded either now or in the future by particular Member States under any agreements or arrangements, including those for the notification of legal or extra-legal acts.

Article 24

Member States shall bring into force the measures necessary to comply with this Directive not later than 1 January 1978.

Article 25

Each Member State shall inform the Commission of the measures which it has adopted to implement this Directive. The Commission shall forward this information to the other Member States.

Article 26

This Directive is addressed to the Member States.

Done at Brussels, 15 March 1976.

For the Council

The President

R. VOUEL

CORRIGENDA

Corrigendum to Commission Decision 75/782/ECSC of 24 November 1975 relating to the
Mixed Committee on the harmonization of working conditions in the coal industry

(Official Journal of the European Communities, No L 329 of 23 December 1975)

Page 35 ; after the second paragraph insert the following :

‘Whereas comprehensive rules have never been formally established to determine the
precise membership, tasks and functioning of such Committee ;’.
