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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2350/76**of 29 September 1976****fixing the import levies on cereals and on wheat or rye flour groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1143/76⁽²⁾, and in particular Article 13 (5) thereof,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 1882/76⁽³⁾ and subsequent amending Regulations;

Whereas it follows from applying the provisions contained in Regulation (EEC) No 1882/76, to the

offer prices and today's quotations known to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on 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 30 September 1976.

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

Done at Brussels, 29 September 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 130, 19. 5. 1976, p. 1.

⁽³⁾ OJ No L 206, 31. 7. 1976, p. 62.

ANNEX

to the Commission Regulation of 29 September 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	61.78
10.01 B	Durum wheat	106.37 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	47.39 ⁽⁶⁾
10.03	Barley	24.46
10.04	Oats	23.73
10.05 B	Maize other than hybrid maize for sowing	38.08 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	41.55 ⁽⁴⁾
10.07 C	Grain sorghum	44.28 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	97.38
11.01 B	Rye flour	77.22
11.02 A I a	Durum wheat groats and meal	175.60
11.02 A I b	Common wheat groats and meal	105.01

⁽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 tons 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 2351/76**of 29 September 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 last amended by
Regulation (EEC) No 1143/76 ⁽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
1883/76 ⁽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 30
September 1976.

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

Done at Brussels, 29 September 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 130, 19. 5. 1976, p. 1.

⁽³⁾ OJ No L 206, 31. 7. 1976, p. 64.

ANNEX

to the Commission Regulation of 29 September 1976 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.d. / metric ton)

CCT heading No	Description of goods	Current 9	1st period 10	2nd period 11	3rd period 12
10.01 A	Common wheat and meslin	0	0.78	0.78	0
10.01 B	Durum wheat	0	2.73	2.73	3.51
10.02	Rye	0	0	0	1.13
10.03	Barley	0	1.17	1.17	1.17
10.04	Oats	0	2.34	2.34	2.73
10.05 B	Maize other than hybrid maize for sowing	0	2.73	2.73	3.51
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0.78	0.78	0.78
10.07 C	Grain sorghum	0	0.78	0.78	0
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	1.09	1.09	0

B. Malt

(u.d. / metric ton)

CCT heading No	Description of goods	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	1.39	1.39	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	1.04	1.04	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	2.08	2.08	2.08	2.08
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	1.56	1.56	1.56	1.56
11.07 B	Roasted malt	0	1.81	1.81	1.81	1.81

COMMISSION REGULATION (EEC) No 2352/76**of 28 September 1976****establishing the standard average values for the determination of the value for customs purposes for citrus fruits and apples and pears to be applied during the periods at the beginning of the 1976/77 importing season**

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 (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 Article 2 (2) of Regulation (EEC) No 1570/70 and Article 2 (2) of Regulation (EEC) No 1641/75 lay down that the standard average values to be applied at the beginning of the importing season are to be established on the basis of the arithmetic mean of standard average values of the second and third periods of application of the preceding season;

Whereas application of these rules and criteria means that the standard average values to be applied during the periods at the beginning of the 1976/77 importing season for the citrus fruits and apples and pears listed should be as indicated in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard average values to be applied during the periods at the beginning of the 1976/77 importing season for the citrus fruits and apples and pears listed in the Annexes are hereby fixed as shown in the tables.

Article 2

This Regulation shall enter into force on 1 October 1976.

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

Done at Brussels, 28 September 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	Uninterrupted importing season							
1.2	— Tunisia, Morocco, Algeria	1 151	179.59	76.13	130.57	14.37	19 914	78.14	14.37
1.3	— Countries in southern Africa	}	Uninterrupted importing season						
1.4	— Other African countries and countries on the Mediterranean								
1.5	— USA								
1.6	— Other countries	932	144.99	60.37	118.89	13.42	19 964	63.65	13.42
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	846	131.44	56.14	95.37	10.56	14 592	57.54	10.56
2.1.2	— Sanguines and semi-sanguines, including Navel sanguines and Maltese sanguines	954	149.64	62.28	109.08	12.01	18 641	64.93	12.01
2.1.3	— Other	616	96.68	40.23	70.48	7.76	12 047	41.94	7.76
2.2	— Countries in southern Africa	1 051	162.27	68.26	125.45	14.79	22 332	72.32	14.79
2.3	— USA	1 123	173.25	73.38	134.74	15.84	24 322	77.77	15.84
2.4	— Brazil	601	93.01	38.98	72.90	8.45	12 629	41.29	8.45
2.5	— Other countries	Uninterrupted importing season							
3.	Grapefruit and pomelos :								
3.1	— Tunisia, Morocco, Algeria	568	89.47	37.74	70.26	6.53	10 101	39.13	6.53
3.2	— Cyprus, Israel, Gaza, Egypt, Turkey	1 043	160.99	69.16	117.55	13.01	18 051	70.92	13.01
3.3	— Countries in southern Africa	1 171	180.71	76.02	139.70	16.47	24 866	80.53	16.47
3.4	— USA	}	Uninterrupted importing season						
3.5	— Other American countries								
3.6	— Other countries	646	101.32	42.18	74.13	8.28	12 877	43.99	8.28
4.	Clementines	1 830	284.14	121.37	206.17	22.84	31 543	124.37	22.84
5.	Mandarines including Wilkings	1 159	181.41	75.94	132.29	14.57	22 404	78.66	14.57
6.	Monreales and Satsumas	1 002	154.65	66.44	112.91	12.50	17 335	68.12	12.50
7.	Tangerines	1 772	274.39	115.02	211.75	24.05	39 020	121.84	24.05

Table II: Apples and pears

8.	Apples :								
8.1	— Countries of the southern hemisphere	1 462	254.64	95.20	175.08	21.61	34 247	100.83	21.61
8.2	— European third countries	646	100.36	41.78	81.98	9.49	13 951	43.66	9.49
8.3	— Countries of the northern hemisphere other than European countries	1 781	228.88	120.30	215.96	17.94	32 336	122.92	17.94
9.	Pears :								
9.1	— Countries of the southern hemisphere	1 696	304.17	110.08	202.67	20.39	37 321	116.61	20.39
9.2	— European third countries	591	91.86	38.24	75.03	8.68	12 770	39.96	8.68
9.3	— Countries of the northern hemisphere other than European countr.	1 891	366.12	124.90	215.43	23.23	34 469	128.38	23.23

COMMISSION REGULATION (EEC) No 2353/76**of 28 September 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 1 October
1976.

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

Done at Brussels, 28 September 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	1 163	180.74	75.21	149.04	17.76	25 690	78.66	17.76
1.2	— Tunisia, Morocco, Algeria	—	—	—	—	—	—	—	—
1.3	— Countries in southern Africa	1 309	203.50	84.68	167.80	20.00	28 923	88.57	20.00
1.4	— Other African countries and countries on the Mediterranean	877	136.60	56.86	111.54	12.71	18 861	69.40	12.71
1.5	— USA	1 453	225.89	94.00	186.27	22.20	32 107	98.31	22.20
1.6	— Other countries	1 055	164.01	68.25	135.24	16.12	23 312	71.38	16.12
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	—	—	—	—	—	—	—	—
2.1.2	— Sanguines and semi-sanguines, including Navel sanguines and Maltese sanguines	—	—	—	—	—	—	—	—
2.1.3	— Other	—	—	—	—	—	—	—	—
2.2	— Countries in southern Africa	1 053	163.76	68.14	135.03	16.09	23 276	71.27	16.09
2.3	— USA	1 383	214.98	89.46	177.26	21.13	30 555	93.56	21.13
2.4	— Brazil	622	96.69	40.24	79.73	9.50	13 744	42.08	9.50
2.5	— Other countries	1 075	167.19	69.57	137.86	16.43	23 763	72.77	16.43
3.	Grapefruit and pomelos :								
3.1	— Tunisia, Morocco, Algeria	—	—	—	—	—	—	—	—
3.2	— Cyprus, Israel, Gaza, Egypt, Turkey	—	—	—	—	—	—	—	—
3.3	— Countries in southern Africa	1 085	168.74	70.22	139.14	16.58	23 984	73.44	16.58
3.4	— USA	1 078	167.61	69.75	138.20	16.47	23 823	72.95	16.47
3.5	— Other American countries	958	148.92	61.97	122.79	14.63	21 166	64.81	14.63
3.6	— Other countries	1 786	277.54	115.49	228.85	27.27	39 447	120.79	27.27
4.	Clementines	—	—	—	—	—	—	—	—
5.	Mandarines including Wilkings	1 820	282.84	117.70	233.23	27.80	40 201	123.10	27.80
6.	Monreales and Satsumas	—	—	—	—	—	—	—	—
7.	Tangerines	741	115.20	47.94	94.99	11.32	16 374	50.14	11.32

Table II: Apples and pears

8.	Apples :								
8.1	— Countries of the southern hemisphere	—	—	—	—	—	—	—	—
8.2	— European third countries	807	—	52.20	103.43	—	17 828	54.59	—
8.3	— Countries of the northern hemisphere other than European countries	—	—	—	—	—	—	—	—
9.	Pears :								
9.1	— Countries of the southern hemisphere	—	—	—	—	—	—	—	—
9.2	— European third countries	427	—	27.66	54.82	13.41	9 449	28.93	13.41
9.3	— Countries of the northern hemisphere other than European countries	—	—	—	—	—	—	—	—

COMMISSION REGULATION (EEC) No 2354/76
of 29 September 1976
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 559/76⁽²⁾, and in
particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 580/76⁽³⁾, as last
amended by Regulation (EEC) No 2229/76⁽⁴⁾;

Whereas it follows from applying the rules contained
in Regulation (EEC) No 580/76 to the prices known

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 October
1976.

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

Done at Brussels, 29 September 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

²⁾ OJ No L 67, 15. 3. 1976, p. 9.

³⁾ OJ No L 69, 15. 3. 1976, p. 19.

⁴⁾ OJ No L 251, 15. 9. 1976, p. 10.

ANNEX

Tariff Nomenclature		Code	Levy (in u.s./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	A. Of a fat content, by weight, not exceeding 6 % :		
	I. Yoghourt, kephir, curdled milk, whey, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of two litres or less	0110	21.57
	b) Other	0120	19.57
	II. Other :		
	a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight :		
	1. Not exceeding 4 %	0130	19.57
	2. Exceeding 4 %	0140	24.01
	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 %	0150	18.57
	2. Exceeding 4 %	0160	23.01
	B. Other, of a fat content, by weight :		
04.02	I. Exceeding 6 % but not exceeding 21 %	0200	48.45
	II. Exceeding 21 % but not exceeding 45 %	0300	102.50
	III. Exceeding 45 %	0400	158.41
	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar :		
	I. Whey	0500	14.80
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight :		
	1. Not exceeding 1.5 %	0620	94.30
	2. Exceeding 1.5 % but not exceeding 27 %	0720	123.52
	3. Exceeding 27 % but not exceeding 29 %	0820	125.52
	4. Exceeding 29 %	0920	138.35
	b) Other, of a fat content, by weight :		
	1. Not exceeding 1.5 %	1020	89.30
	2. Exceeding 1.5 % but not exceeding 27 %	1120	117.52
	3. Exceeding 27 % but not exceeding 29 %	1220	119.52
	4. Exceeding 29 %	1320	132.35
	III. Milk and cream, other than in powder or granules :		
	a) In hermetically sealed cans of a net capacity of 454 g or less, or in glass containers of a capacity of 0.5 litre or less and of a fat content, by weight, of 11 % or less :		
	1. Of a fat content, by weight, of 8.9 % or less	1420	21.24
	2. Other	1520	28.67
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 %	1620	102.50
	2. Exceeding 45 %	1720	158.41

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
04.02 (cont'd)	B. Containing added sugar : I. Milk and cream, in powder or granules : a) Special milk for infants ⁽¹⁾, in hermetically sealed cans of a net capacity of 500 g or less and of a fat content, by weight, exceeding 10 % but not exceeding 27 % ⁽²⁾ b) Other : 1. In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight : aa) Not exceeding 1.5 % ⁽³⁾ bb) Exceeding 1.5 % but not exceeding 27 % ⁽³⁾ cc) Exceeding 27 % ⁽³⁾ 2. Other, of a fat content, by weight : aa) Not exceeding 1.5 % ⁽³⁾ bb) Exceeding 1.5 % but not exceeding 27 % ⁽³⁾ cc) Exceeding 27 % ⁽³⁾ II. Milk and cream, other than in powder or granules : a) In hermetically sealed cans of a net capacity of 454 g or less and of a fat content, by weight, not exceeding 9.5 % b) Other, of a fat content, by weight : 1. Not exceeding 45 % ⁽³⁾ 2. Exceeding 45 % ⁽³⁾	1820 2220 2320 2420 2520 2620 2720 2810 2910 3010	30.00 per kg 0.8930 ⁽⁹⁾ per kg 1.1752 ⁽⁹⁾ per kg 1.3235 ⁽⁹⁾ per kg 0.8930 ⁽¹⁰⁾ per kg 1.1752 ⁽¹⁰⁾ per kg 1.3235 ⁽¹⁰⁾ 31.71 per kg 1.0250 ⁽¹⁰⁾ per kg 1.5841 ⁽¹⁰⁾
04.03	Butter : A. Of a fat content, by weight, not exceeding 85 % B. Other	3110 3210	186.36 227.36
04.04	Cheese and curd : A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered : I. Of a minimum fat content of 45 % by weight, referred to dry matter, matured for at least three months ⁽²⁾ : a) Whole cheese ⁽⁴⁾ of a free-at-frontier value ⁽⁵⁾ per 100 kg net weight of : 1. 212.44 u.a. (a) or more but less than 232.44 u.a. (a) 2. 232.44 u.a. (a) or more	3320 3419	15.00 135.73 ⁽¹¹⁾

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
04.04 (cont'd)	b) Pieces packed in vacuum or in inert gas :		
	1. With rind on at least one side, of a net weight :		
	aa) Of 1 kg or more but less than 5 kg and of a free-at-frontier value ⁽⁵⁾ of 232.44 u.a. (a) or more but less than 260.44 u.a. (a) per 100 kg net weight	3520	15.00
	bb) Of 450 g or more and of a free-at-frontier value ⁽⁵⁾ of 260.44 u.a. (a) or more per 100 kg net weight	3618	135.73 ⁽¹¹⁾
	2. Other, of a net weight of 75 g or more but not exceeding 250 g ⁽⁶⁾ and of a free-at-frontier value ⁽⁵⁾ of 280.44 u.a. (a) or more per 100 kg net weight	3718	135.73 ⁽¹¹⁾
	II. Other	3800	135.73
	B. Glarus herb cheese (known as Schabziger) made from skimmed milk and mixed with finely-ground herbs ⁽²⁾	3900	140.41 ⁽¹²⁾
	C. Blue-veined cheese, not grated or powdered	4000	123.89
	D. Processed cheese, not grated or powdered :		
	I. In the blending of which only Emmentaler, Gruyère and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger), put up for retail sale ⁽⁷⁾ , of a free-at-frontier value ⁽⁵⁾ of not less than 150 u.a. per 100 kg net weight and of a fat content, by weight, in the dry matter, not exceeding 56 % ⁽²⁾	4120	30.00
	II. Other, of a fat content, by weight :		
	a) Not exceeding 36 % and of a fat content, by weight, referred to dry matter :		
	1. Not exceeding 48 %	4410	108.70
	2. Exceeding 48 %	4510	121.76
	b) Exceeding 36 %	4610	201.76
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :		
	a) Not exceeding 47 %	4710	140.41

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
04.04 (cont'd)	b) Exceeding 47 % but not exceeding 72 % : 1. Cheddar, including Chester : aa) Whole Cheddar cheeses ⁽⁴⁾ made from unpasteurized milk, of a minimum fat content of 50 % by weight, in the dry matter, matured for a least nine months and of a free-at-frontier value of not less than 207.00 u.a. per 100 kg net weight ⁽²⁾ bb) Other 2. Tilsit and Butterkäse, of a fat content, by weight, referred to the dry matter ⁽²⁾ : aa) Not exceeding 48 % bb) Exceeding 48 % 3. Kashkaval ⁽²⁾ 4. Cheese of sheep's milk or buffalo milk in containers holding brine, or in sheep- or goat-skin bottles ⁽²⁾ 5. Other c) Exceeding 72 % : 1. In immediate packings of a net capacity not exceeding 500 g 2. Other II. Not specified : a) Grated or powdered b) Other	4833 4850 4922 5022 5030 5060 5120 5210 5250 5310 5410	15.00 124.05 111.72 ⁽¹³⁾ 111.72 ⁽¹⁴⁾ 111.72 ⁽¹⁵⁾ 111.72 ⁽¹⁵⁾ 111.72 83.79 191.72 140.41 191.72
17.02	Other sugars ; sugar syrups ; artificial honey (whether or not mixed with natural honey) ; caramel : A. Lactose and lactose syrup : II. Other than that containing, in the dry state, 99 % or more by weight of the pure product ⁽¹⁶⁾	5500	18.25 ⁽¹⁶⁾
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion : A. Lactose and lactose syrup	5600	18.25
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : B. Other, containing starch or glucose or glucose syrup falling within subheadings 17.02 B and 17.05 B, or milk products ⁽⁸⁾ : I. Containing starch, or glucose or glucose syrup : a) Containing no starch or containing 10 % or less by weight of starch : 1. 2. 3. Containing 50 % or more but less than 75 % by weight of milk products 4. Containing 75 % or more by weight of milk products	5700 5800	68.98 89.51

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
23.07 (cont'd)	b) Containing more than 10 % but not more than 30 % by weight of starch :		
	1.		
	2.		
	3. Containing 50 % or more by weight of milk products	5900	82-91
	c) Containing more than 30 % by weight of starch :		
	1.		
	2.		
	3. Containing 50 % or more by weight of milk products	6000	66-21
	II. Containing no starch, glucose or glucose syrup, but containing milk products	6100	89-51

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

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

- a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
- b) 6 u.a.; and
- c) 7-60 u.a.

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

- a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product; and
- b) 7-60 u.a.

(11) The levy is limited to 7-50 u.a. per 100 kg net weight.

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

(13) The levy is limited to 64-00 u.a. per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

(14) The levy is limited to 84-00 u.a. per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

(15) The levy is limited to 64-00 u.a. per 100 kg net weight for imports from Bulgaria, Hungary, Romania and Turkey (Regulation (EEC) No 1054/68 as amended).

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

(a) For imports into the United Kingdom, this free-at-frontier value shall be reduced by 3-47 u.a. per 100 kg net.

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

COMMISSION REGULATION (EEC) No 2355/76

of 29 September 1976

fixing the minimum import levies on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 162/66/EEC of 27 October 1966 on trade in oils and fats between the Community and Greece ⁽³⁾,

Having regard to Council Regulation (EEC) No 601/76 of 15 March 1976 laying down special measures in particular for the determination of the offers of olive oil on the world market ⁽⁴⁾, and in particular Article 2 ⁽³⁾ thereof,

Having regard to Council Regulation (EEC) No 602/76 of 15 March 1976 laying down special measures in particular for the determination of the offers of olive oil on the Greek market ⁽⁵⁾, and in particular Article 2 ⁽³⁾ thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil from Algeria ⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil from Morocco ⁽⁷⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil from Tunisia ⁽⁸⁾, and in particular Article 5 thereof,

Whereas, in Regulation (EEC) No 1362/76 of 14 June 1976 ⁽⁹⁾, the Commission decided to use the tendering procedure to fix the levies on olive oil;

Whereas Article 4 of Commission Regulation (EEC) No 1046/76 of 4 May 1976 on detailed rules for the

implementation of the special measures for the determination of offers of olive oil on the world market and the Greek market ⁽¹⁰⁾, lays down the criteria for fixing the rate of the minimum levy;

Whereas that rate must be fixed for each of the products concerned on the basis of an examination of the world or Greek markets and of the Community market, and also of the levy rates indicated by the tenderers;

Whereas account should be taken of the oil content of products other than olive oil; whereas, however, no levies are applied to imports of oil-cake and other residues falling within subheading 23.04 A of the Common Customs Tariff and having an oil content of not more than 3 %;

Whereas account should be taken in applying the levy of the provisions of the agreements between the Community and certain non-member countries; whereas, in particular, the levy must be calculated on the basis of the levy to be collected on imports from non-member countries;

Whereas the application of the rules described above to the levy rates submitted by tenderers between 16 and 23 September 1976 results in the fixing of the minimum levies as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

For the period from 1 to 15 October 1976, the minimum levies on imports of olive oil shall be as shown in the Annex.

Article 2

This Regulation shall enter into force on 1 October 1976.

⁽¹⁰⁾ OJ No L 119, 6. 5. 1976, p. 7.

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No 197, 29. 10. 1966, p. 3393/66.

⁽⁴⁾ OJ No L 72, 18. 3. 1976, p. 1.

⁽⁵⁾ OJ No L 72, 18. 3. 1976, p. 3.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁸⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁹⁾ OJ No L 154, 15. 6. 1976, p. 13.

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

Done at Brussels, 29 September 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

(u.a. / 100 kg)

CCT heading No	Greece	Non-member countries
07.01 N II	8-000	15-000
07.03 A II	8-000	14-000
15.07 A I a)	45-000	75-000 ⁽¹⁾
15.07 A I b)	61-000	112-000 ⁽²⁾
15.07 A II a)	42-500 ⁽³⁾	65-000 ⁽³⁾
15.07 A II b)	42-500 ⁽³⁾	71-000 ⁽³⁾
15.17 A I	20-000	35-000
15.17 A II	32-000	57-000
23.04 A	3-000	5-000 ⁽⁴⁾

⁽¹⁾ For imports of oil falling within this tariff subheading and produced entirely in Algeria, Morocco or Tunisia and transported directly from those countries to the Community, the levy to be collected is reduced by 3.20 u.a. / 100 kg.

⁽²⁾ For imports of oil falling within this tariff subheading and produced entirely in Algeria, Morocco or Tunisia and transported directly from those countries to the Community, the levy to be collected is reduced by 6 u.a. / 100 kg.

⁽³⁾ For imports of oil falling within this tariff subheading and produced entirely in one of the countries listed below and transported directly from those countries to the Community, the levy to be collected is reduced by :

(a) Greece and Spain : 0.50 u.a. / 100 kg ;

(b) Turkey : 0.50 u.a. / 100 kg ; in addition, and provided that the operator furnishes proof of having paid the export tax applied by Turkey, the levy is reduced by 4.5 u.a. / 100 kg ;

(c) Algeria, Morocco, Tunisia : 20.50 u.a. / 100 kg provided that the operator furnishes proof of having paid the export tax applied by those countries ; however, the repayment may not exceed the amount of the tax in force.

⁽⁴⁾ Pursuant to Article 3 of Regulations (EEC) No 601/76 and (EEC) No 602/76, no import levy is collected on oil-cake and other residues falling within subheading 23.04 A of the Common Customs Tariff and having an oil content of not more than 3 %.

COMMISSION REGULATION (EEC) No 2356/76**of 29 September 1976****concerning the invitation to tender for a supply of butteroil as food aid for the Republic of Zambia**

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 Article 6 (7) thereof,

Whereas Council Regulation (EEC) No 1542/75 of 16 June 1975 on the supply of milk fats as food aid to certain developing countries and certain international organizations under the 1975 food-aid programme⁽³⁾, provides for a reserve of 4 550 metric tons of butteroil obtained from butter held by intervention agencies; whereas according to Council Regulation (EEC) No 2020/76 of 27 July 1976 on the emergency supply of butteroil to the Republic of Zambia in favour of needy persons in that country as food aid pursuant to Regulation (EEC) No 1542/75⁽⁴⁾, 279 metric tons from this reserve shall be allocated to the Republic of Zambia;

Whereas Council Regulation (EEC) No 695/76 of 25 March 1976 on the supply of milk fats to certain developing countries and international organizations under the 1976 food-aid programme⁽⁵⁾ provides for a reserve of 3 640 metric tons of butteroil obtained from butter held by intervention agencies; whereas according to Council Regulation (EEC) No 2019/76 of 27 July 1976 on the emergency supply of butteroil to the Republic of Zambia in favour of needy persons in that country as food aid pursuant to Regulation (EEC) No 695/76⁽⁶⁾, 21 metric tons from this reserve shall be allocated to the Republic of Zambia; whereas this country has requested the delivery of 300 metric tons of butteroil;

Whereas Article 5 of respectively Council Regulation (EEC) No 1541/75 of 16 June 1975 laying down general rules for the supply of milk fats as food aid to certain developing countries and international organi-

zations under the 1975 food-aid programme⁽⁷⁾ and Council Regulation (EEC) No 694/76 of 25 March 1976 laying down general rules for the supply of milk fats to certain developing countries and international organizations under the 1976 food-aid programme⁽⁸⁾, requires tenders to be invited for such supplies;

Whereas the tendering procedure is effected following the provisions of Commission Regulation (EEC) No 2247/75 of 29 August 1975 concerning invitations to tender for the costs of manufacture and delivery of butteroil as food aid to certain developing countries and to the World Food Programme⁽⁹⁾, as last amended by Regulation (EEC) No 2212/76⁽¹⁰⁾; whereas it is still necessary to add a number of details, particularly as regards the time limit for the submission of tenders and the terms of supply;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited pursuant to Regulations (EEC) No 1541/75, (EEC) No 694/76, (EEC) No 2019/76 and (EEC) No 2020/76 for the manufacture and delivery of a lot of 300 metric tons of butteroil to the Republic of Zambia.

2. Subject to the special provisions contained hereinafter the provisions of Regulation (EEC) No 2247/75 shall apply by analogy to the tendering procedure and to the terms for manufacture and delivery of the butteroil.

Article 2

1. The butter which is to be manufactured into the butteroil shall be removed from the premises of the Belgian intervention agency.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 157, 19. 6. 1975, p. 6.

⁽⁴⁾ OJ No L 244, 16. 8. 1976, p. 5.

⁽⁵⁾ OJ No L 83, 30. 3. 1976, p. 6.

⁽⁶⁾ OJ No L 224, 16. 8. 1976, p. 4.

⁽⁷⁾ OJ No L 157, 19. 6. 1975, p. 4.

⁽⁸⁾ OJ No L 83, 30. 3. 1976, p. 4.

⁽⁹⁾ OJ No L 229, 30. 8. 1975, p. 60.

⁽¹⁰⁾ OJ No L 249, 11. 9. 1976, p. 5.

2. The quality and packaging of the butteroil shall satisfy the requirements laid down in the Annex to Regulation (EEC) No 2247/75; it shall be put exclusively in 5 kg canisters.

3. The words to be printed on the packaging, as provided in Chapter II 2 (b) of the abovementioned Annex, shall be the following:

'Butteroil / Gift of the European Economic Community to the Republic of Zambia / For free distribution'.

4. The time limit for the submission of tenders shall be 12 October 1976 at 12 noon.

Article 3

1. Delivery shall be cif Dar-es-Salaam.

2. Shipment shall take place as soon as possible and not later than 15 November 1976.

3. Delivery cif shall be completed when the goods are actually taken from the hold of the ship at the port of unloading.

4. On cif delivery, the country of destination shall issue to the successful tenderer a taking-over letter which replaces the certificate specified in Article 15 of Regulation (EEC) No 2247/75.

5. The country of destination shall bear all costs incurred after delivery including the unloading costs (such as unstowing, hoisting, acceptance) and any lighter costs.

6. Any demurrage costs or dispatch money at the port of unloading shall be borne by or for the benefit of the recipient country. The rates and other details concerning such costs shall be laid down in the contract between the successful tenderer and the carrier and must have been previously agreed upon by the successful tenderer acting as agent for the Community and the recipient agent in the country of destination.

Article 4

1. The intervention agency concerned shall notify the country of destination of the date of loading, the quantity and quality of the goods as recorded at the time of loading and the port of unloading.

2. The successful tenderer shall inform the recipient organization at least 10 clear days in advance of the expected date of arrival at the port of ship's unloading.

The successful tenderer shall include in the terms of the charter-party a provision stipulating that the ship's captain shall, at least 72 hours in advance, notify the country of destination of the ship's probable date of arrival in port.

Article 5

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

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

Done at Brussels, 29 September 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION REGULATION (EEC) No 2357/76

of 29 September 1976

concerning the issue of an invitation to tender for the supply to certain third countries for use as food aid of vitaminized skimmed-milk powder to be purchased on the Community market

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 Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 1298/76 of 1 June 1976 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1976 programme⁽³⁾, as amended by Regulation (EEC) No 2017/76⁽⁴⁾, and in particular Article 6 thereof,

Whereas Council Regulation (EEC) No 1299/76 of 1 June 1976 on the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1976 programme⁽⁵⁾ provides, respectively, for 800 metric tons of skimmed-milk powder to be made available to the Arab Republic of Egypt and for 600 metric tons of skimmed-milk powder to be made available to the Hashemite Kingdom of Jordan;

Whereas Council Regulation (EEC) No 2018/76 of 27 July 1976 on the additional supply of skimmed-milk powder as food aid to certain developing countries, international organizations and non-governmental organizations under the 1976 programme⁽⁶⁾ provides, respectively, for 5 200 metric tons of skimmed-milk powder to be made available to the Arab Republic of Egypt and for 500 metric tons of skimmed-milk powder to be made available to the Hashemite Kingdom of Jordan;

Whereas the Arab Republic of Egypt has requested the delivery of 1 500 metric tons of vitaminized skimmed-milk powder, 800 metric tons of which represent the quantity provided for by Regulation (EEC) No 1299/76; whereas the Hashemite Kingdom of Jordan has requested the delivery of the entire quantity of 1 100 metric tons of vitaminized skimmed-milk powder;

Whereas Regulation (EEC) No 1298/76 provides in Article 2 (2) that, if the amounts of skimmed-milk powder in public stocks do not have the characteristics necessary for their particular destination where this requires, in particular, the addition of vitamins, supply shall be ensured by the buying-in of skimmed-milk powder on the Community market;

Whereas Article 5 of Regulation (EEC) No 1298/76 provides that for the purpose of the supply and shipment of skimmed-milk powder invitations to tender are to be issued;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders shall be invited in accordance with the provisions of Regulations (EEC) No 1298/76, (EEC) No 1299/76 and (EEC) No 2018/76, for the costs of supplying:

— 1 500 metric tons of vitaminized skimmed-milk powder to the Arab Republic of Egypt and divided up into the following lots:

- Lot A1: 500 metric tons,
- Lot A2: 500 metric tons,
- Lot A3: 500 metric tons.

— 1 100 metric tons of vitaminized skimmed-milk powder to the Hashemite Kingdom of Jordan and divided up into the following lots:

- Lot B1: 550 metric tons,
- Lot B2: 550 metric tons.

2. The skimmed-milk powder shall meet the requirements as to quality and packaging set out in the Annex to this Regulation.

3. The successful tenderer shall deliver, as a supplement, 5 % empty bags similar to those containing the goods.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 146, 4. 6. 1976, p. 3.

⁽⁴⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 146, 4. 6. 1976, p. 5.

⁽⁶⁾ OJ No L 224, 16. 8. 1976, p. 2.

4. The packaging of the skimmed-milk powder shall bear the following inscription in letters at least 1 cm high :

— as regards Lots A1 to A3 :

'Skimmed-milk powder, enriched with vitamins A and D — Gift of the European Economic Community to Egypt — For free distribution';

— as regards Lots B1 and B2 :

'Skimmed-milk powder, enriched with vitamins A and D — Gift of the European Economic Community to the Hashemite Kingdom of Jordan — For free distribution.'

Article 2

1. Delivery shall be effected :

— as regards Lots A1 to A3, from a port to be designated in the tender, chosen from among Community ports accessible for ocean-going ships and having a regular line to Alexandria,

— as regards Lots B1 and B2, from a port to be designated in the tender, chosen from among Community ports accessible for ocean-going ships and having a regular line to the country of destination.

2. Delivery at the port of shipment shall take place on a date fixed by the intervention agency concerned and which must be after 10 and before 30 November 1976.

3. The time limit for the submission of tenders expires on 12 October 1976 at 12 noon.

Article 3

The intervention agencies shall frame a notice of invitation to tender which shall be published in the *Official Journal of the European Communities* not less than 10 days before the closing date for the submission of tenders.

Article 4

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

2. A tender shall be valid only if it relates to the entire quantity of a lot put out to tender. Moreover, a tender shall relate only on lots designated by the same capital letter. The tenderer shall make precise in his

tender for how many lots — under these conditions — it is valid.

3. The tender shall indicate *inter alia* :

(a) the name and address of the tenderer ;

(b) the price, exclusive of taxes, expressed in the currency of the Member State in which the tender is presented, at which the tenderer undertakes to supply, under the stipulated conditions, the total quantity to which his tender relates.

Such price shall be inclusive of transport insurance costs to the stage for delivery.

4. A tender shall be valid only if the proof is given before expiry of the period set for the submission of tenders that the security referred to in Article 5 has been provided.

5. No tender may be withdrawn.

Article 5

1. The tendering security shall be 20 units of account per metric ton of skimmed-milk powder.

2. It shall take the form, at the discretion of the Member State concerned, either of a cheque made out in favour of the intervention agency, or of a bank guarantee which satisfies the criteria fixed by the Member State.

Article 6

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

Article 7

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

2. Subject as provided in paragraph 1, the successful tenderer shall be the one whose offer, converted into units of account, is the lowest. Where two or more valid offers specifying identical amounts, as converted into units of account, are received by a given intervention agency, the award shall be made by drawing lots. Where such offers are made to different intervention agencies, the award shall be made by the intervention agency selected in accordance with the procedure referred to in Article 6.

3. The intervention agency shall immediately inform each tenderer whether he has been awarded the contract.

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

5. The intervention agencies shall immediately communicate to the Commission the tenderer's name and address.

Article 8

1. The successful tenderer shall deliver at the port designated in the tender and on the date fixed by the recipient country the quantity of skimmed-milk powder meeting the requirements as regards quality and packaging laid down in the Annex to this Regulation. Any schedule for instalment deliveries shall be fixed by the recipient country's agent in agreement with the successful tenderer.

2. The goods shall be regarded as delivered when they are deposited at the place of exportation at the point designated by the recipient country or its agent.

Article 9

Upon delivery of the goods at the port of embarkation, the recipient country's agent shall hand to the successful tenderer acting as agent for the Community a letter of acceptance.

Article 10

1. The competent agency of the Member State in which the contract is awarded shall check that the skimmed-milk powder in question satisfies the requirements as to quality and packaging laid down in the Annex.

2. If the goods are found to satisfy those requirements the agency shall, before completion of the customs formalities referred to in Article 11 (1), provide the successful tenderer with a certificate to that effect.

3. On delivery the recipient country shall issue a certificate stating that delivery of that quantity of skimmed milk as well as the empty bags referred to in Article 1 (3) have been taken at the stage specified in Article 2 (1).

Article 11

1. Customs export formalities shall be carried out in the Member State in which the award of contract is made.

2. If the port of loading specified in the tender is situated in a Member State other than that in which the customs export formalities are carried out, the goods shall, on completion of such formalities, be placed under customs control with the object of ensuring that they are loaded at the port specified in the tender.

Proof of loading can be furnished only by production of the control copy referred to in Article 1 of Commission Regulation (EEC) No 2315/69 of 19 November 1969 on the use of Community transit documents for the purpose of applying Community measures for verifying the use and/or destination of goods⁽¹⁾, as amended by Regulation (EEC) No 690/73⁽²⁾.

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

Section 104 shall be completed by deleting as necessary and entering against the second indent one of the following endorsements:

- 'Delivery of skimmed-milk powder as food aid (Regulation (EEC) No 2357/76) to be shipped from the port of ...';
- 'Livraison de lait écrémé en poudre à titre d'aide alimentaire (règlement (CEE) n° 2357/76) destinée à être embarquée au port de ...';
- 'Lieferung von Magermilchpulver als Nahrungsmittelhilfe (Verordnung (EWG) Nr. 2357/76) zur Verschiffung im Hafen von ... bestimmt';
- 'Fornitura di latte scremato in polvere a titolo di aiuto alimentare (regolamento (CEE) n. 2357/76) destinata ad essere imbarcata nel porto di ...';
- 'Levering van magere-melkpoeder als voedselhulp Verordening (EEG) nr. 2357/76) bestemd om te worden verscheept in de haven van ...';
- 'Levering af skummetmælkspulver som fødevarehjælp (forordning (EØF) nr. 2357/76) bestemt til lastning i havnen i ...'.

Article 12

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

- (a) the tender has not been accepted;
- (b) the tenderer:
 - has not withdrawn his tender before the contract is awarded,
 - has furnished the certificates provided for in Article 10 (2) and (3).

2. Release of the security shall take place immediately.

⁽¹⁾ OJ No L 295, 24. 11. 1969, p. 14.

⁽²⁾ OJ No L 66, 13. 3. 1973, p. 23.

Article 13

In cases of *force majeure*, the intervention agency shall decide on the measures to be taken having regard to the circumstances invoked.

shall be borne by the competent agency of the Member State concerned.

Article 14

The amount referred to in Article 4 (3) (b) shall be paid only on production of the certificate provided for in Article 10 (2) and (3).

Article 16

No refund or compensatory amount (whether monetary or accession) shall be applicable in respect of skimmed-milk powder supplied under this Regulation.

Article 15

Except in cases of *force majeure*, the successful tenderer shall accept all financial liability developing upon the Community by reason of failure to load the skimmed-milk powder at the place and in due time, the recipient country having effected the delivery at the place and by the time appointed.

Costs incurred by reason of failure to deliver the skimmed-milk powder as a result of *force majeure*

Article 17

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

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

Done at Brussels, 29 September 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

*ANNEX***I. Skimmed-milk powder requirements**

(a) fat content :	1.5 % maximum
(b) water content :	4.0 % maximum
(c) total acidity in lactic acid :	0.15 % maximum (18° Dornic)
(d) test for neutralization agents :	negative
(e) authorized additives :	none
(f) phosphatase test :	negative
(g) solubility :	0.5 % ml maximum (99 % minimum)
(h) degree of purity :	disc B (15.0 mg maximum)
(i) germ content :	50 000 per g maximum
(k) colon bacillus titer :	negative in 0.1 g
(l) taste and smell :	clean
(m) appearance :	white or slightly yellowish colour, free from impurities or coloured particles
(n) vitamin enrichment :	
(aa) vitamin A :	5 000 i.u. per 100 g
(bb) vitamin D :	500 i.u. per 100 g.

II. Packing

- (a) New bags of a net weight content of 25 kg (5 % empty bags).
 - (b) Composition :
 - four Kraft paper bags of a strength representing at least 70 g/m² ;
 - one interposed tar-lined paper bag, of a strength representing at least 140 g/m² or one Kraft paper bag with polyethylene layer, of a strength representing at least 70 g + 15 g/m² ;
 - one polyethylene inner bag at least 0.08 mm thick double bound.
-

COMMISSION REGULATION (EEC) No 2358/76

of 29 September 1976

concerning the issue of an invitation to tender for the supply to the Republic of Zambia for use as food aid of vitaminized skimmed-milk powder to be purchased on the Community market

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 Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 1298/76 of 1 June 1976 laying down general rules for the supply of skimmed-milk powder, as food aid, to certain developing countries and certain international organizations under the 1976 programme⁽³⁾, as amended by Regulation (EEC) No 2017/76⁽⁴⁾, and in particular Article 6 thereof,

Whereas Council Regulation (EEC) No 1299/76 of 1 June 1976 on the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1976 programme⁽⁵⁾ provides for a reserve stock of 3 630 metric tons of skimmed-milk powder; whereas according to Council Regulation (EEC) No 2021/76 of 27 July 1976 on the emergency supply of skimmed-milk powder to the Republic of Zambia in favour of needy persons in that country as food aid pursuant to Regulation (EEC) No 1299/76⁽⁶⁾, 450 metric tons of this reserve stock shall be allocated to the Republic of Zambia; whereas this country has requested a delivery of the abovementioned quantity of skimmed-milk powder;

Whereas Article 2 (2) of Regulation (EEC) No 1298/76 provides that if there is not enough skimmed-milk powder available in public stocks with the characteristics necessary for the particular destination where this requires, in particular, the addition of vitamins, supplies shall be obtained by purchase on the Community market;

Whereas Article 5 of Regulation (EEC) No 1298/76 provides that for the purpose of the supply and shipment of skimmed-milk powder invitations to tender are to be issued;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders shall be invited in accordance with Regulations (EEC) No 1298/76, (EEC) No 1299/76 and (EEC) No 2021/76 for the costs of supplying to the Republic of Zambia a lot of 450 metric tons of vitaminized skimmed-milk powder.
2. Delivery shall be effected cif Dar-es-Salaam.
3. Shipment shall take place as soon as possible and not later than 15 November 1976.
4. The skimmed-milk powder shall meet the requirements as to quality and packaging set out in the Annex to this Regulation.
5. The successful tenderers shall deliver, as a supplement, 5 % empty bags similar to those containing the goods. He shall undertake to have these bags mentioned on the bill of lading.

Article 2

1. The intervention agencies shall frame a notice of invitation to tender which shall be published in the *Official Journal of the European Communities* not less than 10 days before the closing date for the submission of tenders.
2. The closing date for the submission of tenders shall be 12 October 1976 at 12 noon.

Article 3

1. Tenders, which shall be in writing, shall be submitted either by delivery by hand to an intervention agency against acknowledgement of receipt or by

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 146, 4. 6. 1976, p. 3.

⁽⁴⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 146, 4. 6. 1976, p. 5.

⁽⁶⁾ OJ No L 224, 16. 8. 1976, p. 6.

registered letter addressed to an intervention agency.

Intervention agencies may also authorize the use of telex.

2. The tender shall indicate *inter alia* :

- (a) the name and address of the tenderer ;
- (b) the port or ports of loading, chosen from among Community ports ;
- (c) the price, exclusive of taxes, expressed in the currency of the Member State in which the tender is presented, at which the tenderer undertakes to supply, in accordance with the specifications laid down in the Annex, the entire quantity of the lot put out to tender.

Such price shall be inclusive of transport insurance costs to the stage referred to in Article 1 (2) for delivery.

3. A tender shall be valid only if :

- (a) it relates to the entire quantity of the lot put out to tender ;
- (b) proof is given before expiry of the period set for the submission of tenders that the security referred to in Article 4 has been provided.

4. No tender may be withdrawn.

Article 4

1. The tendering security shall be 20 units of account per metric ton of skimmed-milk powder.

2. It shall take the form, at the discretion of the Member State concerned, either of a cheque made out in favour of the intervention agency, or of a bank guarantee which satisfies the criteria fixed by the Member State.

Article 5

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

Article 6

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

2. Subject as provided in paragraph 1, the successful tenderer shall be the one whose offer, converted into units of account, is the lowest. Where two or more valid offers specifying identical amounts, as converted into units of account, are received by a given intervention agency, the award shall be made by drawing lots. Where such offers are made to different intervention agencies, the award shall be made by the intervention agency selected in accordance with the procedure referred to in Article 5.

3. The intervention agency shall immediately inform each tenderer whether he has been awarded the contract.

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

5. The intervention agencies shall immediately inform the Commission of the successful tenderer's name and address.

Article 7

1. The successful tenderer shall deliver a quantity of skimmed-milk powder satisfying the requirements as to quality and packaging laid down in the Annex.

2. Delivery *cif* shall be completed when the goods are actually taken from the hold of the ship at the port of unloading.

3. The country of destination shall bear all costs incurred after delivery including the unloading costs (such as unstowing, hoisting, acceptance) and any lighter costs.

Article 8

Any demurrage costs or dispatch money at the port of unloading shall be borne by or for the benefit of the recipient country. The rates and other details concerning such costs shall be laid down in the contract between the successful tenderer and the carrier and must have been previously agreed upon by the successful tenderer acting as Community agent and the country of destination's agent.

Article 9

1. The intervention agency concerned shall as soon as possible notify the country of destination of the name of the vessel, the date of loading, the quantity and the quality of the goods as recorded at the time of loading and the port of unloading.

2. The successful tenderer shall inform the country of destination at least 10 clear days in advance of the expected date of arrival of the ship in the port of unloading. The successful tenderer shall have included in the terms of the charter-party a provision stipulating that the ship's captain shall inform the country of destination at least 72 hours in advance of the ship's probable date of arrival in port.

Article 10

1. The competent agency of the Member State in which the contract is awarded shall check that the skimmed-milk powder in question satisfies requirements as to quality and packaging laid down in the Annex.

2. If the goods are found to satisfy those requirements, the agency shall, before completion of the customs formalities referred to in Article 11 (1),

provide the successful tenderer with a certificate to that effect.

3. On delivery the country of destination shall issue a certificate proving taking delivery of the goods, stating that delivery of that quantity of skimmed-milk powder has been taken at the stage specified in Article 1 (2).

Article 11

1. Customs export formalities shall be carried out in the Member State in which the award of contract is made.

2. If the port of loading specified in the tender is situated in a Member State other than that in which the customs export formalities are carried out, the goods shall, on completion of such formalities, be placed under customs control with the object of ensuring that they are loaded at the port specified in the tender.

Proof of loading can be furnished only by production of the control copy referred to in Article 1 of Commission Regulation (EEC) No 2315/69 of 19 November 1969 on the use of Community transit documents for the purpose of applying Community measures for verifying the use and/or destination of goods⁽¹⁾, as amended by Regulation (EEC) No 690/73⁽²⁾.

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

Section 104 shall be completed by deleting as necessary and entering against the second indent one of the following endorsements:

- 'Delivery of skimmed-milk powder as food aid (Regulation (EEC) No 2358/76) to be shipped from the port of ...';
- 'Livraison de lait écrémé en poudre à titre d'aide alimentaire (règlement (CEE) n° 2358/76) destinée à être embarquée au port de ...';
- 'Lieferung von Magermilchpulver als Nahrungsmittelhilfe (Verordnung (EWG) Nr. 2358/76) zur Verschiffung im Hafen von ... bestimmt';
- 'Fornitura di latte scremato in polvere a titolo di aiuto alimentare (regolamento (CEE) n. 2358/76) destinata ad essere imbarcata nel porto di ...';
- 'Levering van magere-melkpoeder als voedselhulp (Verordening (EEG) nr. 2358/76) bestemd om te worden verscheept in de haven van ...';
- 'Levering af skummetmælkspulver som fødevarerhjælp (forordning (EØF) nr. 2358/76) bestemt til lastning i havnen i ...'.

⁽¹⁾ OJ No L 295, 24. 11. 1969, p. 14.

⁽²⁾ OJ No L 66, 13. 3. 1973, p. 23.

Article 12

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

- (a) the tender has not been accepted;
- (b) the tenderer:
 - has not withdrawn his tender before the contract is awarded,
 - has furnished the proof, as in refunds matter, of the exit out of the geographical area of the Community.

2. Release of the security shall take place immediately.

Article 13

In cases of *force majeure*, the intervention agency shall decide on the measures to be taken having regard to the circumstances invoked.

Article 14

The amount referred to in Article 3 (2) (c) shall be paid only on production of the certificates provided for in Article 10 (2) and (3).

Article 15

Except in cases of *force majeure*, the successful tenderer shall accept all financial liability devolving upon the Community by reason of failure to load the skimmed-milk powder by the date specified in Article 1 (2).

Costs incurred by reason of failure to deliver the skimmed-milk powder as a result of *force majeure* shall be borne by the competent agency of the Member State in which the award of contract is made.

Article 16

No refund or compensatory amount (whether monetary or accession) shall be applicable in respect of skimmed-milk powder supplied under this Regulation.

Article 17

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

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

Done at Brussels, 29 September 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

*ANNEX***I. Skimmed-milk powder requirements**

(a) fat content :	1.5 % maximum
(b) water content :	4.0 % maximum
(c) total acidity in lactic acid :	0.15 % maximum (18° Dornic)
(d) test for neutralization agents :	negative
(e) authorized additives :	none
(f) phosphatase test :	negative
(g) solubility :	0.5 % ml maximum (99 % minimum)
(h) degree of purity :	disc B (15.0 mg maximum)
(i) germ content :	50 000 per g maximum
(k) colon bacillus titer :	negative in 0.1 g
(l) taste and smell :	clean
(m) appearance :	white or slightly yellowish colour, free from impurities or coloured particles
(n) vitamin enrichment :	
(aa) vitamin A :	5 000 i.u. per 100 g
(bb) vitamin D :	500 i.u. per 100 g.

II. Packing

- (a) New bags of a net weight content of 25 kg (5 % empty bags).
 - (b) Composition :
 - four Kraft paper bags of a strength representing at least 70 g/m² ;
 - one interposed tar-lined paper bag, of a strength representing at least 140 g/m² or one Kraft paper bag with polyethylene layer, of a strength representing at least 70 g + 15 g/m² ;
 - one polyethylene inner bag at least 0.08 mm thick double bound.
 - (c) The packaging of the skimmed-milk powder shall bear, in letters at least 1 cm high the following inscription :

'Skimmed-milk powder, enriched with vitamins A and D / Gift of the European Economic Community to the Republic of Zambia / For free distribution.'
-

COMMISSION REGULATION (EEC) No 2359/76

of 29 September 1976

concerning the issue of an invitation to tender for the supply to the Republic of Uruguay for use as food aid of vitaminized skimmed-milk powder to be purchased on the Community market

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 Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 1298/76 of 1 June 1976 laying down general rules for the supply of skimmed-milk powder, as food aid, to certain developing countries and certain international organizations under the 1976 programme⁽³⁾, as amended by Regulation (EEC) No 2017/76⁽⁴⁾, and in particular Article 6 thereof,

Whereas Council Regulation (EEC) No 2018/76 of 27 July 1976 on the additional supply of skimmed-milk powder as food aid to certain developing countries, international organizations and non-governmental organizations under the 1976 programme⁽⁵⁾ provides *inter alia* that 300 metric tons of skimmed-milk powder shall be made available to the Republic of Uruguay; whereas this country has requested the delivery of 300 metric tons of vitaminized skimmed-milk powder;

Whereas Article 2 (2) of Regulation (EEC) No 1298/76 provides that if there is not enough skimmed-milk powder available in public stocks with the characteristics necessary for the particular destination where this requires, in particular, the addition of vitamins, supplies shall be obtained by purchase on the Community market;

Whereas Article 5 of Regulation (EEC) No 1298/76 provides that for the purpose of the supply and shipment of skimmed-milk powder invitations to tender are to be issued;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Tenders shall be invited in accordance with Regulations (EEC) No 1298/76 and (EEC) No 2018/76 for the costs of supplying to the Republic of Uruguay a lot of 300 metric tons of vitaminized skimmed-milk powder.
2. The skimmed-milk powder shall meet the requirements as to quality and packaging set out in the Annex to this Regulation.
3. The successful tenderer shall deliver, as a supplement, 5 % empty bags similar to those containing the goods.

Article 2

1. Delivery shall be effected at a port to be designated in the tender, chosen among Community ports, accessible for ocean-going ships and having a regular line to the country of destination.
2. Delivery at the port of embarkation shall take place on a date fixed by the intervention agency concerned, and which must be after 1 and before 10 November 1976.
3. The time limit for the submission of tenders expires on 12 October 1976 at 12 noon.

Article 3

The intervention agencies shall frame a notice of invitation to tender which shall be published in the *Official Journal of the European Communities* not less than 10 days before the closing date for the submission of tenders.

Article 4

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 146, 4. 6. 1976, p. 3.

⁽⁴⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 224, 16. 8. 1976, p. 2.

2. The tender shall indicate *inter alia*:

- (a) the name and address of the tenderer;
- (b) the price, exclusive of taxes, expressed in the currency of the Member State in which the tender is presented, at which the tenderer undertakes to supply to the port of shipment referred to in Article 2 (1), in accordance with the specifications laid down in the Annexes, the entire quantity of the lot put out to tender.

Such price shall be inclusive of transport insurance costs to the stage for delivery.

3. A tender shall be valid only if:

- (a) it relates to the entire lot put out to tender;
- (b) proof is given before expiry of the period set for the submission of tenders that the security referred to in Article 5 has been provided.

4. No tender may be withdrawn.

Article 5

1. The tendering security shall be 20 units of account per metric ton of skimmed-milk powder.

2. It shall take the form, at the discretion of the Member State concerned, either of a cheque made out in favour of the intervention agency, or of a bank guarantee which satisfies the criteria fixed by the Member State.

Article 6

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

Article 7

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

2. Subject as provided in paragraph 1, the successful tenderer shall be the one whose offer, converted into units of account, is the lowest. Where two or more valid offers specifying identical amounts, as converted into units of account, are received by a given intervention agency, the award shall be made by drawing lots. Where such offers are made to different intervention agencies, the award shall be made by the intervention agency selected in accordance with the procedure referred to in Article 6.

3. The intervention agency shall immediately inform each tenderer whether he has been awarded the contract.

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

5. The intervention agencies shall immediately communicate to the Commission the tenderer's name and address.

Article 8

1. The successful tenderer shall, on the date fixed by the recipient country, deliver at the port designated in the tender and the quantity of skimmed-milk powder meeting the requirements as regards quality and packaging laid down in the Annex to this Regulation. Any schedule for instalment deliveries shall be fixed by the recipient country's agent in agreement with the successful tenderer.

2. The goods shall be regarded as delivered when they are deposited at the place of exportation at the point designated by the recipient country or its agent.

Article 9

Upon delivery of the goods at the port of embarkation, the recipient country's agent shall hand to the successful tenderer acting as agent for the Community a letter of acceptance.

Article 10

1. The competent agency of the Member State in which the contract is awarded shall check that the skimmed-milk powder in question satisfies the requirements as to quality and packaging laid down in the Annex.

2. If the goods are found to satisfy those requirements the agency shall, before completion of the customs formalities referred to in Article 11 (1), provide the successful tenderer with a certificate to that effect.

3. On delivery the recipient country shall issue a certificate stating that delivery of that quantity of skimmed milk as well as the empty bags referred to in Article 1 (3) have been taken at the stage specified in Article 2 (1).

Article 11

1. Customs export formalities shall be carried out in the Member State in which the award of contract is made.

2. If the port of loading specified in the tender is situated in a Member State other than that in which the customs export formalities are carried out, the goods shall, on completion of such formalities, be placed under customs control with the object of ensuring that they are loaded at the port specified in the tender.

Proof of loading can be furnished only by production of the control copy referred to in Article 1 of Commission Regulation (EEC) No 2315/69 of 19 November 1969 on the use of Community transit documents for the purpose of applying Community measures for verifying the use and/or destination of goods ⁽¹⁾, as amended by Regulation (EEC) No 690/73 ⁽²⁾.

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

Section 104 shall be completed by deleting as necessary and entering against the second indent one of the following endorsements:

- 'Delivery of skimmed-milk powder as food aid (Regulation (EEC) No 2359/76 to be shipped from the port of ...';
- 'Livraison de lait écrémé en poudre à titre d'aide alimentaire (règlement (CEE) n° 2359/76) destinée à être embarquée au port de ...';
- 'Lieferung von Magermilchpulver als Nahrungsmittelhilfe (Verordnung (EWG) Nr. 2359/76) zur Verschiffung im Hafen von ... bestimmt';
- 'Fornitura di latte scremato in polvere a titolo di aiuto alimentare (regolamento (CEE) n. 2359/76) destinata ad essere imbarcata nel porto di ...';
- 'Levering van magere-melkpoeder als voedselhulp Verordening (EEG) nr. 2359/76) bestemd om te worden verscheept in de haven ...';
- 'Levering af skummetmælkspulver som fødevarehjælp (forordning (EØF) nr. 2359/76) bestemt til lastning i havnen i ...'.

Article 12

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

- (a) the tender has not been accepted;
- (b) the tenderer:
 - has not withdrawn his tender before the contract is awarded,

— has furnished the certificates provided for in Article 10 (2) and (3).

2. Release of the security shall take place immediately.

Article 13

In cases of *force majeure*, the intervention agency shall decide on the measures to be taken having regard to the circumstances invoked.

Article 14

The amount referred to in Article 4 (2) (b) shall be paid only on production of the certificate provided for in Article 10 (2) and (3).

Article 15

Except in cases of *force majeure*, the successful tenderer shall accept all financial liability developing upon the Community by reason of failure to load the skimmed-milk powder at the place and in due time, the recipient country having effected the delivery at the place and by the time appointed.

Costs incurred by reason of failure to deliver the skimmed-milk powder as a result of *force majeure* shall be borne by the competent agency of the Member State concerned.

Article 16

No refund or compensatory amount (whether monetary or accession) shall be applicable in respect of skimmed-milk powder supplied under this Regulation.

Article 17

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

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

Done at Brussels, 29 September 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 295, 24. 11. 1969, p. 14.

⁽²⁾ OJ No L 66, 13. 3. 1973, p. 23.

ANNEX

I. Skimmed-milk powder requirements

(a) fat content :	1.5 % maximum
(b) water content :	4.0 % maximum
(c) total acidity in lactic acid :	0.15 % maximum (18° Dornic)
(d) test for neutralization agents :	negative
(e) authorized additives :	none
(f) phosphatase test :	negative
(g) solubility :	0.5 ml maximum (99 % minimum)
(h) degree of purity :	disc B (15.0 mg maximum)
(i) germ content :	50 000 per g maximum
(k) colon bacillus titer :	negative in 0.1 g
(l) taste and smell :	clean
(m) appearance :	white or slightly yellowish colour, free from impurities or coloured particles
(n) vitamin enrichment :	
(aa) vitamin A :	5 000 i.u. per 100 g
(bb) vitamin D :	500 i.u. per 100 g.

II. Packing

- (a) New bags of a net weight content of 25 kg (5 % empty bags).
- (b) Composition :
 - four Kraft paper bags of a strength representing at least 70 g/m² ;
 - one interposed tar-lined paper bag, of a strength representing at least 140 g/m² or one Kraft paper bag with polyethylene layer, of a strength representing at least 70 g + 15 g/m² ;
 - one polyethylene inner bag at least 0.08 mm thick double bound.
- (c) The packaging of the skimmed-milk powder shall bear, in letters at least 1 cm high the following inscription :

‘Lait écrémé en poudre enrichi en vitamines A et D — Don de la Communauté économique européenne à la république d’Uruguay — À distribuer gratuitement.’

COMMISSION REGULATION (EEC) No 2360/76**of 29 September 1976****supplementing Regulations (EEC) No 743/76 and (EEC) No 803/76 laying down detailed rules for the granting of certain premiums for beef and veal as regards the event giving rise to payment of the premiums**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 620/76 of 19 March 1976 on the grant of a premium for the birth of calves during the 1976/77 marketing year⁽¹⁾, and in particular Article 2 thereof,

Having regard to Council Regulation (EEC) No 797/76 of 6 April 1976 authorizing Member States to grant a premium on the slaughter of certain adult bovine animals intended for slaughter during the 1976/77 marketing year⁽²⁾, and in particular Article 4 (1) thereof,

Whereas, under Article 4 (2) of Council Regulation (EEC) No 1134/68 of 30 July 1968 laying down rules for the implementation of Regulation (EEC) No 653/68 on conditions for alterations to the value of the unit of account used for the common agricultural policy⁽³⁾, for transactions carried out under the common agricultural policy the sums owed by a Member State or a duly authorized body, expressed in national currency and representing amounts fixed in units of account, are to be paid on the basis of the relationship between the unit of account and the national currency which obtained at the time when the transaction or part transaction was carried out;

Whereas, under Article 6 of the abovementioned Regulation, the time when a transaction is carried out is considered as being the date on which occurs the event, as defined by Community rules, or in the absence of and pending the adoption of such rules, by the rules of the Member States concerned, in which the amount involved in the transaction becomes due and payable;

Whereas Regulation (EEC) No 620/76 provides for the grant of a premium for the birth of calves during the 1976/77 marketing year where the calves are still alive six months after their birth; whereas the event in which the premium becomes due and payable to the producer occurs six months after the birth of the animal to which the premium relates; whereas, in

order to calculate the amount of the premium in national currency, the conversion rate valid on the day on which the animal reaches the age of six months should therefore be applied;

Whereas Regulation (EEC) No 797/76 makes provision for Member States to grant a premium for the slaughter of adult bovine animals other than cows; whereas the event in which the premium becomes due and payable therefore occurs on the day on which the animal to which the premium relates is slaughtered or first marketed for slaughter if such should be the case;

Whereas the above definitions of the events in which the premiums become due and payable must be inserted in the Regulations laying down rules for granting those premiums; whereas it is therefore necessary to amend Commission Regulation (EEC) No 743/76 of 31 March 1976 laying down detailed rules for the granting of a premium for the birth of calves in the 1976/77 marketing year⁽⁴⁾ and Commission Regulation (EEC) No 803/76 of 7 April 1976 laying down detailed rules for the granting of a slaughter premium for producers of bovine animals during the 1976/77 marketing year⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph 4 is hereby added to Article 1 of Regulation (EEC) No 743/76:

'4. The event, within the meaning of Article 6 of Regulation (EEC) No 1134/68, which gives entitlement to the premium referred to in paragraph 1 shall be considered as occurring on the day on which the animal reaches the age of six months.'

Article 2

The following Article 8a is hereby added to Regulation (EEC) No 803/76:

⁽¹⁾ OJ No L 74, 20. 3. 1976, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 8.

⁽³⁾ OJ No L 188, 1. 8. 1968, p. 1.

⁽⁴⁾ OJ No L 86, 1. 4. 1976, p. 41.

⁽⁵⁾ OJ No L 93, 8. 4. 1976, p. 19.

Article 8a

The event, within the meaning of Article 6 of Regulation (EEC) No 1134/68, which gives entitlement to the premium referred to in Article 1 shall be considered as occurring on the day on which the animal to which the premium relates is slaughtered or, where Article 2 (1) of this Regula-

tion is applied, on the day when the animal is first marketed for slaughter.'

Article 3

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, 29 September 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION REGULATION (EEC) No 2361/76**of 29 September 1976****amending Regulation (EEC) No 3389/73 laying down the procedure and conditions for the sale of tobacco held by intervention agencies**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by the Act of Accession ⁽²⁾, and in particular Article 7 (4) thereof,

Whereas Commission Regulation (EEC) No 1687/76 of 30 June 1976 laying down detailed rules for verifying the use and/or destination of products from intervention ⁽³⁾, as amended by Regulation (EEC) No 2054/76 ⁽⁴⁾, repeals certain provisions of Commission Regulation (EEC) No 3389/73 of 13 December 1973 laying down the procedure and conditions for the sale of tobacco held by intervention agencies ⁽⁵⁾, as amended by Regulation (EEC) No 1344/75 ⁽⁶⁾;

Whereas the provisions of Regulation (EEC) No 3389/73 should be adopted to the common detailed rules;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Done at Brussels, 29 September 1976.

Regulation (EEC) No 3389/73 is amended as follows:

1. Article 7 is amended to read as follows:

'The security referred to in Article 5 may be released only if:

- (a) the tender was not validly submitted;
- (b) the tender was unsuccessful;
- (c) the successful tenderer has paid the price at which the contract was awarded, and, in the case of an invitation to tender for export, has furnished proof in accordance with Article 12 of Regulation (EEC) No 1687/76.'

2. Article 8 (4) is amended to read as follows:

'4. In the case of sales by public auction for the purpose of exportation, the purchaser shall give security for export in accordance with Article 5 (1).'

Article 2

This Regulation shall enter into force on 1 October 1976.

However, products removed from intervention stocks before 1 October 1976 shall remain subject to the provisions applicable before that date.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽³⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽⁴⁾ OJ No L 228, 20. 8. 1976, p. 17.

⁽⁵⁾ OJ No L 345, 15. 12. 1973, p. 47.

⁽⁶⁾ OJ No L 137, 28. 5. 1975, p. 20.

COMMISSION REGULATION (EEC) No 2362/76

of 29 September 1976

amending for the second time Regulation (EEC) No 438/71 laying down conditions for obtaining export refunds on wine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1167/76 ⁽²⁾, and in particular Article 10 (4) thereof,

Having regard to Council Regulation (EEC) No 957/70 of 26 May 1970 laying down general rules for granting export refunds on wine and criteria for fixing the amount of such refunds ⁽³⁾, and in particular Article 6 (3) thereof,

Whereas Commission Regulation (EEC) No 922/76 of 22 April 1976 ⁽⁴⁾, extended the provisions of Commission Regulation (EEC) No 438/71 of 26 February 1971 laying down conditions for obtaining export refunds on wine ⁽⁵⁾, to apply to non-producer Member States; whereas, in order to permit a proper assess-

ment to be made, the said Regulation (EEC) No 438/71 was only to apply until 30 September 1976;

Whereas no difficulties have been encountered by the non-producer countries; whereas the time limit of 30 September 1976 should therefore be deleted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The second subparagraph of Article 2 of Regulation (EEC) No 438/71 is hereby deleted.

Article 2

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

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

Done at Brussels, 29 September 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 135, 24. 5. 1976, p. 42.

⁽³⁾ OJ No L 115, 28. 5. 1970, p. 1.

⁽⁴⁾ OJ No L 106, 23. 4. 1976, p. 12.

⁽⁵⁾ OJ No L 48, 27. 2. 1971, p. 76.

COMMISSION REGULATION (EEC) No 2363/76**of 29 September 1976****amending Regulation (EEC) No 2221/76 establishing a list of the products of the beef and veal sector to which arrangements for the advance fixing of export refunds may apply**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
805/68 of 27 June 1968 on the common organization
of the market in beef and veal ⁽¹⁾, as last amended by
Regulation (EEC) No 568/76 ⁽²⁾, and in particular
Article 18 (6) thereof,

Whereas Commission Regulation (EEC) No 2221/76
of 13 September 1976 ⁽³⁾ has established the list of the
products of the beef and veal sector to which arrange-
ments for the advance fixing of export refunds may
apply;

Whereas a check has revealed an error in the Annex
to that Regulation; whereas the Regulation in ques-
tion must therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

The description of goods in the Annex to Regulation
(EEC) No 2221/76 against heading No ex 02.06 C I a)
2 is amended to read as follows:

'Edible meat of domestic bovine animals, boned or
boneless, salted and dried'.

Article 2

This Regulation shall enter into force on 30
September 1976.

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

Done at Brussels, 29 September 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 28.

⁽³⁾ OJ No L 250, 14. 9. 1976, p. 8.

COMMISSION REGULATION (EEC) No 2364/76

of 29 September 1976

altering the basic amount of the import levy on syrups and certain other sugar products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1487/76 ⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the basic amount of the import levy on syrups and certain other sugar products was fixed by Regulation (EEC) No 2143/76 ⁽³⁾, as last amended by Regulation (EEC) No 2326/76 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2143/76

to the information at present available to the Commission that the basic amount of the levy at present in force should be altered as shown in this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) d) of Regulation (EEC) No 3330/74 is hereby fixed, per 100 kilogrammes of product, at 0.1695 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 30 September 1976.

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

Done at Brussels, 29 September 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 240, 1. 9. 1976, p. 26.

⁽⁴⁾ OJ No L 261, 25. 9. 1976, p. 35.

COMMISSION REGULATION (EEC) No 2365/76
of 29 September 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 1487/76 ⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1564/76 ⁽³⁾, as last amended by Regulation (EEC) No 2349/76 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1564/76 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 30 September 1976.

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

Done at Brussels, 29 September 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 172, 1. 7. 1976, p. 31.

⁽⁴⁾ OJ No L 265, 29. 9. 1976, p. 26.

ANNEX

to the Commission Regulation of 29 September 1976 fixing the import levies on white sugar and raw sugar

<i>(mt./100 kg)</i>		
CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid:	
	A. White sugar	16.95
	B. Raw sugar	16.16 ⁽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.

CORRIGENDA

Corrigendum to Commission Decision No 3540/73/ECSC of 19 December 1973 authorizing price alignment for certain iron and steel products falling within the scope of the ECSC Treaty and intended for Ireland

(Official Journal of the European Communities No L 361 of 29 December 1973)

Page 9, Article 1 (2):

for: '(Profils U)'

read: '(U Sections)'.
