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I Acts whose publication is obligatory

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3103/76
of 16 December 1976
on aid for durum wheat

THE COUNCIL 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 10 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Article 10 of Regulation (EEC) No 2727/75 provides that aid shall be granted for the production of durum wheat in the Community; whereas, to promote a general improvement in quality and to guarantee that the durum wheat harvested is suitable, in particular, for the manufacture of pasta products, it should be stipulated that the qualitative and technical characteristics which durum must have in order to be eligible for aid must be determined in accordance with these objectives;

Whereas, in accordance with Article 10 (2) of Regulation (EEC) No 2727/75, aid is granted by the Member States per hectare sown and harvested; whereas it is reasonable to assume for this purpose that all areas sown with durum wheat and for which the normal stages of cultivation are carried out will be harvested;

Whereas the proper working of the aid system requires supervision on the part of the Member States in order to ensure that aid is granted only for the areas concerned and for eligible products; whereas such supervision can be effectively carried out only during the growing season; whereas, to this end, provision should be made for the introduction, by each Member State concerned, of a system of declarations relating to such areas,

HAS ADOPTED THIS REGULATION:

Article 1

1. Member States shall grant the aid referred to in Article 10 of Regulation (EEC) No 2727/75 for the

production of durum wheat on their territory under the conditions set out in the following Articles.

2. An area of durum wheat shall be regarded as sown and harvested for the purposes of Article 10 of Regulation (EEC) No 2727/75 when it has undergone the normal stages of cultivation necessary for the production of durum wheat and the wheat is in the course of growth.

Article 2

For the purposes of this Regulation, durum wheat means wheat of the *Triticum durum* species and the hybrids derived from the interspecific crossing of *Triticum durum* which have the same number of chromosomes as that species.

Article 3

The qualitative and technical characteristics which durum wheat must have in order to be eligible for aid must guarantee that the product is suitable for use by the durum meal industry and for the manufacture of pasta products and that the products processed therefrom satisfy certain requirements as regards suitability for human consumption.

Article 4

1. Member States shall introduce a system of administrative supervision to ensure that a product for which aid is requested meets the requirements for granting such aid.

2. For the purposes of such supervision, Member States shall introduce a system of declarations relating to the areas cultivated and the seed varieties used. Such a declaration shall be equivalent to an application for aid.

Article 5

Member States shall carry out random on-the-spot checks to ascertain the accuracy of the declarations referred to in Article 4 (2).

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 130, 19. 5. 1976, p. 1.

Article 6

The amount of aid to be paid shall be calculated on the basis of the area cultivated.

Article 7

Producer Member States shall inform the Commission of the measures taken pursuant to this Regulation and provide it with information relating, in particular, to the areas for which aid has been granted.

Article 8

Council Regulation (EEC) No 1147/76 of 17 May 1976 on aid for durum wheat⁽¹⁾ is hereby repealed. However, it shall remain applicable to durum wheat qualifying for aid in the 1976/77 marketing year.

Article 9

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, 16 December 1976.

For the Council

The President

W. F. DUISENBERG

⁽¹⁾ OJ No L 130, 19. 5. 1976, p. 11.

COMMISSION REGULATION (EEC) No 3104/76
of 20 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 21
December 1976.

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

Done at Brussels, 20 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 20 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	138.67 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	60.83 ⁽⁶⁾
10.03	Barley	50.50
10.04	Oats	54.42
10.05 B	Maize other than hybrid maize for sowing	57.90 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	56.67 ⁽⁴⁾
10.07 C	Grain sorghum	58.18 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	131.34
11.01 B	Rye flour	96.46
11.02 A I a	Durum wheat groats and meal	225.59
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 3105/76**of 20 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 21
December 1976.

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

Done at Brussels, 20 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 20 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	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	4.03	4.03	4.97
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0.75
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(u.a. / metric ton)

CCT heading No	Description of goods	Current 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	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3106/76

of 20 December 1976

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 559/76⁽²⁾, and in particular Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

— the economic aspect of the proposed exports;

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

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

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

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

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 5, 9. 1. 1975, p. 7.

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

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

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1487/76⁽²⁾;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

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

relation to the Community currencies referred to in the previous subparagraph;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 21 December 1976.

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

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

ANNEX

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % :		
	I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of 2 litres or less	0110 00	4.61
	b) Other	0120 00	—
	II. Others :		
	a) In immediate packings of a net capacity of 2 litres or less and of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) of a fat content, by weight, not exceeding 1.5 %	0130 10	1.14
	(bb) of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0130 22	
	for exports to :		
	— countries near the Community		4.02
	— other destinations		5.04
	(cc) of a fat content, by weight, exceeding 3 %	0130 31	
	for exports to :		
	— countries near the Community		5.71
	— other destinations		7.32
	2. Exceeding 4 %	0140 00	
	for exports to :		
	— countries near the Community		6.13
	— other destinations		8.51
	b) Other of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) of a fat content, by weight, not exceeding 1.5 %	0150 10	1.14
	(bb) of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0150 21	4.16
	(cc) of a fat content, by weight, exceeding 3 %	0150 31	5.02
	2. Exceeding 4 %	0160 00	5.41
	ex B. Other, excluding whey, of a fat content, by weight :		
	ex I. Exceeding 6 % but not exceeding 21 % :		
	(a) of a fat content, by weight, not exceeding 10 %	0200 05	15.14
	(b) of a fat content, by weight, exceeding 10 % but not exceeding 17 %	0200 11	23.56
	(c) of a fat content, by weight, exceeding 17 %	0200 21	35.59
	II. Exceeding 21 % but not exceeding 45 % :		
	(a) of a fat content, by weight, not exceeding 39 %	0300 10	42.47
	(b) of a fat content, by weight, exceeding 39 %	0300 20	73.41
	III. More than 45 % :		
	(a) of a fat content, by weight, not exceeding 68 %	0400 11	83.72
	(b) of a fat content, by weight, exceeding 68 % but not exceeding 80 %	0400 22	123.24
	(c) of a fat content, by weight, exceeding 80 %	0400 30	143.87

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar :		
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight :		
	1. Not exceeding 1.5 %	0620 00	64.85
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) of a fat content, by weight, not exceeding 11 %	0720 00	64.85
	(bb) of a fat content, by weight, exceeding 11 % but not exceeding 17 %	0720 20	76.80
	(cc) of a fat content, by weight, exceeding 17 % but not exceeding 25 %	0720 30	82.77
	(dd) of a fat content, by weight, exceeding 25 %	0720 40	90.67
	3. Exceeding 27 % but not exceeding 29 %	0820 00	92.66
	4. Exceeding 29 % :		
	(aa) of a fat content, by weight, not exceeding 41 %	0920 10	94.62
	(bb) of a fat content, by weight, exceeding 41 %	0920 20	106.49
	b) Other, excluding products containing fish meal or fish oil or fish liver oil and iron carbonate or sulphate, of a fat weight content :		
	1. Not exceeding 1.5 %	1020 00	64.85
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) of a fat content, by weight, not exceeding 11 %	1120 10	64.85
	(bb) of a fat content, by weight, exceeding 11 % but not exceeding 17 %	1120 20	76.80
	(cc) of a fat content, by weight, exceeding 17 % but not exceeding 25 %	1120 30	82.77
	(dd) of a fat content, by weight, exceeding 25 %	1120 40	90.67
	3. Exceeding 27 % but not exceeding 29 %	1220 00	92.66
	4. Exceeding 29 % :		
	(aa) of a fat content, by weight, not exceeding 41 %	1320 10	94.62
	(bb) of a content, by weight, exceeding 41 %	1320 20	106.49

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	III. Milk and cream, other than in powder or granules : a) In hermetically sealed cans of a net capacity of 454 g or less or in glass containers containing 0.5 litres or less and of a fat content, by weight, not exceeding 11 % : ex 1. Of a fat content, by weight, not exceeding 8.9 % : (aa) of a fat content, by weight, exceeding 3 % but not exceeding 7.4 % (bb) of a fat content, by weight, exceeding 7.4 % 2. Other b) Other, of a fat content, by weight : ex 1. Not exceeding 45 % : (aa) of a fat content, by weight, exceeding 3 % but not exceeding 7.4 % (bb) of a fat content, by weight, exceeding 7.4 % but not exceeding 8.9 % (cc) of a fat content, by weight, exceeding 8.9 % but not exceeding 11 % (dd) of a fat content, by weight, exceeding 11 % but not exceeding 21 % (ee) of a fat content, by weight, exceeding 21 % but not exceeding 39 % (ff) of a fat content, by weight, exceeding 39 % 2. Exceeding 45 % B. Containing added sugar : I. Milk and cream, in powder or granules : ex b) Other, excluding whey : 1. In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight : aa) Not exceeding 1.5 % bb) Exceeding 1.5 % but not exceeding 27 % : (11) of a fat content, by weight, not exceeding 11 % (22) of a fat content, by weight, exceeding 11 % but not exceeding 17 % (33) of a fat content, by weight, exceeding 17 % but not exceeding 25 % (44) of a fat content, by weight, exceeding 25 % cc) Exceeding 27 % : (11) of a fat content, by weight, not exceeding 41 % (22) of a fat content, by weight, exceeding 41 % 2. Other, of a fat content, by weight : aa) Not exceeding 1.5 %	1420 11 1420 21 1520 00 1620 11 1620 21 1620 30 1620 40 1620 50 1620 60 1720 00 2220 00 2320 10 2320 20 2320 30 2320 40 2420 10 2420 20 2520 00	14.44 19.39 23.00 14.44 19.39 23.00 23.56 42.47 73.41 83.72 0.6485 ⁽¹⁾ per kg 0.6485 ⁽¹⁾ per kg 0.7680 ⁽¹⁾ per kg 0.8277 ⁽¹⁾ per kg 0.9067 ⁽¹⁾ per kg 0.9266 ⁽¹⁾ per kg 1.0649 ⁽¹⁾ per kg 0.6485 ⁽¹⁾ per kg

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	bb) Exceeding 1.5 % but not exceeding 27 % : (11) of a fat content, by weight, not exceeding 11 % (22) of a fat content, by weight, exceeding 11 % but not exceeding 17 % (33) of a fat content, by weight, exceeding 17 % but not exceeding 25 % (44) of a fat content, by weight, exceeding 25 % cc) Exceeding 27 % : (11) of a fat content, by weight not exceeding 41 % (22) of a fat content, by weight, exceeding 41 % ex II. Milk and cream, excluding whey other than in powder or granules : ex a) In hermetically sealed cans of a net capacity of 454 g or less and of a fat content, by weight, not exceeding 9.5 % : (1) of a fat content, by weight, not exceeding 6.9 % and of a lactic dry matter content, by weight of 15 % or more (2) of a fat content, by weight, exceeding 6.9 % and of a lactic dry matter content, by weight of 15 % or more b) Other, of a fat content, by weight : ex 1. Not exceeding 45 % : (aa) of a fat content, by weight, not exceeding 6.9 % and of lactic dry matter content, by weight of 15 % or more (bb) of a fat content, by weight, exceeding 6.9 % but not exceeding 21 % and of a lactic dry matter content, by weight, of 15 % or more (cc) of a fat content, by weight, exceeding 9.5 % but not exceeding 21 % and of a lactic dry matter content, by weight, less than 15 % (dd) of a fat content, by weight, exceeding 21 % but not exceeding 39 % (ee) of a fat content, by weight, exceeding 39 % 2. Exceeding 45 %	2620 10 2620 20 2620 30 2620 40 2720 10 2720 20 2810 10 2810 20 2910 70 2910 76 2910 80 2910 85 2910 90 3010 00	0.6485 ⁽¹⁾ per kg 0.7680 ⁽¹⁾ per kg 0.8277 ⁽¹⁾ per kg 0.9067 ⁽¹⁾ per kg 0.9266 ⁽¹⁾ per kg 1.0649 ⁽¹⁾ per kg 13.96 ⁽²⁾ 23.80 ⁽²⁾ 13.96 ⁽²⁾ 23.80 ⁽²⁾ 0.2356 ⁽¹⁾ per kg 0.4247 ⁽¹⁾ per kg 0.7341 ⁽¹⁾ per kg 0.8372 ⁽¹⁾ per kg
04.03	Butter : ex A. Of a fat content, by weight, not exceeding 85 % : (I) of a fat content, by weight, of 62 % or more, but less than 78 %	3110 05	109.59

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.03 (cont'd)	(II) of a fat content, by weight, of 78 % or more, but less than 80 %	3110 16	137.89
	(III) of a fat content, by weight, of 80 % or more, but less than 82 %	3110 22	141.42
	(IV) of a fat content, by weight, of 82 % or more	3110 32	144.96
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99.5 %	3210 10	144.96
	(II) Exceeding 99.5 %	3210 20	194.90
04.04	Cheese and curd :		
	ex A. Emmentaler and Gruyère, not grated or powdered :		
	II. Other	3800 00	
	for exports to :		
	— Zone D		36.15
	— Zone E		—
	— Canada		48.00
	— Liechtenstein and Switzerland		—
	— Austria		35.34
	— other destinations		90.71
	ex C. Blue-veined cheese, not grated or powdered, other than Roquefort :	4000 00	
	for exports to :		
	— Zone D		56.39
	— Zone E		22.38
	— Canada		39.40
	— other destinations		74.86
	D. Processed cheese, not grated or powdered :		
	II. Other, of a fat content, by weight :		
	a) Not exceeding 36 % and of a fat content, by weight, in the dry matter :		
	ex 1. Not exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 %	4410 10	
	for exports to :		
	— Zone D		7.78
	— Zone E		14.58
	— Canada		14.78
	— Switzerland		5.30
	— other destinations		30.63
	(bb) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 %	4410 20	
	for exports to :		
	— Zone D		7.78
	— Zone E		14.58
	— Canada		14.78
	— Switzerland		5.30
	— other destinations		30.63

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Of 20 % or more for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	4410 30	11.49 21.50 21.84 7.84 45.37
	(cc) Of 43 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 % for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	4410 40	7.78 14.58 14.78 5.30 30.63
	(22) Of 20 % or more but less than 40 % for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	4410 50	11.49 21.50 21.84 7.84 45.37
	(33) Of 40 % or more for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	4410 60	16.78 31.32 31.90 11.44 66.37
	ex 2. Exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 % for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	4510 10	7.78 14.58 14.78 5.30 30.63
	(bb) Of 38 % or more but less than 43 % for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	4510 20	11.49 21.50 21.84 7.84 45.37
	(cc) Of 43 % or more but less than 46 % for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	4510 30	16.78 31.32 31.90 11.44 66.37

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(dd) Of 46 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 55 %	4510 40	
	for exports to :		
	— Zone D		16.78
	— Zone E		31.32
	— Canada		31.90
	— Switzerland		11.44
	— other destinations		66.37
	(22) Of 55 % or more	4510 50	
	for exports to :		
	— Zone D		19.91
	— Zone E		37.16
	— Canada		37.85
	— Switzerland		13.58
	— other destinations		78.79
	b) Exceeding 36 %	4610 00	
	for exports to :		
	— Zone D		19.91
	— Zone E		37.16
	— Canada		37.85
	— Switzerland		13.58
	— other destinations		78.79
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the not-fatty matter :		
	ex a) Not exceeding 47 % :		
	(1) Grana, Parmigiano Reggiano	4710 11	
	for exports to :		
	— Zone D		116.64
	— Zone E		71.50
	— Canada		88.00
	— Switzerland		91.64
	— other destinations		116.64
	(2) Fiore Sardo. Pecorino	4710 16	
	for exports to :		
	— Zone D		125.27
	— Zone E		82.50
	— Canada		89.50
	— Switzerland		100.27
	— other destinations		125.27
	(3) Other, of a fat content, by weight, in the dry matter of 30 % or more	4710 21	
	for exports to :		
	— Zone D		116.64
	— Zone E		71.50
	— Canada		88.00
	— Switzerland		91.64
	— other destinations		116.64

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	b) Exceeding 47 % but not exceeding 72 % :		
	1. Cheddar, including Chester :		
	ex bb) Other, of a fat content, by weight, in the dry matter of 48 % or more	4850 00	
	for exports to :		
	— Zone D		23.47
	— Zone E		—
	— Canada		28.00
	— Switzerland		16.00
	— other destinations		84.50
	ex 5. Other, of a fat content, by weight, in the dry matter :		
	(aa) Less than 5 % and of a content, by weight in the dry matter of 32 % or more	5120 11	
	for exports to :		
	— Zone D		5.85
	— Zone E		—
	— Canada		12.50
	— Switzerland		3.99
	— other destinations		32.43
	(bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more	5120 15	
	for exports to :		
	— Zone D		6.46
	— Zone E		—
	— Canada		29.90
	— Switzerland		4.40
	— other destinations		54.54
	(cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 %	5120 21	
	for exports to :		
	— Zone D		6.94
	— Zone E		—
	— Canada		35.57
	— Switzerland		4.73
	— other destinations		66.12
	(dd) Of 39 % or more :		
	(11) Asiago, Caciocavallo, Provolone, Ragusano	5120 31	
	for exports to :		
	— Zone D		84.20
	— Zone E		67.00
	— Canada		77.50
	— Switzerland		15.30
	— other destinations		116.23
	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit	5120 44	
	for exports to :		
	— Zone D		32.14
	— Zone E		18.60
	— Canada		40.90
	— Switzerland		23.75
	— other destinations		77.12

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio for exports to :	5120 54	
	— Zone D		32.14
	— Zone E		16.10
	— Canada		35.35
	— Switzerland		23.75
	— other destinations		66.74
	(44) Cantal for exports to :	5120 58	
	— Zone D		23.47
	— Zone E		23.11
	— Canada		41.70
	— Switzerland		16.00
	— other destinations		79.13
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more for exports to :	5120 59	
	— Zone E		15.00
	— Canada		20.00
	— other destinations		35.03
	(66) Feta for exports to : — Zone D — Zone E — Canada — Switzerland — Jordan, Iraq, Iran, the Arabian Peninsula and Mediterranean countries except Zone D — other destinations	5120 82	
	— Zone D		15.00 (*)
	— Zone E		2.15 (*)
	— Canada		34.00 (*)
	— Switzerland		12.00 (*)
	— Jordan, Iraq, Iran, the Arabian Peninsula and Mediterranean countries except Zone D		76.28 (*)
	— other destinations		63.42 (*)
	(77) Colby, Monterey for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	5120 83	
	— Zone D		23.47
	— Zone E		—
	— Canada		41.70
	— Switzerland		16.00
	— other destinations		79.13
	(88) Other, of a water content, calculated by weight, of the non-fatty matter :		
	(aaa) Exceeding 47 % but not exceeding 52 % for exports to : — Zone D — Switzerland — Zone E — Canada — other destinations	5120 86	
	— Zone D		25.00
	— Switzerland		15.00
	— Zone E		43.08
	— Canada		62.50
	— other destinations		85.00
	(bbb) Exceeding 52 % but not exceeding 62 % for exports to : — Zone D — Zone E — Canada — Switzerland — other destinations	5120 91	
	— Zone D		32.14
	— Zone E		18.60
	— Canada		40.90
	— Switzerland		23.75
	— other destinations		77.12

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	II. Other : ex) a) Grated or powdered, of a fat content by weight exceeding 20 %, of a lactose content by weight, less than 5 % and of a dry matter content, by weight : (1) of 80 % or more but less than 85 % for exports to : — Zone E — Canada — other destinations (2) of 85 % or more but less than 95 % for exports to : — Zone E — Canada — other destinations (3) of 95 % or more for exports to : — Zone E — Canada — other destinations	5310 10 5310 21 5310 30	20.00 33.50 56.25 25.00 39.50 70.59 30.00 45.00 82.26
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : ex B. Other, containing starch, glucose or glucose syrup falling within sub-headings 17.02 B and 17.05 B, or milk products, excluding special compound feedingstuffs (*) : I. Containing starch, or glucose or glucose syrup : a) Containing no starch or containing 10 % or less by weight of starch : 3. Containing 50 % or more but less than 75 % by weight of milk products and containing, by weight, milk powder of a fat content, by weight, not exceeding 11 %, excluding whey powder : (aa) less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more 4. Containing 75 % or more by weight of milk products and containing, by weight, milk powder of a fat content, by weight, not exceeding 11 %, excluding whey powder : (aa) less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more but less than 75 % (gg) 75 % or more but less than 80 % (hh) 80 % or more	5700 12 5700 22 5700 32 5700 41 5700 51 5700 61 5800 12 5800 22 5800 31 5800 41 5800 51 5800 61 5800 71 5800 81	— 20.75 27.24 33.72 40.21 46.69 — 20.75 27.24 33.72 40.21 46.69 49.93 53.18

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
23.07 (cont'd)	II. Containing no starch, glucose or glucose syrup, but containing milk products, containing, by weight, milk powder of a fat content, by weight, not exceeding 11 %, excluding whey powder : (a) 50 % or more but less than 60 % (b) 60 % or more but less than 70 % (c) 70 % or more but less than 80 % (d) 80 % or more	5900 11 5900 21 5900 31 5900 41	33.72 40.21 46.69 53.18

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

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

- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
- (b) a component calculated in accordance with the provisions of Article 2 (3) Regulation (EEC) No 1098/68.

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

- (a) the amount per 100 kg shown and
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

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

- (a) fish meal or fish oil and/or fish liver oil ;
- (b) active carbon and/or a mixture of Tartazine Yellow (E 102) and Patent Blue V (E 131) or Cochianal Red A (E 124) or Patent Blue V (E 131) ;
- (c) iron carbonate and/or iron sulphate and/or copper sulphate .

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

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

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

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

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

COMMISSION REGULATION (EEC) No 3107/76
of 20 December 1976
fixing the import levies on frozen beef and veal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
805/68 of 27 June 1968 on the common organization
of the market in beef and veal ⁽¹⁾, as last amended by
Regulation (EEC) No 568/76 ⁽²⁾, and in particular
Article 13 (6) thereof,

Whereas the import levies on frozen beef and veal
were fixed by Regulation (EEC) No 586/76 ⁽³⁾, as last
amended by Regulation (EEC) No 2838/76 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 586/76
to the quotations and other information known to the
Commission, that the levies should be fixed as shown
in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The levies referred to in Article 13 of Regulation
(EEC) No 805/68 are hereby fixed as shown in the
Annex to this Regulation.

Article 2

To be classified as products falling within :

- subheading 02.01 A II a) 2 aa)
- subheading 02.01 A II a) 2 bb) and cc)
- subheading 02.01 A II a) 2 dd) and 22 bbb)

products must correspond to the definitions contained
in Regulation (EEC) No 2260/73 ⁽⁵⁾.

Article 3

This Regulation shall enter into force on 3 January
1977.

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

Done at Brussels, 20 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 69, 15. 3. 1976, p. 44.

⁽⁴⁾ OJ No L 326, 25. 11. 1976, p. 18.

⁽⁵⁾ OJ No L 233, 21. 8. 1973, p. 10.

(b) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

COMMISSION REGULATION (EEC) No 3108/76
of 20 December 1976

on the payment of aid for certain projects for repairing the damage caused to agriculture by the earthquake in May 1976 in the Friuli-Venezia Giulia region

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1505/76 of 21 June 1976 on the Community contribution towards repairing the damage caused to agriculture by the earthquake in May 1976 in Friuli-Venezia Giulia region⁽¹⁾, and in particular Article 2 (1), thereof,

Having regard to Council Regulation No 17/64/EEC of 5 February 1964 on the conditions for granting aid from the European Agricultural Guidance and Guarantee Fund⁽²⁾, as last amended by Regulation (EEC) No 3171/75⁽³⁾, and in particular Article 22 (4) thereof,

Whereas under Regulation (EEC) No 1505/76 the beneficiaries of the projects for repairing the damage caused by the earthquake are required to make only a small contribution towards financing the investments;

Whereas the said beneficiaries are having financial difficulty in making payments on account to the contractors who are to carry out the work;

Whereas, in order to ensure that the projects are carried out rapidly, the necessary measures should be taken to facilitate the financing of the proposed investments;

Whereas, as an exceptional measure and by way of derogation from Commission Regulation No 99/64/EEC of 24 July 1964 on procedures for implementing decisions by the Guidance Section of the EAGGF to grant aid⁽⁴⁾, part of the aid should be paid on presentation of contracts for carrying out the work; whereas the Member State concerned should contribute towards this exceptional operation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. By way of derogation from Articles 4 and 8 (1) of Regulation No 99/64/EEC, the Commission may pay part of the aid granted for a project under Regulation (EEC) No 1505/76 if the beneficiary is required to make a payment on account before the work is carried out.
2. The Community aid paid under paragraph 1 shall not exceed the aid paid by the Member State and shall not exceed 50 % of the Community aid granted or 50 % of the payment on account to be made by the beneficiary.
3. The application for payment of aid shall be accompanied by a certified copy of the contract in respect of which the payment on account is payable.
4. The application for payment of aid shall be accompanied by a certificate from the authority referred to in Article 1 of Regulation No 99/64/EEC stating
 - that the work provided for in the contract referred to in paragraph 3 above is in conformity with the decision to grant aid and that the financial conditions laid down therein will be fulfilled,
 - the amount and date of payment of the aid from the Member State.

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, 20 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 168, 28. 6. 1976, p. 9.

⁽²⁾ OJ No 34, 27. 2. 1964, p. 586/64.

⁽³⁾ OJ No L 315, 5. 12. 1975, p. 1.

⁽⁴⁾ OJ No 126, 5. 8. 1964, p. 2119/64.

COMMISSION REGULATION (EEC) No 3109/76**of 17 December 1976****amending Regulation (EEC) No 79/75 on the sale by periodic tendering
procedure of boned beef held by the intervention agencies**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
805/68 of 27 June 1968 on the common organization
of the market in beef and veal ⁽¹⁾, as last amended by
Regulation (EEC) No 568/76 ⁽²⁾, and in particular
Article 7 (3) thereof,

Whereas Article 2 (2) of Commission Regulation
(EEC) No 79/75 of 14 January 1975 on the sale by
periodic tendering procedure of boned beef held by
the intervention agencies ⁽³⁾, as last amended by Regu-
lation (EEC) No 454/76 ⁽⁴⁾, provides that the time
limit for the submission of tenders shall expire on the
first Monday of each month ; whereas the situation as
regards public holidays at the end of 1976 and at the
beginning of 1977 makes it necessary to defer the
closing date for the January tender to the second
Monday thereof ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The second subparagraph of Article 2 (2) of Regula-
tion (EEC) No 79/75 is amended to read as follows :

'The time limit for the submission of tenders shall
be the first Monday of each month at 12 noon,
with the exception of the month of January 1977,
when it shall be the second Monday at 12 noon.'

Article 2

This Regulation shall enter into force on 22
December 1976.

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

Done at Brussels, 17 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 10, 15. 1. 1975, p. 9.

⁽⁴⁾ OJ No L 53, 28. 2. 1976, p. 77.

COMMISSION REGULATION (EEC) No 3110/76
of 20 December 1976

authorizing the supply to the processing industries of oranges withdrawn from the market, laying down the conditions for such supply and amending Regulation (EEC) No 1687/76

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 796/76⁽²⁾, and in particular Article 21 (1) and (4) thereof,

Whereas, in view of the size of the harvest, it is to be expected that considerable quantities of oranges of pigmented varieties will be withdrawn from the market; whereas, by reason of technical difficulties in processing and preserving, these products cannot be processed with a view to their free distribution to the persons referred to in Article 21 (1) (a) of Regulation (EEC) No 1035/72;

Whereas, in order to limit the risk of destruction of these products, it appears necessary, given the available facilities for processing and the distribution of the products of such processing, to authorize the supply to the processing industries of pigmented oranges withdrawn from the market up to the end of April 1977; whereas it appears necessary, moreover, to limit the quantity which may be so supplied to that which it is anticipated will be withdrawn in the course of the present marketing year;

Whereas the supply to the processing industries of products which have been the subject of intervention should be effected in such a manner as to avoid distortion of competition between the industries concerned; whereas a sale by tender or by public auction appears appropriate to that end;

Whereas, to this same end, a minimum sale price should be fixed, regard being had to the normal price of supplies to the industry;

Whereas, in order to ensure that all those concerned have an opportunity to tender or bid, it is necessary to give appropriate publicity to the notice to processors;

Whereas the notice of invitation to tender or of public auction must state the basic terms of each such operation; whereas, in order to ensure that the invitation to tender is conducted in a proper manner, provision should be made whereby certain particulars must appear in the tender, in particular as regards the prices and quantities in respect of which the tender is made;

Whereas the tenders submitted must be assessed on the basis of the price offered; whereas quantities should be allocated as they become available and in the order in which the tenderers are ranked, beginning with those offering the highest prices;

Whereas it is necessary to adopt measures ensuring that the products allocated are actually processed; whereas, to this end, a processing security must be lodged, the amount of which should be calculated so as to ensure observation of this obligation;

Whereas Regulation (EEC) No 1687/76 of 30 June 1976⁽³⁾, as last amended by Regulation (EEC) No 2054/76⁽⁴⁾ lays down detailed rules for verifying the use and/or destination of products from intervention; whereas it is therefore necessary to adapt the Annex to that Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

Oranges of the varieties of the Sanguinello group, and of the Sanguigno group, withdrawn from the market under Article 18 of Regulation (EEC) No 1035/72 on or before 30 April 1977, or bought in on or before that date under Article 19 of the Regulation, may be supplied, subject to an overall limit of 25 000 metric tons, to the processing industries.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 6.

⁽³⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽⁴⁾ OJ No L 228, 20. 8. 1976, p. 17.

Article 2

1. Supply to the processing industries shall be effected by means of a standing invitation to tender or a public auction, by the agency appointed by the Member State concerned and under conditions such that equality of access to the product to be processed and equality of treatment as between processors are assured.

2. The minimum sale price shall be 31.40 units of account per metric ton net, ex storage depot.

Article 3

1. Each standing invitation to tender may comprise several series of tenders.

Public notice must be given of invitations to tender under this procedure.

2. The notice of invitation to tender shall give all relevant information concerning, in particular:

- (a) the period during which products are likely to be available;
- (b) the nature of the products to be sold;
- (c) the areas in which the products will be stored;
- (d) the closing date for each series of tenders;
- (e) the agency to which tenders must be submitted.

Article 4

1. Tenderers shall submit their tenders by registered post with recorded delivery, by telex or by telegram, to the agency appointed by the Member State concerned.

2. Every tender shall specify:

- (a) the name and address of the party concerned;
- (b) the quantity of product to which the tender relates, expressed in metric tons;
- (c) the price offered, per metric ton net ex-storage depot, expressed in the currency of the Member State where the award of contracts is to take place;
- (d) any additional information required by the notice to processors.

3. A tender shall be valid unless it is:

- in respect of at least one metric ton, and
- made at least at the minimum price laid down in Article 2.

Article 5

1. On the closing date for the first series of tenders, the agency appointed by the Member State concerned

shall rank the tenderers on the basis of the price offered.

Where the highest price is offered by more than one tenderer, first place shall go to that one of them who has bid for the largest quantity, or if the quantity bid for is equal, then to one chosen by lot.

Products shall be allocated, in accordance with the ranking order, as quantities become available.

2. On the closing date for each subsequent series of tenders the aforesaid agency shall rank tenderers and allocate quantities of products in accordance with the criteria laid down in paragraph 1.

Article 6

Whenever a tender is not accepted, the tenderer shall be informed of the fact immediately by the agency appointed by the Member State concerned.

At the end of the period for which the invitation to tender is valid, that agency shall notify each processor whose tender has not been satisfied owing to lack of products.

Article 7

1. Where products are sold by public auction, the agency must, in a notice of sale by auction, give all information concerning:

- the period during which the products are likely to be available,
- the nature of the products to be sold,
- the areas in which the products will be stored,
- the date, time and place of each auction.

2. Any other information, in particular concerning the quantities and characteristics of the products for sale, shall forthwith be communicated to any interested party on request.

Article 8

Products sold by public auction shall be allocated to the person or persons offering the best prices.

Article 9

Every successful tenderer or purchaser at auction shall lodge a processing security in an amount of 53 units of account per metric ton net.

Article 10

Processing of the products allocated shall be supervised on the spot by the competent authority of the Member State where it takes place.

Article 11

1. When a Member State intends to have recourse to the provisions of this Regulation the agency appointed shall forthwith communicate to the agencies of the other Member States and to the Commission the notice of invitation to tender provided for in Article 3 or the notice of sale by auction provided for in Article 7.

This communication must be made :

- in respect of an invitation to tender, not less than seven days before the closing date for the first series of tenders,
- in respect of sale by auction, not less than seven days before the date of the first sale.

The agency appointed shall communicate as provided in the first subparagraph hereof all amendments to the notice of invitation to tender or notice of public auction.

Such amendments shall take effect only on the expiry of seven days from the date of their communication.

2. As soon as the communication provided for in the first subparagraph of paragraph 1 has been made, there shall be published in the *Official Journal of the European Communities* a notice publicizing the intention of the Member State concerned to have recourse to the provisions of this Regulation.

Article 12

The agency appointed by the Member State shall, immediately upon the completion of each sale by tender or by auction, inform the Commission of the quantities of products supplied and the prices at which they were supplied.

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

Done at Brussels, 20 December 1976.

Article 13

In the Annex to Regulation (EEC) No 1687/76, in the part headed 'II. Products subject to a use and/or destination other than that mentioned under I', there is added after paragraph 12, a further paragraph as follows, together with the appropriate footnote reference :

'13. Commission Regulation (EEC) No 3110/76 authorizing the supply to the processing industries of oranges withdrawn from the market, laying down the conditions for such supply and amending Regulation (EEC) No 1687/76⁽⁴⁾;

— Section 104 : 'for processing (Regulation (EEC) No 3110/76)

'destiné à la transformation
(Règlement (CEE) n°
3110/76)

'zur Verarbeitung bestimmt
(Verordnung (EWG) Nr
3110/76)

'destinato alla trasforma-
zione (Regolamento (CEE)
n. 3110/76)

bestemd om te worden
verwerkt (Verordening
(EEG) nr. 3110/76)

'til forarbejdning
(Forordning (EØF) nr
3110/76).

⁽⁴⁾ OJ No L 351, 21. 12. 1976, p. 24.'

Article 14

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

For the Commission

P. J. LARDINOIS

Member of the Commission