

Official Journal

of the European Communities

Volume 19 No L 196

22 July 1976

English Edition

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EURATOM) No 1748/76

of 20 July 1976

amending the conditions governing remuneration and social security for establishment staff of the Joint Research Centre employed in the Netherlands

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (Euratom, ECSC, EEC) No 2577/75 ⁽²⁾, and in particular Article 94 of the Conditions of Employment,

Having regard to the proposal from the Commission,

Whereas, by Regulation No 11/65/Euratom ⁽³⁾, as last amended by Regulation (Euratom) No 3303/75 ⁽⁴⁾, the Council laid down the conditions governing remuneration and social security for establishment staff of the Joint Research Centre employed in the Netherlands;

Whereas the changes made on 1 January 1976 in the salaries of the staff of Reactor Centrum Nederland justify a further amendment of Regulation No 11/65/Euratom for the benefit of the establishment staff of the Joint Research Centre employed in the Netherlands,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation No 11/65/Euratom shall be replaced by the following, with effect from 1 January 1976:

(in FL)

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
CLASS I																
Group 1	2 021	2 108	2 211	2 289	2 375	2 447	2 532	2 620	2 720	2 831	2 965	3 074	—	—	—	—
Group 2	1 729	1 813	1 902	1 984	2 069	2 156	2 245	2 338	2 420	2 494	2 580	2 672	—	—	—	—
Group 3	1 546	1 598	1 665	1 738	1 813	1 886	1 956	2 034	2 105	2 182	2 256	2 331	2 400	2 469	—	—
Group 4	1 380	1 436	1 489	1 550	1 611	1 680	1 749	1 825	1 901	1 967	2 043	2 116	2 200	2 275	—	—
Group 5	1 268	1 313	1 361	1 408	1 455	1 502	1 548	1 598	1 655	1 715	1 778	1 835	1 901	1 956	2 022	2 082
CLASS II																
Group 1	1 546	1 598	1 665	1 738	1 813	1 886	1 956	2 034	2 105	2 182	2 256	2 331	2 400	2 469	—	—
Group 2	1 380	1 436	1 489	1 550	1 611	1 680	1 749	1 825	1 901	1 967	2 043	2 116	2 200	2 275	—	—
Group 3	1 268	1 313	1 361	1 408	1 455	1 502	1 548	1 598	1 655	1 715	1 778	1 835	1 901	1 956	2 022	2 082
Group 4	1 166	1 213	1 263	1 307	1 357	1 402	1 447	1 489	1 546	1 593	1 643	1 701	1 759	1 825	1 886	1 944

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 263, 11. 10. 1975, p. 1.

⁽³⁾ OJ No 48, 25. 3. 1965, p. 722/65.

⁽⁴⁾ OJ No L 328, 20. 12. 1975, p. 1.

Article 2

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

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

Done at Brussels, 20 July 1976.

For the Council

The President

M. van der STOEL

COUNCIL REGULATION (EEC) No 1749/76**of 20 July 1976****amending Regulation (EEC) No 3015/75 opening, allocating and providing for the administration of a Community tariff quota for raw or unmanufactured flue-cured Virginia type tobacco originating in developing countries**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas under the system of generalized tariff preferences a Community tariff quota was opened by Regulation (EEC) No 3015/75 ⁽²⁾ for the period 1 January to 31 December 1976 for raw or unmanufactured flue-cured Virginia type tobacco falling within subheading ex 24.01 B of the Common Customs Tariff;

Whereas a positive response should be made to Ireland's request for the inclusion in this contingent of raw or unmanufactured flue-cured Virginia type tobacco of a value of not less than 280 units of account per 100 kilogrammes net weight falling within subheading ex 24.01 A I of the Common Customs Tariff, in accordance with the allocation established among Member States, applying a different quota rate, namely 7 % with a maximum charge of 45 units of account per 100 kilogrammes net weight,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 August 1976, the Community tariff quota of 38 000 metric tons opened in the Community for imports of raw or unmanufactured flue-cured Virginia type tobacco falling within tariff subheading ex 24.01 B shall be extended to include raw or unmanufactured tobacco of the same type falling within subheading ex 24.01 A I of the Common Customs Tariff.

Within this tariff quota the customs duty for tobacco falling within subheading ex 24.01 A I shall be suspended at 7 % with a maximum charge of 45 units of account per 100 kilogrammes net weight.

Article 2

The allocation among Member States of the Community tariff quota referred to in Article 1 and the other provisions of Regulation (EEC) No 3015/75 shall remain unchanged, in particular those of the second and third subparagraphs of Article 1 (1) thereof with respect to the duties mentioned in Article 1.

Article 3

This Regulation shall enter into force on 1 August 1976.

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

Done at Brussels, 20 July 1976.

For the Council

The President

M. van der STOEL

⁽¹⁾ Opinion delivered on 9 July 1976, not yet published in the Official Journal.

⁽²⁾ OJ No L 310, 29. 11. 1975, p. 159.

COMMISSION REGULATION (EEC) No 1750/76

of 21 July 1976

fixing the special levies applicable to New Zealand butter and cheese imported into the United Kingdom under Protocol 18

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty of Accession ⁽¹⁾,

Having regard to Protocol 18 ⁽²⁾ to the Act of Accession,

Having regard to Council Regulation (EEC) No 226/73 of 31 January 1973 laying down general rules for imports of New Zealand butter and cheese into the United Kingdom ⁽³⁾, as amended by Regulation (EEC) No 3145/74 of 9 December 1974 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas pursuant to Article 2 (1) of the Protocol special levies are applied to New Zealand butter and cheese imported into the United Kingdom under that Protocol;

Whereas, pursuant to Article 2 (2) of the Protocol and to Article 4 (1) of Regulation (EEC) No 226/73 these special levies are fixed on the basis of the difference between:

- the market price at which the annual quantities specified in Article 1 (2) of the Protocol can actually be sold, and
- the cif price fixed in Article 3 of Regulation (EEC) No 226/73, plus costs incurred between the cif and first sale stages;

Whereas Article 4 (2) of Regulation (EEC) No 226/73 provides that the special levies should be fixed at a level such that the butter and cheese in question can be sold at a consistent rate and should as far as

possible be kept at a uniform level to ensure the stability of the market; whereas, these levies may nevertheless be altered, and are in particular to be adjusted where this is necessary to permit steady sales of the annual quantities specified in Article 1 (2) of the Protocol;

Whereas, in order not to endanger the sale of Community butter and cheese, the special levies must not be lower than the level necessary to permit the annual quantities specified in Article 1 (2) of the Protocol to be sold;

Whereas it follows from applying these rules to the situation on the British market that the special levies should be fixed at the levels indicated below;

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

HAS ADOPTED THIS REGULATION:

Article 1

The special levies referred to in Article 2 of Protocol 18 are hereby fixed at:

- 54.72 u.a./100 kg for butter.
- 52.44 u.a./100 kg for cheese.

Article 2

This Regulation shall enter into force on 22 July 1976.

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

Done at Brussels, 21 July 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 173.

⁽³⁾ OJ No L 27, 1. 2. 1973, p. 17.

⁽⁴⁾ OJ No L 334, 14. 12. 1974, p. 7.

COMMISSION REGULATION (EEC) No 1751/76**of 20 July 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 accordance 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 23 July 1976.

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

Done at Brussels, 20 July 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	Fl	£ sterling
1.	Lemons :								
1.1	— Spain	1 901	293.59	122.88	232.70	26.81	39 827	130.46	26.81
1.2	— Tunisia, Morocco, Algeria	—	—	—	—	—	—	—	—
1.3	— Countries in southern Africa	1 603	247.51	103.59	196.18	22.60	33 576	109.99	22.60
1.4	— Other African countries and countries on the Mediterranean	—	—	—	—	—	—	—	—
1.5	— USA	1 802	278.30	116.48	220.58	25.42	37 753	123.67	25.42
1.6	— Other countries	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾
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	804	124.20	51.98	98.44	11.34	16 849	55.19	11.34
2.1.2	— Sanguines and semi-sanguines, including Navel sanguines and Maltese sanguines	—	—	—	—	—	—	—	—
2.1.3	— Other	—	—	—	—	—	—	—	—
2.2	— Countries in southern Africa	1 090	168.33	70.45	133.42	15.37	22 835	74.80	15.37
2.3	— USA	1 114	172.04	72.00	136.36	15.71	23 338	76.45	15.71
2.4	— Brazil	702	108.48	45.40	85.98	9.90	14 716	48.20	9.90
2.5	— Other countries	939	144.98	60.68	114.91	13.24	19 668	64.43	13.24
3.	Grapefruit and pomelos :								
3.1	— Tunisia, Morocco, Algeria	—	—	—	—	—	—	—	—
3.2	— Cyprus, Israel, Gaza, Egypt, Turkey	631	97.45	40.79	77.24	8.90	13 220	43.30	8.90
3.3	— Countries in southern Africa	1 252	193.29	80.89	153.20	17.65	26 220	85.89	17.65
3.4	— USA	1 366	210.99	88.31	167.23	19.27	28 622	93.76	19.27
3.5	— Other American countries	1 180	182.23	76.27	144.44	16.64	24 721	80.98	16.64
3.6	— Other countries	—	—	—	—	—	—	—	—
4.	Clementines	—	—	—	—	—	—	—	—
5.	Mandarines including Wilkings	—	—	—	—	—	—	—	—
6.	Monreales and Satsumas	—	—	—	—	—	—	—	—
7.	Tangerines	923	142.53	59.65	112.97	13.01	19 336	63.34	13.01

⁽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	1 553	258.83	100.37	190.07	25.27	32 532	106.57	18.40
8.2	— European third countries	—	—	—	—	—	—	—	—
8.3	— Countries of the northern hemisphere other than European countries	—	—	—	—	—	—	—	—
9.	Pears :								
9.1	— Countries of the southern hemisphere	1 795	274.46	116.00	219.67	19.49	37 597	123.16	19.49
9.2	— European third countries	1 230	— ⁽¹⁾	79.49	150.55	— ⁽¹⁾	25 767	84.40	— ⁽¹⁾
9.3	— Countries of the northern hemisphere other than European countries	—	—	—	—	—	—	—	—

⁽¹⁾ The standard average value for this code number is established by Regulation (EEC) No 1762/75 of 7 July 1975 (OJ No L 179, 10. 7. 1975).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 29 April 1976

authorizing the French Republic not to apply Community treatment to tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or other kinds of pottery, other than common pottery and stoneware falling within heading Nos 69.11 and 69.12 C and D of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States

(Only the French text is authentic)

(76/606/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty made on 26 April 1976 by the French Government to the Commission by telex from the office of its Permanent Representative to the European Communities, for authorization not to apply Community treatment to tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or other kinds of pottery, other than common pottery and stoneware falling within heading Nos 69.11 and 69.12 C and D of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States,

Whereas since the application of Article 115 the importation into France of the product in question originating in Japan is subject to an annual quota of 320 000 dollars ;

Whereas difference in the measures of commercial policy taken in connection with these products by France and by the other Member States as regards Japan are giving rise to deflection of trade ;

Whereas this deflection of trade is preventing the execution of measures of commercial policy taken by France as regards Japan ;

Whereas it is not possible at the present time to set in motion the machinery for bringing about the necessary cooperation from the other Member States ;

Whereas authorization should be given, for a limited period, for the application of protective measures, under the first paragraph of Article 115, subject to the conditions laid down by the Commission Decision of 12 May 1971 ⁽¹⁾, and in particular in Article 1 thereof ;

Whereas a uniform system of imports could be adopted for the products in question as part of a common commercial policy as regards Japan ; whereas the period of validity of these protective measures should expire upon the introduction of such a system,

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

HAS ADOPTED THIS DECISION :

*Article 2**Article 1*

The French Republic is authorized not to apply Community treatment to imports of the following products, where they originate in Japan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 20 April 1976 :

CCT heading No	Description of goods
69.11	Tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china (including biscuit porcelain and p ^a rian)
69.12	Tableware and other articles of a kind commonly used for domestic or toilet purposes, of other kinds of pottery C. Earthenware or fine pottery D. Other

The period of validity of this Decision shall expire upon the introduction of a uniform system of imports as part of the common commercial policy as regards Japan and in any event not later than 31 January 1977.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 29 April 1976

For the Commission

Christopher SOAMES

Vice-President

COMMISSION DECISION

of 25 May 1976

authorizing the Italian Republic not to apply Community treatment to woven fabrics of cotton, other than gauze or terry towelling and similar terry fabrics, unbleached, falling within heading No ex 55.09 of the Common Customs Tariff, originating in the Islamic Republic of Pakistan and in free circulation in the other Member States

(Only the Italian text is authentic)

(76/607/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 18 May 1976 by the Government of the Italian Republic to the Commission by telex from the Office of its Permanent Representative to the European Communities, for authorization to apply protective measures to imports of woven fabrics of cotton, other than gauze or terry towelling and similar terry fabrics, unbleached, falling within heading No ex 55.09 of the Common Customs Tariff, originating in Pakistan and in free circulation in the Federal Republic of Germany and in the Netherlands,

Whereas the importation into the Community of the products in question originating in Pakistan is the subject of an Agreement negotiated between the Community and the Islamic Republic of Pakistan signed on 10 November 1975;

Whereas, under the Agreement, the Islamic Republic of Pakistan has undertaken to take all necessary steps to limit its exports of certain textile products to the Community to certain ceilings allocated among the Member States;

Whereas, for the products in question in particular, the quota share allocated to Italy for 1976, which includes bleached woven fabrics of cotton, is 2 049 metric tons;

Whereas serious economic difficulties exist in the sector of the textile industry in question, which manifest themselves particularly in a high rate of unemployment;

Whereas, in these conditions, these economic difficulties may be aggravated by indirect imports being added to those already effected;

Whereas it is not possible at the moment to bring into effect methods by which the Federal Republic of Germany, the Netherlands and the other Member States could provide the necessary cooperation;

Whereas authorization should accordingly be given, for a limited period, for the application of protective measures under the first paragraph of Article 115, subject to the conditions specified in the Commission Decision of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is authorized not to apply Community treatment to imports of the following products:

CCT heading No	Description of goods
ex 55.09	Woven fabrics of cotton other than gauze or terry-towelling and similar terry fabrics, unbleached

where they originate in the Islamic Republic of Pakistan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 6 May 1976.

Article 2

This Decision shall apply until new opportunities arise in the Italian Republic for the importation of the products in question from the Islamic Republic of Pakistan and in any case not later than 31 December 1976.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 25 May 1976.

For the Commission

Christopher SOAMES

Vice-President

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 11 June 1976

authorizing the French Republic not to apply Community treatment to garments falling within heading No 61.01, 61.02 or 61.03 of the Common Customs Tariff, originating in Hungary and in free circulation in the other Member States

(Only the French text is authentic)

(76/608/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 8 June 1976 by the French Government to the Commission by telex from the Office of its Permanent Representative to the European Communities, for authorization not to apply Community treatment to garments falling within heading No 61.01, 61.02 or 61.03 of the Common Customs Tariff, originating in Hungary and in free circulation in the Netherlands,

Whereas for the products in question, France, in accordance with the Council Decision of 18 December 1975⁽¹⁾, has opened, in respect of Hungary, an annual quota of FF 7 720 000, which has already been used up to a large extent;

Whereas according to information supplied by the French Government, the French clothing industry is in an extremely difficult situation, involving a decrease in production and substantial structural unemployment;

Whereas the indirect imports of the products in question, given those already effected in 1976, would be likely to aggravate these economic difficulties;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the Netherlands and the other Member States;

Whereas authorization should accordingly be given, for a limited period, for the application of protective measures, under the first paragraph of Article 115, subject to the conditions laid down by the Commission Decision of 12 May 1971⁽²⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to imports of garments falling within heading No 61.01, 61.02 or 61.03 of the Common Customs Tariff, where they originate in Hungary and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 24 May 1976.

Article 2

This Decision shall apply until 31 December 1976.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 11 June 1976.

For the Commission

Christopher SOAMES

Vice-President

⁽¹⁾ OJ No L 332, 29. 12. 1975.

⁽²⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION RECOMMENDATION

of 30 June 1976

addressed to Ireland on a draft law amending and supplementing the 'Road Transport Act 1933' and the 'Road Transport Act 1971' including provisions relating to other problems connected with those covered by the abovementioned laws

(Only the English text is authentic)

(76/609EEC)

Pursuant to 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 the Member States⁽¹⁾, as amended by the Council Decision of 22 November 1973⁽²⁾, the Irish Government, in a letter of 12 April 1976 from the Office of the Permanent Representative of Ireland to the European Communities forwarded to the Commission the text of a draft law amending and supplementing the 'Road Transport Act 1933' and the 'Road Transport Act 1971' including provisions relating to other problems connected with those dealt with in the abovementioned laws.

The letter from the Office of the Permanent Representative of Ireland was received by the Commission on 13 April 1976 and, pursuant to Article 1 of the abovementioned Council Decision, was communicated to the other Member States.

The Commission did not consider it necessary to convene a briefing session with representatives of the Irish Government or to consult the other Member States pursuant to Article 2 (3) of the Council Decision.

Pursuant to Article 2 (1) of the Decision referred to above, the Commission makes the following recommendation :

1. The Commission notes that the Irish Government intends to take an important step in liberalizing access to the national market for the carriage of goods by road for reward and stresses that, so far, no Community measure has been taken with the aim of establishing common rules to govern access to the national market for the carriage of goods by road.
2. However as regards the methods envisaged by the Irish Government, the Commission notes that Article 3 of the draft law aims chiefly to permit all road haulage operators holding a transport licence to operate as many vehicles as they wish under that single licence. The Commission accepts the aim pursued by the Irish Government by means of this provision.

But the Commission wishes to point out that the methods envisaged are likely to raise the following problems :

- carriers already established in the market will be in a preferential position compared with newcomers since the latter will be able to obtain a licence only if the Ministry is satisfied that existing transport services are inadequate or by the purchase of a licence on the open market from an already established carrier. It is therefore to be feared that the intended measure is likely to favour the creation of monopoly positions or of an oligopoly and hence is likely in the last analysis to give rise to the abuse of dominant positions, in the absence of proper management by the public authorities ;
- in the absence of a monitoring mechanism for the transport market concerned, which would be capable of rapidly and effectively altering the competitive position (particularly the rates practised and the use of existing capacity), the planned system does not appear to be such as to ensure a satisfactory balance between supply and demand in transport ; this is particularly true where the granting of new licences to newcomers (where the transport supply situation is inadequate) and the slowing down, blocking or reducing of existing capacity (where there is excess capacity) is concerned ;
- the argument that it is in the general interest does not seem to justify the opportunity offered to carriers already established in the market to sell those licences which will become superfluous as a result of the planned measures and, whilst agreeing with the Irish Government on the need to avoid any sudden alteration of the present position (in which the market value of a licence represents an important part of an undertaking's assets), the Commission feels that in the long run the aim should be to abolish this trade in licences which threatens to produce 'monopoly rent' situations and level to an artificial increase in transport costs.

⁽¹⁾ OJ No 23, 3. 4. 1962, p. 720/62.

⁽²⁾ OJ No L 347, 17. 12. 1973, p. 48.

The Commission feels that it would therefore be preferable to provide that licences which have become superfluous will be declared to have lapsed and that they should be returned to the competent authority for issuing to newcomers in the transport market.

3. The Commission also notes that the draft law maintains exemptions during a limited period, for the transport for reward of certain agricultural products and extends the exemption from the licensing system to all transport effected by means of vehicles whose total laden weight does not exceed 6 tons or whose maximum pay load is less than 3.5 tons (Article 2), but that, on the other hand, the Irish Government intends to subject all transport for reward effected within a certain radius of the principal seaports and exempted under the 'Road Transport Act' of 1933 to the licensing system (see Article 6 of the draft law).

The Commission feels that, whilst carriers active in the said zones maintain their rights through the automatic granting of a licence to those who provide proof of the existence of their former undertaking, this is not the case for operators who wish to establish themselves in the market and who must then apply for a licence which will only be granted once it has been established that existing transport services are inadequate in the region concerned.

Although the Commission appreciates the reasons for making the licensing system generally applicable, the justification for restricting access to the markets concerned to carriers other than those already established in the relevant areas is not clear.

The Commission considers that since this is a matter of traffic of an entirely local nature and since the aim is to ensure alignment with the principle of liberalization applied by the Irish Government, it would be better to maintain freedom of access to the market at those points where it has already been acquired and to ensure that the granting of transport licences in the areas concerned is not subject to any quantitative restrictions.

4. Finally, the Commission notes that the provisions Ireland plans to introduce in the field of road freight haulage are not likely to interfere with any specific provisions to be adopted at Community level in the near future and welcomes the intention of the Irish Government to extend the opportunities for access to the market, which are currently open to road haulage operators, without distinction as to nationality or country of origin. The Commission does, however, recommend the Government to take account of the suggestions made in points 2 and 3 above.
5. The Commission is communicating this recommendation to the other Member States.

Done at Brussels, 30 June 1976.

For the Commission
Carlo SCARASCIA MUGNOZZA
Vice-President

COMMISSION DECISION

of 30 June 1976

fixing the maximum export refund for the thirty-sixth partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75

(76/610/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3330/74 of 19 December 1974 on the common organi-
zation of the market in sugar⁽¹⁾, as last amended by
Regulation (EEC) No 1487/76⁽²⁾, and in particular
Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 2101/75
of 11 August 1975 on a standing invitation to tender
to determine levies and/or refunds on export of white
sugar⁽³⁾, as last amended by Regulation (EEC) No
1406/76⁽⁴⁾, requires Member States to carry out partial
invitations to tender for the export of white sugar;

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

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

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Manage-
ment Committee for Sugar,

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for the thirty-sixth
partial invitation to tender for white sugar issued
under Regulation (EEC) No 2101/75 is hereby fixed at
5.668 units of account per 100 kilogrammes.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 June 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 167, 26. 6. 1976, p. 9.

⁽³⁾ OJ No L 214, 12. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 158, 19. 6. 1976, p. 24.

COMMISSION DECISION**of 1 July 1976****derogating from High Authority Recommendation 1/64 concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community****(Seventy-ninth derogation)****(76/611/ECSC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 2 to 5, 8, 71 and 74 thereof,

Having regard to High Authority Recommendation 1/64 of 15 January 1964 to the Governments of the Member States concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community⁽¹⁾, and in particular Article 3 thereof,

Having regard to the agreement reached on 17 June 1976 by the representatives of the Member States meeting within the Council on tariff measures to be taken for the second six months of 1976,

Whereas, for years past, the representatives of the Governments of the Member States meeting within the Council have unanimously agreed on six-monthly derogations from the harmonized Community customs duties for steel; whereas these derogations take the form either of a reduction or temporary suspension of certain customs duties or of the granting of tariff quotas at reduced or suspended rates of duty; whereas the last tariff measures of this kind were taken by representatives of the Governments of the Member States on 17 June 1976 in respect of the second six months of 1976;

Whereas such measures are justified by the fact that the products in question are not manufactured, or are manufactured in insufficient quantities, in the Community and that their importation on preferential terms is not injurious to iron and steel undertakings in the Community which produce directly competing products;

Whereas these reasons and circumstances, on which the six-monthly tariff measures taken by the Member States are based, also allow, given present conditions on the common market in steel, of their application within the framework of Recommendation 1/64 of 15 January 1964; whereas neither this suspension of duties nor these tariff quotas are likely to jeopardize the objectives of the said recommendation and whereas, furthermore, such tariff measures help to maintain existing trade flows between the Member States and third countries;

Whereas these are special cases in the commercial policy field justifying the authorization of derogations pursuant to Article 3 of Recommendation 1/64;

Whereas provision should be made to ensure that the quotas granted will be used solely to supply the needs of industries in the importing countries and that re-exportation in the unaltered state to other Member States of imported iron and steel products will be prevented;

Whereas the Governments of the Member States have been consulted on the tariff quotas set out below,

HAS ADOPTED THIS DECISION:

Article 1

The Governments of the Member States are hereby authorized to derogate from the obligations arising under Article 1 of High Authority Recommendation 1/64 of 15 January 1964 to the extent necessary to suspend, in respect of imports from third countries of the iron and steel products set out below, duties or tariff quotas in respect of the quantities and at the levels hereinbelow indicated:

⁽¹⁾ OJ No 8, 22. 1. 1964, p. 99/64.

CCT heading No	Description of goods	Member States	Quota (metric tons)	Duty %
ex 73.15 A V b) 1	Special wire rod (wire rod of high carbon steel, not further worked than hot-rolled, between 4.5 and 6 mm in diameter and of a carbon content in weight of between 0.62 and 0.74 %) for the tyre industry	Germany (FR) Benelux France Italy Ireland	1 400 9 000 4 000 6 500 3 000	0 0 0 0 0
ex 73.15 A V b) 1	Special wire rod (wire rod of high carbon steel, not further worked than hot-rolled between 4.5 and 6 mm in diameter and of a carbon content in weight of between 0.62 and 0.85 %) for the tyre industry	Benelux	1 800	0
ex 73.15 A V b) 1	Special wire rod (of high carbon steel, not further worked than hot-rolled, between 4.5 and 13 mm in diameter) for the manufacture of springs and 'piano wire' containing in weight — 0.60 to 1.05 % of carbon — not more than 0.05 % of sulphur and phosphorus taken together — 0.15 to 0.30 silicon — not more than 0.10 % of all other elements (with the exception of manganese and chromium) taken together (Germany and Benelux are authorized to import — within their quotas — special wire rod of alloy steels, between 4.5 and 13 mm in diameter, for valve springs, with the following characteristics : (a) Chrome-vanadium products : 0.40 — 0.65 % C ; 0.15 — 0.30 % Si ; 0.60 — 0.90 % Mn ; 0.15 — 1.10 % Cr ; 0.15 — 0.30 % Va ; not more than 0.30 % Mo P and S content of less than 0.035 % each ; (b) Chrome-silicon products : 0.50 — 0.60 % C ; 1.35 — 1.60 % Si ; 0.60 — 0.80 % Mn ; 0.55 — 0.80 % Cr ; P and S content of less than 0.035 % each)	Germany (FR) Benelux France	8 500 1 350 1 200	0 0 0
ex 73.15 B VII a) 1	'Electrical' sheets and plates of allied steel, grain-oriented, highly permeable, with a wattless of 1.23 watt or less per kg for a thickness of 0.30 mm, or of 1.26 watt or less per kg for a thickness of 0.35 mm, measured at 1.7 tesla and 50 Hz	Germany (FR)	1 300	0
ex 73.16 A II b)	Used rails for re-rolling	France	21 000	0

Article 2

1. Member States accorded quotas under Article 1 of this Decision shall ensure, in liaison with the Commission, that such quotas are apportioned among third countries on a non-discriminatory basis.
2. They shall take all necessary steps to preclude the possibility of iron and steel products imported under the said tariff quotas being re-exported to other Member States in the same state as that in which they were imported.

Article 3

This Decision shall remain in force until 31 December 1976.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 1 July 1976.

For the Commission

Christopher SOAMES

Vice-President

COMMISSION DECISION

of 2 July 1976

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

(76/612/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾,

Having regard to Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽²⁾, and in particular Article 4 thereof,

Having regard to Commission Regulation (EEC) No 358/76 of 19 February 1976, on a invitation to tender for the levy and/or the refund for the export of milled long grain rice to certain third countries ⁽³⁾, as amended by Regulation (EEC) No 1458/76 ⁽⁴⁾, and in particular Article 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 ⁽⁵⁾ as last amended 25 June 1976 ⁽⁶⁾, associated with this Regulation specified that the total tonnage for which the export levy and/or refund could be fixed was approximately 45 000 metric tons;

Whereas Article 10 (1) of Regulation (EEC) No 358/76 allows the Commission in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 1418/76, 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 1431/76; 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 20;

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 1 July 1976 is hereby fixed at 99.60 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, 2 July 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽³⁾ OJ No L 44, 20. 2. 1976, p. 13.

⁽⁴⁾ OJ No L 163, 24. 6. 1976, p. 15.

⁽⁵⁾ OJ No C 41, 21. 2. 1976, p. 5.

⁽⁶⁾ OJ No C 144, 25. 6. 1976, p. 8.

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 £	= 1.43469	u.a.
100 Lit	= 0.0957627	u.a.

COMMISSION DECISION

of 7 July 1976

authorizing the Italian Republic temporarily to permit the marketing of commercial seed of certain species of fodder plants satisfying less stringent requirements

(Only the Italian text is authentic)

(76/613/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the request made by the Italian Republic,

Whereas the production of seed of the species Hungarian Vetch and Hairy Vetch, satisfying the requirements regarding minimum germination, is insufficient in Italy;

Whereas the demand cannot adequately be met from commercial seed of these species from other Member States which satisfy all the conditions necessary for marketing;

Whereas the Italian Republic should therefore be authorized, during the period expiring on 31 March 1977, to permit the marketing of commercial seed of Hungarian Vetch and Hairy Vetch satisfying less stringent requirements;

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

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is authorized to permit the marketing in its territory, during the period expiring

on 31 March 1977, of a maximum of 150 metric tons of Hungarian Vetch Seed (*Vicia pannonica* Crantz) and a maximum of 400 metric tons of Hairy Vetch seed (*Vicia Villosa* Roth) of the category 'commercial seed', which does not satisfy the conditions set out in Annex II to Council Directive of 14 June 1976 with regard to minimum germination provided that the following requirements are satisfied:

- (a) germination shall be at least 80 % of pure seed;
- (b) the official label shall indicate that the germination of the seed is reduced: minimum germination 80 %, and shall bear the endorsement 'intended exclusively for marketing in Italy'.

Article 2

The Italian Republic shall report to the Commission, before 1 May 1977, the quantity of commercial Hungarian Vetch and Hairy Vetch seed permitted to be marketed in its territory pursuant to this Decision. The Commission shall inform the other Member States thereof.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 7 July 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 196, 26. 7. 1975, p. 6.

COMMISSION DECISION

of 21 July 1976

**authorizing the Italian Republic to maintain certain protective measures under
Article 108 (3) of the Treaty**

(Only the Italian text is authentic)

(76/614/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 108 (3) thereof,

Whereas by its Decision of 5 May 1976⁽¹⁾, the Commission authorized the Italian Republic to require the lodging of a deposit whenever foreign exchange was purchased and whenever lira were deposited in foreign accounts;

Whereas the balance of payments situation of the Italian Republic continues to show a disquieting deficit notwithstanding seasonal earnings from tourism;

Whereas, in these circumstances the discontinuance with effect from 5 August 1976 of the current protective measure would cause a depreciation of the lira which would be bound to aggravate the external imbalance and increase the inflationary pressures on the Italian economy, thus wiping out all the good done by the application of the measure;

Whereas temporary continuation of the provision requiring the lodging of deposits should enable the authorities of the Italian Republic, acting in concert with the Commission, to draw up a stabilization programme,

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is authorized to maintain in force for a period of three months, expiring on 5 November 1976, the provisions for the compulsory lodging of deposits authorized by Articles 1 and 2 of the Commission Decision on 5 May 1976.

Article 2

The competent authorities in the Italian Republic shall act in close concert with the Commission with a view to the formulation and implementation of the measures needed to redress the Italian economy, and in particular to ensure compliance with the economic policy conditions laid down for 1976 by Council Decision 76/324/EEC of 15 March 1976⁽²⁾

Article 3

Any difficulties which may arise in the application of the measures hereby authorized shall be jointly examined by the Italian Republic and the Commission.

Article 4

The Commission reserves the right to amend or repeal this Decision before the date fixed in Article 1 if it finds that the circumstances in consideration of which the Decision was adopted have changed, or that the effects of the Decision are more restrictive than its purpose requires, or are having particularly serious consequences for trade, notably in agricultural products coming under a common organization of the market.

Article 5

This Decision is addressed to the Italian Republic.

Done at Brussels, 21 July 1976.

*For the Commission**The President*

François-Xavier ORTOLI

⁽¹⁾ OJ No L 120, 7. 5. 1976, p. 30.

⁽²⁾ OJ No L 77, 24. 3. 1976, p. 16.