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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 2856/76
of 23 November 1976**

**on the tariff treatment applicable in the Community as originally constituted to
a certain number of products imported from the new Member States**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Act of Accession⁽¹⁾, and in particular the second paragraph of Article 33 thereof,

Having regard to the proposal from the Commission,

Whereas under Council Regulation (EEC) No 1615/74 of 25 June 1974 amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽²⁾, the conventional duty applied to products falling within subheading 85.21 D, in the form of wafers not yet cut into chips, was reduced to 9 %;

Whereas the amalgamation of subheadings A and B of heading No 27.16 by Council Regulation (EEC) No 2723/76 of 8 November 1976 amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, resulted in the reduction of the duty on bituminous mastics from 3 to 1 %;

Whereas, under the Agreement with third countries signed as a result of the negotiations carried out pursuant to paragraph 6 of Article XXIV of the General Agreement on tariffs and trade and concluded on behalf of the Community by the Council Decision of 22 July 1974, the European Economic Community has undertaken to reduce the customs duties for various products on 1 January 1975 and to make additional reductions for some of those products on 1 January 1976;

Whereas, in order to maintain Community preference for these imports from the new Member States in 1977, the customs duties applicable thereto in the Community as originally constituted should be calculated taking into account the new duties consolidated in respect of third countries,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 30 June 1977, the customs duties applicable in the Community as originally constituted to imports from the new Member States of the products listed in Annex I shall be those shown in respect of each of them.

2. From 1 January to 31 December 1977, the customs duties applicable in the Community as originally constituted to imports from the new Member States of the products listed in Annex II shall be those shown in respect of each of them.

Article 2

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 23 November 1976.

For the Council

The President

A. P. L. M. M. van der STEE

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 174, 28. 6. 1974, p. 4.

⁽³⁾ OJ No L 314, 15. 11. 1976, p. 1.

ANNEX I

Customs duties referred to in Article 1 (1)

CCT heading No on 1 January 1977	Description	Duty applicable (%)
1	2	3
01.01	Live horses, asses, mules and hinnies : A. Horses : II. For slaughter (a)	0.8
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen : A. Meat : I. Of horses, asses, mules and hinnies B. Offals : II. Other : a) Of horses, asses, mules and hinnies d) Other	1.6 2 0.6
02.04	Other meat and edible meat offals, fresh, chilled or frozen : A. Of domestic pigeons and domestic rabbits	2.2
16.04	Prepared or preserved fish, including caviar and caviar substitutes : B. Salmonidae	1.4
24.01	Unmanufactured tobacco ; tobacco refuse : A. Tobacco of a value, per package, not less than 280 u.a. per 100 kg net weight : I. Flue cured Virginia type and light air cured Burley type (including Burley hybrids) (a)	2.8 with a maximum of 9 u.a. per 100 kg net
ex 27.16	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs) : — Bituminous mastics	0.2
37.02	Film in rolls, sensitized, unexposed, perforated or not : A. Of a width of 35 mm or less : II. Other	1.6

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No on 1 January 1977	Description	Duty applicable (%)
1	2	3
38.14	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils: A. Anti-knock preparations based on tetraethyl-lead (ethyl fluid)	2-6
	B. Other: I. For lubricants: b) Other	1-8
	II. Anti-knock preparations based on tetramethyl-lead, on ethylmethyl-lead or on mixtures of tetraethyl-lead and tetramethyl-lead	1-8
	III. Other	1-8
39.01	Condensation, polycondensation and polyaddition products, whether or not modified or polymerized, and whether or not linear (for example, phenoplasts, aminoplasts, alkyds, polyallyl esters, and other unsaturated polyesters, silicones): C. Other: IV. Polyamides	3-2
44.05	Wood sawn lengthwise, sliced or peeled, but not further prepared, of a thickness exceeding 5 mm: B. Coniferous wood, of a length of 125 cm or less and of a thickness of less than 12.5 mm	1
48.01	Paper and paperboard (including cellulose wadding), machine-made, in rolls or sheets: C. Kraft paper and kraft board: II. Other	2-1
48.21	Other articles of paper pulp, paper, paperboard or cellulose wadding: B. Napkins and napkin liners, for babies, put up for retail sale	2
73.22	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of iron or steel, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment . . .	1
84.06	Internal combustion piston engines: B. Outboard motors of a cylinder capacity of: II. More than 325 cc	1-6
	C. Other engines: II. Compression ignition engines: a) Marine propulsion engines: 2. Other (a)	1-6
	b) Other: 2. Other	2-4

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No on 1 January 1977	Description	Duty applicable (%)
1	2	3
84.10	Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices, liquid elevators of bucket, chain, screw band and similar kinds : B Other pumps : I. Pumps having a pressure capacity of 20 bars or more	1-5
84.23	Excavating, levelling, tamping, boring and extracting machinery, stationary or mobile, for earth, minerals or ores (for example, mechanical shovels, coal-cutters, excavators, scrapers, levellers and bulldozers), piledrivers, snow-ploughs, not self-propelled (including snow-plough attachments): A. Excavating, levelling, tamping, boring and extracting machinery for earth, minerals or ores : I. Self-propelled, track-laying or wheeled, not capable of running on rails : a) Scrapers c) Parts	1-8 1-8
85.21	Thermionic, cold cathode and photo-cathode valves and tubes (including vapour or gas filled valves and tubes, cathode-ray tubes, television camera tubes and mercury arc rectifying valves and tubes); photocells, mounted piezo-electric crystals, diodes, transistors and similar semi-conductor devices, electronic micro-circuits : D. Diodes, transistors and similar semi-conductor devices ; electronic microcircuits : I. Wafers not yet cut into chips	1-8
87.01	Tractors (other than those falling within heading No 87.07), whether or not fitted with power take-offs, winches or pulleys : C. Other : II. Other	2-8
87.02	Motor vehicles for the transport of persons, goods, or materials (including sports motor vehicles, other than those of heading No 87.09): B. For the transport of goods or materials : II. Other : a) With either a spark ignition or a compression ignition engine : 1. Motor lorries with either a spark ignition engine of a cylinder capacity of 2 800 cc or more or a compression ignition engine of a cylinder capacity of 2 500 cc or more : aa) Dumpers of a cylinder capacity : 11. Of less than 10 000 cc 22. Of 10 000 cc or more	3-4 4

CCT heading No on 1 January 1977	Description	Duty applicable (%)
1	2	3
90.24	Instruments and apparatus for measuring, checking or automatically controlling the flow, depth, pressure or other variables of liquids or gases, or for automatically controlling temperature (for example, pressure gauges, thermostats, level gauges, flow meters, heat meters, automatic oven-draught regulators) not being articles falling within heading No 90.14 : A. Pressure gauges (manometers) C. Other	1·8 1·8

ANNEX II

Customs duties referred to in Article 1 (2)

CCT heading No on 1 January 1977	Description	Duty applicable (%)
1	2	3
08.02	Citrus fruits, fresh or dried : A. Oranges : I. Sweet oranges, fresh : a) From 1 April to 30 April b) From 1 May to 15 May c) From 16 May to 15 October D. Grapefruit	2.6 1.2 0.8 0.8
08.04	Grapes, fresh or dried : B. Dried : I. In immediate containers of a net capacity of 15 kg or less II. Other	0.8 0.8
08.06	Apples, pears and quinces, fresh : A. Apples : II. Other : c) From 1 April to 31 July B. Pears : II. Other : b) From 1 April to 15 July	1.2 with a min. of 0.20 u.a. per 100 kg net 1.4 with a min. of 0.30 u.a. per 100 kg net
08.10	Fruit (whether or not cooked) preserved by freezing, not containing added sugar : ex A. Strawberries, raspberries, blackcurrants, red currants, bilberries, blackberries (brambleberries), mulberries and cloudberries : — Bilberries, blackberries (brambleberries), mulberries and cloudberries	3.6
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption : D. Bilberries	1.6
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit : B. Other : II. Not containing added spirit :	

CCT heading No on 1 January 1977	Description	Duty applicable (%)
1	2	3
20.06 (cont'd)	a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg : 6. Pears : aa) With a sugar content exceeding 13 % by weight bb) Other b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less : 6. Pears : aa) With a sugar content exceeding 15 % by weight bb) Other c) Not containing added sugar, in immediate packings of a net capacity : 1. Of 4.5 kg or more : cc) Pears 2. Of less than 4.5 kg : aa) Pears	4 + (compensatory amount) 4 4.4 + (compensatory amount) 4.4 4.2 4.2

COUNCIL REGULATION (EEC) No 2857/76**of 23 November 1976****temporarily suspending the autonomous Common Customs Tariff duty for mechanically propelled aircraft of an unladen weight exceeding 15 000 kg falling within subheading ex 88.02 B II c)**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the draft Regulation submitted by the Commission,

Whereas the autonomous duty on mechanically propelled aircraft of an unladen weight exceeding 15 000 kg should be totally suspended for the period 1 January to 31 December 1977,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1977, the autonomous Common Customs Tariff duty for mechanically propelled aircraft of an unladen weight exceeding 15 000 kg falling within subheading ex 88.02 B II c) shall be totally suspended.

Article 2

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 23 November 1976.

For the Council

The President

A. P. L. M. M. van der STEE

COUNCIL REGULATION (EEC) No 2858/76**of 23 November 1976****temporarily suspending the autonomous Common Customs Tariff duties on a number of tropical products**

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 proposal from the Commission,

Whereas in its Decision of 5 April 1976 the Council approved a Community reduction, within the framework of the multilateral GATT negotiations, of the Common Customs Tariff duties on certain tropical products, on the understanding that this reduction would take effect as soon as possible ;

Whereas, since the full results of these negotiations for a definitive alteration of the Common Customs Tariff will not be known before 31 December 1977,

this tariff reduction should be made by way of a temporary suspension of the autonomous Common Customs Tariff duties on the products in question from 1 January to 31 December 1977,

HAS ADOPTED THIS REGULATION :

Article 1

From 1 January to 31 December 1977, the autonomous Common Customs Tariff duties for the products listed in the Annex shall be suspended at the levels indicated in respect of each of them.

Article 2

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 23 November 1976.

For the Council

The President

A. P. L. M. M. van der STEE

ANNEX

CCT heading No	Description	Rate of autonomous duty (%)
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and mangosteens, fresh or dried, shelled or not : F. Cashew nuts	0
09.01	Coffee, whether or not roasted or freed of caffeine ; coffee husks and skins ; coffee substitutes containing coffee in any propor- tion : A. Coffee : I. Unroasted : a) Not freed of caffeine	5
18.01	Cocoa beans, whole or broken, raw or roasted	3
18.02	Cocoa shells, husks, skins and waste	3

COUNCIL REGULATION (EEC) No 2859/76**of 23 November 1976****temporarily suspending the autonomous Common Customs Tariff duties on certain industrial products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the draft Regulation submitted by the Commission,

Whereas production of the products referred to in this Regulation is at present inadequate or non-existent within the Community and producers are thus unable to meet the needs of user industries in the Community;

Whereas it is in the Community's interest in certain cases to suspend the autonomous Common Customs Tariff duties only partially, chiefly because of the existence of Community production, and in other cases to suspend them completely;

Whereas, taking account of the difficulties involved in accurately assessing the development of the economic situation in the sectors concerned in the near future, these suspension measures should be taken only temporarily, by fixing their term of validity to coincide with the interests of Community production,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 30 June 1977, the autonomous Common Customs Tariff duties on the products listed in the Annex hereto shall be suspended at the level indicated in respect of each of them.

Article 2

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 23 November 1976.

For the Council

The President

A. P. L. M. M. van der STEE

ANNEX

CCT heading No	Description	Rate of autonomous duty (%)
ex 28.18 C	Magnesium oxide, dead-burned but not fused, of a purity not less than 95 %, which contains : a) Not more than 0.05 % by weight of boron compounds evaluated as B ₂ O ₃ b) Not more than 3.5 % by weight of calcium compounds evaluated as CaO c) Not more than 1.1 % by weight of silicon compounds evaluated as SiO ₂ d) A total of not more than 0.7 % by weight of aluminium compounds and iron compounds evaluated as Al ₂ O ₃ and Fe ₂ O ₃	0
ex 28.21	Dichromium trioxide for the production of chromium metal or chromium carbide (a)	0
ex 28.38 C	Potassium hydrogenperoxomonosulphate	0
ex 29.01 C I	Beta-pinene	0
ex 29.02 A III	1,2-Dibromoethane	0
ex 29.03 B II	1-Nitropropane	8
ex 29.04 C V	2,2-Bis(bromomethyl)propanediol	0
ex 29.07 A	2,2', 6,6'-Tetrabromo-4,4'-isopropylidenediphenol (tetrabromobisphenol A)	0
ex 29.08 A III c)	Sodium 4-(2-methylallyloxy)benzenesulphonate	0
ex 29.16 B VI	Sodium 5-(2,4-difluorophenyl) salicylate	0
ex 29.16 B VI	3,5-Di-iodosalicylic acid	0
ex 29.23 B II	3-Chloro-4-(4-chlorophenoxy)aniline	0
ex 29.23 D V	Sodium 2-cyclohexa-1,4-dienyl- <i>N</i> -(2-methoxycarbonyl-1-methylvinyl)glycinate	0
ex 29.31 B	Thiophenol	0
ex 29.31 B	<i>N,N</i> -Diethyl-2-mercaptoethylammonium chloride	0
ex 29.34 B	Dimethyltin dichloride	0
ex 29.35 Q	Cambendazole (INN)	0
ex 29.35 Q	Ronidazole (INN)	0

(a) The application of this suspension will be subject to the conditions determined by the competent authorities.

CCT heading No	Description	Rate of autonomous duty (%)
ex 29.42 C VII	Alkaloids of ergot of rye and their salts, ethers, esters and other derivatives, other than lysergic acid	6
ex 29.44 A	Epicillin (INN)	0
ex 29.44 C	Cefazolin (INN) and its salts	0
ex 29.44 C	11-Hydroxy-6,7,10,12-tetramethyl-1-oxo-10-vinylperhydro-3a,7-pentanoinden-8-ylglycolate (pleuromutilin)	0
ex 29.44 C	Sodium (7S)-3-carbamoyloxymethyl-7-methoxy-8-oxo-7-[2-(2-thienyl)acetamido]-5-thia-1-azabicyclo[4.2.0]oct-2-ene-2-carboxylate	0
ex 29.44 C	Nystatin (INN)	0
ex 30.01 B	Lyophilised human-albumin	0
ex 30.01 B	Human plasma	0
ex 32.08 D, ex 70.20 A and ex 70.20 B	Ground glass fibres with a length varying between 0.1 and 3 mm and a diameter of not less than two and not more than four micrometres	0
ex 38.19 G	Catalysts consisting of copper chloride supported on aluminium oxide for the preparation of dichloroethane from ethylene, hydrochloric acid and oxygen (a)	0
ex 39.01 A	Colestipol (INN) hydrochloride	0
ex 39.02 C VII b)	Polyvinylchloride sheeting less than 1 mm thick of a width not less than 23 cm and not more than 28 cm, containing not less than 30 % and not more than 40 % by weight of a plasticiser, in rolls	10
ex 39.02 C XII	Copolymerization products of acrylic and methacrylic esters in the form of film of a thickness not less than 50 and not more than 150 micrometers, whether or not in rolls	0
ex 39.02 C XII	Polyacrylic acid, slightly cross-linked for use in textile pigment printing (a)	0
ex 39.03 B V a) 2	Hydroxypropylcellulose	0
ex 39.06 B	O-(2-hydroxyethyl)amylpectin hydrolysate	0
62.03 A I	Sacks and bags, of a kind used for the packing of goods, used, of jute or of other textile bast fibres of heading No 57.03	4

(a) The application of this suspension will be subject to the conditions determined by the competent authorities.

CCT heading No	Description	Rate of autonomous duty (%)
ex 85.21 D II	Digital displays consisting of a printed circuit board of a size not exceeding 30 mm by 90 mm with a single line of digits, not less than three in number comprising light-emitting diodes manufactured from gallium-based semiconductor compounds mounted thereon; the line of digits having a protective cover of translucent plastic . .	0
ex 88.05 B	Visual display system generating images by computer intended for equipping flight simulators for civil aircraft (a)	0

(a) The application of this suspension will be subject to the conditions determined by the competent authorities.

COUNCIL REGULATION (EEC) No 2860/76**of 23 November 1976****increasing the Community tariff quota opened for 1976 by Regulation (EEC) No 2886/75 for newsprint falling within subheading 48.01 A of the Common Customs Tariff**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 28 and 113 thereof,

Having regard to the proposal from the Commission,

Whereas, for newsprint falling within subheading 48.01 A of the Common Customs Tariff, a duty-free Community tariff quota, the amount of which was fixed at 2 250 000 metric tons, was opened by the Council and allocated among the Member States by Regulation (EEC) No 2886/75⁽¹⁾; whereas by that Regulation, as amended by Regulation (EEC) No 1171/76⁽²⁾, the benefit of the tariff quota in question was extended to certain types of paper which, apart from the criterion of watermarks, correspond to the definition of newsprint given in the Additional Note to Chapter 48 of the Common Customs Tariff;

Whereas, on the basis of the most recent data on this product for 1976, it can be estimated that the additional imports from non-member countries required by the Community amount to 150 000 metric tons; whereas the size of the quota should be increased by

this quantity to take account of the requirements noted; whereas, in order to safeguard the Community character of the tariff quota in question, a Community reserve equal to the proposed increase should be set up,

HAS ADOPTED THIS REGULATION:

Article 1

1. The volume of the Community tariff quota opened by Regulation (EEC) No 2886/75 for newsprint falling within subheading 48.01 A of the Common Customs Tariff is hereby increased from 2 250 000 to 2 400 000 metric tons.

2. This increase of 150 000 metric tons shall constitute a reserve. The Community reserve set up by virtue of Article 2 (3) of Regulation (EEC) No 2886/75 is thus increased from 109 000 to 259 000 metric tons.

Article 2

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

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

Done at Brussels, 23 November 1976.

For the Council

The President

A. P. L. M. M. van der STEE

⁽¹⁾ OJ No L 292, 12. 11. 1975, p. 30.

⁽²⁾ OJ No L 131, 20. 5. 1976, p. 6.

COUNCIL REGULATION (EEC) No 2861/76
of 23 November 1976

increasing the Community tariff quota opened for 1976 by Regulation (EEC) No 2883/75 for raw silk (not thrown) falling within heading No 50.02 of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the draft Regulation submitted by the Commission,

Whereas by Regulation (EEC) No 2883/75⁽¹⁾, the Council opened and allocated among the Member States a zero-duty Community tariff quota for raw silk (not thrown) falling within heading No 50.02 of the Common Customs Tariff, the volume of which was fixed at 2 500 metric tons;

Whereas, having regard to the increase in consumption recorded in 1976, it can be estimated that the quota volume of 2 500 metric tons will not be sufficient to satisfy requirements; whereas the quota volume of 550 metric tons should be increased to take into account these requirements; whereas, to safeguard the Community nature of the tariff quota in question, this additional volume should be allocated to the Community reserve set up by Article 2 (2) of Regulation (EEC) No 2883/75,

HAS ADOPTED THIS REGULATION:

Article 1

The Community tariff quota opened by Regulation (EEC) No 2883/75 for raw silk (not thrown) falling within heading No 50.02 of the Common Customs Tariff shall be increased from 2 500 to 3 050 metric tons.

Article 2

This increase of 550 metric tons shall be allocated to the Community reserve provided for in Article 2 (2) of Regulation (EEC) No 2883/75 which shall thus be increased from 500 to 1 050 metric tons.

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, 23 November 1976.

For the Council

The President

A. P. L. M. M. van der STEE

⁽¹⁾ OJ No L 292, 12. 11. 1975, p. 19.

COUNCIL REGULATION (EEC) No 2862/76

of 23 November 1976

on the opening, allocation and administration of an autonomous Community tariff quota for 1976 for ferro-silicon falling within subheading 73.02 C of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the draft Regulation submitted by the Commission,

Whereas, as regards ferro-silicon falling within subheading 73.02 C of the Common Customs Tariff, a conventional duty-free Community tariff quota of 20 000 metric tons was opened by the Council for 1976 and allocated among the Member States by Regulation (EEC) No 2880/75⁽¹⁾;

Whereas, bearing in mind present production capacity within the Community, the abovementioned quota will not cover the entire Community import requirements of ferro-silicon from third countries; whereas it is therefore desirable that an autonomous Community

tariff quota limited to 2 000 metric tons be opened; whereas, so as not to prejudice Community development prospects in the production area concerned, the quota duty applicable must be fixed at 7 %;

Whereas arrangements for the utilization of the tariff quota based on an allocation among Member States would seem to be consistent with the Community nature of the quota; whereas to correspond as closely as possible to the actual trend of the market in the product in question, allocation of the quota must be in proportion to the requirements of the Member States as calculated by reference to statistics of imports from third countries during a representative reference period and to the economic outlook for the quota period in question;

Whereas, during the last three years for which statistics are fully available, the corresponding imports, in metric tons, into each of the Member States were as follows:

	1973	1974	1975	Average for the three years
Benelux	34 300	32 000	27 920	31 406
Denmark	1 081	753	854	896
Germany	103 936	119 029	84 764	102 506
France	548	1 100	1 955	1 201
Ireland	0	507	397	301
Italy	18 380	29 536	22 088	23 331
United Kingdom	10 855	28 460	21 849	20 388
Total	169 100	211 385	159 827	180 099

Whereas in view of these factors, the foreseeable development of the ferro-silicon market in 1976 and the shares allocated in the tariff quota of 20 000 metric tons opened by the abovementioned Regulation (EEC) No 2880/75, the initial percentage shares in the quota can be fixed as follows:

Benelux	17.25
Denmark	0.50
Germany	67.20
France	0.25
Ireland	0.05
Italy	4.75
United Kingdom	10.00

Whereas, since this tariff quota is for a relatively small quantity, it seems possible to provide for a system of use based on a single allocation and at the same time preserve the Community nature of the quota; whereas such an allocation may therefore be based on the percentage figures shown in the table above;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

⁽¹⁾ OJ No L 292, 12. 11. 1975, p. 12.

HAS ADOPTED THIS REGULATION :

Article 1

1. From the date of entry into force of this Regulation until 31 December 1976, a tariff quota of 2 000 metric tons shall be opened within the Community in respect of ferro-silicon falling within subheading 73.02 C of the Common Customs Tariff.

2. Within this quota, Community Customs Tariff duty shall be suspended at 7 %.

3. Within this quota, Member States shall apply quota duties calculated in accordance with the relevant provisions of the Act of Accession.

Article 2

The Community tariff quota referred to in Article 1 shall be allocated among Member States as follows :

	<i>in metric tons</i>
Benelux	345
Denmark	10
Germany	1 344
France	5
Ireland	1
Italy	95
United Kingdom	200

Article 3

1. Member States shall ensure that importers of the product in question established in their territory have free access to the shares allocated to them.

2. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the product in question entered with the customs authorities for home use.

Article 4

At the request of the Commission, the Member States shall inform it of importations charged against their shares.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

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, 23 November 1976.

For the Council

The President

A. P. L. M. M. van der STEE

COUNCIL REGULATION (EEC) No 2863/76

of 23 November 1976

on the opening, allocation and administration of an autonomous Community tariff quota for 1976 for ferro-silico-manganese falling within subheading 73.02 D of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the draft Regulation submitted by the Commission,

Whereas, as regards ferro-silico-manganese falling within subheading 73.02 D of the Common Customs Tariff, a conventional duty-free Community tariff quota of 50 000 metric tons has been opened by the Council for 1976 and allocated among the Member States by Regulation (EEC) No 2881/75⁽¹⁾;

Whereas, bearing in mind present Community production capacity, the abovementioned quota will not cover the entire Community import requirements of ferro-silico-manganese from third countries; whereas it is therefore desirable that an autonomous Commu-

nity tariff quota limited to 1 000 metric tons be opened; whereas, so as not to prejudice Community development prospects in the production area concerned, the quota duty applicable must be fixed at 4 %;

Whereas arrangements for the utilization of the tariff quota based on an allocation among Member States would seem to be consistent with the Community nature of the quota; whereas to correspond as closely as possible to the actual trend of the market in the product in question, allocation of the quota must be in proportion to the requirements of the Member States as calculated by reference to statistics of imports from third countries during a representative reference period and to the economic outlook for the quota period in question;

Whereas, during the last three years for which statistics are fully available, the corresponding imports, in metric tons, into each of the Member States were as follows:

	1973	1974	1975	Average for the three years
Benelux	18 955	21 100	10 512	16 856
Denmark	0	0	0	0
Germany	71 237	67 469	68 325	69 010
France	1 055	521	557	711
Ireland	0	0	37	12
Italy	18 166	22 475	13 415	18 018
United Kingdom	4 579	3 020	2 694	3 431
Total	113 992	114 585	95 540	108 038

Whereas in view of these factors, the foreseeable development of the ferro-silico-manganese market in 1976 and the shares allocated or drawn from the reserve under the tariff quota of 50 000 metric tons opened by the abovementioned Regulation (EEC) No 2881/75, the initial percentage shares in the quota can be fixed as follows:

Benelux	27.00
Denmark	0.10
Germany	64.30
France	0.50
Ireland	0.10
Italy	5.00
United Kingdom	3.00

Whereas, since this tariff quota is for a relatively small quantity, it seems possible to provide for a system of use based on a single allocation and at the same time preserve the Community nature of the quota; whereas such an allocation may therefore be based on the percentage figures shown in the table above;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

⁽¹⁾ OJ No L 292, 12. 11. 1975, p. 14.

HAS ADOPTED THIS REGULATION :

Article 3

Article 1

1. From the date of entry into force of this Regulation until 31 December 1976, a tariff quota of 1 000 metric tons shall be opened within the Community in respect of ferro-silico-manganese falling within subheading 73.02 D of the Common Customs Tariff.
2. Within this quota, Community Customs Tariff duty shall be suspended at 4 %.
3. Within this quota, Member States shall apply quota duties calculated in accordance with the relevant provisions of the Act of Accession.

Article 2

The Community tariff quota referred to in Article 1 shall be allocated among the Member States as follows :

	<i>in metric tons</i>
Benelux	270
Denmark	1
Germany	643
France	5
Ireland	1
Italy	50
United Kingdom	30

1. Member States shall ensure that importers of the product in question established in their territory have free access to the shares allocated to them.

2. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the product in question entered with the customs authorities for home use.

Article 4

At the request of the Commission, the Member States shall inform it of the importations charged against their shares.

Article 5

The Member States and the Commission shall co-operate closely to ensure that this Regulation is complied with.

Article 6

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, 23 November 1976.

For the Council

The President

A. P. L. M. M. van der STEE

COUNCIL REGULATION (EEC) No 2864/76

of 23 November 1976

on the opening, allocation and administration of an autonomous Community tariff quota for 1976 for super-refined ferro-chromium falling within subheading ex 73.02 E I of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the draft Regulation submitted by the Commission,

Whereas, as regards ferro-chromium containing by weight not more than 0.10 % of carbon and more than 30 % but not exceeding 90 % of chromium (super-refined ferro-chromium) falling within subheading ex 73.02 E I of the Common Customs Tariff, a conventional duty-free Community tariff quota of 3 000 metric tons has been opened by the Council for 1976 and allocated among the Member States by Regulation (EEC) No 2882/75⁽¹⁾;

Whereas, bearing in mind present capacity, Community production together with the abovementioned quota of 3 000 metric tons should cover the entire Community requirements of this product; whereas it is, however, desirable to avoid unduly disrupting traditional patterns of trade between Member States and

third countries by opening an autonomous Community tariff quota the volume of which should be limited to 1 000 metric tons so as not to jeopardize development prospects in the Community production sector; whereas for the same reasons the quota duty applicable should be fixed at 5.5 %;

Whereas arrangements for the utilization of the Community tariff quota based on an allocation among Member States would seem to be consistent with the Community nature of the quota; whereas in order that it may correspond as closely as possible to the actual trend of the market in the product in question, allocation of the quota must be in proportion to the requirements of the Member States as calculated by reference to the statistics of imports from third countries during a representative reference period and to the economic outlook for the quota period in question;

Whereas, during the last three years for which statistics are fully available, the corresponding imports, in metric tons, into each of the Member States were as follows:

	1973	1974	1975	Average for 1974 and 1975
Benelux	1 050	2 200	3 457	2 829
Denmark	60	20	50	35
Germany	59 972 ⁽¹⁾	13 800	16 331	15 066
France	800	5 000	100	2 550
Ireland	0	18	5	12
Italy	5 000	5 648	5 856	5 752
United Kingdom	7 225	5 464	7 858	6 661
Total	74 107	32 150	33 657	32 905

⁽¹⁾ Ferro-chromium in general.

Whereas in view of these factors, the foreseeable development of the super-refined ferro-chromium market in 1976 and the allocated shares of the tariff quota of 3 000 metric tons opened by Regulation (EEC) No 2882/75, the initial percentage shares in the quota volume can be fixed as follows:

Benelux	10.00
Denmark	0.20
Germany	52.50
France	0.50
Ireland	0.10
Italy	6.00
United Kingdom	30.70

Whereas, since this tariff quota is for a relatively small quantity, it seems possible to provide for a system of

⁽¹⁾ OJ No L 292, 12. 11. 1975, p. 17.

use based on a single allocation and at the same time preserve the Community nature of the quota ; whereas such an allocation may therefore be based on the percentage figures shown in the table above ;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that economic union may be carried out by one of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. From the date of entry into force of this Regulation until 31 December 1976, a tariff quota of 1 000 metric tons shall be opened within the Community in respect of ferro-chromium containing by weight not more than 0.10 % of carbon and more than 30 % but not exceeding 90 % of chromium (super-refined ferro-chromium) falling within subheading ex 73.02 E I of the Common Customs Tariff.

2. Within this quota, the Common Customs Tariff duty shall be suspended at 5.5 % in respect of importations.

3. Within this quota, new Member States shall apply duties calculated in accordance with the relevant provisions of the Act of Accession.

Article 2

The Community tariff quota referred to in Article 1 shall be allocated among the Member States as follows :

	<i>in metric tons</i>
Benelux	100
Denmark	2
Germany	525
France	5
Ireland	1
Italy	60
United Kingdom	307

Article 3

1. Member States shall ensure that importers of the product in question established in their territory have free access to the shares allocated to them.

2. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the product in question entered with the customs authorities for home use.

Article 4

At the request of the Commission, the Member States shall inform it of importations charged against their shares.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

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, 23 November 1976.

For the Council

The President

A. P. L. M. M. van der STEE

COMMISSION REGULATION (EEC) No 2865/76**of 26 November 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 27 November 1976.

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

Done at Brussels, 26 November 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 26 November 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	76.74
10.01 B	Durum wheat	131.52 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	60.34 ⁽⁶⁾
10.03	Barley	44.43
10.04	Oats	46.93
10.05 B	Maize other than hybrid maize for sowing	55.70 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	56.76 ⁽⁴⁾
10.07 C	Grain sorghum	56.00 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽²⁾
11.01 A	Wheat or meslin flour	117.81
11.01 B	Rye flour	95.63
11.02 A I a	Durum wheat groats and meal	214.53
11.02 A I b	Common wheat groats and meal	126.73

⁽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 2866/76**of 26 November 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 27
November 1976.

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

Done at Brussels, 26 November 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 26 November 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 11	1st period 12	2nd period 1	3rd period 2
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0-76
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	2-28
10.05 B	Maize other than hybrid maize for sowing	0	0	0	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 11	1st period 12	2nd period 1	3rd period 2	4th period 3
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 2867/76**of 26 November 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 Article 3,

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 2798/76 ⁽⁸⁾;

Whereas in the case of the pound sterling and the Irish pound the difference referred to in Article 2 (1) of Regulation (EEC) No 1569/72 for the period 17 to 23 November 1976 has changed, by reference to the representative rate valid from 29 November 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,

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 29 November 1976.

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

Done at Brussels, 26 November 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 320, 20. 11. 1976, p. 6.

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. Colza and rape seed, processed for oil production in Germany or ex- ported from that country :	+ 0.0930	— 0.0930	+	—
— harvested in Germany			—	—
— harvested in the BLEU or in the Netherlands			—	0.0803
— harvested in France			—	0.2230
— harvested in Denmark			—	0.0930
— harvested in Ireland			—	0.2732
— harvested in the United Kingdom			—	0.3520
— harvested in Italy			—	0.2348
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			0.0873	—
— harvested in the BLEU or in the Netherlands			—	—
— harvested in France			—	0.1552
— harvested in Denmark			—	0.0140
— harvested in Ireland			—	0.2111
— harvested in the United Kingdom			—	0.2955
— harvested in Italy			—	0.1680
3. Colza and rape seed, processed for oil production in Denmark or exported from that country :	Nil	Nil	+	—
— harvested in Germany			0.1027	—
— harvested in the BLEU or in the Netherlands			0.0142	—
— harvested in France			—	0.1433
— harvested in Denmark			—	—
— harvested in Ireland			—	0.1999
— harvested in the United Kingdom			—	0.2855
— harvested in Italy			—	0.1562
4. Colza and rape seed, processed for oil production in France or exported from that country :	— 0.1672	+ 0.1672	+	—
— harvested in Germany			0.2871	—
— harvested in the BLEU or in the Netherlands			0.1838	—
— harvested in France			—	—
— harvested in Denmark			0.1672	—
— harvested in Ireland			—	0.0661
— harvested in the United Kingdom			—	0.1660
— harvested in Italy			—	0.0152

	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 :	—0.3996	+0.3996	+	—
— harvested in Germany			0.5433	—
— harvested in the BLEU or in the Netherlands			0.4194	—
— harvested in France			0.1991	—
— harvested in Denmark			0.3996	—
— harvested in Ireland			0.1198	—
— harvested in the United Kingdom			—	—
— harvested in Italy			0.1809	—
6. Colza and rape seed, processed for oil production in Ireland or exported from that country :	—0.2498	+0.2498	+	—
— harvested in Germany			0.3782	—
— harvested in the BLEU or in the Netherlands			0.2676	—
— harvested in France			0.0708	—
— harvested in Denmark			0.2498	—
— harvested in Ireland			—	—
— harvested in the United Kingdom			—	0.1070
— harvested in Italy			0.0546	—
7. Colza and rape seed, processed for oil production in Italy or exported from that country :	—0.1852	+0.1852	+	—
— harvested in Germany			0.3069	—
— harvested in the BLEU or in the Netherlands			0.2020	—
— harvested in France			0.0154	—
— harvested in Denmark			0.1852	—
— harvested in Ireland			—	0.0517
— harvested in the United Kingdom			—	0.1532
— 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 2868/76

of 26 November 1976

altering the refunds applicable to cereals and 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 the second sentence of the fourth subparagraph of Article 16 (2) thereof,

Whereas the export refunds on cereals and on wheat or rye flour groats and meal were fixed by Regulation (EEC) No 2794/76⁽³⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in Regulation (EEC) No 2794/76 to the information at present available to

the Commission that the export refunds at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state as fixed in the Annex to Regulation (EEC) No 2794/76, are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 27 November 1976.

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

Done at Brussels, 26 November 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 319, 19. 11. 1976, p. 27.

ANNEX

to the Commission Regulation of 26 November 1976 altering the refunds applicable to cereals and wheat or rye flour groats and meal

CCT heading No	Description of products	Refund (u.e. / metric ton)
10.01 A	Common wheat ⁽¹⁾ and meslin for export to : — Switzerland, Austria and Liechtenstein — other third countries	10-00 0
10.01 B	Durum wheat	45-00
10.02	Rye ⁽¹⁾	0
10.03	Barley	0
10.04	Oats	0
10.05 B	Maize (other than hybrid maize for sowing)	—
10.07 C	Grain sorghum	—
ex 11.01 A	Wheat flour : — of an ash content of 0 to 520 — of an ash content of 521 to 600 — of an ash content of 601 to 900 — of an ash content of 901 to 1 100 — of an ash content of 1 101 to 1 650 — of an ash content of 1 651 to 1 900	72-00 69-00 64-00 64-00 54-00 54-00
ex 11.01 B	Rye flour : — of an ash content of 0 to 700 — of an ash content of 701 to 1 150 — of an ash content of 1 151 to 1 600 — of an ash content of 1 601 to 2 000	48-00 48-00 48-00 48-00
11.02 A I a	Durum wheat groats and meal : — of an ash content of 0 to 950 — of an ash content of 951 to 1 300 — of an ash content of 1 301 to 1 500	130-00 130-00 130-00
11.02 A I b	Common wheat groats and meal : — of an ash content of 0 to 520	72-00

⁽¹⁾ The refund is granted solely in respect of common wheat and rye which has not been denatured pursuant to Article 7 (3) and (5) Regulation (EEC) No 2727/75.

N.B. The zones are those defined in Regulation (EEC) No 306/76 (OJ No L 38, 13. 2. 1976).

COMMISSION REGULATION (EEC) No 2869/76
of 26 November 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 2799/76 ⁽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 29 November 1976.

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

Done at Brussels, 26 November 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 320, 20. 11. 1976, p. 9.

ANNEX

World market price applicable from 29 November 1976 for colza and rape seed (CCT heading No ex 12.01)

	u.a./100 kg ⁽¹⁾
World market price	20-712
World market price where the subsidy is fixed in advance :	
— for the month of November 1976	20-712
— for the month of December 1976	21-624
— for the month of January 1977	21-624
— for the month of February 1977	21-624
— for the month of March 1977	21-624
— for the month of April 1977	21-092

⁽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	3-15665
1 u.a. =	Fl	3-35507
1 u.a. =	Bfr/Lfr	48-6572
1 u.a. =	FF	6-57505
1 u.a. =	Dkr	7-89407
1 u.a. =	£	0-797200
1 u.a. =	I £	0-797200
1 u.a. =	Lit	1 141-31

COMMISSION REGULATION (EEC) No 2870/76

of 26 November 1976

fixing the refunds on milk and milk products exported in the natural state

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 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund ;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds⁽³⁾, as amended by Regulation (EEC) No 2429/72⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of :

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade ;
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination ;
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market ;

— the need to avoid disturbances on the Community market ; and

— the economic aspect of the proposed exports ;

Whereas Article 3 (1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of :

- (a) prices ruling on third country markets ;
- (b) the most favourable prices in third countries of destination for third country imports ;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries ; and
- (d) free-at-Community-frontier offer prices ;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination ;

Whereas Article 5 (1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks ; whereas the amount of the refund may, however, remain at the same level for more than four weeks ;

Whereas Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products⁽⁵⁾, as last amended by Regulation (EEC) No 37/75⁽⁶⁾, provides that the refund on products falling within subheading 04.02 B is equal to the sum of two

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 5, 9. 1. 1975, p. 7.

components, the first representing the quantity of milk products and the second representing the quantity of added sucrose; whereas, however, the latter component applies only if the added sucrose was produced from beet or cane harvested within the Community;

Whereas for the products falling within subheading 04.02 B II a) or 04.02 B II b) 1 with a fat content not exceeding 9.5 % by weight the first component referred to above is fixed for 100 kg of the whole product; whereas for the other products falling within subheading 04.02 B this component is calculated by multiplying the basic amount by the milk product content of the product in question; whereas this basic amount is the refund on 1 kilogramme of milk products contained in the product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

Whereas, if the refund system is to operate normally, refunds 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 the special conditions concerning the payment of the refund for skimmed-milk powder for use as feed in the country of destination were laid down in Regulation (EEC) No 2054/76⁽³⁾;

Whereas it follows from applying these rules to the present situation on the market in milk and milk products, and in particular to prices for these products within the Community and on the world market, that the refund should be fixed at the amounts shown in the Annex to this Regulation;

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. The refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state are hereby fixed at the amounts shown in the Annex.

2. No refunds are fixed for exports to Zone E for products falling within heading Nos 04.01, 04.02, 04.03 and 23.07 of the Common Customs Tariff.

Article 2

This Regulation shall enter into force on 29 November 1976.

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

Done at Brussels, 26 November 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 228, 20. 8. 1976, p. 17.

ANNEX

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % :		
	I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of 2 litres or less	0110 00	4·61
	b) Other	0120 00	—
	II. Others :		
	a) In immediate packings of a net capacity of 2 litres or less and of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) of a fat content, by weight, not exceeding 1·5 %	0130 10	1·14
	(bb) of a fat content, by weight, exceeding 1·5 % but not exceeding 3 %	0130 22	
	for exports to :		
	— countries near the Community		4·02
	— other destinations		5·04
	(cc) of a fat content, by weight, exceeding 3 %	0130 31	
	for exports to :		
	— countries near the Community		5·71
	— other destinations		7·32
	2. Exceeding 4 %	0140 00	
	for exports to :		
	— countries near the Community		6·13
	— other destinations		8·51
	b) Other of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) of a fat content, by weight, not exceeding 1·5 %	0150 10	1·14
	(bb) of a fat content, by weight, exceeding 1·5 % but not exceeding 3 %	0150 21	4·16
	(cc) of a fat content, by weight, exceeding 3 %	0150 31	5·02
	2. Exceeding 4 %	0160 00	5·41
	ex B. Other, excluding whey, of a fat content, by weight :		
	ex I. Exceeding 6 % but not exceeding 21 % :		
	(a) of a fat content, by weight, not exceeding 10 %	0200 05	15·14
	(b) of a fat content, by weight, exceeding 10 % but not exceeding 17 %	0200 11	23·56
	(c) of a fat content, by weight, exceeding 17 %	0200 21	35·59
	II. Exceeding 21 % but not exceeding 45 % :		
	(a) of a fat content, by weight, not exceeding 39 %	0300 10	42·47
	(b) of a fat content, by weight, exceeding 39 %	0300 20	73·41
	III. More than 45 % :		
	(a) of a fat content, by weight, not exceeding 68 %	0400 11	83·72
	(b) of a fat content, by weight, exceeding 68 % but not exceeding 80 %	0400 22	123·24
	(c) of a fat content, by weight, exceeding 80 %	0400 30	143·87

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar :		
	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 00	64.85
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) of a fat content, by weight, not exceeding 11 %	0720 00	64.85
	(bb) of a fat content, by weight, exceeding 11 % but not exceeding 17 %	0720 20	76.80
	(cc) of a fat content, by weight, exceeding 17 % but not exceeding 25 %	0720 30	82.77
	(dd) of a fat content, by weight, exceeding 25 %	0720 40	90.67
	3. Exceeding 27 % but not exceeding 29 %	0820 00	92.66
	4. Exceeding 29 % :		
	(aa) of a fat content, by weight, not exceeding 41 %	0920 10	94.62
	(bb) of a fat content, by weight, exceeding 41 %	0920 20	106.49
	b) Other, excluding products containing fish meal or fish oil or fish liver oil and iron carbonate or sulphate, of a fat weight content :		
	1. Not exceeding 1.5 %	1020 00	64.85
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) of a fat content, by weight, not exceeding 11 %	1120 10	64.85
	(bb) of a fat content, by weight, exceeding 11 % but not exceeding 17 %	1120 20	76.80
	(cc) of a fat content, by weight, exceeding 17 % but not exceeding 25 %	1120 30	82.77
	(dd) of a fat content, by weight, exceeding 25 %	1120 40	90.67
	3. Exceeding 27 % but not exceeding 29 %	1220 00	92.66
	4. Exceeding 29 % :		
	(aa) of a fat content, by weight, not exceeding 41 %	1320 10	94.62
	(bb) of a content, by weight, exceeding 41 %	1320 20	106.49

CCT heading No	Description of goods	Code	Refund (in u.s./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	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 containing 0.5 litres or less and of a fat content, by weight, not exceeding 11 % :		
	ex 1. Of a fat content, by weight, not exceeding 8.9 % :		
	(aa) of a fat content, by weight, exceeding 3 % but not exceeding 7.4 %	1420 11	14.44
	(bb) of a fat content, by weight, exceeding 7.4 %	1420 21	19.39
	2. Other	1520 00	23.00
	b) Other, of a fat content, by weight :		
	ex 1. Not exceeding 45 % :		
	(aa) of a fat content, by weight, exceeding 3 % but not exceeding 7.4 %	1620 11	14.44
	(bb) of a fat content, by weight, exceeding 7.4 % but not exceeding 8.9 %	1620 21	19.39
	(cc) of a fat content, by weight, exceeding 8.9 % but not exceeding 11 %	1620 30	23.00
	(dd) of a fat content, by weight, exceeding 11 % but not exceeding 21 %	1620 40	23.56
	(ee) of a fat content, by weight, exceeding 21 % but not exceeding 39 %	1620 50	42.47
	(ff) of a fat content, by weight, exceeding 39 %	1620 60	73.41
	2. Exceeding 45 %	1720 00	83.72
	B. Containing added sugar :		
	I. Milk and cream, in powder or granules :		
	ex b) Other, excluding whey :		
	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 %	2220 00	0.6485 ⁽¹⁾ per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) of a fat content, by weight, not exceeding 11 %	2320 10	0.6485 ⁽¹⁾ per kg
	(22) of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2320 20	0.7680 ⁽¹⁾ per kg
	(33) of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2320 30	0.8277 ⁽¹⁾ per kg
	(44) of a fat content, by weight, exceeding 25 %	2320 40	0.9067 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) of a fat content, by weight, not exceeding 41 %	2420 10	0.9266 ⁽¹⁾ per kg
	(22) of a fat content, by weight, exceeding 41 %	2420 20	1.0649 ⁽¹⁾ per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2520 00	0.6485 ⁽¹⁾ per kg

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) of a fat content, by weight, not exceeding 11 %	2620 10	0.6485 ⁽¹⁾ per kg
	(22) of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0.7680 ⁽¹⁾ per kg
	(33) of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	0.8277 ⁽¹⁾ per kg
	(44) of a fat content, by weight, exceeding 25 %	2620 40	0.9067 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) of a fat content, by weight not exceeding 41 %	2720 10	0.9266 ⁽¹⁾ per kg
	(22) of a fat content, by weight, exceeding 41 %	2720 20	1.0649 ⁽¹⁾ per kg
	ex II. Milk and cream, excluding whey other than in powder or granules :		
	ex 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 % :		
	(1) of a fat content, by weight, not exceeding 6.9 % and of a lactic dry matter content, by weight of 15 % or more	2810 10	13.96 ⁽²⁾
	(2) of a fat content, by weight, exceeding 6.9 % and of a lactic dry matter content, by weight of 15 % or more	2810 20	23.80 ⁽²⁾
	b) Other, of a fat content, by weight :		
	ex 1. Not exceeding 45 % :		
04.03	(aa) of a fat content, by weight, not exceeding 6.9 % and of lactic dry matter content, by weight of 15 % or more	2910 70	13.96 ⁽²⁾
	(bb) of a fat content, by weight, exceeding 6.9 % but not exceeding 21 % and of a lactic dry matter content, by weight, of 15 % or more	2910 76	23.80 ⁽²⁾
	(cc) of a fat content, by weight, exceeding 9.5 % but not exceeding 21 % and of a lactic dry matter content, by weight, less than 15 %	2910 80	0.2356 ⁽¹⁾ per kg
	(dd) of a fat content, by weight, exceeding 21 % but not exceeding 39 %	2910 85	0.4247 ⁽¹⁾ per kg
	(ee) of a fat content, by weight, exceeding 39 %	2910 90	0.7341 ⁽¹⁾ per kg
	2. Exceeding 45 %	3010 00	0.8372 ⁽¹⁾ per kg
	Butter :		
	ex A. Of a fat content, by weight, not exceeding 85 % :		
	(I) of a fat content, by weight, of 62 % or more, but less than 78 %	3110 05	109.59

CCT heading No	Description of goods	Code	Refund (in u.s./100 kg net weight unless otherwise indicated)
04.03 (cont'd)	(II) of a fat content, by weight, of 78 % or more, but less than 80 %	3110 16	137.89
	(III) of a fat content, by weight, of 80 % or more, but less than 82 %	3110 22	141.42
	(IV) of a fat content, by weight, of 82 % or more	3110 32	144.96
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99.5 %	3210 10	144.96
	(II) Exceeding 99.5 %	3210 20	194.90
04.04	Cheese and curd :		
	ex. A. Emmentaler and Gruyère, not grated or powdered :		
	II. Other	3800 00	
	for exports to :		
	— Zone D		36.15
	— Zone E		—
	— Canada		48.00
	— Liechtenstein and Switzerland		—
	— Austria		35.34
	— other destinations		90.71
	ex. C. Blue-veined cheese, not grated or powdered, other than Roquefort :	4000 00	
	for exports to :		
	— Zone D		56.39
	— Zone E		7.00
	— Canada		39.40
	— other destinations		74.86
	D. Processed cheese, not grated or powdered :		
	II. Other, of a fat content, by weight :		
	a) Not exceeding 36 % and of a fat content, by weight, in the dry matter :		
	ex 1. Not exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 %	4410 10	
	for exports to :		
	— Zone D		7.78
	— Zone E		9.00
	— Canada		14.78
	— Switzerland		5.30
	— other destinations		30.63
	(bb) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 %	4410 20	
	for exports to :		
	— Zone D		7.78
	— Zone E		9.00
	— Canada		14.78
	— Switzerland		5.30
	— other destinations		30.63

CCT heading No	Description of goods	Code	Refund (in u.s./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Of 20 % or more for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	4410 30	11.49 13.00 21.84 7.84 45.37
	(cc) Of 43 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 % for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	4410 40	7.78 9.00 14.78 5.30 30.63
	(22) Of 20 % or more but less than 40 % for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	4410 50	11.49 13.00 21.84 7.84 45.37
	(33) Of 40 % or more for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	4410 60	16.78 19.00 31.90 11.44 66.37
	ex 2. Exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 % for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	4510 10	7.78 9.00 14.78 5.30 30.63
	(bb) Of 38 % or more but less than 43 % for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	4510 20	11.49 13.00 21.84 7.84 45.37
	(cc) Of 43 % or more but less than 46 % for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	4510 30	16.78 19.00 31.90 11.44 66.37

CCT heading No	Description of goods	Code	Refund (in u.s./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(dd) Of 46 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 55 %	4510 40	
	for exports to :		
	— Zone D		16.78
	— Zone E		19.00
	— Canada		31.90
	— Switzerland		11.44
	— other destinations		66.37
	(22) Of 55 % or more	4510 50	
	for exports to :		
	— Zone D		19.91
	— Zone E		23.00
	— Canada		37.85
	— Switzerland		13.58
	— other destinations		78.79
	b) Exceeding 36 %	4610 00	
	for exports to :		
	— Zone D		19.91
	— Zone E		23.00
	— Canada		37.85
	— Switzerland		13.58
	— other destinations		78.79
	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 not-fatty matter :		
	ex a) Not exceeding 47 % :		
	(1) Grana, Parmigiano Reggiano	4710 11	
	for exports to :		
	— Zone D		116.64
	— Zone E		56.50
	— Canada		88.00
	— Switzerland		91.64
	— other destinations		116.64
	(2) Fiore Sardo. Pecorino	4710 16	
	for exports to :		
	— Zone D		125.27
	— Zone E		67.50
	— Canada		89.50
	— Switzerland		100.27
	— other destinations		125.27
	(3) Other, of a fat content, by weight, in the dry matter of 30 % or more	4710 21	
	for exports to :		
	— Zone D		116.64
	— Zone E		56.50
	— Canada		88.00
	— Switzerland		91.64
	— other destinations		116.64

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	b) Exceeding 47 % but not exceeding 72 % : 1. Cheddar, including Chester : ex bb) Other, of a fat content, by weight, in the dry matter of 48 % or more for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations ex 5. Other, of a fat content, by weight, in the dry matter : (aa) Less than 5 % and of a content, by weight in the dry matter of 32 % or more for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations (bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations (cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations (dd) Of 39 % or more : (11) Asiago, Caciocavallo, Provolone, Ragusano for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations (22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	4850 00 5120 11 5120 15 5120 21 5120 31 5120 44	23.47 — 28.00 16.00 84.50 5.85 — 12.50 3.99 32.43 6.46 — 29.90 4.40 54.54 6.94 — 35.57 4.73 66.12 84.20 49.50 77.50 15.30 116.23 32.14 3.20 40.90 23.75 77.12

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio for exports to :	5120 54	
	— Zone D		32.14
	— Zone E		3.20
	— Canada		35.35
	— Switzerland		23.75
	— other destinations		66.74
	(44) Cantal	5120 58	
	for exports to :		
	— Zone D		23.47
	— Zone E		6.60
	— Canada		41.70
	— Switzerland		16.00
	— other destinations		79.13
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more for exports to :	5120 59	
	— Zone E		10.00
	— Canada		20.00
	— other destinations		35.03
	(66) Feta	5120 82	
	for exports to :		
	— Zone D		15.00 ⁽⁴⁾
	— Zone E		2.15 ⁽⁴⁾
	— Canada		34.00 ⁽⁴⁾
	— Switzerland		12.00 ⁽⁴⁾
	(77) Colby, Monterey for exports to :	5120 83	
	— Zone D		23.47
	— Zone E		—
	— Canada		41.70
	— Switzerland		16.00
	— other destinations		79.13
	(88) Other, of a water content, calculated by weight, of the non-fatty matter :	5120 86	
	(aaa) Exceeding 47 % but not exceeding 52 %		
	for exports to :		
	— Zone D		25.00
	— Switzerland		15.00
	— Zone E		38.00
	— Canada		62.50
	— other destinations		85.00
	(bbb) Exceeding 52 % but not exceeding 62 % for exports to :	5120 91	
	— Zone D		32.14
	— Zone E		3.20
	— Canada		40.90
	— Switzerland		23.75
	— other destinations		77.12

CCT heading No	Description of goods	Code	Refund (in u.s./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	II. Other : ex) a) Grated or powdered, of a fat content by weight exceeding 20 %, of a lactose content by weight, less than 5 % and of a dry matter content, by weight : (1) of 80 % or more but less than 85 % for exports to : — Zone E — Canada — other destinations (2) of 85 % or more but less than 95 % for exports to : — Zone E — Canada — other destinations (3) of 95 % or more for exports to : — Zone E — Canada — other destinations	5310 10 5310 21 5310 30	15-00 33-50 56-25 20-00 39-50 70-59 25-00 45-00 82-26
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : ex B. Other, containing starch, glucose or glucose syrup falling within sub-headings 17.02 B and 17.05 B, or milk products, excluding special compound feedingstuffs (*) : I. Containing starch, or glucose or glucose syrup : a) Containing no starch or containing 10 % or less by weight of starch : 3. Containing 50 % or more but less than 75 % by weight of milk products and containing, by weight, milk powder of a fat content, by weight, not exceeding 11 %, excluding whey powder : (aa) less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more 4. Containing 75 % or more by weight of milk products and containing, by weight, milk powder of a fat content, by weight, not exceeding 11 %, excluding whey powder : (aa) less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more but less than 75 % (gg) 75 % or more but less than 80 % (hh) 80 % or more	5700 12 5700 22 5700 32 5700 41 5700 51 5700 61 5800 12 5800 22 5800 31 5800 41 5800 51 5800 61 5800 71 5800 81	— 20-75 27-24 33-72 40-21 46-69 — 20-75 27-24 33-72 40-21 46-69 49-93 53-18

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
23.07 (cont'd)	II. Containing no starch, glucose or glucose syrup, but containing milk products, containing, by weight, milk powder of a fat content, by weight, not exceeding 11 %, excluding whey powder : (a) 50 % or more but less than 60 % (b) 60 % or more but less than 70 % (c) 70 % or more but less than 80 % (d) 80 % or more	5900 11 5900 21 5900 31 5900 41	33-72 40-21 46-69 53-18

(¹) The weight of added non-lactic matter and lactose should be disregarded for the purpose of calculating fat content.

The refund 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) a component calculated in accordance with the provisions of Article 2 (3) Regulation (EEC) No 1098/68.

(²) The refund on 100 kg of product falling within this subheading is equal to the sum of the following components :

(a) the amount per 100 kg shown and

(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

(³) 'Special compound feedingsuffs' are feedingsuffs containing skimmed-milk powder and either:

(a) fish meal or fish oil and/or fish liver oil ;

(b) active carbon and/or a mixture of Tartazine Yellow (E 102) and Patent Blue V (E 131) or Cochianal Red A (E 124) or Patent Blue V (E 131) ;

(c) iron carbonate and/or iron sulphate and/or copper sulphate .

(⁴) This amount applies to the net weight, minus the weight of the brine.

N.B. : — For the purposes of this Regulation 'countries near the Community means : Zone D, Austria, Liechtenstein, Switzerland, Yugoslavia plus the destinations indicated in Article 3 of Regulation (EEC) No 192/75.

— Zones A, B, C, D and E are those defined in Regulation (EEC) No 1098/68 as last amended by Regulation (EEC) No 37/75.

— 'Countries of the Arabian Peninsula' are to be understood in the sense of this Regulation as the following countries situated in the Arabian Peninsula and the territories there connected : Saudi Arabia, Bahrain, Qatar, Kuwait, Sultanate of Oman, Union of Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Ummal, Quaiwain, Fujairah, Ras al Khaimah), Republic of Yemen (Yemen North) and Democratic Popular Republic of Yemen (Yemen South).

The weight of non-milk fat should be disregarded for the purposes of calculating fat content.

COMMISSION REGULATION (EEC) No 2871/76

of 26 November 1976

concerning the issue of an invitation to tender to the World Food Programme for use as food aid of vitaminized skimmed-milk powder to be purchased on the Community market for Egypt

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 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 10 000 metric tons of skimmed-milk powder should be made available to the WFP;

Whereas the WFP has requested the delivery of 4 335 metric tons of vitaminized skimmed-milk powder for Egypt;

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 purposes 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 WFP 4 335 metric tons of vitaminized skimmed-milk powder to be purchased on the Community market for Egypt and divided into the following lots:

- Lot A1: 1 000 metric tons,
- Lot A2: 1 000 metric tons,
- Lot A3: 1 000 metric tons,
- Lot A4: 1 000 metric tons,
- Lot B: 335 metric tons.

2. The skimmed-milk powder shall meet:

- as to quality, the requirements set out in the Annex to this Regulation,
- as to packing, the requirements set out in Annex I to Commission Regulation (EEC) No 1108/68 of 27 July 1968 on detailed rules of application for intervention for public storage of skimmed-milk powder ⁽⁶⁾, as last amended by Regulation (EEC) No 1457/76 ⁽⁷⁾.

3. The packing of the skimmed-milk powder shall bear in letters at least 1 cm high, the following marking:

'Skimmed-milk powder enriched with vitamins A and D / Gift of the European Economic Community / World Food Programme action / Alexandrie.'

4. In addition the successful tenderer shall supply 5 % empty bags identical 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 224, 16. 8. 1976, p. 2.

⁽⁶⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽⁷⁾ OJ No L 145, 6. 6. 1975, p. 17.

Article 2

1. The port of embarkation to be specified in the tender shall be chosen from among Community ports accessible for ocean-going ships having regular lines to the country of destination.

A tender may only indicate one port.

2. The delivery at the port of embarkation shall take place on a date fixed by the intervention agency concerned, which shall be after 15 and before 28 February 1977.

3. The time limit for the submission of tenders shall be 14 December 1976 at 12 noon.

Article 3

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. 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.

3. The tender may only be submitted to the intervention agency of the Member State on whose territory the manufacture of the vitaminized skimmed-milk powder and its packaging, in accordance with Article 1 (2), take place.

4. A tender shall only be valid if it relates to the whole of a lot put up to tender. As regards Lots A1 to A4 the tenderer shall specify for how many lots his tender is valid.

5. A tender shall indicate in particular:

- (a) the name and address of the tenderer;
- (b) the port or ports of embarkation, chosen from among ports specified in Article 2 (1);
- (c) the price, exclusive of taxes, expressed in the currency of the Member State in which the tenderer undertakes to supply, in accordance with the specification laid down in the Annex, the entire quantity subject to the tender.

Such price shall be inclusive of transport insurance costs to the stage referred to in Article 7 for delivery.

6. A tender shall be valid only if 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.

7. No tender may be withdrawn.

Article 4

1. The tendering and delivery 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 amount, 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 communicate to the Commission the tenderers' names and addresses.

Article 7

1. The tenderer shall, on the date fixed by the WFP, deliver at the port specified in the tender a quantity of skimmed-milk powder equal to the quantity there specified. Any schedule for instalment deliveries shall be agreed between the successful tenderer and the agent of the WFP.

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

Article 8

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 Article 1 (2).

2. If the goods are found to satisfy those requirements, as mentioned in Article 1 (2), the agency shall provide the successful tenderer with a certificate to that effect.

3. Upon delivery of the goods at the port of embarkation, the WFP agent shall hand to the successful tenderer, acting as agent for the Community, a letter of acceptance. This letter of acceptance shall state that the quantity of skimmed-milk powder in question as well as the empty bags specified in Article 1 (4), have been taken at the stage specified in Article 7.

Article 9

If the port of loading specified in the tender is situated in a Member State other than that in which the tender was submitted, the goods shall, on completion of the control specified in Article 8 (1), be placed under customs control with the object of ensuring that they are delivered 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 2871/76) to be shipped from the port of ...'
- 'Livraison de lait écrémé en poudre à titre d'aide alimentaire (règlement (CEE) n° 2871/76) destinée à être embarquée au port de ...',
- 'Lieferung von Magermilchpulver als Nahrungsmittelhilfe (Verordnung (EWG) Nr. 2871/76) zur Verschiffung im Hafen von ... bestimmt',

⁽¹⁾ OJ No L 295, 24. 11. 1969, p. 14.

⁽²⁾ OJ No L 66, 13. 3. 1973, p. 23.

- 'Fornitura di latte scremato in polvere a titolo di aiuto alimentare (regolamento (CEE) n. 2871/76) destinata ad essere imbarcata nel porto di ...',
- 'Levering van magere-melkpoeder als voedselhulp (Verordening (EEG) nr. 2871/76) bestemd om te worden verscheept in de haven van ...',
- 'Levering af skummetmælkspulver som fødevarerhælp (forordning (EØF) nr. 2871/76 bestemt til lastning i havnen i ...'

Article 10

1. Except in cases of *force majeure*, the tendering and delivery 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 8 (2) and (3).

2. Release of the security shall take place immediately.

Article 11

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

Article 12

The amount referred to in Article 3 (5) (c) shall be paid only on production of the certificate provided for in Article 8 (2) and (3).

Article 13

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 at the place and in due time, the WFP having facilitated 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 14

The intervention agency concerned shall pay to the WFP within 30 days after acceptance of each delivery of skimmed-milk powder, a flat-rate contribution of

80 units of account per metric ton of skimmed-milk powder delivered towards the costs of transporting and distributing such skimmed-milk powder.

Article 15

No refund or compensatory amount (whether monetary or accession) shall be applicable in respect of

skimmed-milk powder supplied under this Regulation.

Article 16

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, 26 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

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 % maximum)
(h) degree of purity :	disc B (15.0 mg minimum)
(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

COMMISSION REGULATION (EEC) No 2872/76

of 26 November 1976

opening an invitation to tender for the mobilization of common wheat flour as food aid for the Catholic Relief Services

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas on 25 March 1976 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 1 000 metric tons of common wheat (in other words 662 metric tons of common wheat flour) to the Catholic Relief Services under its 1975/76 food-aid programme;

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

Whereas the proposed invitation to tender should be for supply of the products to the dock or in the lighter where applicable at the port of unloading;

Whereas tenders may be submitted by tenderers established 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 time limits specified, it must be made clear who is to bear the liability for any resulting costs;

Whereas provision should be made for security to be given for the purpose of guaranteeing that the obligations arising by virtue of participation in the invitation to tender for supplies to the Catholic Relief Services will be fulfilled;

Whereas the Belgian intervention agency should be made responsible for the tendering procedure;

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 envisaged should be adopted in accordance with the conditions 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 Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the Catholic Relief Services by way of Community action, of 662 metric tons of common wheat flour.
2. The tendering procedure shall take place in Belgium in three lots. The product shall be mobilized on the Community market. The products shall be loaded for departure from any Community port.
3. The invitation to tender provided for in paragraph 1 is for supply of products to the dock, or in the lighter where applicable in one of the ports of unloading listed in the Annex hereto.
4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks of a net capacity of 50 kilogrammes.

⁽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.

The following shall be printed on the sacks :

'Harina de trigo — Donación de la Comunidad económica europea para Cathwel Chile — Destinada a la distribución gratuita.'

Article 2

1. The decision on tenders received in response to the invitation provided in Article 1 shall be taken on 10 December 1976.
2. The closing date for the submission of tenders shall be 10 December 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 the 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

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 6

1. The common wheat flour referred to in Article 1 must meet the following requirements :

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

Flour not meeting these requirements shall be refused.

2. Tenders for supply of the common wheat flour referred to in Article 1 must relate to a product with the following characteristics :

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

Article 7

1. The Belgian intervention agency shall be responsible for the operations relating to 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 ask that the tenderer specifies the following information :

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging ;
- (b) the date of the departure of the ships, the expected date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information provided for to the Commission as soon as it is received.

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 8

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, 26 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

Number of lot	Port of unloading	Minimum rate of unloading	Metric tonnage cif
1	Valparaiso	Customs of the port	200
2	Coquimbo		172
3	Talcahuano		290

COMMISSION REGULATION (EEC) No 2873/76**of 26 November 1976****derogating from Regulation (EEC) No 223/76 setting up a system linking imports of beef and veal products effected by way of protective measures with the sale of preserved beef 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 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 Articles 7 (3) and 21 (2) thereof,

Whereas the third subparagraph of Article 2 (3) of Commission Regulation (EEC) No 223/76 of 30 January 1976 setting up a system linking imports of beef and veal products effected by way of protective measures with the sale of preserved beef held by intervention agencies ⁽³⁾ provides that the time limit for the submission of tenders is to expire on the third Monday of each month at 12 noon; whereas, in December, it is advisable for administrative reasons to bring forward the submission of tenders to the second Monday of the month;

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

By way of derogation from the third subparagraph of Article 2 (3) of Regulation (EEC) No 223/76, the time limit for the submission of tenders in December shall expire on the second Monday of that month at 12 noon.

Article 2

This Regulation shall enter into force on 29 November 1976.

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

Done at Brussels, 26 November 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 26, 31. 1. 1976, p. 59.

COMMISSION REGULATION (EEC) No 2874/76

of 26 November 1976

fixing, for certain products processed from fruit and vegetables, the export refunds provided for in Article 3a of Regulation (EEC) No 865/68

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 865/68 of 28 June 1968 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1164/76⁽²⁾, and in particular the first sentence of Article 3a (4) thereof,

Whereas Article 3a of Regulation (EEC) No 865/68 provides that, where required in order to permit the exportation on the basis of prices ruling in international trade of economically important products not containing added sugar being products listed in Article 1, the difference between the aforesaid prices and Community prices may be covered by an export refund;

Whereas Article 3a (5) of the said Regulation provides that where the refund fixed pursuant to Article 3 is not sufficient to permit exports of the products containing added sugar covered by Regulation (EEC) No 865/68, the provisions of Article 3a rather than those of Article 3 shall apply to such products;

Whereas Article 2 of Council Regulation (EEC) No 1426/71 of 2 July 1971 laying down general rules for granting export refunds on products processed from fruit and vegetables and criteria for fixing the amount of such refunds⁽³⁾ provides that refunds are to be fixed taking into account the existing situation and future trends with regard, on the one hand, to prices and availabilities on the Community market of products processed from fruit and vegetables and, on the other hand, to prices ruling in international trade; whereas account also has to be taken of the costs referred to in (b) of the said Article and of the economic aspect of the proposed exports;

Whereas Article 3 of Regulation (EEC) No 1426/71 provides that when prices on the Community market are being determined account shall be taken of the ruling prices which are most favourable from the point of view of exportation; whereas when prices in

international trade are being determined account is to be taken of the prices referred to in paragraph 2 of the said Article;

Whereas peeled tomatoes, tomato concentrate and tomato, orange and lemon juice are economically important products not containing added sugar, while in the case of cherries in syrup no refund such as would permit exportation has been fixed pursuant to Article 3 of Regulation (EEC) No 865/68; whereas under these circumstances it is necessary to fix for these products the refund provided for in Article 3a of Regulation (EEC) No 865/68;

Whereas it follows from applying these rules and criteria to the present situation on the market, and in particular to prices within the Community and on the world market for products processed from fruit and vegetables, that the refund should be fixed as indicated below;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds provided for in Article 3a of Regulation (EEC) No 865/68 shall be as specified in the Annex hereto.
2. The provisions of Article 6 (1) (b) of Commission Regulation (EEC) No 192/75 of 17 January 1975 laying down detailed rules for the application of export refunds in respect of agricultural products⁽⁴⁾ shall apply to exports of tomato concentrate of the kinds specified in the Annex hereto.

Article 2

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

⁽¹⁾ OJ No L 153, 1. 7. 1968, p. 8.

⁽²⁾ OJ No L 135, 24. 5. 1976, p. 38.

⁽³⁾ OJ No L 151, 7. 7. 1971, p. 3.

⁽⁴⁾ OJ No L 25, 31. 1. 1975, p. 1.

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

Done at Brussels, 26 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

CCT heading No	Description of goods	Amount in u.a./100 kg of product (including immediate packings)
ex 20.02 C	Peeled tomatoes	10.00 ⁽¹⁾
ex 20.02 C	Tomato concentrate :	
	— Dry extract content :	
	— 12 % and over, but less than 18 %	11.26 ⁽¹⁾
	— 18 % and over, but less than 28 %	17.25 ⁽¹⁾
	— 28 % and over, but less than 36 %	21.00 ⁽¹⁾
	— 36 % and over, but less than 95 %	27.02 ⁽¹⁾
	— 95 % and over	71.40 ⁽¹⁾
ex 20.06 B	Cherries in syrup (weight of fruit, net of juice, not less than 50 % of total weight, not including immediate packing)	6.00 ⁽²⁾
ex 20.07	Tomato juice	3.00
ex 20.07	Pure orange juice, with no other substances added :	
	— Not concentrated (between 10 and 12 degrees Brix value)	1.74
	— Concentrated :	
	— Per unit of concentration (11 degrees Brix value)	1.74
ex 20.07	Pure lemon juice, with no other substances added :	
	— Not concentrated (between 7 and 11 degrees Brix value)	0.74
	— Concentrated :	
	— Per unit of concentration (9 degrees Brix value)	0.74

⁽¹⁾ For exports to all third countries, with the exception of North America.

⁽²⁾ This refund replaces that provided for in Article 3 of Regulation (EEC) No 865/68.

COMMISSION REGULATION (EEC) No 2875/76**of 26 November 1976****specifying the quantities of frozen beef forming the second instalment of products to be transferred to the Italian intervention agency pursuant to Council Regulation (EEC) No 2453/76**

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 7 (3) thereof,

Having regard to Council Regulation (EEC) No 2453/76 of 5 October 1976 on the transfer to the Italian intervention agency of frozen beef held by the intervention agencies of other Member States ⁽³⁾, and in particular Article 1 (2) thereof,

Whereas Article 1 (3) of Commission Regulation (EEC) No 2697/76 of 5 November 1976 laying down rules for the application of Regulation (EEC) No 2453/76 on the transfer to the Italian intervention agency of frozen beef held by the intervention agencies of other Member States ⁽⁴⁾, provides that approxi-

mately 35 % of the total quantities to be transferred to Italy should be available on 1 January 1977; whereas consequently the products and the quantities comprising that second instalment of frozen beef should be specified;

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 products and quantities comprising the second instalment of frozen beef to be transferred to Italy under Council Regulation (EEC) No 2453/76 are shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 November 1976.

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

Done at Brussels, 26 November 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 279, 9. 10. 1976, p. 3.

⁽⁴⁾ OJ No L 304, 6. 11. 1976, p. 19.

ANNEXE — ANHANG — ALLEGATO — BIJLAGE — ANNEX — BILAG

État membre Mitgliedstaat Stati membri Lid-Staat Member State Medlemsstat	Produits Erzeugnisse Prodotti Produkten Products Produkter	Quantités (tonnes) Mengen (Tonnen) Quantità (tonnellate) Hoeveelheid (ton) Quantities (metric tons) Mængde (tons)
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a) Viande avec os — Fleisch mit Knochen — Carni con osso — Vlees met been — Unboned beef — Ikke udbenet kød

BELGIQUE/BELGIË	— Quartiers avant, découpe droite à 8 côtes, provenant des :	
	— Voorvoeten, recht afgesneden op 8 ribben, afkomstig van :	
	— Bœufs 55 % / Ossen 55 %	20
	— Taureaux 55 % / Stieren 55 %	26
	— Quartiers arrière, découpe droite à 5 côtes, provenant des :	
	— Achtervoeten, recht afgesneden op 5 ribben, afkomstig van :	
BUNDESREPUBLIK DEUTSCHLAND	— Bœufs 55 % / Ossen 55 %	24
	— Taureaux 55 % / Stieren 55 %	28
	— Hinterviertel, gerade Schnitfführung mit 5 Rippen, stammend von :	
	— Bullen A	4 000
	— Ochsen A	500
FRANCE	— Quartiers avant, découpe à 5 côtes, les caparaçons faisant partie du quartier avant, provenant des :	
	— jeunes bovins R, A, N	590
	— bœufs R, A, N	1 490
	— Quartiers arrière, découpe à 8 côtes, dite « pistola », provenant des :	
	— jeunes bovins R, A, N	710
	— bœufs R, A, N	1 490
IRELAND	— Hindquarters, straight cut at third rib, from :	
	— Steers 1 and 2	400
	— Heifers 2	100
NEDERLAND	— Achtervoeten, recht afgesneden op 5 ribben, afkomstig van :	
	— Stieren, 1e kwaliteit	2 000

b) Viande désossée — Fleisch ohne Knochen — Carni senza osso — Vlees zonder been — Boned beef — Udbenet kød

DANMARK	— Udbenede bagfjerdinge, uden fileter og mørbrad af :	
	— Kvier 1	120
	— Ungtyre 1	1 680
IRELAND	— Boned beef from Steers 1 and 2 and Heifers 2 :	
	— Striploins	138
	— Insides	184
	— Outsides	230
	— Knuckles	101
	— Rumps	112
	— Cube rolls	43
	— Forequarters excluding the cube rolls	500

COMMISSION REGULATION (EEC) No 2876/76**of 26 November 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 2853/76⁽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 27 November 1976.

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

Done at Brussels, 26 November 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 327, 26. 11. 1976, p. 24.

ANNEX

to the Commission Regulation of 26 November 1976 fixing the import levies on white sugar and raw sugar

(u.a./100 kg)		
CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid:	
	A. White sugar	19.34
	B. Raw sugar	18.34 ⁽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.

**Notice of the entry into force of the Commercial Cooperation Agreement
between the European Economic Community and the People's Republic of
Bangladesh**

The exchange of instruments of notification of the completion of the procedures necessary for the entry into force of this Agreement, which was signed on 19 October 1976, took place at Brussels on 25 November 1976; the Agreement therefore comes into force, in accordance with Article 15 thereof, on 1 December 1976.
