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Contents

I *Acts whose publication is obligatory*

- ★ **Commission Regulation (EEC) No 2945/76 of 26 November 1976 laying down provisions for the implementation of Council Regulation (EEC) No 754/76 on the customs treatment applicable to goods returned to the customs territory of the Community 1**
- Commission Regulation (EEC) No 2946/76 of 3 December 1976 fixing the import levies on cereals and on wheat or rye flour groats and meal 11
- Commission Regulation (EEC) No 2947/76 of 3 December 1976 fixing the premiums to be added to the import levies on cereals, flour and malt 13
- Commission Regulation (EEC) No 2948/76 of 3 December 1976 altering components used to calculate the differential amounts for colza and rape seed 15
- Commission Regulation (EEC) No 2949/76 of 3 December 1976 opening an invitation to tender for the mobilization of common wheat as food aid for the Republic of Upper Volta 18
- Commission Regulation (EEC) No 2950/76 of 3 December 1976 opening an invitation to tender for the mobilization of rolled oats as food aid for the United Nations Children's Fund (UNICEF) 21
- ★ **Commission Regulation (EEC) No 2951/76 of 3 December 1976 amending for the second time Regulation (EEC) No 2115/76 laying down general rules for the import of wines, grape juice and grape must 25**
- Commission Regulation (EEC) No 2952/76 of 3 December 1976 fixing the special levies applicable to New Zealand butter and cheese imported into the United Kingdom under Protocol 18 26
- Commission Regulation (EEC) No 2953/76 of 3 December 1976 correcting Regulation (EEC) No 2923/76 fixing the export refunds on white sugar and raw sugar exported in the natural state 27

Contents (continued)

Commission Regulation (EEC) No 2954/76 of 3 December 1976 determining the world market price for colza and rape seed	28
Commission Regulation (EEC) No 2955/76 of 3 December 1976 fixing the import levies on white sugar and raw sugar	30

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 2945/76
of 26 November 1976**

laying down provisions for the implementation of Council Regulation (EEC) No 754/76 on the customs treatment applicable to goods returned to the customs territory of the Community

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 754/76 of 25 March 1976 on the customs treatment applicable to goods returned to the customs territory of the Community⁽¹⁾, and in particular Article 15 (2) thereof,

Whereas, in order to ensure the uniform interpretation of Article 2 (2) (c) thereof by the competent authorities of the Member States, the cases should be specified in which goods for which customs export formalities have been completed with a view to obtaining refunds or other amounts provided for on exportation may be considered as being returned to the customs territory of the Community because they could not be used for the purposes intended for the said goods, owing to circumstances not brought about by the exporter;

Whereas furthermore the documentary evidence should be specified on the basis of which a refund of export duties can be granted for returned goods in application of Article 5 of Regulation (EEC) No 754/76, and the conditions under which returned goods which have undergone, outside the customs territory of the Community, repair or restoration to good condition which became necessary as a result of unforeseen circumstances, may benefit from the provisions laid down in the second subparagraph of Article 7 (2) thereof;

Whereas a system of reciprocal information between the competent authorities of the Member States should be set up for the purpose of identifying the

goods returned to the customs territory of the Community by a Member State other than the one from which the goods were exported; whereas, it is appropriate to institute a single Community form for this purpose to serve as a medium for all information necessary for such identification;

Whereas, in order to avoid the application of different provisions in Member States according to the date on which returned goods were originally exported from the customs territory of the Community, this Regulation should apply to goods for which export formalities have been carried out before the date of its entry into force, but which are thereafter returned to the Community; whereas, on the other hand, because it is impossible in practice, in the absence of an appropriate method of administrative cooperation, to levy import duties under the conditions laid down in Article 4 of Regulation (EEC) No 754/76, this Regulation should apply to compensating products which are returned to a Member State other than the Member State of exportation, only if they were exported after 1 July 1977, on which date such a method of administrative cooperation will become applicable;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Duty Free Arrangements,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down the provisions for the implementation of Articles 2 (2) (c), 5, 7 (2) and 10 to 12 of Council Regulation (EEC) No 754/76 on the customs treatment applicable to goods returned to the customs territory of the Community.

⁽¹⁾ OJ No L 89, 2. 4. 1976, p. 1.

2. For the purposes of this Regulation :

- (a) *The Member State of exportation*, means the Member State responsible for the customs office where the formalities, relating to the exportation of the goods from the customs territory of the Community, were completed.
- (b) *The Member State of reimportation*, means the Member State responsible for the customs office where the returned goods are entered for free circulation (customs office of reimportation).
- (c) *Export document*, means the customs export document or any other equivalent document used to complete the formalities for exportation of the goods.

TITLE I

Provisions for the application of Article 2 (2) (c) of Regulation (EEC) No 754/76

Article 2

For the purposes of Article 2 (2) (c) of Regulation (EEC) No 754/76, goods shall be considered to be returned goods if, after the completion of customs export formalities with a view to obtaining refunds or other amounts provided for on exportation under the common agricultural policy, they come within one of the following categories :

- (a) goods returned to the Community following damage occurring before delivery to the consignee, either to the goods themselves, or to the means of transport on which they were carried ;
- (b) goods originally exported for the purposes of consumption or sale in the course of a commercial fair or similar occasion and which have not been so consumed or sold ;
- (c) goods which could not be delivered to the consignee on account of his physical or legal incapacity to honour the contract in pursuance of which the goods were exported ;
- (d) goods which, because of natural, political or social disturbances, could not be delivered to their consignee or which reached him after the mandatory delivery date stipulated in the contract in pursuance of which the goods were exported ;
- (e) products covered by the common organization of the market in fruit and vegetables, exported and sent for sale on consignment, but which were not sold in the market of the third country of destination.

TITLE II

Provisions for the application of Article 5 of Regulation (EEC) No 754/76

Article 3

1. The repayment of export duties provided for in Article 5 (1) of Regulation (EEC) No 754/76 shall be granted by the competent authorities of the Member States of exportation. It shall be conditional upon the presentation to the said authorities of an application for repayment accompanied by :

- (a) the document issued as evidence of the payment of the amounts paid ;
- (b) the original, or the copy certified by the customs authorities of the Member State of reimportation, of the customs document for free circulation of the returned goods in question ;

This document shall bear one of the following endorsements made by the customs authorities of the Member State of reimportation :

- 'Goods admitted as returned goods under Article 2 (2) of Regulation (EEC) No 754/76' ;
- 'Varer, der i henhold til Artikel 2, stk 2 i forordning (EØF) nr. 754/76, omfattes af reglerne for returvarer' ;
- 'Rückwaren gemäß Artikel 2 Absatz 2 der Verordnung (EWG) Nr. 754/76' ;
- 'Marchandises admises au bénéfice du régime des retours en application de l'article 2, paragraphe 2, du règlement (CEE) n° 754/76' ;
- 'Merci ammesse al beneficio del regime di reintroduzione in applicazione dell'articolo 2, paragrafo 2 del regolamento (CEE) n. 754/76' ;
- 'Goederen die bij toepassing van artikel 2, lid 2 van Verordening (EEG) nr. 754/76 onder de regeling voor terugkerende goederen vallen' ;

- (c) the export document returned to the exporter at the time of completion of the export formalities for the goods, or a copy thereof certified by the customs authorities of the Member State of exportation.

Where the authorities responsible for the refund of export duties are already in possession of the information contained in one or other of the documents referred to under (a), (b) or (c) above, production of the relevant document or documents shall not be required.

2. Where the export duties relating to the returned goods have not already been collected by the competent authorities of the Member State of exportation, the latter shall waive the collection thereof on receipt of an application by the exporter accompanied by the documentary evidence provided for in paragraph 1 (b) and (c).

TITLE III

Provisions for the application of Article 7 (2) of Regulation (EEC) No 754/76*Article 4*

For the implementation of the second subparagraph of Article 7 (2) of Regulation (EEC) No 754/76:

- (a) 'repair or restoration to good condition which became necessary' means any operation for the purpose of making good defective working or rectifying material damage suffered by goods during the time they were outside the customs territory of the Community, and without which these goods could no longer be used under normal conditions for the purposes for which they were intended;
- (b) the value of returned goods shall be deemed not to have been increased by virtue of treatment which they have undergone, in relation to their value at the time of exportation from the customs territory of the Community, when this treatment does not exceed that which is strictly necessary to enable these goods to be used under the same conditions as those existing at the time of the said exportation.

When the repair or restoration to good condition of goods necessitates the incorporation of spare parts, such incorporation shall be limited to those parts strictly necessary to enable these goods to be used under the same conditions as those existing at the time of exportation.

Article 5

Evidence that goods had to undergo, outside the customs territory of the Community, repair or restoration to good condition which became necessary as a result of unforeseen circumstances must be provided by the person concerned. Such evidence may be provided in any form recognized as acceptable by the customs authorities of the Member State of reimportation.

TITLE IV

Provisions for the application of Articles 10 to 12 of Regulation (EEC) No 754/76*Article 6*

1. Without prejudice to any autonomous or conventional provisions which relieve from the production of customs documents the international movement of packing materials, means of transport or certain goods admitted under specific customs arrangements, the provisions of Regulation (EEC) No 754/76 shall only

apply if the following documents are produced in support of the entry for free circulation of the goods in question:

- (a) where the returned goods are entered for free circulation at a customs office for which the Member State of exportation is responsible, the export document returned to the exporter by the customs authorities of that Member State, or a copy thereof certified by the said authorities.

Where the customs authorities of the Member State of reimportation is able to determine, by evidence at its disposal, or which it may request from the person concerned, that the goods entered for free circulation are goods originally exported from the customs territory of the Community, and that at the time of their exportation they satisfied the conditions necessary for them to benefit under the provisions of Regulation (EEC) No 754/76, the document referred to in the above subparagraph shall not be required.

- (b) where the returned goods are entered for free circulation at the customs office for which a Member State is responsible other than the Member State of exportation, the Information Sheet (INF 3) provided for in Article 8.

2. When they consider it necessary, the customs authorities of the Member State of reimportation may request the person concerned to submit, in particular for the purposes of identification of the returned goods, documentary evidence additional to that referred to in the first subparagraph of paragraph 1 (a) and in paragraph 1 (b).

Article 7

1. Where the export of returned goods may have given rise to customs export formalities with a view to obtaining refunds or other amounts provided for on exportation under the common agricultural policy, there shall be produced in addition to the documents referred to in Article 6, in support of any entry for free circulation relating to the said returned goods, a certificate issued by the authorities responsible for the grant of such refunds or amounts in the Member State of exportation. This certificate shall contain all the information necessary to allow the customs office where the goods concerned were entered for free circulation to verify that it relates to the said goods.

2. When the export of the goods does not give rise to the completion of customs export formalities, with a view to obtaining refunds or other amounts provided for on exportation under the common agricultural policy, the certificate shall bear one of the following endorsements:

- 'No refunds or other amounts granted on exportation';
- 'Ingen restitutioner eller anden godtgørelse ydet i forbindelse med udførselen';
- 'Keine Ausfuhrerstattungen oder sonstigen Ausfuhrvergünstigungen';
- 'Sans octroi de restitutions ou autres montants à l'exportation';
- 'Senza concessione di restituzioni o altri importi all'esportazione';
- 'Geen restituties of andere bij de uitvoer verleende bedragen'.

3. When the export of the goods gives rise to the completion of customs export formalities with a view to obtaining refunds or other amounts provided for on exportation under the common agricultural policy, the certificate shall bear one of the following endorsements:

- 'Refunds and other amounts on exportation repaid for ... (quantity)';
- 'De i forbindelse med udførselen ydede restitutioner eller anden godtgørelse for ... (mængde) er tilbagebetalt';
- 'Ausfuhrerstattungen und sonstige Ausfuhrvergünstigungen für ... (Menge) zurückbezahlt';
- 'Restitutions et autres montants à l'exportation remboursés pour ... (quantités)';
- 'Restituzioni e altri importi all'esportazione rimborsati per ... (quantità)';
- 'Restituties en andere bedragen bij de uitvoer voor ... (hoeveelheid) terugbetaald';
- or
- 'Entitlement to payment of refunds or other amounts on exportation cancelled for ... (quantity)';
- 'De i forbindelse med udførselen beregnede restitutioner eller anden godtgørelse for ... (mængde) er annulleret';
- 'Auszahlungsanordnung über die Ausfuhrerstattungen und sonstigen Ausfuhrvergünstigungen für ... (Menge) ungültig gemacht';
- 'Titre de paiement des restitutions ou autres montants à l'exportation annulée pour ... (quantité)';
- 'Titolo di pagamento delle restituzioni o di altri importi all'esportazione annullato per ... (quantità)';
- 'Aanspraak op restituties of andere bedragen bij uitvoer vervallen voor ... (hoeveelheid)';

according to whether these refunds or other amounts provided for on exportation have or have not already been paid by the competent authorities.

4. In the case referred to in Article 6 (1) (b), the certificate referred to in paragraph 1 shall be made out on the Information Sheet INF 3.

5. When the customs authorities of the Member State of reimportation are able, by the means at their disposal, to ensure that no refund or other amount provided for on exportation under the common agricultural policy has been granted, and cannot subsequently be granted, the certificate referred to in paragraph 1 shall not be required.

Article 8

1. The Information Sheet INF 3 shall be drawn up in an original and two copies on forms which conform to the specimen appearing in the Annex.

2. The forms shall be printed on white paper, free of mechanical pulp, dressed for writing purposes and shall weigh at least 40 grammes per square metre.

3. The size of the forms shall be 210 × 297 millimetres; the layout of the forms must be strictly observed, except in respect of the size of boxes 6 and 7.

4. Member States shall be responsible for taking the necessary measures for having the forms printed. Each form shall bear an individual serial number, which may be pre-printed.

5. The forms shall be printed in one of the official languages of the Community designated by the competent authorities of the Member State of exportation. They shall be completed in the same language as that in which they are printed. Were necessary, the competent authorities of the Member State of reimportation in which the Information Sheet INF 3 is required to be produced may request its translation into its official language or one of its official languages.

Article 9

1. Subject to paragraph 3, the Information Sheet INF 3 shall be authenticated at the request of the exporter, by the customs authorities of the Member State of exportation at the time of completion of the export formalities for the goods concerned, if the exporter declares that it is probable that these goods will be returned to a Member State other than the Member State of exportation.

2. Information Sheet INF 3 may also be authenticated, at the request of the exporter, by the customs authorities of the Member State of exportation after completion of the export formalities for the goods concerned, provided that these authorities are able to verify, on the basis of the information at their disposal, that the information contained in the application of the exporter relates to the goods exported.

3. In the case of the goods referred to in Article 7 (1), the Information Sheet INF 3 may only be authenticated after completion of the relevant customs export formalities subject to the limits referred to in paragraph 2.

The Information Sheet shall only be authenticated if :

- (a) it is established that no monetary compensatory amount has been levied or granted on the goods in question by reason of their exportation ;
- (b) box B of the said Information Sheet has been completed and endorsed by the competent authorities beforehand, and
- (c) box A has been completed and endorsed by the competent authorities beforehand, when the information contained therein is required to be furnished.

Article 10

1. Information Sheet INF 3 shall contain all items of information required by the customs authorities for the purpose of identifying the exported goods.

2. When it is expected that the exported goods will be returned to the customs territory of the Community through several customs offices which are the responsibility of Member States other than the Member State of exportation, the exporter may request that several Information Sheets INF 3 be authenticated to cover the total quantity of the goods exported.

Similarly, the exporter may request the customs authorities which authenticated an Information Sheet INF 3 to replace it by several Information Sheets INF 3 covering the total quantity of goods included in the Information Sheet INF 3 initially issued.

The exporter may also request an Information Sheet INF 3 to be authenticated for a part only of the exported goods.

Article 11

The original and one copy of Information Sheet INF 3 shall be returned to the exporter for presentation at the customs office of reimportation.

The second copy shall be kept in the official files of the customs authorities by whom it was authenticated.

Article 12

The customs office of reimportation shall record on the original and on the copy of Information Sheet

INF 3 the quantity of goods admitted under arrangements for returned goods, shall retain the original and shall send to the customs authorities who authenticated it the copy of the sheet bearing the reference number and the date of entry for free circulation relating thereto.

The said customs authorities shall compare this copy with the one in their possession and retain it in their official files.

Article 13

In the case of theft, loss or destruction of the original Information Sheet INF 3, the person concerned may request a duplicate from the customs authorities which authenticated it. The latter may grant this request if the circumstances so justify. Any duplicate so issued shall bear one of the following endorsements :

'DUPLICATE', 'DUPLIKAT', 'DUPLICATA', 'DUPLICATO', 'DUPLICAAT'.

The customs authorities shall record on the copy of Information Sheet INF 3 in their possession that a duplicate has been authenticated.

Article 14

Information Sheet INF 3 may be used for the request and the transmission of the information referred to in Article 12 of Regulation (EEC) No 754/76.

Article 15

This Regulation shall enter into force on 1 January 1977. It shall apply to goods for which export formalities have been carried out before that date.

However, in the case of compensating products exported in completion of an inward processing operation, which are returned to a Member State other than the Member State of exportation, it shall apply only to those compensating products which have been exported on or after 1 July 1977.

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

Done at Brussels, 26 November 1976.

For the Commission

Finn GUNDELACH

Member of the Commission

1. Exporter		INF 3 No	
2. Consignee at time of exportation		ORIGINAL	
		RETURNED GOODS PROCEDURE INFORMATION SHEET	
IMPORTANT		3. Country to which goods consigned at time of exportation	
1. Before completing this form the person concerned must refer to the provisions relating to the procedure for returned goods as well as to the notes appearing on the reverse of this form			
2. The person concerned must complete by typewriter or by hand in block letters items 1 to 11 of this form			
3. When this Information Sheet is completed for goods whose exportation has been effected, within the framework of the common agricultural policy, under an export licence or advance fixing certificate or for goods liable to the benefit of refunds or other amounts provided for on exportation, it is valid only if box B, and where necessary box A, below, have been endorsed by the competent authorities			
4. This Information Sheet must be presented to the customs office of reimportation			
4. Number, kind, marks and numbers of packages and description of goods exported		5. Gross weight	
		6. Net weight	7. Statistical value
8. Quantity for which Information Sheet is required		9. CCT subheading	
(a) in figures :		(b) in words :	
A. ENDORSEMENT BY COMPETENT AUTHORITIES FOR EXPORT LICENCES OR ADVANCE FIXING CERTIFICATES — Regulations on licences or certificates observed At, on (Signature) (Stamp)		B. ENDORSEMENT BY COMPETENT AUTHORITIES FOR GRANT OF REFUNDS OR OTHER AMOUNTS PROVIDED FOR ON EXPORTATION — No refunds or other amounts granted on exportation ⁽¹⁾ — Refunds and other amounts on exportation repaid for (quantity) ⁽¹⁾ — Entitlement to payment of refunds or other amounts on exportation cancelled for (quantity) ⁽¹⁾ At, on (Signature) (Stamp)	
C. ENDORSEMENT BY THE OFFICE COMPLETING THE CUSTOMS EXPORT FORMALITIES Information given in 1 to 10 certified exact Identification measures taken At, on (Signature) (Stamp)		10. Additional information relating to the goods : (a) export document : type Ref. No dated (b) goods exported in completion of an inward processing operation ⁽¹⁾ (c) goods which have been released for free circulation for a specific use ⁽¹⁾ (d) goods in one of the situations referred to in Article 9 (2) of the Treaty ⁽¹⁾	
		11. REQUEST OF EXPORTER The undersigned, being the exporter ⁽¹⁾ on behalf of the exporter ⁽¹⁾ requests the issue of this Information Sheet for the purposes of the reimportation of the goods described therein At, on (Signature)	

⁽¹⁾ Delete as necessary.

FULL NAME AND ADDRESS OF CUSTOMS OFFICE OF EXPORTATION

Notes	
Box 1 :	Give the name or trade name and full address including Member State
Box 4 :	Give exact details of the goods according to their normal commercial description or according to their tariff description. The description must correspond with that used in the export document
Boxes 5 and 6 :	Give the quantity appearing in the export document
Box 7 :	Give the statistical value at the time of exportation in the currency of the Member State of exportation
Box 8 :	Give details of net weight, volume, etc. which the person concerned wishes to reimport
Box 10 (c) :	This item relates to goods which have been released for free circulation in the Community, benefiting from total or partial relief from import duties by reason of their use for specific purposes
Box 10 (d) :	This item relates to the situation of goods at the time of their exportation

REQUEST BY THE OFFICE OF REIMPORTATION	
The office of reimportation indicated below requests :	
— verification of the authenticity of this Information Sheet and the correctness of the information therein (1)	
— the following information to be supplied (1) :	
..... 	
(1) Delete as necessary	
Full name and address of office of reimportation	At, on (Signature) (Stamp)
REPLY OF THE COMPETENT AUTHORITIES	
This Information Sheet is authentic and the details contained therein are exact (1)	
This Information Sheet gives rise to the following comments (1) :	
Other information required (1)	
(1) Delete as necessary	
Full name and address of the competent authorities	At, on (Signature) (Stamp)

REIMPORTATION	
Quantity reimported	Reference number, date and type of reimportation document Signature and stamp of office of reimportation

1. Exporter	INF 3 No COPY	
2. Consignee at time of exportation	RETURNED GOODS PROCEDURE INFORMATION SHEET	
IMPORTANT		3. Country to which goods consigned at time of exportation
1. Before completing this form the person concerned must refer to the provisions relating to the procedure for returned goods as well as to the notes appearing on the reverse of this form 2. The person concerned must complete by typewriter or by hand in block letters items 1 to 11 of this form 3. When this Information Sheet is completed for goods whose exportation has been effected, within the framework of the common agricultural policy, under an export licence or advance fixing certificate or for goods liable to the benefit of refunds or other amounts provided for on exportation, it is valid only if box B, and where necessary box A, below, have been endorsed by the competent authorities 4. This Information Sheet must be presented to the customs office of reimportation		
4. Number, kind, marks and numbers of packages and description of goods exported		5. Gross weight
		6. Net weight
		7. Statistical value
8. Quantity for which Information Sheet is required		9. CCT subheading
(a) in figures :	(b) in words :	
A. ENDORSEMENT BY COMPETENT AUTHORITIES FOR EXPORT LICENCES OR ADVANCE FIXING CERTIFICATES — Regulations on licences or certificates observed At, on (Signature) (Stamp)	B. ENDORSEMENT BY COMPETENT AUTHORITIES FOR GRANT OF REFUNDS OR OTHER AMOUNTS PROVIDED FOR ON EXPORTATION — No refunds or other amounts granted on exportation ⁽¹⁾ — Refunds and other amounts on exportation repaid for (quantity) ⁽¹⁾ — Entitlement to payment of refunds or other amounts on exportation cancelled for (quantity) ⁽¹⁾ At, on (Signature) (Stamp)	10. Additional information relating to the goods : (a) export document : type Ref. No dated (b) goods exported in completion of an inward processing operation ⁽¹⁾ (c) goods which have been released for free circulation for a specific use ⁽¹⁾ (d) goods in one of the situations referred to in Article 9 (2) of the Treaty ⁽¹⁾
C. ENDORSEMENT BY THE OFFICE COMPLETING THE CUSTOMS EXPORT FORMALITIES Information given in 1 to 10 certified exact Identification measures taken At, on (Signature) (Stamp)		11. REQUEST OF EXPORTER The undersigned, being the exporter ⁽¹⁾ on behalf of the exporter ⁽¹⁾ requests the issue of this Information Sheet for the purposes of the reimportation of the goods described therein At, on (Signature)

⁽¹⁾ Delete as necessary.

FULL NAME AND ADDRESS OF CUSTOMS OFFICE OF EXPORTATION
--

Notes	
Box 1 :	Give the name or trade name and full address including Member State
Box 4 :	Give exact details of the goods according to their normal commercial description or according to their tariff description. The description must correspond with that used in the export document
Boxes 5 and 6 :	Give the quantity appearing in the export document
Box 7 :	Give the statistical value at the time of exportation in the currency of the Member State of exportation
Box 8 :	Give details of net weight, volume, etc. which the person concerned wishes to reimport
Box 10 (c) :	This item relates to goods which have been released for free circulation in the Community, benefiting from total or partial relief from import duties by reason of their use for specific purposes
Box 10 (d) :	This item relates to the situation of goods at the time of their exportation

REQUEST BY THE OFFICE OF REIMPORTATION	
The office of reimportation indicated below requests :	
— verification of the authenticity of this Information Sheet and the correctness of the information therein ⁽¹⁾	
— the following information to be supplied ⁽¹⁾ :	
⁽¹⁾ Delete as necessary	
Full name and address of office of reimportation	At , on
	(Signature) (Stamp)
REPLY OF THE COMPETENT AUTHORITIES	
This Information Sheet is authentic and the details contained therein are exact ⁽¹⁾	
This Information Sheet gives rise to the following comments ⁽¹⁾ :	
Other information required ⁽¹⁾	
⁽¹⁾ Delete as necessary	
Full name and address of the competent authorities	At , on
	(Signature) (Stamp)

REIMPORTATION	
Quantity reimported	Reference number, date and type of reimportation document Signature and stamp of office of reimportation

**COMMISSION REGULATION (EEC) No 2946/76
of 3 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 organiza-
tion 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 Regula-
tion (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 4 December
1976.

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

Done at Brussels, 3 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 3 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	56.67 ⁽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 2947/76**of 3 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 4 December
1976.

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

Done at Brussels, 3 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 3 December 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 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.a. / 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 2948/76

of 3 December 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 2867/76⁽⁸⁾.

Whereas, in the case of the pound sterling, the Irish pound, the French franc and the Italian lira, the difference referred to in Article 2 (1) of Regulation (EEC) No 1569/72 for the period 24 to 30 November 1976 has changed, by reference to the representative rate

valid from 6 December 1976, by at least one point from the percentage used for the previous fixing; whereas this fact should be taken into account when fixing the components used to calculate the differential amounts for colza and rape seed;

Whereas the rates recorded for the pound since the expiry of this period indicate a definite recovery, so that the factors used to calculate the differential amounts for the following week should in all probability be reduced once more; whereas in these circumstances the amounts currently in force should continue to be applied;

Whereas the Management Committee for Oils and Fats has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 December 1976.

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

Done at Brussels, 3 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 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 329, 27. 11. 1976, p. 27.

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			—	0.2307
— harvested in Denmark			—	0.0930
— harvested in Ireland			—	0.2732
— harvested in the United Kingdom			—	0.3520
— harvested in Italy			—	0.2409
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			—	0.1636
— harvested in Denmark			—	0.0140
— harvested in Ireland			—	0.2111
— harvested in the United Kingdom			—	0.2955
— harvested in Italy			—	0.1747
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			—	0.1517
— harvested in Denmark			—	—
— harvested in Ireland			—	0.1999
— harvested in the United Kingdom			—	0.2855
— harvested in Italy			—	0.1630
4. Colza and rape seed, processed for oil production in France or exported from that country :	— 0.1789	+ 0.1789	+	—
— harvested in Germany			0.2999	—
— harvested in the BLEU or in the Netherlands			0.1956	—
— harvested in France			—	—
— harvested in Denmark			0.1789	—
— harvested in Ireland			—	0.0568
— harvested in the United Kingdom			—	0.1577
— harvested in Italy			—	0.0134

	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			0.1872	—
— harvested in Denmark			0.3996	—
— harvested in Ireland			0.1198	—
— harvested in the United Kingdom			—	—
— harvested in Italy			0.1715	—
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			0.0602	—
— harvested in Denmark			0.2498	—
— harvested in Ireland			—	—
— harvested in the United Kingdom			—	—
— harvested in Italy			0.0461	—
7. Colza and rape seed, processed for oil production in Italy or exported from that country :	—0.1947	+0.1947	+	—
— harvested in Germany			0.3174	—
— harvested in the BLEU or in the Netherlands			0.2117	—
— harvested in France			0.0314	—
— harvested in Denmark			0.1947	—
— harvested in Ireland			—	0.0441
— harvested in the United Kingdom			—	0.1464
— 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 2949/76
of 3 December 1976

opening an invitation to tender for the mobilization of common wheat as food aid for the Republic of Upper Volta

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 3 March 1975 the Council of the European Communities declared that by way of Community action it proposed to grant the Republic of Upper Volta 3 500 metric tons of common wheat under its 1974/75 food-aid programme ;

Whereas an analysis of the state of the cereals market with reference to cereals intervention in Germany indicates that the criteria of Article 3 (2) of Council Regulation (EEC) No 2750/75 should be applied and that the intervention agency of the Member State as specified should mobilize the cereals from those stocked in its own stores and should also determine the conditions of mobilization ;

Whereas the proposed invitation to tender should be for supply of the products delivered to Banfora ;

Whereas the contract should be awarded to the tenderer offering the best terms ;

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

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

Whereas the German intervention agency should be made responsible for the tendering procedure in question ;

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 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 by way of Community food-aid action to the Republic of Upper Volta of 3 500 metric tons of common wheat.
2. The tendering procedure shall take place in the Federal Republic of Germany in four lots.
3. The product shall be mobilized by the German intervention agency from the stores specified in the Annex.
4. Shipment shall be from a Community port.
5. The invitation to tender provided for in paragraph 1 is for supply of the products delivered to Banfora.
6. The product shall be delivered in bulk.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 17 December 1976.
2. The closing date for the receipt of tenders shall be 17 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 submission of tenders.

Article 3

The contract shall be awarded to the tenderer who makes the most favourable offer.

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

⁽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.

Article 4

1. The successful tenderer shall give security of a value of five units of account per metric ton of the product; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeited if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *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 5

The product referred to in Article 1 must be of fair and sound merchantable quality and correspond at least to the standard quality for which the intervention price is fixed, except that the moisture content shall not exceed 14 % and that a maximum of 3 % of sprouted grains and 1.5 % of miscellaneous impurities shall be allowed.

Article 6

1. The German intervention agency shall be responsible for 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. On the other hand, if the successful tenderer is established in a Member State other than the one

collecting the tenders, and if the product is dispatched through a frontier post of the Member State where the successful tenderer is established, the intervention agency of the latter Member State shall be responsible for the operations relating to the tendering.

In this 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.

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

- (a) after each shipment a certificate showing the quantities dispatched and the quality of the products;
- (b) the date of 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 7

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, 3 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEXE — ANHANG — ALLEGATO — BIJLAGE — BILAG — ANNEX

Número du lot Nummer der Lose Numero della partita Nummer van de partij Partiets nummer Number of lot	Port d'embarquement Verschiffungshafen Porto d'imbarco Haven van inlading Indskibningshavn Port of shipment	Tonnage à mettre en fob Nach fob zu bringende Menge Tonnellaggio da mettere in fob Fob aan te leveren hoeveelheid Mængde til levering fob Metric tonnage fob	Nom et adresse du stockeur Name und Adresse des Lagerhalters Nome e indirizzo del detentore Naam en adres van de entrepothouder Lagerindehaverens navn og adresse Address of store	Lieu de stockage Ort der Lagerhaltung Luogo di accantonamento Adres van de opslagplaats Lagerplads Town at which stored
	Ports communautaires Gemeinschaftshäfen Porti comunitari Havens van de Gemeenschap Fællesskabshavne Community ports	3 500 t dont : davon : di cui : waarvan : deraf : whereof :		
1		1 000 t	Heymann und Co.	Niederlosheim
2		1 000 t	KG-Saargetreide	
3		1 000 t	Postfach 264	
4		500 t	4150 Krefeld 11	

COMMISSION REGULATION (EEC) No 2950/76

of 3 December 1976

opening an invitation to tender for the mobilization of rolled oats as food aid
for the United Nations Children's Fund (UNICEF)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas on 25 March 1976 the Council of the Euro-
pean Communities declared that it proposed, by way
of Community action, to grant the equivalent of 5 164
metric tons of oats, in the form of 2 582 metric tons
of rolled oats, to UNICEF under its 1975/76 food-aid
programme ;

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

Whereas 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 esta-
blished 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 provision should be made for security to be
given to guarantee fulfilment of obligations arising by
virtue of participation in the invitation to tender for
the supply of goods to UNICEF ;

Whereas the Dutch intervention agency should be
made responsible for organizing the invitation to
tender ;

Whereas it is important that the Commission be
informed without delay of the tenders submitted in
response to the invitation and of those accepted by
the intervention agency ;

Whereas the Monetary Committee will be consulted ;
whereas, in view of the urgency, the measures envis-
aged should be adopted in accordance with the condi-
tions laid down in Article 3 (2) of Council Regulation
No 129 on value of the unit of account and the
exchange rates to be applied for the purposes of the
common agricultural policy ⁽⁴⁾, as last amended by
Regulation (EEC) No 2543/73 ⁽⁵⁾, and in particular
Article 3 thereof ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. An invitation to tender shall be issued in respect
of the supply of 2 582 metric tons of rolled oats to
UNICEF by way of Community food-aid action.
2. The tendering procedure shall take place in the
Netherlands in four lots. The product shall be mobi-
lized on the Community market. The product shall be
loaded for departure from a Community port.
3. The invitation to tender provided for in para-
graph 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
products specified in paragraph 1 in sacks of 25 kilo-
grammes net according to the conditions laid down in
the Annex hereto.

Article 2

1. The decision on tenders received in response to
the invitation provided for in Article 1 shall be taken
on 29 December 1976.
2. The closing date for submission of tenders shall
be 29 December 1976 at 12 noon.

⁽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.

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

Article 3

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

2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs exports 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 rolled oats referred to in Article 1 to be supplied to UNICEF must meet the requirements contained in the Annex hereto.

Oats not meeting these requirements shall be refused.

2. Tenders for supply to UNICEF of the rolled oats referred to in Article 1 must relate to a product with the characteristics contained in the Annex hereto.

Article 7

1. The Dutch intervention agency shall be responsible for 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 the information which it may require.

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

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

- (a) after each shipment a certificate showing the quantities dispatched and the quality of the products;
- (b) the date of the departure of the vessels, the expected date of arrival of the products at their destination;
- (c) all possible contingencies which might occur during transportation of the products.

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

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

Article 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, 3 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX SPECIFICATIONS

Production of quick-cooking oat flakes :

Raw oats : First quality high-density oats.

Cleaning and preparation : Oats to be cleaned of extraneous matter, debittered and stabilized by treatment with steam.

Hulling : Oats to be size-classified and hulled. After separation of husks oat kernels to be scoured and polished.

Groats : Oat kernels to be cut, sorted and air-cleaned. Groats dampened and pre-cooked with steam, then rolled to flakes.

Oat flakes : To be packaged in 25 kg bags (2 % empty bags).

Bag composition :

- four bags of Kraft paper, of a strength corresponding to a weight of at least 70 g/m² ;
- one interposed bag made of tarred paper of a strength corresponding to a weight of at least 140 g/m² ;
- one double-bound polyethylene internal pocket at least 0.06 mm thick ;
- top and bottom seals of bag to be pasted ;
- insect repellent to be applied to outside of bag.

Quality of oat flakes :

Humidity : less than 12 %.

Ash content : less than 2.3 % of dry matter.

Crude fibre : less than 1.5 % of dry matter.

Husk content : less than 0.10 % of dry matter.

Protein content : not less than 14 % of dry matter.

Number of lot	Port of unloading	Metric tonnage cif	Loading period	Inscription on the sacks
1	Dar-es-Salaam	900	1. — 30. 3. 1977	} Rolled oats — Gift of the European Economic Community — Action of the United Nations Children's Fund (UNICEF)
2	Aden —	480	1. — 30. 3. 1977	
3	Rangoon	880	1. — 30. 3. 1977	
4	Haiphong	322	1. — 30. 3. 1977	} Flocons d'avoine — Don de la Communauté économique européenne — Action du Fonds des Nations unies pour l'enfance (UNICEF)

COMMISSION REGULATION (EEC) No 2951/76
of 3 December 1976

amending for the second time Regulation (EEC) No 2115/76 laying down general rules for the import of wines, grape juice and grape must

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1848/76 of 27 July 1976 laying down general rules for the import of wines, grape juice and grape must⁽³⁾, and in particular Article 4 thereof,

Whereas Commission Regulation (EEC) No 2115/76 of 20 August 1976 laying down general rules for the import of wines, grape juice and grape must⁽⁴⁾, as amended by Regulation (EEC) No 2417/76⁽⁵⁾, provides that certain wines dispatched before 1 December 1976 may be accompanied by V.I documents complying with the models used up to 1 September 1976; whereas large stocks of documents still exist in non-member countries and experience has shown that the availability in the non-member countries concerned of the V.I documents provided for in Regulation (EEC) No 2115/76 cannot be guaranteed by 1 December 1976; whereas this date should therefore be amended to 1 July 1977;

Whereas as part of the policy to simplify the agricultural legislation it seems advisable to exempt, for a transitional period, certain liqueur wines for which a comparable document is already required under Community rules;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2115/76 is amended as follows:

1. In the second paragraph of Article 1, the date '1 December 1976' is replaced by '1 July 1977'.
2. The following subparagraph is added to Article 9 (2):
 '(f) imported liqueur wines covered by Regulation (EEC) No 1120/75 of 17 April 1975 laying down conditions for the entry of port, Madeira, sherry, Setubal muscatel and Tokay (Aszu and Szamorodni) wines falling within subheadings 22.05 C III a) 1 and b) 1 and 2 and 22.05 C IV a) 1 and b) 1 and 2 of the Common Customs Tariff⁽¹⁾, Boberg wines for which a certificate of designation of origin is produced, and Samos muscat wines for which a certificate of origin is produced.'
3. A footnote as follows is inserted in respect of the new provision set out in the preceding paragraph:
 '(1) OJ No L 111, 30. 4. 1975, p. 19.'

Article 2

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

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

Done at Brussels, 3 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 135, 24. 5. 1976, p. 42.

⁽³⁾ OJ No L 204, 30. 7. 1976, p. 5.

⁽⁴⁾ OJ No L 237, 28. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 273, 6. 10. 1976, p. 8.

COMMISSION REGULATION (EEC) No 2952/76

of 3 December 1976

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty of Accession ⁽¹⁾,

Having regard to Protocol 18 ⁽²⁾ to the Act annexed thereto,

Having regard to Council Regulation (EEC) No 226/73 of 31 January 1973 laying down general rules for imports of New Zealand butter and cheese into the United Kingdom ⁽³⁾, as last amended by Regulation (EEC) No 3067/75 ⁽⁴⁾, and in particular Article 8 thereof,

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

- 63.09 u.a./100 kg for butter,
- 60.38 u.a./100 kg for cheese.

Article 2

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, 3 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 173.

⁽³⁾ OJ No L 27, 1. 2. 1973, p. 17.

⁽⁴⁾ OJ No L 307, 27. 11. 1975, p. 4.

COMMISSION REGULATION (EEC) No 2953/76**of 3 December 1976****correcting Regulation (EEC) No 2923/76 fixing the export refunds on white sugar and raw sugar 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 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 the first sentence of the last subparagraph of Article 19 (2) thereof,

Whereas the export refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 2923/76 of 1 December 1976⁽³⁾;

Whereas a check has revealed an error in the Annex to that Regulation; whereas the Regulation in question must therefore be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 2923/76, the amount '12.11' under subheading 17.01 B (a) is replaced by the figure '13.06'.

Article 2

This Regulation shall enter into force on 4 December 1976. It shall apply from 2 December 1976.

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

Done at Brussels, 3 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 333, 2. 12. 1976, p. 15.

COMMISSION REGULATION (EEC) No 2954/76

of 3 December 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 2906/76⁽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 6 December 1976.

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

Done at Brussels, 3 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 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 332, 1. 12. 1976, p. 31.

ANNEX

World market price applicable from 6 December 1976 for colza and rape seed (CCT heading No ex 12.01)

	u.a./100 kg ⁽¹⁾
World market price	20·902
World market price where the subsidy is fixed in advance :	
— for the month of December 1976	20·902
— for the month of January 1977	20·560
— for the month of February 1977	20·560
— for the month of March 1977	20·560
— for the month of April 1977	20·314
— for the month of May 1977	20·314

⁽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	6·64077
1 u.a. =	Dkr	7·89407
1 u.a. =	£	0·797200
1 u.a. =	l £	0·797200
1 u.a. =	Lit	1 150·51

COMMISSION REGULATION (EEC) No 2955/76
of 3 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 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 2939/76⁽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 4 December 1976.

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

Done at Brussels, 3 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 334, 3. 12. 1976, p. 24.

ANNEX

to the Commission Regulation of 3 December 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	19.93
	B. Raw sugar	18.71 ⁽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.

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