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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1094/76**of 12 May 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 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 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 13 May
1976.

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

Done at Brussels, 12 May 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 12 May 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	41.94
10.01 B	Durum wheat	80.27 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	55.84 ⁽⁶⁾
10.03	Barley	29.67
10.04	Oats	27.92
10.05 B	Maize other than hybrid maize for sowing	33.41 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	19.04
10.07 B	Millet	33.61 ⁽⁴⁾
10.07 C	Grain sorghum	40.39 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	70.72
11.01 B	Rye flour	90.20
11.02 A I a	Durum wheat groats and meal	134.96
11.02 A I b	Common wheat groats and meal	74.86

⁽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 706/76.

⁽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 1095/76

of 12 May 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 13 May
1976.

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

Done at Brussels, 12 May 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 12 May 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 5	1st period 6	2nd period 7	3rd period 8
10.01 A	Common wheat and meslin	0	0	0	3.59
10.01 B	Durum wheat	0	0	0	0.80
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	1.20
10.04	Oats	0	0	0	0
10.05 B	Maize other than hybrid maize for sowing	0	0.40	0.40	1.99
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	1.60	1.60	0.80
10.07 C	Grain sorghum	0	2.39	2.39	3.99
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	5.02

B. Malt

(u.a./metric ton)

CCT heading No	Description of goods	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	6.39	6.39
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	4.77	4.77
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	2.14	2.14
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	1.60	1.60
11.07 B	Roasted malt	0	0	0	1.86	1.86

COMMISSION REGULATION (EEC) No 1096/76**of 11 May 1976****establishing the standard average values for customs purposes of citrus fruits
and apples and pears**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Commission Regulation (EEC) No
1570/70 of 3 August 1970 establishing a system of
standard average values for citrus fruits ⁽¹⁾, as last
amended by Regulation (EEC) No 1937/74 of 24 July
1974 ⁽²⁾, and in particular Article 2 thereof,

Having regard to Commission Regulation (EEC) No
1641/75 of 27 June 1975 establishing a system of
standard average values for the determination of the
value for customs purposes of apples and pears ⁽³⁾, and
in particular Articles 2 and 8 thereof,

Whereas it follows from the application of the notes
and criteria laid down by Regulation (EEC) No
1570/70 and Regulation (EEC) No 1641/75 to the

elements communicated to the Commission in accor-
dance with Article 4 (1) of Regulation (EEC) No
1570/70 and Article 4 (1) of Regulation (EEC) No
1641/75 that the standard average values should be
fixed as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard average values provided for in Article 2
(1) of Regulation (EEC) No 1570/70 and in Article 2
(1) of Regulation (EEC) No 1641/75 shall be as shown
in the tables in the Annex.

Article 2

This Regulation shall enter into force on 14 May
1976.

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

Done at Brussels, 11 May 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 171, 4. 8. 1970, p. 10.

⁽²⁾ OJ No L 203, 25. 7. 1974, p. 25.

⁽³⁾ OJ No L 165, 28. 6. 1975, p. 45.

ANNEX

Table I: Citrus fruits

Code	Description of goods	Amount of standard average values/100 kg gross						
		Bfrs/Lfrs	Dkr	DM	FF	£ Irish	Lit	£ sterling
1.	Lemons :							
1.1	— Spain	935	144.98	60.99	112.42	13.15	20 732	64.66
1.2	— Tunisia, Morocco, Algeria	—	—	—	—	—	—	—
1.3	— Countries in southern Africa.	797	123.53	51.97	95.78	11.21	17 665	55.09
1.4	— Other African countries and countries on the Mediterranean	834	129.26	54.38	100.23	11.73	18 484	57.65
1.5	— USA	1 135	175.94	74.02	136.43	15.96	25 161	78.47
1.6	— Other countries	—	—	—	—	—	—	—
2.	Sweet oranges :							
2.1	— Countries on the Mediterranean :							
2.1.1	— Navels (with the exception of Navel sanguines), Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese blondes, Shamoutis, Ovalis, Trovita, Hamlins	1 109	171.94	72.34	133.32	15.60	24 588	76.69
2.1.2	— Sanguines and semi-sanguines, including Navel sanguines and Maltese sanguines	1 030	159.65	67.17	123.79	14.48	22 831	71.21
2.1.3	— Other	—	—	—	—	—	—	—
2.2	— Countries in southern Africa.	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾
2.3	— USA	1 124	174.28	73.32	135.14	15.81	24 923	77.73
2.4	— Brazil	—	—	—	—	—	—	—
2.5	— Other countries	839	130.14	54.75	100.91	11.81	18 611	58.05
3.	Grapefruit and pomelos :							
3.1	— Tunisia, Morocco, Algeria	—	—	—	—	—	—	—
3.2	— Cyprus, Israel, Gaza, Egypt, Turkey	873	135.32	56.93	104.93	12.28	19 351	60.35
3.3	— Countries in southern Africa.	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾
3.4	— USA	1 665	258.12	108.60	200.15	23.42	36 913	115.13
3.5	— Other American countries.	777	120.51	50.70	93.45	10.93	17 234	53.75
3.6	— Other countries	—	—	—	—	—	—	—
4.	Clementines.	—	—	—	—	—	—	—
5.	Mandarines including Wilkings	1 119	173.56	73.02	134.58	15.75	24 819	77.41
6.	Monreales and Satsumas	—	—	—	—	—	—	—
7.	Tangerines	1 098	170.24	71.62	132.01	15.44	24 345	75.93

⁽¹⁾ The standard average value for this code number is established by Regulation (EEC) No 2287/75 of 4 September 1975 (OJ No L 235, 6. 9. 1975).

Table II: Apples and pears

8.	Apples :							
8.1	— Countries of the southern hemisphere.	1 471	252.13	95.90	176.76	29.24	35 598	101.67
8.2	— European third countries	—	—	—	—	—	—	—
8.3	— Countries of the northern hemisphere other than European countries	—	—	—	—	20.64	—	20.64
9.	Pears :							
9.1	— Countries of the southern hemisphere.	2 027	304.32	132.21	243.67	20.49	44 938	140.16
9.2	— European third countries	—	—	—	—	—	—	—
9.3	— Countries of the northern hemisphere other than European countries	—	—	—	—	—	—	—

COMMISSION REGULATION (EEC) No 1097/76
of 12 May 1976
fixing additional amounts for live and slaughtered poultry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ⁽¹⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC on fixing the additional amount for imports of poultry-farming products from third countries ⁽²⁾, as amended by Regulation (EEC) No 1527/73 ⁽³⁾;

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

Whereas, pursuant to Regulation (EEC) No 565/68 ⁽⁴⁾, the import levies on slaughtered fowls, ducks and geese originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2261/69 ⁽⁵⁾, the import levies on slaughtered ducks and geese originating in and coming from Romania are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2474/70 ⁽⁶⁾, the import levies on slaughtered turkeys originating in and coming from Poland are not increased by an additional amount;

Whereas pursuant to Regulation (EEC) No 2164/72 ⁽⁷⁾ the import levies on slaughtered fowls and geese originating in and coming from Bulgaria are not increased by an additional amount;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 are hereby fixed as shown in the Annex for the products listed in Article 1 (1) of that Regulation which appear in the Annex.

Article 2

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

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

Done at Brussels, 12 May 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽³⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁴⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁵⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁶⁾ OJ No L 265, 8. 12. 1970, p. 13.

⁽⁷⁾ OJ No L 232, 12. 10. 1972, p. 3.

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

COMMISSION REGULATION (EEC) No 1098/76
of 12 May 1976
fixing additional amounts for poultrymeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ⁽¹⁾, and in particular Article 8 (4) thereof,

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 are hereby fixed as shown in the Annex for the products listed in Article 1 (1) of that Regulation which appear in the Annex.

Article 2

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

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

Done at Brussels, 12 May 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽³⁾ OJ No L 154, 9. 6. 1973, p. 1.

ANNEX

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

CCT heading No	Description of goods	Additional amount (u.a./100 kg)	Imports affected
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen :		
	B. Poultry cuts (excluding offals) :		
	I. Boned or boneless	30-00	Origin : United States of America
	II. Unboned (bone-in) :		
	c) Backs, necks, backs with necks attached, rumps and wing tips	20-00	Origin : Sweden
	d) Breasts and cuts of breasts :		
	2. Of turkeys	20-00	Origin : United States of America or Canada
	3. Of other poultry	10-00	Origin : Hungary
	e) Legs and cuts of legs :		
	2. Of turkeys :		
	aa) Drumsticks and cuts of drumsticks	20-00	All imports
	bb) Other	50-00	Origin : United States of America or Canada
		20-00	Other imports

COMMISSION REGULATION (EEC) No 1099/76
of 12 May 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 1093/76 ⁽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 13 May 1976.

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

Done at Brussels, 12 May 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 124, 12. 5. 1976, p. 12.

ANNEX

to the Commission Regulation of 12 May 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	 7.11 2.62 ⁽¹⁾ 7.11 2.62 ⁽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 1100/76

of 12 May 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 974/76⁽⁵⁾, as last amended by Regulation (EEC) No 1084/76⁽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 974/76 are hereby altered as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 13 May 1976.

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

Done at Brussels, 12 May 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 112, 29. 4. 1976, p. 21.
(⁶) OJ No L 123, 11. 5. 1976, p. 12.

(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 12 May 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
11.02 B II a) ⁽²⁾	59.26	56.76
11.02 C I ⁽²⁾	70.79	68.29
11.02 D I ⁽²⁾	46.03	43.53
11.02 E II a) ⁽²⁾	81.82	76.82
11.02 F I ⁽²⁾	81.82	76.82
11.02 G I	37.01	32.01
11.07 A I a)	84.97	75.97
11.07 A I b)	65.76	56.76
11.08 A III	75.04	58.04
11.09 A	255.52	105.52
11.09 B	255.52	105.52

⁽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.

Germ 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 DECISION

of 25 March 1976

on the Community financing of certain expenditure relating to food aid in the form of cereals supplied under the 1975/76 programme

(76/455/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1703/72 of 3 August 1972 amending Regulation (EEC) No 2052/69 on the Community financing of expenditure arising from the implementation of the Food Aid Convention of 1967 and laying down rules for the Community financing of expenditure arising from the implementation of the Food Aid Convention of 1971 ⁽¹⁾, and in particular Articles 8 (1) and 10 (1) thereof,

Having regard to the proposal from the Commission,

Whereas the United Nations High Commissioner for Refugees, who is in receipt of emergency food aid in the form of cereals for the benefit of Angolan refugees in Zaire under the 1975/76 programme, would have difficulty in covering forwarding costs incurred

beyond the fob stage; whereas these costs should consequently be borne by the Community,

HAS DECIDED AS FOLLOWS:

Sole Article

Within the framework of Community emergency food aid in the form of cereals supplied to the United Nations High Commissioner for Refugees under the 1975/76 programme, for the benefit of Angolan refugees in Zaire, Community financing shall cover forwarding costs as far as the port of unloading.

Done at Brussels, 25 March 1976.

For the Council

The President

M. MART

⁽¹⁾ OJ No L 180, 8. 8. 1972, p. 1.

COMMISSION

COMMISSION OPINION

of 28 April 1976

addressed to the Government of the Federal Republic of Germany on a draft
Regulation amending the Regulation on the approval of road vehicles

(76/456/EEC)

Under cover of a letter dated 10 February 1976 the office of the Permanent Representative of Germany to the European Communities sent to the General Secretariat of the Council of the European Communities and to the Directorate-General for Transport for their information, a draft Regulation amending the Regulation on the approval of road vehicles.

The Commission takes the view that this is equivalent to consultation as provided for in 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⁾. It so informed the German Government and the Governments of the other Member States by letters of 3 March 1976. It further took the view that the German Government's sending of its draft Regulation to the General Secretariat of the Council of the European Communities had ensured that the other Member States were informed as required by Article 1 of the said Council Decision.

After consulting the representatives of the Federal Republic of Germany and in accordance with Article 2 (1) of the said Decision, the Commission gives the following opinion :

1. The Commission finds that the purpose of the draft Regulation is to reduce the minimum engine power from 8 to 6 hp per metric ton. It points out that under the draft Council Directive on the weight and dimensions of commercial vehicles and on

certain additional technical requirements concerning the said vehicles⁽³⁾, a provisional agreement has been reached by all the delegations of the nine Member States on a power-to-weight ratio of 7 hp (5.1 kW) per metric ton, and in the course of reading this agreement account was taken of a number of arguments *inter alia* for sufficient power to enable the vehicle to start easily and to help improve both traffic flow and road safety.

2. The Commission realizes however, that recent economic developments, particularly the energy crisis and the consequent considerable rise in the cost of fuel, have placed road hauliers in a more difficult position. It accepts the advisability of seeking ways of reducing costs ; it also finds that a change from 7 hp (5.1 kW) to 6 hp (4.4 kW) would not appear to compromise road safety to any significant degree.

3. The Commission draws the attention of the Government of the Federal Republic of Germany to the fact that the matter of harmonizing the weights and dimensions of commercial vehicles is still before the Council and was last discussed at its meeting on 10 and 11 December 1975. The Council has instructed the Committee of Permanent Representatives to reconsider the matter in conjunction with the Commission on the basis of the arguments put forward at that meeting. The Commission therefore points out that the adoption by the Government of the Federal Republic of Germany of the proposed Regulation changing the minimum engine power must not prejudice any possible agreement that may be reached in the near future at Community level.

⁽¹⁾ OJ No 23, 3. 4. 1962, p. 720/62.

⁽²⁾ OJ No L 347, 17. 12. 1973, p. 48.

⁽³⁾ Proposal from the Commission of 21 June 1971 (OJ No C 90, 11. 9. 1971, p. 25).

4. Finally, the Commission points out that under Council Directive 71/354/EEC of 18 October 1971 ⁽¹⁾, the only unit of measurement permitted with effect from 31 December 1977 for the power of an engine is the watt or kilowatt and requests the German Government to amend its draft Regulation accordingly.

5. The Commission does not consider it necessary to initiate consultation procedure with the other Member States within the meaning of Article 2 (3) of the Council Decision.

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

Done at Brussels, 28 April 1976.

For the Commission

Carlo SCARASCIA MUGNOZZA

Vice-President

⁽¹⁾ OJ No L 243, 29. 10. 1971, p. 29.

COMMISSION DECISION

of 29 April 1976

on the supply, as a matter of urgency, of skimmed-milk powder to the United Nations High Commissioner for Refugees for the benefit of Angolan refugees in Zaire, as food aid

(Only the French and Dutch texts are authentic)

(76/457/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 559/76⁽²⁾, and in particular Articles 7 (5) and 28 thereof,

Whereas Council Regulation (EEC) No 1348/75 of 26 May 1975 on the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1975 programme⁽³⁾, provides for a reserve stock of 3 800 metric tons of skimmed-milk powder; whereas, according to Council Regulation (EEC) No 691/76 of 25 March 1976 on the supply, as a matter of urgency, of skimmed-milk powder to the United Nations High Commissioner for Refugees for the benefit of Angolan refugees in Zaire, as food aid pursuant to Regulation (EEC) No 1348/75⁽⁴⁾, 150 metric tons from this reserve shall be allocated to the United Nations High Commissioner for Refugees from Angola in Zaire; whereas this organization has requested the delivery of the abovementioned quantity for this destination;

Whereas Article 5 of Council Regulation (EEC) No 1347/75 of 26 May 1975 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1975 programme⁽⁵⁾, stipulates that the costs of delivery shall be determined by a tendering procedure or, in the case of an emergency action, by a procedure of mutual agreement;

Whereas, in view of the need for quick aid it is apparent that mutual agreement must be sought in

respect of this delivery for the forwarding of 50 metric tons of skimmed-milk powder by air to the airport of destination, and for the shipment of 100 metric tons to the port of unloading;

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

HAS ADOPTED THIS DECISION:

Article 1

1. In accordance with Regulations (EEC) No 1347/75, (EEC) No 1348/75 and (EEC) No 691/76, 150 metric tons of skimmed-milk powder having formed the subject of the intervention measures specified in Article 7 of Regulation (EEC) No 804/68, shall be supplied to the United Nations High Commissioner for Refugees from Angola to Zaire.

50 metric tons shall be delivered airport of destination (Kinshasa) and 100 metric tons cif Matadi.

2. The skimmed-milk powder shall be collected from the Belgian intervention agency. The latter shall supply 2 % extra empty bags.

3. The skimmed-milk powder shall, as regards quality and packing, satisfy the requirements laid down in Annex I to Commission Regulation (EEC) No 1108/68 of 27 July 1968 concerning the methods of public storage of skimmed-milk powder⁽⁶⁾, as last amended by Regulation (EEC) No 1457/75⁽⁷⁾.

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

'Lait écrémé en poudre — Don de la Communauté économique européenne — Action de l'UNHCR au Zaire — À distribuer gratuitement'.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 138, 29. 5. 1975, p. 3.

⁽⁴⁾ OJ No L 83, 30. 5. 1976, p. 1.

⁽⁵⁾ OJ No L 138, 29. 5. 1975, p. 1.

⁽⁶⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽⁷⁾ OJ No L 145, 6. 6. 1975, p. 17.

Article 2

1. Delivery shall be carried out as soon as possible.
2. In the case of transport by air, delivery shall be regarded as completed when the goods are actually unloaded at the airport of destination. Delivery *cif* shall be regarded as completed when the goods are actually deposited on the quay at the port of unloading or on lighters where the latter method is used.
3. The organization of destination shall bear all costs incurred after delivery including acceptance costs and any unloading costs.
Any costs due to delays in taking over the goods for which the organization of destination is responsible shall be on charge of that organization.
4. On delivery under the conditions specified in paragraph 2, the organization of destination shall issue a certificate certifying that the goods were received.

Article 3

1. The amount to cover the costs of delivery from the warehouse of the intervention agency to the stages specified in Article 1 (1) shall be determined by the intervention agency concerned by means of a mutual agreement procedure on the least onerous terms possible.
2. The intervention agency shall forward to the Commission forthwith a duplicate of the mutual agreement contracts.

Article 4

The Belgian Government shall :

1. ensure that the undertaking designated by mutual agreement :
 - (a) for carrying out the transport by air :
 - notifies the organization of destination at least 24 hours in advance of the day of

arrival of the plane or planes at the airport of destination ;

(b) for carrying out the transport by sea :

- notifies the organization of destination, as soon as possible after the goods have left the place of shipment, of details of the ship, the loading date, the quantity and the quality of the goods as recorded on shipment ;
- informs the organization of destination of the expected date of arrival at the port of unloading at least 10 clear days in advance ;
- has 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 organization 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 5

No refund or compensatory amount (whether monetary or accession) may be granted in respect of skimmed-milk powder supplied pursuant to this Decision.

Article 6

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 29 April 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION DECISION

of 29 April 1976

to take no action on tenders submitted for 29 April 1976 in response to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 1841/75

(76/458/EEC)

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⁾,

Having regard to Council Regulation (EEC) No 2747/75 of 29 October 1975 laying down general rules to be applied in the event of the cereals market being disturbed ⁽³⁾, and in particular Article 4 (2) 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 ⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Commission Regulation (EEC) No 1841/75 of 17 July 1975 on an invitation to tender for the levy and/or the refund for the export of common wheat to the countries of Zone I and Portugal ⁽⁵⁾, as amended by Regulation (EEC) No 3262/75 ⁽⁶⁾, and in particular Article 10 (1) thereof,

Whereas an invitation to tender for the export levy and/or refund on common wheat was issued under Regulation (EEC) No 1841/75;

Whereas Article 10 (1) of Regulation (EEC) No 1841/75 allows the Commission to decide, in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, and on the basis of tenders submitted, either to fix an maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No

2746/75, or to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75, or to discontinue the invitation to tender;

Whereas none of the tenders submitted make it possible, given the present market situation for the cereal in question, to fix a maximum refund in accordance with the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75 or a minimum levy in accordance with the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75; whereas the invitation to tender should therefore be discontinued;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS DECISION:

Article 1

No action shall be taken on the tenders submitted for 29 April 1976 in response to the invitation to tender for the export levy and/or refund on common wheat referred to in Regulation (EEC) No 1841/74.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 April 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 281, 1. 11. 1975, p. 82.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁵⁾ OJ No L 187, 18. 7. 1975, p. 20.

⁽⁶⁾ OJ No L 324, 16. 12. 1975, p. 5.

COMMISSION DECISION

of 29 April 1976

fixing the maximum export refund for common wheat under the invitation to tender issued in Regulation (EEC) No 3275/75

(76/459/EEC)

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⁾,

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⁾, and in particular Article 5 thereof,

Having regard to Commission Regulation (EEC) No 3275/75 of 16 December 1975 on an invitation to tender for the levy and/or the refund for the export of common wheat to the countries of Zone V ⁽⁴⁾, as amended by Regulation (EEC) No 240/75 ⁽⁵⁾, and in particular Article 10 (1) thereof,

Whereas an invitation to tender for the export levy and/or refund on common wheat was issued under Regulation (EEC) No 3275/75; whereas the notice of invitation to tender ⁽⁶⁾ associated with this Regulation specified that the total tonnage for which the export levy and/or refund could be fixed was approximately 200 000 metric tons;

Whereas Article 10 (1) of Regulation (EEC) No 3275/75 allows the Commission, in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, to fix a maximum export refund; whereas, when this maximum refund is being fixed, account must be taken of the criteria set out in Articles 2 and 3 of Regulation (EEC) No 2746/75;

whereas Article 10 (2) of Regulation (EEC) No 3275/75 stipulates that the award is made to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy;

Whereas it follows from applying these rules to the present situation on the market for the cereal in question that the maximum export refund should be fixed as shown in Article 1; whereas the tonnage of common wheat to which this maximum applies is 5 350 metric tons;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for common wheat fixed on the basis of tenders submitted for 29 April 1976 is hereby fixed at 39.90 units of account per metric ton.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 April 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 325, 17. 12. 1975, p. 10.

⁽⁵⁾ OJ No L 29, 4. 2. 1976, p. 8.

⁽⁶⁾ OJ No C 289, 17. 12. 1975, p. 9.

COMMISSION DECISION**of 29 April 1976****fixing the maximum export refund for common wheat under the invitation to tender issued in Regulation (EEC) No 3335/75****(76/460/EEC)**

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⁾,

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⁾, and in particular Article 5 thereof,

Having regard to Commission Regulation (EEC) No 3335/75 of 22 December 1975 on an invitation to tender for the levy and/or the refund for the export of common wheat to the countries of Zones VI and VII ⁽⁴⁾, as amended by Regulation (EEC) No 241/76 ⁽⁵⁾, and in particular Article 10 (1) thereof,

Whereas an invitation to tender for the export levy and/or refund on common wheat was issued under Regulation (EEC) No 3335/75; whereas the notice of invitation to tender ⁽⁶⁾ associated with this Regulation specified that the total tonnage for which the export levy and/or refund could be fixed was approximately 285 000 metric tons;

Whereas Article 10 (1) of Regulation (EEC) No 3335/75 allows the Commission, in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, to fix a maximum export refund; whereas, when this maximum refund is being fixed, account must be taken of the criteria set out in Articles 2 and 3 of Regulation (EEC) No 2746/75;

whereas Article 10 (2) of Regulation (EEC) No 3335/75 stipulates that the award is made to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy;

Whereas it follows from applying these rules to the present situation on the market for the cereal in question that the maximum export refund should be fixed as shown in Article 1; whereas the tonnage of common wheat to which this maximum applies is 55 000 metric tons;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for common wheat fixed on the basis of tenders submitted for 29 April 1976 is hereby fixed at 40.05 units of account per metric ton.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 April 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 329, 23. 12. 1975, p. 16.

⁽⁵⁾ OJ No L 29, 4. 2. 1976, p. 9.

⁽⁶⁾ OJ No C 295, 23. 12. 1975, p. 4.

COMMISSION DECISION

of 30 April 1976

fixing the maximum export refund for milled long grain rice under the invitation to tender issued in Regulation (EEC) No 358/76

(76/461/EEC)

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⁾,

Having regard to Council Regulation No 366/67/EEC of 25 July 1967 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 478/75 ⁽⁴⁾, and in particular Article 3a thereof,

Having regard to Commission Regulation (EEC) No 358/76 of 19 February 1976 on an invitation to tender for the levy and/or the refund for the export of milled long grain rice to certain third countries ⁽⁵⁾, and in particular Articles 10 (1) and 11 thereof,

Whereas an invitation to tender for the export levy and/or refund on milled long grain rice was issued under Regulation (EEC) No 358/76; whereas the notice of invitation to tender ⁽⁶⁾ associated with this Regulation specified that the total tonnage for which the export levy and/or refund could be fixed was approximately 25 000 metric tons;

Whereas Article 10 (1) of Regulation (EEC) No 358/76 allows the Commission in accordance with the procedure laid down in Article 26 of Regulation No 359/67/EEC, to fix a maximum export refund; whereas, when this maximum refund is being fixed, account must be taken of the criteria set out in Articles 2 and 3 of Regulation No 366/67/EEC; whereas Article 10 (2) of Regulation (EEC) No 358/76 stipulates that the

award is made to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy;

Whereas it follows from applying these rules to the present situation on the market for the rice in question that the maximum export refund should be fixed as shown in Article 1; whereas the tonnage to which this maximum applies is 6 990 metric tons;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for milled long grain rice fixed on the basis of tenders submitted for 29 April 1976 is hereby fixed at 93.16 units of account per metric ton. The rates to be used for conversion to national currencies are those given in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 April 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 174, 31. 7. 1967, p. 34.

⁽⁴⁾ OJ No L 52, 28. 2. 1975, p. 34.

⁽⁵⁾ OJ No L 44, 20. 2. 1976, p. 13.

⁽⁶⁾ OJ No C 41, 21. 2. 1976, p. 5.

ANNEX

The rates to be used for the conversion to national currencies of the export refund given in
Article 1

1 Bfr	= 0.0205519	u.a.
1 Dkr	= 0.131956	u.a.
1 DM	= 0.310580	u.a.
1 Fl	= 0.298056	u.a.
1 FF	= 0.170552	u.a.
1 £	= 1.45487	u.a.
100 Lit	= 0.0895722	u.a.

NOTICE TO READERS

Owing to unforeseen technical difficulties, the Publications Office will be publishing, until further notice, the European unit of account in the 'L' series of the Official Journal

EUROPEAN UNIT OF ACCOUNT ⁽¹⁾**12 May 1976**

Currency amount for 1 EUA :

Belgian and Luxembourg franc :		United States dollar	1.11439
— commercial market	43.5112	Swiss franc	2.77627
— financial market	44.6868	Spanish peseta	75.1618
German mark	2.84345	Swedish krona	4.89384
Dutch guilder	3.01315	Norwegian krone	6.09827
Pound sterling	0.605668	Canadian dollar	1.09105
Danish krone	6.73553	Portuguese escudo	33.1893
French franc	5.22134	Austrian schilling	20.3799
Italian lira	947.238	Finnish markka	4.30165
Irish pound	0.605162	Japanese yen	332.527

(¹) — Article 2 (2) of Council Decision 75/250/EEC of 21 April 1975 on the definition and conversion of the European unit of account applied in the ACP-EEC Convention of Lomé.

— Article 2 (2) of Commission Decision 3289/75/ECSC of 18 December 1975 on the definition and conversion of the European unit of account used for the purposes of the ECSC Treaty.

NOTICE TO SUBSCRIBERS

Public Works Contracts

For technical reasons there will be some delay in the publication of the 'C' series of the Official Journal.

Firms encountering difficulties in submitting tenders because of this delay should contact the Secretariat of the Advisory Committee on Public Works Contracts, Brussels, which will endeavour to have the period for receipt of tenders extended.

Advisory Committee on Public Works Contracts, Brussels, Belgium. Tel. 735 00 40, extensions 1568 and 2453.