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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2929/76

of 29 November 1976

increasing the Community tariff quota opened for 1976 for unwrought magnesium falling within subheading 77.01 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 Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas, for unwrought magnesium falling within subheading 77.01 A of the Common Customs Tariff, a Community tariff quota for 1976 totalling 9 350 metric tons was opened by the Council and allocated among the Member States by Regulations (EEC) No 126/76 ⁽¹⁾ and (EEC) No 1630/76 ⁽²⁾;

Whereas the economic data at present available with regard to the consumption, production, exports to non-member countries, imports under the inward processing or other preferential tariff arrangements and to the abnormal stocks existing in one Member State on 31 December 1975 enable it to be estimated that Community requirements for imports from non-member countries could reach, in the course of 1976, a level of 25 000 metric tons; whereas in view of the quota volume already opened by the abovementioned Regulations, of the uncertainty as to the levels which Community production and consumption might reach and of the quantities available within the Community either from stocks accumulated in 1975 or from production in 1976, the increase should be limited to 3 750 metric tons;

Whereas in view, moreover, on the one hand of the present requirements in unwrought magnesium with a pure content of not less than 99.95 % and on the other hand of the quantities available in the Community and also the possibility of duty-free imports under agreements concluded by the Community with certain non-acceding EFTA countries, it can be estimated that short-term requirements for imports of

unwrought magnesium may, within the limit of the proposed increase, reach 50 metric tons of unwrought magnesium containing 99.95 % or more by weight of pure magnesium (extra-pure magnesium), 1 000 metric tons of unwrought magnesium containing 99.8 % or more by weight and not exceeding 99.95 % of pure magnesium (unwrought magnesium not in alloy), and 2 700 metric tons of unwrought magnesium containing less than 99.8 % by weight of pure magnesium (unwrought magnesium in alloy);

Whereas as far as the distribution of the above quota volume between Member States is concerned, it is necessary to allot to the Community reserves all the supplementary volumes allocated to extra-pure magnesium and unwrought magnesium in alloy and also a relatively small part of the supplementary volume allocated to unwrought magnesium not in alloy, the balance of this volume being divided among the Member States in accordance with the percentages originally used,

HAS ADOPTED THIS REGULATION:

Article 1

The volume of the Community tariff quota opened by Regulations (EEC) No 126/76 and (EEC) No 1630/76 for unwrought magnesium falling within subheading 77.01 A of the Common Customs Tariff is hereby increased from 9 350 to 13 100 metric tons.

This increase of 3 750 metric tons shall be allocated as follows:

- (a) 50 metric tons of unwrought magnesium containing 99.95 % or more by weight of pure magnesium (extra-pure magnesium), intended for the nuclear industry and under customs supervision or equivalent administrative supervision;

⁽¹⁾ OJ No L 14, 23. 1. 1976, p. 1.

⁽²⁾ OJ No L 181, 7. 7. 1976, p. 4.

- (b) 1 000 metric tons of unwrought magnesium containing not less than 99.8 % but less than 99.95 % by weight of pure magnesium (unwrought magnesium not in alloy);
- (c) 2 700 metric tons of unwrought magnesium containing less than 99.8 % by weight of pure magnesium (unwrought magnesium in alloy).

Article 2

The volumes of 50 metric tons and 2 700 metric tons referred to in Article 1 (a) and (c) allocated to extra-pure unwrought magnesium intended for the nuclear industry and to unwrought magnesium in alloy shall be allotted to the Community reserves set up under Articles 2 (1) and 3 (2) of Regulation (EEC) No 126/76 as amended by Regulation (EEC) No 1630/76, which shall thus be increased from 950 to 1 000 metric tons and from 3 325 to 6 025 metric tons respectively.

Article 3

1. A first tranche of the amount referred to in Article 1 (b), of 900 metric tons of unwrought magne-

sium not in alloy, shall be allocated among the Member States as follows:

	(in metric tons)
Benelux	150.7
Denmark	0.35
Germany	610.2
France	30
Ireland	0.35
Italy	3
United Kingdom	105.4

2. The second tranche of 100 metric tons shall constitute the reserve.

The amount of the reserve for unwrought magnesium not in alloy, provided for in Article 3 (2) of Regulation (EEC) No 126/76, as amended by Regulation (EEC) No 1630/76, shall be increased from 190 to 290 metric tons.

Article 4

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

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

Done at Brussels, 29 November 1976.

For the Council

The President

J. A. van KEMENADE

COUNCIL REGULATION (EEC) No 2930/76**of 29 November 1976****opening, allocating and providing for the administration of a Community tariff quota for unwrought magnesium falling within subheading 77.01 A of the Common Customs Tariff (1977)**

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 an exchange of letters dated 30 June 1967, confirmed in an exchange of letters dated 16 April 1973, the European Economic Community has undertaken, as regards unwrought magnesium falling within tariff subheading 77.01 A, to open an annual Community tariff quota for a quantity such that Community requirements for the said goods not covered by Community production may be imported duty free;

Whereas, in order to establish the volume of the Community tariff quota, an assessment must be made of the total consumption by the user industries of the Member States during the quota year and of the Community production level for the same period; whereas even a very rough assessment of total consumption and production for 1977 would be highly unreliable since it is at present impossible to estimate either the volume of unwrought magnesium used in certain Member States in the year under consideration or the likely level of Community output; whereas, in any case, it is unlikely that Community production will fully meet demand in the quota year; whereas the annual quota volume must therefore be fixed at an appropriate level, probably about 5 500 metric tons; whereas this assessment is based on conservative estimates and later adjustments are not excluded; whereas the duties to be applied by the new Member States under the said tariff quota must comply with the relevant provisions of the Act of Accession;

Whereas the markets in magnesium containing 99.95 % or more by weight of pure magnesium (hereinafter called 'extra-pure magnesium'), in magnesium containing 99.8 % or more, but less than 99.95 % by weight of pure magnesium (hereinafter called 'unwrought magnesium not in alloy') and in magne-

sium containing less than 99.8 % by weight of pure magnesium (hereinafter called 'unwrought magnesium in alloy') differ considerably; whereas a distinction should therefore be made between these three qualities and the quota volume under consideration should be divided between them;

Whereas, taking into account an overall, provisional quota volume of 5 500 metric tons, the following quantities may be allocated to each quality of the product in question: 600 metric tons for extra-pure magnesium, 1 325 metric tons for unwrought magnesium not in alloy and 3 575 metric tons for unwrought magnesium in alloy; whereas these figures appear justified both by the former ratios of consumption of these qualities to total consumption of magnesium and by the supply possibilities for these qualities of magnesium within the Community;

Whereas equal and continuous access to the quota should be ensured for all importers and the rate of levy for the tariff quota should be applied consistently to all imports until the quota is used up; whereas, in the light of the principles outlined above, a Community tariff arrangement based on an allocation between the Member States would seem to preserve the Community nature of the quota; whereas, to represent as closely as possible the actual development of the market in the said goods, the allocation must follow proportionately the requirements of the Member States calculated both from statistics of imports from third countries during a representative reference period and from the economic outlook for the quota year in question;

Whereas, however, the available statistics of imports into the Member States from third countries which did not benefit from an equivalent tariff preference under any other preferential arrangements cover only unwrought magnesium in alloy and unwrought magnesium not in alloy; whereas, during the last three years for which statistics are available, such imports represented the following percentages of total imports of the said goods; whereas, from the information at present to hand, it would seem that imports of extra-pure magnesium are effected almost wholly in the United Kingdom:

— <i>for unwrought magnesium not in alloy:</i>			
	<u>1973</u>	<u>1974</u>	<u>1975</u>
Benelux	6.55	23.18	10.04
Denmark	0	0	0
Germany	69.93	52.96	55.00
France	9.39	7.11	18.18
Ireland	0.01	0.01	0
Italy	3.06	2.21	7.47
United Kingdom	11.06	14.53	9.31
— <i>for unwrought magnesium in alloy:</i>			
	<u>1973</u>	<u>1974</u>	<u>1975</u>
Benelux	3.18	1.72	1.88
Denmark	0	0	0
Germany	93.23	94.26	96.23
France	0	1.57	0
Ireland	0.01	0	0
Italy	3.56	2.05	1.08
United Kingdom	0.02	0.39	0.81

Whereas, in view of these factors and of market forecasts for these products in 1977, it is necessary in the case of extra-pure unwrought magnesium to allocate on an experimental basis the quota volume for this quality to the Community reserve and to provide for Member States which have requirements to be met to be able to draw upon this reserve in appropriate quantities, whereas it is necessary to fix for the other qualities of magnesium initial percentage shares at approximately the following levels:

— <i>for unwrought magnesium not in alloy:</i>	
Benelux	16.74
Denmark	0.04
Germany	67.80
France	3.34
Ireland	0.04
Italy	0.33
United Kingdom	11.71
— <i>for unwrought magnesium in alloy:</i>	
Benelux	2.12
Denmark	0.03
Germany	96.50
France	0.03
Ireland	0.02
Italy	0.80
United Kingdom	0.50

Whereas, in order to take more accurate account of future import trends for unwrought magnesium not in alloy, the total quota volume for these qualities should be divided into two tranches, the first being allocated among the Member States and the second held as a reserve to cover at a later date the requirements of Member States who have used up their initial shares; whereas, in order to guarantee importers some degree

of security, the first tranches should be fixed at 1 195 metric tons of unwrought magnesium not in alloy and 3 150 metric tons of unwrought magnesium in alloy, the balances being held as the reserves;

Whereas the initial shares may be used up more or less quickly; whereas, therefore, in order to avoid disrupting supplies, any Member State which has almost used up one of its initial shares should draw a supplementary share from the relevant reserve; whereas this must be done by each Member State as each one of its supplementary shares is almost used up, as many times as the reserve allows; whereas the initial and supplementary shares must be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to follow the extent to which the quota volume has been used up and inform the Member States thereof;

Whereas if, at a given date in the quota period, a Member State has a considerable quantity of one of its initial shares left over, it is essential that it should return a significant proportion thereof to the relevant reserve, to prevent a part of one or other quota volume from remaining unused in one Member State while it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are 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,

HAS ADOPTED THIS REGULATION:

Article 1

- From 1 January until 31 December 1977 a Community tariff quota of 5 500 metric tons shall be opened in the Community for unwrought magnesium falling within subheading 77.01 A of the Common Customs Tariff.
- The volume of the tariff quota shall be divided as follows:
 - 600 metric tons for unwrought magnesium containing 99.95 % or more by weight of pure magnesium ('extra-pure magnesium'), intended for the nuclear industry, under customs or equivalent administrative control⁽¹⁾;
 - 1 325 metric tons for unwrought magnesium containing not less than 99.8 % or more, but less than 99.95 %, by weight of pure magnesium ('unwrought magnesium not in alloy');

⁽¹⁾ The allocation of this quota is subject to conditions to be determined by the competent authorities.

(c) 3 575 metric tons for unwrought magnesium containing less than 99.8 % by weight of pure magnesium ('unwrought magnesium in alloy').

3. Imports of the said goods shall not be counted under the tariff quota if they are already free of customs duties under other preferential tariff treatment.

4. Within the tariff quota the Common Customs Tariff duties shall be totally suspended.

5. Within the tariff quota the new Member States shall apply duties calculated in accordance with the relevant provisions of the Act of Accession.

Article 2

1. The volume of 600 metric tons referred to in Article 1 (2) (a), allocated to extra-pure unwrought magnesium intended for the nuclear industry, shall be allotted to the Community reserve.

2. If in a Member State a need is felt for extra-pure unwrought magnesium, that State shall draw, to the extent permitted by the amount of the reserve, a sufficient share of the reserve thus set up.

Article 3

1. A first tranche of each of the volumes provided for in Article 1 (2) (b) and (c), which amount to 1 195 metric tons for unwrought magnesium not in alloy and 3 150 metric tons for magnesium in alloy shall be divided among the Member States. The shares, which are valid up to 31 December 1977, subject to Article 6, amount to the following quantities:

(a) for unwrought magnesium not in alloy:

	(in metric tons)
Benelux	200
Denmark	0.5
Germany	810
France	40
Ireland	0.5
Italy	4
United Kingdom	140

(b) for unwrought magnesium in alloy:

	(in metric tons)
Benelux	67
Denmark	1
Germany	3 040
France	1
Ireland	1
Italy	25
United Kingdom	15

2. The second tranches, of 130 and 425 metric tons respectively, shall be held as Community reserves.

Article 4

1. If 90 % or more of one of a Member State's initial shares as specified in Article 3 (1), or of that share minus the portion returned to the relevant reserve where Article 6 is applied, has been used up, that Member State shall without delay, by notifying the Commission, draw a second share equal to 10 % of its initial share, where necessary rounded off upwards to the next unit, in so far as permitted by the amount of the reserve.

2. If, after one or other of its initial shares has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 5 % of its initial share, where necessary rounded off upwards to the next unit.

3. If, after one or other of its second shares has been used, up 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the same conditions, draw a fourth share equal to the third.

This process shall continue to apply until the reserves are used up.

4. Notwithstanding paragraphs 1, 2 and 3, a Member State may draw shares lower than those fixed in these paragraphs if there are grounds for believing that those fixed might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 5

Supplementary shares drawn pursuant to Article 4 shall be valid until 31 December 1977.

Article 6

Member States shall return to the reserve, not later than 1 October 1977, the unused portion of their initial shares which, on 15 September 1977, is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 October 1977, notify the Commission of the total imports of the products concerned effected under the Community quotas up to and including 15 September 1977 and, where appropriate, the proportion of each of their initial shares that they are returning to each of the reserves.

Article 7

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2, 3 and 4 and shall, as soon as it has been notified, inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1977, of the amount still in reserve after amounts have been returned thereto pursuant to Article 6.

It shall ensure that the drawing which uses up a reserve is limited to the balance available and to this end shall specify the amount thereof to the Member State making the last drawing.

Article 8

1. Member States shall take all measures necessary to ensure that supplementary shares drawn pursuant to Article 4 are opened in such a way that imports may be charged without interruption against their accumulated shares in the Community quota.

2. Member States shall ensure that importers established in their territory have free access to the shares allocated to them.

3. The extent to which a Member State has used up its shares shall be determined on the basis of the quantities of the said goods entered for home use.

Article 9

Upon a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 10

The Member States and the Commission shall co-operate closely in order to ensure that this Regulation is observed.

Article 11

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, 29 November 1976.

For the Council

The President

J. A. van KEMENADE

COUNCIL REGULATION (EEC) No 2931/76

of 29 November 1976

opening, allocating and providing for the administration of a Community tariff quota for newsprint falling within subheading 48.01 A of the Common Customs Tariff (1977) and extending this quota to include certain other types of paper

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 the Community has undertaken to open an annual duty-free Community tariff quota of 1 500 000 metric tons of newsprint falling within subheading 48.01 A;

Whereas, in view of present Community production capacity, that quantity is insufficient to meet anticipated import requirements; whereas provision should therefore be made for an autonomous supplementary quota which, according to the estimates submitted, may be fixed at present at 811 000 metric tons; whereas the fact that this figure has been adopted for the autonomous supplementary quota does not rule out a readjustment during the quota period; whereas a Community tariff quota should therefore be opened for 1977 for a total quantity of 2 311 000 metric tons of the product in question;

Whereas provision should be made for extending the tariff quota in question to include certain types of paper fulfilling all the conditions set out in the Additional Note to Chapter 48 except those relating to watermarks;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of duty for the tariff quota should be applied without interruption to all imports of the product in question until the quota is exhausted; whereas in the light of these principles, 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 should be in proportion to the requirements of the Member States as calculated by reference to statistics on

imports from third countries during a representative reference period and to the economic outlook for the year covered by the quota in question;

Whereas, for the last three years for which complete statistics are available, the imports of each of the Member States amounted to the following percentages of total imports of the products in question:

	1973	1974	1975
Benelux	12.18	14.04	14.06
Denmark	6.92	4.89	5.23
Germany	27.04	25.78	27.05
France	9.46	13.46	11.86
Ireland	0	2.12	2.02
Italy	0.32	0.42	0.50
United Kingdom	44.08	39.29	39.28

Whereas, in order to arrive at a proper assessment of those statistics, however, it should be borne in mind that the opening of a Community tariff quota for the enlarged Community may alter the pattern of trade of Member States with third countries; whereas, in view of the above and of the foreseeable trend on the market in newsprint in general, and of production in particular during 1977 the quota may be allocated approximately in the following percentages:

Benelux	13.94
Denmark	6.63
Germany	32.92
France	12.21
Ireland	2.24
Italy	0.05
United Kingdom	32.01

Whereas, to take account of import trends for the product concerned, the quota should be divided into two tranches, the first being allocated among the Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, to give importers some degree of certainty and yet enable Community production to be disposed of on satisfactory terms, the first tranche of the quota should be fixed at about 96 % of the full amount;

Whereas Member States may exhaust their initial shares at different rates; whereas to provide for this eventuality and avoid disruption of supplies any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas each time its additional share is almost exhausted a Member State should draw a further share, and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, which latter must be in a position to keep account of the extent to which the quota has been used up and to inform the Member States accordingly;

Whereas if at a given date in the quota period a considerable quantity of a Member State's initial share remains unused it is essential, to prevent a part of the Community tariff quota from remaining unused in one Member State while it could be used in others, that such State should return a significant proportion thereof to the reserve;

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 transaction in respect of the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period from 1 January to 31 December 1977, a Community tariff quota of 2 311 000 metric tons shall be opened in respect of newsprint falling within subheading 48.01 A of the Common Customs Tariff⁽¹⁾.

2. Member States may charge against this tariff quota the other types of paper complying with the definition of newsprint contained in the Additional Note to Chapter 48, except as regards the criteria governing watermarks.

3. Imports of newsprint shall not be charged against this tariff quota if they are already free of customs duties under other preferential tariff treatment. Furthermore, imports of any other paper referred to in paragraph 2 enjoying duty free exemption under the said tariff quota shall not be charged against the indicative ceilings fixed under certain free trade agreements.

⁽¹⁾ Entry under this subheading is subject to conditions to be determined by the competent authorities.

4. The Common Customs Tariff duty shall be totally suspended within the limits of the above quota.

5. New Member States shall apply duties calculated in accordance with the relevant provisions of the Act of Accession to imports within the limits of the above quota.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two tranches.

2. A first tranche of 2 187 000 metric tons shall be allocated among the Member States. Member States' shares, which subject to Article 5 shall be valid from 1 January until 31 December 1977, shall be as follows:

	(in metric tons)
Benelux	305 000
Denmark	145 000
Germany	720 000
France	267 000
Ireland	49 000
Italy	1 000
United Kingdom	700 000

3. The second tranche, of 124 000 metric tons, shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as fixed in Article 2 (2), or of that share minus the portion returned to the reserve where Article 5 has been applied, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 15 % of its initial share, rounded up as necessary to the next whole number.

2. If, after its initial share has been exhausted 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in the manner and to the extent provided for in paragraph 1, draw a third share equal to 7.5 % of its initial share.

3. If, after its second share has been exhausted 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in the manner and to the extent provided for in paragraph 1, draw a fourth share equal to the third.

This procedure shall apply until the reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, Member States may draw lesser shares than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. They shall inform the Commission of their reasons for applying this provision.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1977.

Article 5

The Member States shall return to the reserve, not later than 1 October 1977, the unused portion of their initial share which, on 15 September 1977, is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 October 1977, notify the Commission of the total quantities of the products in question imported up to and including 15 September 1977 and charged against the Community tariff quota and of any portion of their initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as it has been notified, inform each Member State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1977, of the amount still in reserve after amounts have been returned thereto pursuant to Article 5.

It shall ensure that when a quantity exhausting the reserve is drawn, the amount so drawn does not

exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

Article 7

1. Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated share of the Community quota.

2. Member States shall take all measures necessary to ensure that the types of paper referred to in Article 1 (2) included in this tariff quota are in fact intended for the printing of newspapers, weekly papers or other periodicals of heading No 49.02, published at least 10 times per year.

3. Member States shall ensure that importers of the products in question established in their territory have free access to the shares allocated to it.

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

Article 8

On receipt of a request from the Commission the Member States shall notify it of the importations charged against its share.

Article 9

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

Article 10

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, 29 November 1976.

For the Council

The President

J. A. van KEMENADE

COMMISSION REGULATION (EEC) No 2932/76**of 2 December 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 3 December 1976.

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

Done at Brussels, 2 December 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 2 December 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	85.73
10.01 B	Durum wheat	137.92 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	61.85 ⁽⁶⁾
10.03	Barley	49.25
10.04	Oats	52.17
10.05 B	Maize other than hybrid maize for sowing	58.50 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	57.42 ⁽⁴⁾
10.07 C	Grain sorghum	58.93 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	131.34
11.01 B	Rye flour	97.89
11.02 A I a	Durum wheat groats and meal	224.43
11.02 A I b	Common wheat groats and meal	141.17

⁽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 2933/76**of 2 December 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 3 December
1976.

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

Done at Brussels, 2 December 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 2 December 1976 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.s. / metric ton)

CCT heading No	Description of goods	Current 12	1st period 1	2nd period 2	3rd period 3
10.01 A	Common wheat and meslin	0	0.75	0.75	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0.75	0.75	0.75
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	1.05	1.05	0

B. Malt

(u.s. / metric ton)

CCT heading No	Description of goods	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	1.34	1.34	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	1.00	1.00	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 2934/76

of 2 December 1976

fixing the import levies on calves and adult bovine animals and on beef and veal
other than frozenTHE 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 the
second line of Article 10 (7), and Article 12 (7) thereof,Whereas the import levies on calves and adult bovine
animals and on beef and veal other than frozen were
fixed by Regulation (EEC) No 1597/76 ⁽³⁾, as last
amended by Regulation (EEC) No 2847/76 ⁽⁴⁾;Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 1597/76
to the quotations and other information 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 levies referred to in Articles 10 and 12 of Regula-
tion (EEC) No 805/68 are hereby fixed as shown in
the Annex to this Regulation.*Article 2*To be classified as products falling within subheadings
02.01 A II a) 1 aa) and 02.01 A II a) 1 bb), products
must correspond to the definition contained in Article
2 of Regulation (EEC) No 2249/73 ⁽⁵⁾.*Article 3*This Regulation shall enter into force on 6 December
1976.This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 2 December 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 177, 2. 7. 1976, p. 11.⁽⁴⁾ OJ No L 327, 26. 11. 1976, p. 12.⁽⁵⁾ OJ No L 230, 18. 8. 1973, p. 15.

ANNEX

Levies applicable from 6 December 1976 to imports from third countries ⁽¹⁾

(in u.a./100 kg)

CCT heading No	Description of goods	Austria Sweden Switzerland	Other third countries
01.02	Live animals of the bovine species : A. Domestic species : II. Other : a) Calves b) Other : 1. Not yet having any permanent teeth, of a weight of not less than 350 kg but not more than 450 kg in the case of male animals, or of not less than 320 kg but not more than 420 kg in the case of female animals (b) 2. Other	Live weight	
		46-240 (a)	46-240 (a)
		—	46-240
		46-240 (a)	46-240 (a)
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 : II. Of bovine animals : a) Of domestic bovine animals : 1. Fresh or chilled : aa) Of calves : 11. Carcasses and half-carcasses 22. Separated or unseparated forequarters 33. Separated or unseparated hindquarters bb) Of adult animals : 11. Carcasses, half-carcasses or 'compensated' quarters : aaa) Carcasses of a weight of not less than 180 kg but not more than 270 kg and half-carcasses or 'compensated' quarters of a weight of not less than 90 kg but not more than 135 kg, with a low degree of ossification of the cartilages (more especially those of the symphysis pubis and the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light in colour (b) bbb) Other 22. Forequarters : aaa) Of a weight of not less than 45 kg but not more than 68 kg, with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (b) bbb) Other	Net weight	
		87-856	87-856
		70-285	70-285
		105-427	105-427
		—	87-856
		87-856	87-856
		—	70-285
		70-285	70-285

(in u.a./100 kg)			
CCT heading No	Description of goods	Austria Sweden Switzerland	Other third countries
02.01 (cont'd)	33. Hindquarters :	Net weight	
	aaa) Of a weight of not less than 45 kg but not more than 68 kg (not less than 38 kg but not more than 61 kg in the case of 'Pistola' cuts), with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (b)	—	105-427
	bbb) Other	105-427	105-427
	cc) Other cuts of veal and beef :		
	11. Unboned (bone-in)	131-784	131-784
	22. Boned or boneless	150-742	150-742
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked :		
	C. Other :		
	I. Of domestic bovine animals :		
	a) Meat :		
	1. Unboned (bone-in)	131-784	131-784
	2. Boned or boneless	150-742	150-742

(¹) In accordance with Regulation (EEC) No 706/76, which provides that the levies are not applied to imports into French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

(a) Where these products are imported under the conditions set out in Article 11 of Council Regulation (EEC) No 805/68 of 27 June 1968 and in the provisions adopted for its application, the levy applicable is either refunded or not collected in accordance with those provisions.

(b) Entry under this subheading is subject to the production of the certificate referred to in paragraph 2 (c) of Annex I to the trade agreement between the EEC and the Socialist Federal Republic of Yugoslavia.

COMMISSION REGULATION (EEC) No 2935/76
of 2 December 1976
fixing additional amounts for live and slaughtered poultry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as amended by Regulation (EEC) No 369/76⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC on fixing the additional amount for imports of poultry-farming products from third countries⁽³⁾, as amended by Regulation (EEC) No 1527/73⁽⁴⁾;

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

Whereas, pursuant to Regulation (EEC) No 565/68⁽⁵⁾, the import levies on slaughtered fowls, ducks and geese originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2261/69⁽⁶⁾, the import levies on slaughtered ducks and geese originating in and coming from Romania are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2474/70⁽⁷⁾, the import levies on slaughtered turkeys originating in and coming from Poland are not increased by an additional amount;

Whereas pursuant to Regulation (EEC) No 2164/72⁽⁸⁾, the import levies on slaughtered fowls and geese originating in and coming from Bulgaria are not increased by an additional amount;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 2 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 45, 21. 2. 1976, p. 3.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁶⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁷⁾ OJ No L 265, 8. 12. 1970, p. 13.

⁽⁸⁾ OJ No L 232, 12. 10. 1972, p. 3.

ANNEX

Additional amounts applicable to live and slaughtered poultry and halves or quarters

CCT heading No	Description of goods	Additional amount (u.a./100 kg)	Imports affected
01.05	Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea fowls		
	B. Others :		
	I. Fowls	10.00	Origin : Hungary, Yugoslavia or Czechoslovakia
	IV. Turkeys	10.00	Origin : Hungary
	V. Guinea fowls	5.00	Origin : Hungary or Romania
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen :		
	A. Whole poultry :		
	I. Fowls :		
	a) Plucked and gutted, with heads and feet, known as '83 % chickens'	8.00	All imports ⁽¹⁾
	b) Plucked and drawn, without heads and feet but with hearts, livers and gizzards, known as '70 % chickens'	8.00	All imports ⁽¹⁾
	c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens'	8.00	All imports ⁽¹⁾
	IV. Turkeys	10.00	Origin : United States of America
	B. Poultry cuts (excluding offals) :		
	II. Unboned (bone-in)		
	a) Halves or quarters :		
	1. Of fowls	8.00	All imports
	4. Of turkeys	40.00	Origin : United States of America

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

**COMMISSION REGULATION (EEC) No 2936/76
of 2 December 1976**

fixing additional amounts for poultrymeat products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2777/75 of 29 October 1975 on the common organiza-
tion of the market in poultrymeat⁽¹⁾, as amended by
Regulation (EEC) No 369/76⁽²⁾, and in particular
Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier
offer price (hereinafter called the 'offer price') falls
below the sluice-gate price, the levy applicable to that
product must be increased by an additional amount
equal to the difference between the sluice-gate price
and the offer price determined in accordance with
Article 1 of Commission Regulation No 163/67/EEC
of 26 June 1967 on fixing the additional amount for
imports of poultry farming products from third coun-
tries⁽³⁾, as last amended by Regulation (EEC) No
1527/73⁽⁴⁾;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 2 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 45, 21. 2. 1976, p. 3.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

ANNEX

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

CCT heading No	Description of goods	Additional amount (u.a./100 kg)	Imports affected
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen :		
	B. Poultry cuts (excluding offals) :		
	I. Boned or boneless	30.00	Origin : United States of America or Israel
	II. Unboned (bone-in) :		
	d) Breasts and cuts of breasts :		
	2. Of turkeys	10.00	Origin : United States of America
	e) Legs and cuts of legs :		
	2. Of turkeys :		
	aa) Drumsticks and cuts of drumsticks	35.00	All imports
	bb) Other	55.00	Origin : United States of America or Israel

COMMISSION REGULATION (EEC) No 2937/76
of 2 December 1976
fixing the minimum import levies on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 601/76 of 15 March 1976 laying down special measures in particular for the determination of the offers of olive oil on the world market⁽⁴⁾, as amended by Regulation (EEC) No 2600/76⁽⁵⁾, and in particular Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 602/76 of 15 March 1976 laying down special measures in particular for the determination of the offers of olive oil on the Greek market⁽⁶⁾, as amended by Regulation (EEC) No 2600/76, and in particular Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil from Algeria⁽⁷⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil from Morocco⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil from Tunisia⁽⁹⁾, and in particular Article 5 thereof,

Whereas, in Regulation (EEC) No 1362/76 of 14 June 1976⁽¹⁰⁾, the Commission decided to use the tendering procedure to fix the levies on olive oil;

Whereas Article 4 of Commission Regulation (EEC) No 1046/76 of 4 May 1976 on detailed rules for the implementation of the special measures for the determination of offers of olive oil on the world market and the Greek market⁽¹¹⁾, as amended by Regulation (EEC) No 2803/76⁽¹²⁾, lays down the criteria for fixing the rate of the minimum levy;

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

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

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

Whereas the application of the rules described above to the levy rates submitted by tenderers on 29 and 30 November 1976 results in the fixing of the minimum levies as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on imports of olive oil shall be as shown in the Annex.

Article 2

This Regulation shall enter into force on 3 December 1976.

⁽¹¹⁾ OJ No L 119, 6. 5. 1976, p. 7.

⁽¹²⁾ OJ No L 320, 20. 11. 1976, p. 21.

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

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

⁽⁴⁾ OJ No L 72, 18. 3. 1976, p. 1.

⁽⁵⁾ OJ No L 297, 28. 10. 1976, p. 4.

⁽⁶⁾ OJ No L 72, 18. 3. 1976, p. 3.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁸⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁹⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽¹⁰⁾ OJ No L 154, 15. 6. 1976, p. 13.

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

Done at Brussels, 2 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

(u.a. / 100 kg)

CCT heading No	Greece	Non-member countries
07.01 N II	7.00	9.00
07.03 A II	7.00	8.00
15.07 A I a)	36.00	50.00 ⁽¹⁾
15.07 A I b)	56.00	103.00 ⁽²⁾
15.07 A II a)	32.50	42.00 ⁽³⁾
15.07 A II b)	37.50	65.00 ⁽³⁾
15.17 A I	16.00	21.00
15.17 A II	26.00	34.00
23.04 A	3.00	3.00 ⁽⁴⁾

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 2938/76
of 2 December 1976
adjusting the amount of the levies applicable to olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 601/76 of 15 March 1976 laying down special measures in particular for the determination of the offers of olive oil on the world market⁽⁴⁾, as amended by Regulation (EEC) No 2600/76⁽⁵⁾, and in particular Article 4 thereof,

Having regard to Council Regulation (EEC) No 602/76 of 15 March 1976 laying down special measures in particular for the determination of the offers of olive oil on the Greek market⁽⁶⁾, as amended by Regulation (EEC) No 2600/76, and in particular Article 5 thereof,

Whereas the market target price and the threshold price of olive oil applicable at the beginning of the 1976/77 oil year are markedly lower than those applicable at the end of the previous oil year; whereas, accordingly, the levy awarded at the end of the 1975/76 oil year and valid at the beginning of the 1976/77 oil year is no longer in line with the market situation and with the level of protection required

with effect from 1 November 1976, the date on which the 1976/77 oil year began; whereas, therefore, but not without prejudice to Council Regulation (EEC) No 1134/68 of 30 July 1968 laying down rules for the implementation of Regulation (EEC) No 653/68 on conditions for alterations to the value of the unit of account used for the common agricultural policy⁽⁷⁾, the levy indicated on licences on the basis of applications made before 1 November 1976 in respect of imports to be effected after that date should be adjusted, by reference to the difference between the threshold price obtaining at the end of the 1975/76 oil year and that obtaining at the beginning of the following year;

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

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to Regulation (EEC) No 1134/68, the levy to be paid for olive oil falling within subheading 15.07 A of the Common Customs Tariff, imported on or after 1 November 1976 under licences applied for before that date, shall be the levy indicated on the licence, less 10 units of account per 100 kilograms.

Article 2

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

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

Done at Brussels, 2 December 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 197, 29. 10. 1966, p. 3393/66.

⁽⁴⁾ OJ No L 72, 18. 3. 1976, p. 1.

⁽⁵⁾ OJ No L 297, 28. 10. 1976, p. 4.

⁽⁶⁾ OJ No L 72, 18. 3. 1976, p. 3.

⁽⁷⁾ OJ No L 188, 1. 8. 1968, p. 1.

COMMISSION REGULATION (EEC) No 2939/76
of 2 December 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 organ-
ization 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 2928/76⁽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 3 December
1976.

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

Done at Brussels, 2 December 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 333, 2. 12. 1976, p. 23.

ANNEX

**to the Commission Regulation of 2 December 1976 fixing the import levies on white sugar
and raw sugar**

<i>(u.a./100 kg)</i>		
CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid :	
	A. White sugar	19.63
	B. Raw sugar	18.87 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 2940/76
of 2 December 1976
fixing the export refunds on 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 organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1143/76⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof;

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975⁽³⁾, laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as amended by Regulation (EEC) No 832/76⁽⁵⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas it follows from applying these rules and criteria to the present situation on the market in

products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

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 refund must be fixed once a month; whereas it may be altered in the intervening period;

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

The export refunds on malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 3 December 1976.

⁽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. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 100, 14. 4. 1976, p. 1.

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

Done at Brussels, 2 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to Commission Regulation of 2 December 1976 fixing the export refunds on malt

(u.a./metric ton)

CCT heading No	Description of goods	Refund
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	91.95
11.07 A I b)	Unroasted malt, obtained from wheat, other than in the form of flour	—
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	52.10
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	43.00
11.07 B	Roasted malt	50.10

COMMISSION REGULATION (EEC) No 2941/76

of 2 December 1976

fixing the corrective amount applicable to the refund on 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 organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1143/76⁽²⁾, and in particular the third sentence of the second subparagraph of Article 16 (4) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, the corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Regulation (EEC) No 1281/75⁽⁵⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account must be taken of the quantity of cereals needed for making malt, the economic aspect

of exports and the need to prevent disturbances on the Community market;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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 preceding subparagraph;

Whereas it follows from applying the provisions referred to above that the corrective amount must be fixed as shown in the table annexed to this Regulation;

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

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt is hereby fixed as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 3 December 1976.

⁽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. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 131, 22. 5. 1975, p. 15.

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

Done at Brussels, 2 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 2 December 1976 fixing the corrective amount applicable to the refund on malt

(u.a. / metric ton)

CCT heading No	Description of goods	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5
11.07	Malt, roasted or not :						
	A. Unroasted :						
	I. Obtained from wheat :						
	a) In the form of flour	0	0	0	0	0	—
	b) Other	—	—	—	—	—	—
	II. Other :						
	a) In the form of flour	0	0	0	0	0	—
	b) Other	0	0	0	0	0	0
	B. Roasted	0	0	0	0	0	0

(u.a. / metric ton)

CCT heading No	Description of goods	6th period 6	7th period 7	8th period 8	9th period 9	10th period 10	11th period 11
11.07	Malt, roasted or not :						
	A. Unroasted :						
	I. Obtained from wheat :						
	a) In the form of flour	—	—	—	—	—	—
	b) Other	—	—	—	—	—	—
	II. Other :						
	a) In the form of flour	—	—	—	—	—	—
	b) Other	0	0	0	0	0	0
	B. Roasted	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2942/76

of 2 December 1976

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1143/76⁽²⁾, and in particular
Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice⁽³⁾, and in particular Article
12 (4) thereof,

Whereas the import levies on products processed
from cereals and rice were fixed by Regulation (EEC)
No 2891/76⁽⁴⁾, as last amended by Regulation (EEC)
No 2926/76⁽⁵⁾;

Whereas the levy on the basic product as last fixed
differs from the average levy by more than 2.5 units of

account per metric ton of basic product; whereas,
pursuant to Article 1 of Regulation (EEC) No
1579/74⁽⁶⁾, the levies at present in force must there-
fore be altered as shown in the table annexed to this
Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products
processed from cereals and rice covered by Regulation
(EEC) No 2744/75⁽⁷⁾, as amended by Regulation
(EEC) No 832/76⁽⁸⁾, as fixed in the Annex to
amended Regulation (EEC) No 2891/76, are hereby
altered as shown in the table annexed to this Regula-
tion.

Article 2

This Regulation shall enter into force on 3 December
1976.

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

Done at Brussels, 2 December 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 331, 30. 11. 1976, p. 29.

⁽⁵⁾ OJ No L 333, 2. 12. 1976, p. 20.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 100, 14. 4. 1976, p. 1.

ANNEX

to the Commission Regulation of 2 December 1976 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./metric ton	
	Third countries (other than ACP and OCT)	ACP and OCT
07.06 A	8.76 ⁽¹⁾	7.26 ⁽¹⁾ ⁽⁵⁾
11.01 C ⁽²⁾	92.62	87.62
11.02 A III ⁽²⁾	92.62	87.62
11.02 B I a) 1 ⁽²⁾	80.39	77.89
11.02 B I b) 1 ⁽²⁾	80.39	77.89
11.02 C III ⁽²⁾	126.70	121.70
11.02 D III ⁽²⁾	52.15	49.65
11.02 E I a) 1 ⁽²⁾	52.15	49.65
11.02 E I b) 1 ⁽²⁾	102.36	97.36
11.02 F III ⁽²⁾	92.62	87.62
11.06 A	11.26	5.76 ⁽⁵⁾
11.07 A II a)	95.65 ⁽⁴⁾	86.65
11.07 A II b)	73.74	64.74
11.07 B	84.45 ⁽⁴⁾	75.45

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes.

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within headings Nos 11.01 and 11.02 shall be those meeting the following specifications :

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

⁽⁴⁾ In accordance with Regulation (EEC) No 3375/73 this levy is reduced by 0.45 u.a./100 kg for products originating in Turkey.

⁽⁵⁾ In accordance with Regulation (EEC) No 706/76 the levy shall not be charged on the following products originating in the countries and territories :

- arrow-root falling within sub-heading ex 07.06 A
- flours and meal of arrow-root falling within sub-headings ex 11.06 A, ex 11.06 B I and II
- arrow-root starch falling within sub-heading ex 11.08 A V.

COMMISSION REGULATION (EEC) No 2943/76

of 2 December 1976

fixing 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 first sentence of the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation No (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the world market on the other; whereas the same article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas, furthermore, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas

these quantities were fixed in Regulation No 162/67/EEC⁽⁴⁾, as amended by Regulation (EEC) No 1607/71⁽⁵⁾;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

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 it follows from applying the rules outlined above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds, should be fixed as shown in the Annex to this Regulation;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its Chairman,

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, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 3 December 1976.

⁽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. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

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

Done at Brussels, 2 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 2 December 1976 fixing the refunds applicable to cereals
and wheat or rye flour groats and meal

(u.d./metric ton)

CCT heading No	Description of products	Refund
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	75.00 72.00 67.00 67.00 57.00 57.00
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	75.00

⁽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 2944/76

of 2 December 1976

fixing the corrective amount applicable to the refund on cereals

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 organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1143/76⁽²⁾, and in particular the
third sentence of the second subparagraph of Article
16 (4) thereof,

Having regard to Council Regulation (EEC) No
2746/75 of 29 October 1975 laying down general
rules for granting export refunds on cereals and
criteria for fixing the amount of such refunds⁽³⁾,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 16 (4) of Regulation (EEC) No
2727/75 provides that the export refund applicable to
cereals on the day on which application for an export
licence is made, adjusted for the threshold price in
force during the month of exportation, must be
applied on request to exports to be effected during the
period of validity of the export licence; whereas, in
this case, the corrective amount must be applied to
the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29
October 1975 on the import and export system for
products processed from cereals and from rice⁽⁴⁾,
made possible the fixing of a corrective amount for
certain products listed in Article 1 (c) of Regulation
(EEC) No 2727/75;

Whereas Regulation (EEC) No 1281/75⁽⁵⁾ laid down
detailed rules for the advance fixing of export refunds
for cereals and certain products processed from
cereals;

Whereas, pursuant to that Regulation, when the correc-
tive amount is being fixed account must be taken of
the existing situation and the future trend with regard
to prices and availabilities of cereals on the Commu-

nity market on the one hand and prices for cereals
and cereal products on the world market on the
other; whereas the same Article provides that it is also
important to ensure equilibrium and the natural deve-
lopment of prices and trade on cereal markets and,
furthermore, to take into account the economic aspect
of the proposed exports and the need to avoid distur-
bances on the Community market;

Whereas for the products listed in Article 1 (c) of
Regulation (EEC) No 2727/75 account should be
taken of the specific criteria laid down in Article 2 (2)
of Regulation (EEC) No 1281/75;

Whereas the world market situation or the specific
requirements of certain markets may make it neces-
sary to vary the corrective amount according to desti-
nation;

Whereas the corrective amount must be fixed at the
same time as the refund and according to the same
procedure;

Whereas it may be altered in the period between
fixings;

Whereas, if the system of corrective amounts is to
operate normally, corrective amounts should be calcu-
lated 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 preceding subparagraph;

Whereas it follows from applying the provisions
referred to above that the corrective amount must be
fixed as shown in the table annexed to this Regula-
tion;

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

⁽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. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 131, 22. 5. 1975, p. 15.

HAS ADOPTED THIS REGULATION :

hereby fixed as shown in the tables annexed to this Regulation.

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of cereals is

Article 2

This Regulation shall enter into force on 3 December 1976.

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

Done at Brussels, 2 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 2 December 1976 fixing the amount applicable to the refund on cereals

(u.d. / metric ton)

CCT heading No	Description of goods	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5	6th period 6
10.01 A	Common wheat, and meslin	0	0	0	0	0	—	—
10.01 B	Durum wheat for export to :							
	— Switzerland, Austria and Liechtenstein	0	+ 5.00	+ 5.00	+ 5.00	—	—	—
	— other third countries	0	0	0	0	—	—	—
10.02	Rye	0	0	0	0	—	—	—
10.03	Barley	0	0	0	0	0	—	—
10.04	Oats	0	0	0	0	—	—	—
10.05 B	Maize other than hybrid maize for sowing	—	—	—	—	—	—	—
10.07 C	Grain sorghum	0	0	0	0	—	—	—
11.01 A	Common wheat flour	0	0	0	0	0	—	—
11.01 B	Rye flour	0	0	0	0	0	—	—
11.02 A 1 a	Durum wheat groats and meal	0	0	0	0	0	—	—
11.02 A 1 b	Common wheat groats and meal	0	0	0	0	0	—	—

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

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