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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2392/76**of 1 October 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 2 October 1976.

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

Done at Brussels, 1 October 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 1 October 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	68.27
10.01 B	Durum wheat	112.57 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	52.52 ⁽⁶⁾
10.03	Barley	28.22
10.04	Oats	28.27
10.05 B	Maize other than hybrid maize for sowing	43.99 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	43.75 ⁽⁴⁾
10.07 C	Grain sorghum	46.88 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	106.61
11.01 B	Rye flour	84.54
11.02 A I a	Durum wheat groats and meal	185.19
11.02 A I b	Common wheat groats and meal	114.81

⁽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 2393/76

of 1 October 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 2 October
1976.

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

Done at Brussels, 1 October 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 1 October 1976 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.a. / metric ton)

CCT heading No	Description of goods	Current 10	1st period 11	2nd period 12	3rd period 1
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	1.56	1.56	0
10.02	Rye	0	0.59	0.59	0.59
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize other than hybrid maize for sowing	0	0.78	0.78	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(u.a. / metric ton)

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

COMMISSION REGULATION (EEC) No 2394/76

of 1 October 1976

altering components used to calculate the differential amounts for colza and rape seed

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 (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza and rape seed⁽³⁾, as last amended by Regulation (EEC) No 3477/73⁽⁴⁾, and in particular Articles 2 (2), 3 and 7 thereof;

Whereas Commission Regulation (EEC) No 2300/73 of 23 August 1973⁽⁵⁾, as last amended by Regulation (EEC) No 632/75⁽⁶⁾, laid down detailed rules of application for Regulation (EEC) No 1569/72; whereas the components used to calculate the differential amounts were fixed by Regulation (EEC) No 1580/76⁽⁷⁾, as last amended by Regulation (EEC) No 2314/76⁽⁸⁾; whereas in the case of the pound sterling, the Irish pound, the Italian lira and the French franc the difference referred to in Article 3 (1) of Regulation (EEC) No 1569/72 for the period 22 to 28 September 1976 has changed, by reference to the representative rate valid from 4 October 1976, by at least one point from

the percentage used for the previous fixing; whereas this fact should be taken into account when fixing the components used to calculate the differential amounts for colza and rape seed;

Whereas, however, in view of the developments in the exchange rates of the pound sterling and the Irish pound, and pending an urgent decision on the matter by the Council, it is appropriate to maintain, as a precautionary measure, the factors used to calculate the differential amounts fixed with effect from 27 September 1976 for the two currencies in question;

Whereas with regard to the pound sterling and the Irish pound the Management Committee for Oils and Fats has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to amended Regulation (EEC) No 1580/76 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 4 October 1976.

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

Done at Brussels, 1 October 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 357, 28. 12. 1973, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 66, 13. 3. 1975, p. 11.

⁽⁷⁾ OJ No L 172, 1. 7. 1976, p. 61.

⁽⁸⁾ OJ No L 261, 25. 9. 1976, p. 9.

ANNEX

	Target price corrective (coefficient to be applied)	Subsidy or refund corrective (coefficient to be applied)	Differential component (coefficient to be applied to the target price) (1)	
1. Colza and rape seed, processed for oil production in Germany or ex- ported from that country :	+ 0.0750	— 0.0750	+	—
— harvested in Germany			—	—
— harvested in the BLEU or in the Netherlands			—	0.0619
— harvested in France			—	0.1758
— harvested in Denmark			—	0.0750
— harvested in Ireland			—	0.2647
— harvested in the United Kingdom			—	0.2894
— harvested in Italy			—	0.1860
2. Colza and rape seed, processed for oil production in the BLEU and in the Netherlands or re-exported from that country :	+ 0.0140	— 0.0140	+	—
— harvested in Germany			0.0659	—
— harvested in the BLEU or in the Netherlands			—	—
— harvested in France			—	0.1215
— harvested in Denmark			—	0.0140
— harvested in Ireland			—	0.2162
— harvested in the United Kingdom			—	0.2426
— harvested in Italy			—	0.1323
3. Colza and rape seed, processed for oil production in Denmark or exported from that country :	Nil	Nil	+	—
— harvested in Germany			0.0811	—
— harvested in the BLEU or in the Netherlands			0.0142	—
— harvested in France			—	0.1090
— harvested in Denmark			—	—
— harvested in Ireland			—	0.2051
— harvested in the United Kingdom			—	0.2318
— harvested in Italy			—	0.1201
4. Colza and rape seed, processed for oil production in France or exported from that country :	— 0.1224	+ 0.1224	+	—
— harvested in Germany			0.2134	—
— harvested in the BLEU or in the Netherlands			0.1383	—
— harvested in France			—	—
— harvested in Denmark			0.1224	—
— harvested in Ireland			—	0.1078
— harvested in the United Kingdom			—	0.1378
— harvested in Italy			—	0.0123

	Target price corrective (coefficient to be applied)	Subsidy or refund corrective (coefficient to be applied)	Differential component (coefficient to be applied to the target price) ⁽¹⁾	
5. Colza and rape seed, processed for oil production in the United Kingdom or exported from that country :	— 0.3018	+ 0.3018	+	—
— harvested in Germany			0.4073	—
— harvested in the BLEU or in the Netherlands			0.3203	—
— harvested in France			0.1599	—
— harvested in Denmark			0.3018	—
— harvested in Ireland			0.0348	—
— harvested in the United Kingdom			—	—
— harvested in Italy			0.1456	—
6. Colza and rape seed, processed for oil production in Ireland or exported from that country :	— 0.2580	+ 0.2580	+	—
— harvested in Germany			0.3600	—
— harvested in the BLEU or in the Netherlands			0.2758	—
— harvested in France			0.1208	—
— harvested in Denmark			0.2580	—
— harvested in Ireland			—	—
— harvested in the United Kingdom			—	0.0336
— harvested in Italy			0.1071	—
7. Colza and rape seed, processed for oil production in Italy or exported from that country :	— 0.1364	+ 0.1364	+	—
— harvested in Germany			0.2285	—
— harvested in the BLEU or in the Netherlands			0.1525	—
— harvested in France			0.0125	—
— harvested in Denmark			0.1364	—
— harvested in Ireland			—	0.0967
— harvested in the United Kingdom			—	0.1271
— harvested in Italy			—	—

⁽¹⁾ For seed harvested in the United Kingdom and Denmark, the accession compensatory amount shall be deducted from the target price.

COMMISSION REGULATION (EEC) No 2395/76
of 1 October 1976
determining the world market price for colza and rape seed

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 markets in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1707/73⁽²⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza and rape seed⁽³⁾, as last amended by Regulation (EEC) No 3477/73⁽⁴⁾,

Having regard to Commission Regulation (EEC) No 2300/73 of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73⁽⁵⁾, as last amended by Regulation (EEC) No 632/75⁽⁶⁾, and in particular Article 9(4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 9(4) of Regulation (EEC) No 2300/73, the Commission must determine the world market price for colza and rape seed;

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 1713/76 of 15 July 1976 fixing the amount of the subsidy on

oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 2378/76⁽⁸⁾;

Whereas to enable the price system to operate normally, the world market price should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity;
- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph;

Whereas, applying all these provisions, the world market price for colza and rape seed should be fixed as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The world market price referred to in Article 9(4) of Regulation (EEC) No 2300/73 and the rates to be used for converting them into national currencies shall be as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 4 October 1976.

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

Done at Brussels, 1 October 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 357, 28. 12. 1973, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 66, 13. 3. 1975, p. 11.

⁽⁷⁾ OJ No L 192, 16. 7. 1976, p. 17.

⁽⁸⁾ OJ No L 268, 1. 10. 1976, p. 33.

ANNEX

World market price applicable from 4 October 1976 for colza and rape seed (CCT heading No ex 12.01)

	<i>u.a./100 kg (1)</i>
World market price	19.632
World market price where the subsidy is fixed in advance :	
— for the month of October 1976	19.632
— for the month of November 1976	19.788
— for the month of December 1976	19.944
— for the month of January 1977	20.100
— for the month of February 1977	20.321
— for the month of March 1977	20.321

(1) The conversion rates from units of account into national currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following :

1 u.a. =	DM	3.21978
1 u.a. =	Fl	3.35507
1 u.a. =	Bfr/Lfr	48.6572
1 u.a. =	FF	6.32243
1 u.a. =	Dkr	7.57828
1 u.a. =	£	0.741504
1 u.a. =	l £	0.741504
1 u.a. =	Lit	1094.34

COMMISSION REGULATION (EEC) No 2396/76

of 1 October 1976

opening an invitation to tender for the mobilization of flour of common wheat
as food aid for the island of Mauritius

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 organiza-
tion of the market in cereals ⁽¹⁾, as amended by Regula-
tion (EEC) No 1143/76 ⁽²⁾,

Having regard to Council Regulation (EEC) No
2750/75 of 29 October 1975 laying down the condi-
tions for the mobilization of cereals as food aid ⁽³⁾, and
in particular Article 6 thereof,

Whereas on 25 March 1976 the Council of the Euro-
pean Communities declared that by way of Commu-
nity action it proposed to grant the island of Mauritius
3 311 metric tons of cereals under its 1975/76 food-
aid programme;

Whereas pursuant to Article 3 (3) of Council Regula-
tion (EEC) No 2750/75 the goods may be purchased
anywhere on the Community market;

Whereas tenders should be invited for the supply of
the product to the port of shipment in the vicinity of
the vessel, the goods to be set down at the place nomi-
nated by the recipient or its agent;

Whereas tenders may be submitted by tenderers estab-
lished in any Member State of the Community and
may relate to products mobilized anywhere within
those Member States; whereas, in view of the currency
situation in the Member States and in order to ensure
that the tenders are as comparable as possible, account
should be taken of the effect on each tender of the
currency situation in the Member State in which the
customs export formalities will be completed;

Whereas the award under the invitation to tender
must be made in favour of the tenderer offering the
best terms;

Whereas, should *force majeure* make it impossible to
complete the operation in question within the set
time limits, it should be made clear who is to bear the
liability for any resulting costs;

Whereas provision should be made for security to be
given to guarantee fulfilment of the obligations arising
by virtue of participation in the invitation to tender
for the supply of wheat to the island of Mauritius;

Whereas the French intervention agency should be
made responsible for the tendering procedure in ques-
tion;

Whereas the Commission must be informed quickly
of the tenders submitted in response to the invitation
and of those accepted by the intervention agency;

Whereas the Monetary Committee will be consulted;
whereas, in view of the urgency, the measures envis-
aged should be adopted in accordance with the condi-
tions laid down in Article 3 (2) of 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 ⁽⁴⁾, as last amended by
Regulation (EEC) No 2543/73 ⁽⁵⁾, and in particular
Article 3 thereof;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the
island of Mauritius by way of Community food-aid
action of 3 311 metric tons of flour of common wheat.

2. The tendering procedure shall take place in
France in one lot. The product shall be mobilized on
the Community market. The product shall be loaded
for departure from any French port.

3. The flour is to be delivered in new jute sacks of
a net capacity of 67 kg to the port of shipment in the
vicinity of the vessel. The goods must be set down at
the place nominated by the recipient country or its
agent, the timing of delivery being settled by the
tenderer and the recipient country's agent.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 130, 19. 5. 1976, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. The following shall be printed on the sacks :

'Farine de froment/ Don de la Communauté économique européenne/ Destinée à la vente'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 15 October 1976.

2. The closing date for submission of tenders shall be 15 October 1976 at 12 noon.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities*, not less than nine days before the closing date for submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.

2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.

3. For the purpose of rendering the tenders comparable, the prices shall, where appropriate, be corrected by the monetary compensatory amount and the accession compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2.

Such correction shall be made by :

- increasing prices which mention a Member State whose currency has depreciated or a new Member State,
- reducing prices which mention a Member State whose currency has been revalued.

The monetary compensatory amount shall, where appropriate, be converted into the currency of the Member State in which the invitation to tender is issued using :

- in the case when the currencies concerned are kept at any given moment within a band of 2.25 %, a conversion rate resulting from their central rate,
- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms, taking into consideration the adjustment referred to in Article 3 (3).

However, if the tenders submitted do not appear to reflect normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 5

If the tenderer is unable to deliver the goods in compliance with Article 1 (3) on the date given in the notice of invitation to tender as a result of the late availability of the vessels to be used for sea transportation, the resulting costs shall be borne by the intervention agency.

Article 6

1. The tenderer shall give security in an amount of 10 units of account per metric ton of goods.

It shall be released :

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3 (2),
- in the case of the successful tenderer for quantities not supplied by reason of *force majeure*.

2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by each Member State.

Article 7

The common wheat flour referred to in Article 1 to be supplied to the island of Mauritius must meet the following requirements :

- moisture : 12 % maximum,
- protein content : 10.5 % minimum (N × 6.25 on dry matter),
- ash content 0.52 % maximum referred to dry matter.

Flour not meeting these requirements shall be refused.

Article 8

1. The French intervention agency shall be responsible for organizing the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall request the successful tenderer to supply the following information :

- (a) after each shipment a certificate showing the quantities dispatched and the quality of the products ;
- (b) the date of departure of the vessels.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

Article 9

On delivery of the goods at the port of shipment, a handing-over certificate shall be supplied to the successful tenderer, acting as agent for the Community, by the agent of the recipient country, or, in the absence of the latter, by the intervention agency of the Member State in whose territory the port of shipment is situated.

Article 10

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

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

Done at Brussels, 1 October 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION REGULATION (EEC) No 2397/76
of 1 October 1976
laying down quality standards for sweet peppers

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 795/76⁽²⁾, and in
particular Article 2 (2) thereof,

Whereas Regulation (EEC) No 795/76 added sweet
peppers to Annex I to Regulation (EEC) No 1035/72
listing the products for delivery fresh to the consumer
which are covered by quality standards;

Whereas it is therefore necessary to lay down such
quality standards for that product;

Whereas the standards are to apply at all stages of
marketing; whereas transportation over a long
distance, storage for a certain length of time or the
various handling operations to which the products are
subject may bring about deterioration because of the
biological development of the products or their
tendency to perish; whereas therefore account should
be taken of such deterioration when applying the
standards at the stages of marketing following
dispatch;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Manage-
ment Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Sole Article

1. The quality standards for sweet peppers
(subheading 07.01 S of the Common Customs Tariff)
are set out in the Annex hereto.

2. Those standards shall apply at all stages of
marketing, under the conditions laid down in Regula-
tion (EEC) No 1035/72.

However, at the stages following dispatch, the
products may show, in relation to the standards pre-
scribed,

— a slight loss of freshness and turgescence, and/or
— slight deterioration due to their development and
their tendency to perish.

3. They shall apply with effect from 1 January
1977.

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

Done at Brussels, 1 October 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 6.

ANNEX

QUALITY STANDARDS FOR SWEET PEPPERS

I. DEFINITION OF PRODUCE

This standard applies to sweet peppers of the varieties (cultivars) grown from *Capsicum annuum* L., to be supplied fresh to the consumer, sweet peppers for processing being excluded.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for sweet peppers after preparation and packaging.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the sweet peppers must be :

- whole,
- fresh in appearance,
- sound ; produce affected by rotting or deterioration such as to make it unfit for consumption is, in any event, excluded,
- clean, practically free of visible foreign matter,
- well-developed,
- free of damage caused by frost,
- free of unhealed injuries,
- free of sunburn (subject to the specifications laid down in B, Classification, (ii)),
- with their stalk,
- free of abnormal external moisture,
- free of foreign smell and/or taste.

The development and condition of the sweet peppers must be such as to enable them to withstand transport and handling, ensuring that they arrive in satisfactory condition at the place of destination.

B. Classification

The sweet peppers are classified in two classes, defined below :

(i) *Class 'I'*

Sweet peppers in this class must be of good quality. They must also be :

- firm,
- of the normal shape, development and colouring for the variety, with due regard to the degree of ripeness,
- with their stalk, which may be slightly damaged or cut provided that the calyx is intact,
- virtually free of blemishes.

(ii) *Class 'II'*

This class comprises sweet peppers which do not qualify for inclusion in Class I but satisfy the minimum requirements specified above.

Provided the peppers retain their essential characteristics of quality and presentation, they may show the following defects :

- defects in shape and development,
- sunburn or slight healed injuries not exceeding 1 cm² per pepper for superficial defects and 2 cm in length for defects of elongated shape,
- slight dry superficial cracks not exceeding an overall cumulative length of 3 cm,
- less firmness without being withered.

The stalk may be damaged or cut.

III. PROVISIONS CONCERNING SIZING

Sizing is determined by the shoulder diameter (width) of the sweet peppers. In the case of flat sweet peppers (tomato peppers) the term 'width' means the maximum equatorial diameter. For sized sweet peppers, the difference in diameter between the largest and smallest sweet pepper in the same package may not exceed 20 mm.

The width of sweet peppers may not be less than :

- (i) elongated sweet peppers (tapering) : 30 mm ;
- (ii) square blunt sweet peppers : 50 mm ;
- (iii) square tapering sweet peppers ('peg top') : 40 mm ;
- (iv) flattened sweet peppers (tomato peppers) : 55 mm.

Sizing is not compulsory for Class II, provided that the minimum sizes are observed.

The above provisions do not apply to 'Peperoncini' (products with pods of medium length and slimness, derived from particular varieties of *Capsicum annuum* L. var. *longum*). These must exceed 5 cm in length.

IV. PROVISIONS CONCERNING TOLERANCES

The following tolerances in respect of quality and size are allowed in each package for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

Class I:

10 % by number or weight of sweet peppers not satisfying the requirements for the class but meeting those for Class II or, exceptionally, coming within the tolerances for that class.

Class II:

10 % by number or weight of sweet peppers satisfying neither the requirements for the classes nor the minimum requirements, with the exception of produce affected by rotting, marked bruising or unhealed cracks.

B. Size tolerances

Class I:

10 % by number or weight of sweet peppers not conforming to the sizes identified within a margin of ± 5 mm, including not more than 5 % of sweet peppers below the minimum size laid down.

Class II:

- sized sweet peppers : 10 % by number or weight of sweet peppers not conforming to the sizes identified within a margin of ± 5 mm, including not more than 5 % of sweet peppers below the minimum size laid down ;
- unsized sweet peppers : 5 % by number or weight of sweet peppers up to 5 mm smaller than the minimum size laid down.

V. PROVISIONS CONCERNING PRESENTATION**A. Uniformity**

The contents of each package must be uniform and contain only sweet peppers of the same origin, variety or commercial type, quality, size (if sized) and, in the case of Class I, of appreciably the same degree of ripeness and colouring.

In the case of sized produce, elongated sweet peppers should be sufficiently uniform in length, and the visible part of the package must be representative of the entire contents.

B. Packaging

The sweet peppers must be packed in such a way as to protect the produce properly. The materials, and particularly the paper used inside the package, must be new, clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly paper or stamps, bearing trade specifications is allowed provided that the printing or labelling has been done with a non-toxic ink or glue.

Packages must be free of all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked and visible from the outside :

A. Identification

Packer and/or Dispatcher	}	Name and address or officially issued or accepted code mark.
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B. Nature of produce

- 'sweet peppers' when the contents are not visible from the outside ;
- commercial type ('elongated', 'square blunt', 'square tapering', 'flattened') or name of variety if the contents are not visible from the outside.

For the product type 'Peperoncini', this denomination must be quoted in each case.

C. Origin of produce

Country of origin and, optionally, district where grown or national, regional or local trade name.

D. Commercial specifications

- class,
- size (minimum and maximum diameters for sized sweet peppers and the word 'unsized' if sizing is not applied),
- weight or number of units (optional).

E. Official control mark (optional)

COMMISSION REGULATION (EEC) No 2398/76**of 1 October 1976****amending Regulation (EEC) No 1203/73 fixing the conversion factors to be applied to the buying-in prices for fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 795/76⁽²⁾, and in particular Article 16 (4) thereof,

Whereas Commission Regulation (EEC) No 1203/73 of 4 May 1973⁽³⁾, as last amended by Regulation (EEC) No 1249/76⁽⁴⁾, fixed the conversion factors to be applied to the buying-in prices for fruit and vegetables;

Whereas it is necessary to revise the conversion factors for apples of the Granny Smith variety as a result of the trend in prices on Community representative markets in recent seasons;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Annex VII 'Apples' to Regulation (EEC) No 1203/73, under the heading "'Variety" conversion factor', the variety 'Granny Smith' shall be inserted in the seventh box, after the variety 'Weißwinterglockenapfel'.

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, 1 October 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 6.

⁽³⁾ OJ No L 123, 10. 5. 1973, p. 1.

⁽⁴⁾ OJ No L 139, 27. 5. 1976, p. 44.

COMMISSION REGULATION (EEC) No 2399/76
of 1 October 1976
amending Regulation (EEC) No 1500/76 on the granting of private aid for beef at
a standard rate fixed in advance

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 6 (5) (b) thereof,

Whereas Commission Regulation (EEC) No 1500/76
of 25 June 1976 on the granting of private storage aid
for beef at a standard rate fixed in advance ⁽³⁾, as last
amended by Regulation (EEC) No 2191/76 ⁽⁴⁾, fixed
the amounts of private storage aid *inter alia* for
carcasses, half carcasses and 'compensated quarters',
fresh or chilled, from certain categories of adult
bovine animals;

Whereas the market in these products has so evolved
as to make it possible no longer to conclude new
contracts involving these products;

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

HAS ADOPTED THIS REGULATION :

Article 1

There is hereby added to Article 1 of Regulation
(EEC) No 1500/76 the following paragraph 5 :

'5. In the case of private storage of the carcasses,
half-carcasses and 'compensated quarters' referred
to in the Annex under (a) and (b) for periods of six
months, only those applications which are lodged
with the competent intervention agency before 1
p.m. on 4 October 1976 shall be accepted.'

Article 2

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

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

Done at Brussels, 1 October 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 167, 26. 6. 1976, p. 31.

⁽⁴⁾ OJ No L 246, 8. 9. 1976, p. 6.

COMMISSION REGULATION (EEC) No 2400/76

of 1 October 1976

amending for the seventh time Regulation (EEC) No 2005/70 on the classification of vine varieties

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 16 (4) thereof,

Whereas the classification of vine varieties approved for cultivation in the Community was laid down in Commission Regulation (EEC) No 2005/70 of 6 October 1970⁽³⁾, as last amended by Regulation (EEC) No 360/76⁽⁴⁾;

Whereas there should be added to the classification three recommended vine varieties for four Italian administrative units, two authorized varieties for three Italian administrative units and one vine variety for two French administrative units;

Whereas these varieties have for five years been included in the classification for an adjoining administrative unit and therefore meet the conditions laid down in Article 10 (1) (a) of Council Regulation (EEC) No 1388/70 of 13 July 1970 on general rules for the classification of vine varieties⁽⁵⁾, as last amended by Regulation (EEC) No 418/74⁽⁶⁾;

Whereas certain varieties which have been tested for cultivation suitability and found satisfactory should be included in the classification; whereas in accordance with Article 10 (1) (b) of Regulation (EEC) No 1388/70 these varieties may be provisionally authorized; whereas the above considerations apply to five new varieties obtained by crossing varieties already included in the classification for certain French administrative units and three varieties to be classified for three Italian administrative units; whereas the same applies to four varieties already classified as table grapes for certain French administrative units, it being understood that the provisions of Article 24 (b) (4) of Regulation (EEC) No 816/70 are applicable thereto;

Whereas the production of the said varieties, which are traditionally used for wine production, is only a sideline in the production areas in question, and the quantities involved are small;

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 Annex to Regulation (EEC) No 2005/70, Title I, Subtitle I, point III, 'France', is amended as follows, the vine varieties to be inserted according to their alphabetical position:

(a) the vine variety 'Ganson N (*)' is added to the authorized vine varieties for the following departments:

— Alpes-de-Haute-Provence (4), Hautes-Alpes (5), Alpes-Maritimes (6), Ardèche (7), Ariège (9), Aude (11), Aveyron (12), Bouches-du-Rhône (13), Cantal (15), Charente (16), Corrèze (19), Corse (20), Dordogne (24), Drôme (26), Gard (30), Haute-Garonne (31), Gers (32), Gironde (33), Indre (36), Indre-et-Loire (37), Isère (38), Landes (40), Loir-et-Cher (41), Loire (42), Loire-Atlantique (44), Loiret (45), Lot (46), Lot-et-Garonne (47), Maine-et-Loire (49), Pyrénées-Atlantiques (64), Sarthe (72), Savoie (73), Deux-Sèvres (79), Tarn (81), Tarn-et-Garonne (82), Var (83), Vaucluse (84), Vendée (85), Vienne (86);

(b) the vine varieties 'Gramon N (*)' and 'Monerac N (*)' are added to the authorized vine varieties for the following departments:

— Alpes-de-Haute-Provence (4), Hautes-Alpes (5), Alpes-Maritimes (6), Ardèche (7), Ariège (9), Aude (11), Aveyron (12), Bouches-du-Rhône (13), Cantal (15), Charente (16), Corrèze (19), Corse (20), Dordogne (24), Drôme (26), Gard (30), Haute-Garonne (31), Gers (32), Gironde (33), Landes (40), Lot (46), Lot-et-Garonne (47), Pyrénées-Atlantiques (64), Tarn (81), Tarn-et-Garonne (82), Var (83), Vaucluse (84);

(¹) OJ No L 99, 5. 5. 1970, p. 1.

(²) OJ No L 135, 24. 5. 1976, p. 42.

(³) OJ No L 224, 10. 10. 1970, p. 1.

(⁴) OJ No L 44, 20. 2. 1976, p. 18.

(⁵) OJ No L 155, 16. 7. 1970, p. 5.

(⁶) OJ No L 49, 21. 2. 1974, p. 1.

(*) Inserted in the classification with effect from 12 September 1976 pursuant to Article 10 (1) (b) of Regulation (EEC) No 1388/70.

(c) the vine varieties 'Chasan B (*)' and 'Portan N (*)' are added to the authorized vine varieties for the following departments :

— Ain (1), Allier (3), Alpes-de-Haute-Provence (4), Hautes-Alpes (5), Alpes-Maritimes (6), Ardèche (7), Ariège (9), Aube (10), Aude (11), Aveyron (12), Bouches-du-Rhône (13), Cantal (15), Charente (16), Cher (18), Corrèze (19), Côte-d'Or (21), Dordogne (24), Doubs (25), Drôme (26), Gard (30), Haute-Garonne (31), Gers (32), Gironde (33), Indre (36), Indre-et-Loire (37), Isère (38), Jura (39), Landes (40), Loire-et-Cher (41), Loire (42), Haute-Loire (43), Loire-Atlantique (44), Loiret (45), Lot (46), Lot-et-Garonne (47), Maine-et-Loire (49), Marne (51), Meurthe-et-Moselle (54), Meuse (55), Moselle (57), Nièvre (58), Puy-de-Dôme (63), Pyrénées-Atlantiques (64), Rhône (69), Sarthe (72), Savoie (73), Haute-Savoie (74), Deux-Sèvres (79), Tarn (81), Tarn-et-Garonne (82), Var (83), Vendée (85), Vienne (86), Yonne (89) ;

(d) the vine variety 'Chasselas B (*)' is added to the authorized vine varieties for the department of Hérault (34) ;

(e) the vine variety 'Gros vert (*)' is added to the authorized vine varieties for the following departments :

— Alpes-de-Haute-Provence (4), Bouches-du-Rhône (13), Gard (30), Var (83), Vaucluse (84) ;

(f) the vine variety 'Servant B (*)' is added to the authorized vine varieties for the department of Hérault (34) ;

(g) the vine variety 'Muscat de Hambourg N (*)' is added to the authorized vine varieties for the following departments :

— Alpes-de-Haute-Provence (4), Hautes-Alpes (5), Alpes-Maritimes (6), Ardèche (7), Ariège (9), Aude (11), Aveyron (12), Bouches-du-Rhône (13), Corse (20), Dordogne (24), Drôme (26), Gard (30), Haute-Garonne (31), Gers (32), Gironde (33), Hérault (34), Isère (38), Landes (40), Lot (46), Lot-et-Garonne (47), Lozère (48), Basses-Pyrénées (64), Hautes-Pyrénées (65), Pyrénées-Orientales (66), Tarn (81), Tarn-et-Garonne (82), Var (83), Vaucluse (84) ;

(h) the vine variety 'Chasselas B' is added to the authorized vine varieties for the following departments :

— Gard (30), Vaucluse (84) ;

(i) the vine variety 'Alphonse Lavallée N (*)' is added to the authorized vine varieties for the department of Vaucluse (84).

(*) Inserted in the classification with effect from 12 September 1976 pursuant to Article 10 (1) (b) of Regulation (EEC) No 1388/70.

Article 2

The Annex to Regulation (EEC) No 2005/70, Title I, Subtitle I, point IV, 'Italy', is amended as follows, the vine varieties to be inserted according to their alphabetical position :

(a) the vine variety 'Ciliegiolo N' is added to the recommended vine varieties for the following provinces :

— 38. Province of Bologna,
— 39. Province of Forlì.

The same variety is added to the authorized vine varieties for the following province :

— 40. Province of Ravenna ;

(b) the vine variety 'Cabernet Franc N' is added to the recommended vine varieties for the following province :

— 39. Province of Forlì.

The same vine variety is added to the authorized vine varieties for the following provinces :

— 38. Province of Bologna,
— 40. Province of Ravenna ;

(c) the vine variety 'Nocera N' is added to the recommended vine varieties for the following province :

— 81. Province of Catanzaro ;

(d) the vine variety 'Malvasia Nera di Brindisi N' is added to the authorized vine varieties for the following province :

— 81. Province of Catanzaro ;

(e) the vine variety 'Greco di Tufo B (*)' is added to the authorized vine varieties for the following province :

— 74. Province of Bari ;

(f) the vine variety 'Cabernet Sauvignon N (*)' is added to the authorized vine varieties for the following province :

— 38. Province of Bologna ;

(g) the vine variety 'Nerello mascalese N (*)' is added to the authorized vine varieties for the following province :

— 81. Province of Catanzaro.

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, 1 October 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION REGULATION (EEC) No 2401/76**of 1 October 1976****abolishing the countervailing charge on certain varieties of plums originating in Czechoslovakia**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 795/76⁽²⁾, and in particular Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2279/76 of 20 September 1976⁽³⁾, introduced a countervailing charge on certain varieties of plums originating in Czechoslovakia;

Whereas, for this product originating in Czechoslovakia there were no prices for six consecutive working days;

Whereas the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled, and the countervailing charge on imports of these products originating in Czechoslovakia can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2279/76 is hereby repealed.

Article 2

This Regulation shall enter into force on 2 October 1976.

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

Done at Brussels, 1 October 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 6.

⁽³⁾ OJ No L 257, 21. 9. 1976, p. 5.

COMMISSION REGULATION (EEC) No 2402/76

of 1 October 1976

amending Regulation (EEC) No 2247/75 on the terms of invitations to tender for the cost of manufacture and delivery of butteroil as food aid to certain developing countries and to the World Food Programme

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 Article 15 of Commission Regulation (EEC) No 1687/76 of 30 June 1976 laying down common 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 in Commission Regulation (EEC) No 2247/75 of 29 August 1975⁽⁵⁾, as last amended by Regulation (EEC) No 2212/76⁽⁶⁾;

Whereas certain provisions of that Regulation should be adapted to the common detailed rules;

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

HAS ADOPTED THIS REGULATION:

Article 1

The second and third indents of Article 13 (1) of Regulation (EEC) No 2247/75 shall be replaced by the following:

- in Article 15 of this Regulation and in the first indent of Article 12 (b) of Regulation (EEC) No 1687/76, where the processing into butteroil took place in a Member State other than that of sale,
- in Articles 11 (2) and 15 of this Regulation and in the first indent of Article 12 (b) of Regulation (EEC) No 1687/76, where the processing of butter into butteroil was carried out in the territory of the Member State of sale and where the removal from the geographical territory of the Community took place in another Member State.

Article 2

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

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

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

Done at Brussels, 1 October 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 190, 14. 7. 1976, p. 1.

⁽⁴⁾ OJ No L 228, 20. 8. 1976, p. 17.

⁽⁵⁾ OJ No L 299, 30. 8. 1975, p. 60.

⁽⁶⁾ OJ No L 249, 11. 9. 1975, p. 5.

COMMISSION REGULATION (EEC) No 2403/76
of 1 October 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 2374/76 ⁽³⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2374/76 to the information at present available to the Commis-

sion 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 0.1755 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 2 October 1976.

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

Done at Brussels, 1 October 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 268, 1. 10. 1976, p. 25.

COMMISSION REGULATION (EEC) No 2404/76
of 1 October 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 2383/76⁽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 2 October 1976.

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

Done at Brussels, 1 October 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 268, 1. 10. 1976, p. 43.

ANNEX

to the Commission Regulation of 1 October 1976 fixing the import levies on white sugar and raw sugar

<i>(m.a./100 kg)</i>		
CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid :	
	A. White sugar	17.55
	B. Raw sugar	17.62 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 20 September 1976

authorizing prolongation or tacit renewal of certain trade Agreements
concluded between the Member States and third countries

(76/774/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the Council Decision of 16 December 1969 on the progressive standardization of Agreements concerning commercial relations between Member States and third countries and on the negotiations of Community Agreements⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas tacit extension beyond the end of the transitional period has already been authorized in the case of the Agreements listed in the Annex hereto by the Council under its Decisions of 28 January 1969⁽²⁾, 26 June 1969⁽³⁾, 30 June 1969⁽⁴⁾, 15 September 1969⁽⁵⁾, 17 October 1969⁽⁶⁾, 8 December 1969⁽⁷⁾, 20 December 1969⁽⁸⁾, 6 February 1970⁽⁹⁾, 8 June 1970⁽¹⁰⁾, 13 July 1970⁽¹¹⁾, 29 September 1970⁽¹²⁾, 23 November 1970⁽¹³⁾, 25 October 1971⁽¹⁴⁾, 18 October

1972⁽¹⁵⁾, 22 October 1973⁽¹⁶⁾, 2 October 1974⁽¹⁷⁾ and 16 September 1975⁽¹⁸⁾;

Whereas the Member States concerned have, with a view to avoiding interruption in their commercial relations with the third countries concerned based on agreement, requested authorization to prolong or renew the abovementioned Agreements;

Whereas authorization has to be granted only to maintain commercial relations between the Member States and the third countries concerned on the basis of Agreements, pending their replacement by Community Agreements to be negotiated; whereas such authorization should not, therefore, adversely effect the obligation incumbent upon the Member States to avoid, and, where appropriate to eliminate, any incompatibility between such Agreements and the provisions of Community law;

Whereas the provisions of the instruments to be either prolonged or renewed would not, furthermore, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have declared that the prolongation or tacit renewal of these Agreements would not constitute an obstacle either to the opening of Community negotiations with the third countries concerned or to the transfer of the commercial fabric thereof to Community Agreements, nor would it, during the period under consideration,

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 43, 20. 2. 1969, p. 15.

⁽³⁾ OJ No L 159, 1. 7. 1969, p. 20.

⁽⁴⁾ OJ No L 169, 10. 7. 1969, p. 2.

⁽⁵⁾ OJ No L 238, 23. 9. 1969, p. 9.

⁽⁶⁾ OJ No L 266, 24. 10. 1969, p. 32.

⁽⁷⁾ OJ No L 323, 24. 12. 1969, p. 10.

⁽⁸⁾ OJ No L 6, 9. 1. 1970, p. 1.

⁽⁹⁾ OJ No L 36, 14. 2. 1970, p. 29.

⁽¹⁰⁾ OJ No L 133, 18. 6. 1970, p. 14.

⁽¹¹⁾ OJ No L 157, 18. 7. 1970, p. 29.

⁽¹²⁾ OJ No L 225, 12. 10. 1970, p. 24.

⁽¹³⁾ OJ No L 262, 3. 12. 1970, p. 18.

⁽¹⁴⁾ OJ No L 248, 9. 11. 1971, p. 7.

⁽¹⁵⁾ OJ No L 250, 6. 11. 1972, p. 1.

⁽¹⁶⁾ OJ No L 301, 30. 10. 1973, p. 30.

⁽¹⁷⁾ OJ No L 276, 11. 10. 1974, p. 37.

⁽¹⁸⁾ OJ No L 247, 23. 9. 1975, p. 29.

hinder the adoption of the measures necessary to complete the standardization of the import arrangements applied by the various Member States ;

Whereas at the conclusion of the consultations provided for in Article 2 of the Decision of 16 December 1969 it was established, as the aforesaid declarations by the Member States confirm, that the provisions of the agreements to be prolonged or renewed would not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy ;

Whereas, in these circumstances, the Agreements concerned may be either prolonged or tacitly renewed for a period not exceeding one year,

HAS ADOPTED THIS DECISION :

Article 1

The trade Agreements between Member States and third countries listed in the Annex hereto may be

prolonged or tacitly renewed up to the dates specified in each case in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 September 1976.

For the Council

The President

M. van der STOEL

BILAG — ANHANG — ANNEX — ANNEXE — ALLEGATO — BIJLAGE

Medlemsstat	Tredjeland	Aftalens art og datering	Udløb efter forlængelse eller videreførelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens	Ablauf nach Verlängerung
Member State	Third country	Type and date of Agreement	Prolonged or renewed until
État membre	Pays tiers	Nature et date de l'accord	Échéance après prorogation ou reconduction
Stato membro	Paese terzo	Natura e data dell'accordo	Scadenza dopo la proroga o il rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord	Vervaldatum na verlenging
BENELUX	Grèce	Accord commercial 9. 3. 1960	31. 1. 1978
	Japon	Accord commercial 8. 10. 1960	} 31. 12. 1977
		Protocoles et agreed minutes 13. 4. 1963	
		Échange de lettres 30. 4. 1963	
DANMARK	Argentina	Handels- og betalingsaftale 25. 11. 1957	31. 12. 1977
	Elfenbenskysten	Handelsaftale 23. 11. 1966	9. 1. 1978
	Irak	Handelsaftale 13. 1. 1960	13. 1. 1978
	Israel	Handelsaftale 13. 11. 1952	13. 11. 1977
	Østrig	Vareudvekslingsaftale 29. 11. 1948	28. 11. 1977
	Portugal	Vareudvekslingsaftale 2. 6. 1950	31. 12. 1977
DEUTSCHLAND	Arabische Republik		
	Ägypten	Abkommen über den Warenverkehr 18. 2. 1956	31. 12. 1977
	Argentinien	Handels- und Zahlungsabkommen 25. 11. 1957	31. 12. 1977
	Äthiopien	Wirtschafts- und Handelsabkommen 21. 4. 1964	31. 12. 1977
	Australien	Liste der Einfuhrkontingente	31. 12. 1977
	Brasilien	Handelsabkommen 1. 7. 1955	31. 12. 1977
	Chile	Protokoll über Handels- und Zahlungsverkehr 2. 11. 1956	31. 12. 1977
	Dahome	Wirtschaftsabkommen 19. 6. 1961	31. 12. 1977
	Elfenbeinküste	Wirtschaftsabkommen 18. 12. 1961	31. 12. 1977
	Finnland	Notenwechsel 3. 12. 1969	2. 12. 1977
	Gabun	Wirtschaftsabkommen 11. 7. 1962	31. 12. 1977
	Guinea	Wirtschaftsabkommen 19. 4. 1962	31. 12. 1977
	Irak	Handelsabkommen 7. 10. 1951	13. 1. 1978
	Japan	Handelsabkommen 1. 7. 1960	31. 12. 1977
	Kamerun	Handelsabkommen 8. 3. 1962	31. 12. 1977
	Kenia	Wirtschafts- und Handelsabkommen 4. 12. 1964	31. 12. 1977
	Kongo	Wirtschaftsabkommen 30. 10. 1962	31. 12. 1977
	Madagaskar	Wirtschaftsabkommen 6. 6. 1962	31. 12. 1977
	Marokko	Handelsabkommen und Briefwechsel 15. 4. 1961	} 31. 12. 1977
		Protokoll 20. 1. 1964	
	Neuseeland	Handelsabkommen 20. 4. 1959	31. 12. 1977
	Niger	Wirtschaftsabkommen 14. 6. 1961	31. 12. 1977
	Nigeria	Handelsabkommen 25. 3. 1963	31. 12. 1977
	Norwegen	Handelsabkommen 20. 12. 1950	31. 5. 1978

Medlemsstat	Tredjeland	Aftalens art og datering	Udløb efter forlængelse eller videreførelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens	Ablauf nach Verlängerung
Member State	Third country	Type and date of Agreement	Prolonged or renewed until
État membre	Pays tiers	Nature et date de l'accord	Échéance après prorogation ou reconduction
Stato membro	Paese terzo	Natura e data dell'accordo	Scadenza dopo la proroga o il rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord	Vervaldatum na verlenging
DEUTSCHLAND (Fortsetzung)	Österreich	Handelsabkommen 13. 5. 1954 Briefwechsel und Protokoll 21. 1. 1963	} 31. 12. 1977
	Obervolta	Wirtschaftsabkommen 8. 6. 1961	31. 12. 1977
	Pakistan	Handelsabkommen und Protokoll 9. 3. 1957	31. 12. 1977
	Paraguay	Handelsabkommen 25. 7. 1955	31. 12. 1977
	Schweiz	Handelsabkommen und spätere Zusatzprotokolle 2. 12. 1954	31. 12. 1977
	Sambia	Wirtschaftsabkommen 10. 12. 1966	31. 12. 1977
	Sierra Leone	Wirtschaftsabkommen 13. 9. 1963	31. 12. 1977
	Somalia	Handelsabkommen 19. 1. 1962	31. 12. 1977
	Sri Lanka	Handelsabkommen 1. 4. 1955	31. 12. 1977
	Südafrika	Liste der Einfuhrkontingente	31. 8. 1977
	Tansania	Handels- und Wirtschaftsabkommen 6. 9. 1962	31. 12. 1977
	Tschad	Wirtschaftsabkommen 31. 5. 1963	31. 12. 1977
	Tunesien	Handelsabkommen und Zusatzprotokoll 29. 1. 1960 22. 12. 1963	} 31. 12. 1977
	Uganda	Handelsabkommen 17. 3. 1964	31. 12. 1977
	Zentralafrikanische Republik	Wirtschaftsabkommen 29. 12. 1962	31. 12. 1977
	Zypern	Handelsabkommen 30. 10. 1961	31. 12. 1977
FRANCE	Argentine	Accord commercial et de paiement 25. 11. 1957	31. 12. 1977
	Autriche	Accord commercial et protocole 26. 7. 1963	31. 12. 1977
	Espagne	Accord commercial 27. 11. 1963	31. 10. 1977
	Iran	Accord commercial et échange de lettres 4. 6. 1959 28. 2. 1969	31. 12. 1977
	Islande	Accord économique 6. 12. 1951	31. 12. 1977
	Israël	Accord commercial 10. 7. 1953 Protocole 16. 1. 1967 Échange de lettres 24. 12. 1968	31. 12. 1977
	Japon	Accord commercial et protocole 14. 5. 1963 26. 7. 1966	} 10. 1. 1978
	Mexique	Accord commercial 11. 7. 1950	28. 11. 1977
	Norvège	Accord commercial 3. 7. 1951 Protocole 2. 4. 1960 Échange de lettres 6. 2. 1964	} 31. 12. 1977
	Portugal	Arrangement commercial 25. 3. 1961	31. 12. 1977
	Suède	Accord commercial 3. 3. 1949	31. 12. 1977
	Suisse	Accord commercial 21. 11. 1967	31. 12. 1977
	Turquie	Accord commercial 31. 8. 1946	31. 12. 1977
	Yougoslavie	Accord commercial 25. 1. 1964 Protocole 6. 5. 1970	} 31. 12. 1977

Medlemsstat	Tredjeland	Aftalens art og datering	Udløb efter forlængelse eller videreførelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens	Ablauf nach Verlängerung
Member State	Third country	Type and date of Agreement	Prolonged or renewed until
État membre	Pays tiers	Nature et date de l'accord	Échéance après prorogation ou reconduction
Stato membro	Paese terzo	Natura e data dell'accordo	Scadenza dopo la proroga o il rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord	Vervaldatum na verlenging
IRELAND	Norway	Trade Agreement 2. 7. 1951	31. 12. 1977
ITALIA	Afganistan	Accordo commerciale 10. 12. 1960	23. 11. 1977
	Argentina	Accordo commerciale e scambio di note 25. 11. 1957	31. 12. 1977
	Canada	Modus vivendi commerciale 28. 4. 1948	31. 12. 1977
	Costa Rica	Modus vivendi commerciale e scambio di note 20. 2. 1953 23. 6. 1953	} 12. 11. 1977
	Giappone	Agreed minutes 31. 12. 1969	30. 9. 1977
	Guatemala	Modus vivendi commerciale 6. 6. 1936	31. 12. 1977
	Irak	Accordo commerciale 30. 9. 1963	30. 11. 1977
	Malta	Accordo commerciale 28. 7. 1967	31. 12. 1977
	Marocco	Accordo commerciale 28. 1. 1961 Protocollo 24. 2. 1963	} 31. 12. 1977
	Messico	Accordo commerciale 15. 9. 1949 Protocollo 28. 10. 1963 Scambio di note 20. 7. 1963	} 31. 12. 1977
	Pakistan	Accordo commerciale 10. 1. 1961	10. 1. 1978
	Paraguay	Accordo commerciale 8. 7. 1959	23. 1. 1978
	Portogallo	Accordo commerciale e scambio di note 4. 3. 1961 Scambio di lettere 30. 12. 1961	} 31. 12. 1977
	Repubblica araba d'Egitto	Protocollo commerciale 29. 4. 1959	31. 12. 1977
	Siria	Accordo commerciale 10. 11. 1955	31. 12. 1977
	Tunisia	Accordo commerciale e protocollo addizionale 23. 11. 1961 2. 8. 1963	} 31. 12. 1977
NEDERLAND	Arabische Republiek Egypte	Handelsovereenkomst 21. 3. 1953	31. 12. 1977
	Argentinië	Handels- en betalingsovereenkomst 25. 11. 1957	31. 12. 1977
	Turkije	Handelsakkoord 6. 9. 1949	31. 12. 1977
UEBL	Argentine	Accord commercial et de paiement 25. 11. 1957	31. 12. 1977
	Finlande	Accord commercial 8. 11. 1955	30. 9. 1977
	Pakistan	Accord commercial 15. 3. 1952	31. 12. 1977
UNITED KINGDOM	Cameroon	Agreement on commercial and economic cooperation with protocol and exchange of letters 29. 7. 1963	31. 12. 1977
	Spain	Trade and Payments Agreement extended by exchange of notes ending with that of 19. / 25. 6. 1952	} 31. 12. 1977

COMMISSION

COMMISSION DECISION

of 28 July 1976

extending for six months Decision 71/314/ECSC of 27 July 1971 authorizing specialization Agreements covering the manufacture of rolled-steel products and Agreements for the setting up of an agency to allocate orders for merchant steel bars and wire rod between Eisenwerk-Gesellschaft Maximilianshütte mbH, Klöckner-Werke AG and Stahlwerke Peine-Salzgitter AG

(Only the German text is authentic)

(76/775/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 65 thereof,

Having regard to Decision 71/314/ECSC of 27 July 1971 authorizing specialization Agreements covering the manufacture of rolled-steel products and Agreements for the setting up of an agency to allocate orders for merchant steel bars and wire rod between Eisenwerk-Gesellschaft Maximilianshütte mbH, Klöckner-Werke AG and Stahlwerke Peine-Salzgitter AG ⁽¹⁾,

Having regard to Decision 76/354/ECSC of 13 February 1976 extending Decision 71/314/ECSC until 30 June 1976 ⁽²⁾,

Having regard to the application from the undertakings concerned dated 29 June 1976,

Whereas :

1. By Decision 71/314/ECSC of 27 July 1971, the Commission gave an authorization under Article 65 of the Treaty to the following steel undertakings :

Eisenwerk-Gesellschaft Maximilianshütte mbH, Sulzbach-Rosenberg ;

Klöckner-Werke AG, Duisburg ;

Stahlwerke Peine-Salzgitter AG, Peine,

for specialization Agreements covering the manufacture of rolled-steel products and Agreements for the setting up of an agency to allocate orders for merchant steel bars and wire rod. This Decision expired on 31 December 1975.

2. By its Decision 76/354/ECSC of 13 February 1976 the Commission extended the application of the first Decision until 30 June 1976 to enable the undertakings concerned to complete their negotiations with the object of consolidating through new Agreements the results achieved with the specialization Agreements which had been authorized.

3. Those concerned submitted to the Commission on 29 June 1976 a contract for cooperation and specialization Agreements and asked for an extension of the existing Agreements for the period necessary to enable the new Agreements to be examined under Article 65 of the Treaty.

4. The grounds for the extension Decision of 13 February 1976 remain valid and are accordingly applicable to the present Decision.

5. In the circumstances an extension for a period of six months of Decision 71/314/ECSC can be authorized,

HAS ADOPTED THIS DECISION :

Article 1

Decision 71/314/ECSC of 27 July 1971 authorizing specialization Agreements covering the manufacture of rolled-steel products and Agreements for the setting up of an agency to allocate orders for merchant steel bars and wire rod between Eisenwerk-Gesellschaft Maximilianshütte mbH, Klöckner-Werke AG and Stahlwerke Peine-Salzgitter AG is extended until 31 December 1976.

⁽¹⁾ OJ No L 201, 5. 9. 1971, p. 19.

⁽²⁾ OJ No L 95, 9. 4. 1976, p. 21.

Article 2

This Decision is addressed to :

Eisenwerk-Gesellschaft Maximilianshütte mbH, Sulzbach-Rosenberg ;

Klöckner-Werke AG, Duisburg ;

Stahlwerke Peine-Salzgitter AG, Peine.

Done at Brussels, 28 July 1976.

For the Commission

R. VOUEL

Member of the Commission

COMMISSION DECISION

of 28 July 1976

extending for six months Decision 71/315/ECSC of 27 July 1971 authorizing specialization Agreements covering the manufacture of rolled-steel products and the joint buying of iron ore between steel undertakings in south-western Germany

(Only the German text is authentic)

(76/776/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 65 thereof,

Having regard to Decision 71/315/ECSC of 27 July 1971 authorizing specialization Agreements covering the manufacture of rolled-steel products and the joint buying of iron ore between steel undertakings in south-western Germany ⁽¹⁾,

Having regard to Decision 71/355/ECSC of 13 February 1976 extending Decision 71/315/ECSC until 30 June 1976 ⁽²⁾,

Having regard to the application from the undertakings concerned dated 25 June 1976,

Whereas :

1. Commission Decision 71/315/ECSC of 27 July 1971 gave an authorization under Article 65 to the following steel undertakings :

Aktiengesellschaft der Dillinger Hüttenwerke, Dillingen ;

ARBED — Aciéries réunies de Burbach-Eich-Dudelange, société anonyme — Vereinigte Hüttenwerke Burbach-Eich Düdelingen AG, St. Ingbert Department ;

ARBED S.A. — ARBED Felten & Guillaume Vereinigte Drahtwerke, Köln-Mülheim, and its departments :

Walzwerke GmbH vormals E. Böcking & Co., Köln-Mülheim, and

Felten & Guillaume Carlswerk Eisen und Stahl GmbH, Köln-Mülheim (including wire-drawing plants at Cologne and Berlin) ;

Eschweiler Bergwerke-Verein, Kohlscheid ;

Neunkircher Eisenwerk AG vormals Gebrüder Stumm, Neunkirchen ;

Schwäbische Hüttenwerke GmbH, Wasseraufingen ;
Stahlwerke Röchling-Burbach GmbH, Völklingen ;
Otto Wolff AG, Köln, acting on behalf of :
Rasselstein AG, Neuwied, and
Stahlwerke Bochum AG, Bochum,

for specialization Agreements covering the manufacture of rolled-steel products and the joint buying of iron ore. The Decision expired on 31 December 1975.

2. By its Decision 76/355/ECSC of 13 February 1976 the Commission extended the application of the first Decision until 30 June 1976 to enable the undertakings concerned to complete their negotiations with the object of consolidating through new Agreements the results achieved with the specialization Agreements which had been authorized.

3. Those concerned submitted to the Commission on 25 June 1976 a contract for cooperation and specialization Agreements and asked for an extension of the existing Agreements for the period necessary to enable the new Agreements to be examined under Article 65 of the Treaty.

4. The grounds for the extension Decision of 13 February 1976 remain valid and are accordingly applicable to the present Decision.

5. In these circumstances an extension for a period of six months of Decision 71/315/ECSC can be authorized,

HAS ADOPTED THIS DECISION :

Article 1

Decision 71/315/ECSC of 27 July 1971 authorizing specialization Agreements covering the manufacture of rolled-steel products and the joint buying of iron ore between steel undertakings in south-western Germany is extended until 31 December 1976.

⁽¹⁾ OJ No L 201, 5. 9. 1971, p. 27.

⁽²⁾ OJ No L 95, 9. 4. 1976, p. 23.

Article 2

This Decision is addressed to the following undertakings:

Aktiengesellschaft der Dillinger Hüttenwerke, Dillingen;

ARBED — Aciéries réunies de Burbach-Eich-Dudelange, société anonyme — Vereinigte Hüttenwerke Burbach-Eich Düdelingen AG, St. Ingbert Department;

ARBED S.A. — ARBED Felten & Guillaume Vereinigte Drahtwerke, Köln-Mülheim, and its departments:

Walzwerke GmbH vormals E. Böcking & Co., Köln-Mülheim, and

Felten & Guillaume Carlswerk Eisen und Stahl GmbH, Köln-Mülheim (including wire-drawing plants at Cologne and Berlin);

Eschweiler Bergwerks-Verein, Kohlscheid;

Neunkircher Eisenwerk AG vormals Gebrüder Stumm, Neunkirchen;

Schwäbische Hüttenwerke GmbH, Wasseraalzingen;

Stahlwerke Röchling-Burbach GmbH, Völklingen;

Otto Wolff AG, Köln, acting on behalf of:

Rasselstein AG, Neuwied, and

Stahlwerke Bochum AG, Bochum.

Done at Brussels, 28 July 1976.

For the Commission

R. VOUEL

Member of the Commission

COMMISSION DECISION

of 25 August 1976

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to imports of bed linen, table linen, toilet linen and kitchen linen falling within heading No ex 62.02 of the Common Customs Tariff, originating in the Republic of India and in free circulation in the other Member States

(Only the French and Dutch texts are authentic)

(76/777/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 19 August 1976 by the Governments of the Benelux countries to the Commission by telex from the Office of the Permanent Representative of the Kingdom of the Netherlands to the European Communities, for authorization not to apply Community treatment to bed linen, table linen, toilet linen and kitchen linen falling within heading No ex 62.02 of the Common Customs Tariff, originating in the Republic of India and in free circulation in the Federal Republic of Germany,

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

Whereas, under the Agreement, the Republic of India has undertaken to take all necessary steps to limit its exports to the Community of household linen falling within heading No ex 62.02 of the Common Customs Tariff to a certain ceiling allocated among the Member States;

Whereas the quota share allocated to the Netherlands, which amounts to 315 000 kg for 1976, is wholly taken up;

Whereas according to information supplied by the Governments of the Benelux countries there are serious economic difficulties in the branch of the textile industry in question resulting in a decline of production and a constant reduction of the number of workers employed in that sector;

Whereas these economic difficulties are caused largely by unequal conditions of competition with certain

countries (including the Republic of India), whereby such countries are enabled to export at prices lower than those of producers in the Benelux countries;

Whereas the indirect imports in question, which would be in addition to those already effected, would be likely to aggravate these economic difficulties;

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

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

Whereas the request for a licence which gave rise to the application under Article 115 need not be covered by this authorization because of the small amount involved,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to imports of bed linen, table linen, toilet linen and kitchen linen falling within heading No ex 62.02 of the Common Customs Tariff where they originate in the Republic of India and are in free circulation in the other Member States and in respect of which applications for import licences were lodged after 18 August 1976.

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of

⁽¹⁾ OJ No L 126, 3. 6. 1971, p. 26.

the products in question from the Republic of India
and in any case not later than 31 December 1976.

Done at Brussels, 25 August 1976.

Article 3

This Decision is addressed to the Kingdom of
Belgium, the Grand Duchy of Luxembourg and the
Kingdom of the Netherlands.

For the Commission

Christopher SOAMES

Vice-President

COMMISSION DECISION

of 25 August 1976

authorizing the Italian Republic not to apply Community treatment to radio receivers, whether or not combined with a sound reproducer, falling within subheading ex 85.15 A III of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States

(Only the Italian text is authentic)

(76/778/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty made on 18 August 1976 by the Italian Government to the Commission by telex from the Office of its Permanent Representative to the European Communities, for authorization not to apply Community treatment to radio receivers, whether or not combined with a sound reproducer, falling within subheading ex 85.15 A III of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States,

Whereas according to this application under Article 115 the importation into Italy of the products in question originating in Japan is subject to an annual quota of \$ 310 000, which is wholly taken up;

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

Whereas this deflection of trade is preventing the execution of the abovementioned measures of commercial policy currently being taken by Italy as regards Japan;

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

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

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is authorized not to apply Community treatment to imports of radio receivers, whether or not combined with a sound reproducer, falling within subheading ex 85.15 A III of the Common Customs Tariff, where they originate in Japan and are in free circulation in the other Member States, and in respect of which applications for import licences lodged after 8 August 1976 are before the Italian authorities on the date of this Decision.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 25 August 1976.

For the Commission

Christopher SOAMES

Vice-President

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 2 September 1976

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, not to apply Community treatment to drawn or blown glass falling within heading No ex 70.05 of the Common Customs Tariff, originating in Poland and in free circulation in the other Member States

(Only the French and Dutch texts are authentic)

(76/779/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 30 August 1976 by the Governments of the Benelux countries to the Commission by telex from the Office of the Permanent Representative of the Kingdom of the Netherlands to the European Communities, for authorization not to apply Community treatment to drawn or blown glass falling within heading No ex 70.05 of the Common Customs Tariff, originating in Poland and in free circulation in the other Member States,

Whereas for drawn or blown glass falling within No ex 70.05 of the Common Customs Tariff, the Benelux countries, in accordance with the Council Decision of 18 December 1975 ⁽¹⁾, have opened in respect of Poland a quota of 1 900 metric tons for 1976, which is wholly taken up;

Whereas there are at present economic difficulties in the glass industry in the Benelux countries, which are caused largely by a fall in demand;

Whereas according to information supplied by the Benelux authorities, the indirect imports in question, which would be in addition to those already effected, would be likely to aggravate these economic difficulties;

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

Whereas authorization should accordingly be given for the application of protective measures under the

first paragraph of Article 115, subject to the conditions laid down by the Commission Decision of 12 May 1971 ⁽²⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to imports of drawn or blown glass falling within heading No ex 70.05 of the Common Customs Tariff where they originate in Poland and are in free circulation in the other Member States and in respect of which applications for import licences were lodged after 17 August 1976.

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of the products in question from Poland and in any case not later than 31 December 1976.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 2 September 1976.

For the Commission

Christopher SOAMES

Vice-President

⁽¹⁾ OJ No L 332, 31. 12. 1975, p. 1.

⁽²⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION**of 8 September 1976****concerning assistance granted by the Italian Government through the Istituto Nazionale per il Commercio Estero for advertising campaigns to expand the sale of exports by certain Italian industries****(Only the Italian text is authentic)**

(76/780/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 93 (2) thereof,

After giving interested parties notice, pursuant to the above Article, to submit their comments; having regard to the comments submitted by Member States and other interested parties,

I

Whereas, following complaints or requests for information by certain Member States and various trade associations, the Commission was informed that the Italian Government was helping, through the Istituto Nazionale per il Commercio Estero (ICE), to finance joint advertising campaigns launched by various Italian industries on the markets of the other Member States;

Whereas, when questioned as to the truth of the allegations, the Italian Government confirmed that such assistance was being granted mainly to the Italian toy, textile, clothing and footwear industries;

Whereas this assistance, of which the Commission was not notified in advance as required by Article 93 (3) of the EEC Treaty, involves the Government paying, through ICE, all or part of the expenditure incurred by the industries concerned in connection with joint advertising campaigns launched on the markets of various Member States to promote the sale of their products;

II

Whereas the Italian Government thus bears costs which should normally be met by the Italian firms concerned; whereas this could give the latter a considerable advantage, estimated, by the Italian authorities themselves at 1 % of the annual turnover of certain Italian industries on the markets concerned;

Whereas, furthermore, the industries of the other Member States selling their products on the same markets do not have the same facilities for financing their advertising budgets; whereas the advertising campaign financed by the Italian Government affects mainly industries currently experiencing serious difficulties in the majority of the Member States;

Whereas the Italian assistance is likely, therefore, to directly affect trade between Member States and threatens to distort competition within the meaning of Article 92 (1) of the EEC Treaty;

III

Whereas, in view of its purpose, the assistance clearly cannot be exempted on any of the grounds listed in Article 92 (2) and (3) (a) and (b) of the EEC Treaty;

Whereas the assistance is intended to promote the export of the products of certain Italian industries to the other Member States; whereas the grant of such assistance for exports in trade between Member States is irreconcilable with the general principles of the Common Market, particularly the free movement of goods;

Whereas the assistance cannot be exempted therefore on the grounds listed in Article 92 (3) (c) of the EEC Treaty, since it is likely to affect trading conditions to an extent contrary to the common interest,

HAS ADOPTED THIS DECISION:

Article 1

The Italian Government shall, without delay, adopt the necessary measures to ensure that the Istituto Nazionale per il Commercio Estero (ICE) discontinues its financial assistance for advertising campaigns designed to promote the sale of the exports of certain Italian industries on the markets of the other Member States.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 8 September 1976.

For the Commission

G. THOMSON

Member of the Commission
