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Legislation

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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 146/77
of 18 January 1977**

concluding the Agreement in the form of an exchange of letters relating to Article 20 of the Cooperation Agreement and Article 13 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of fruit salads originating in Morocco

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco was signed on 27 April 1976;

Whereas the Interim Agreement on the advance implementation of the trade provisions of the Cooperation Agreement⁽¹⁾ signed on the same day entered into force on 1 July 1976;

Whereas the Agreement in the form of an exchange of letters relating to Article 20 of the Cooperation Agreement and Article 13 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of fruit salads originating in Morocco should be concluded; whereas, however, the Agreement expires on 30 June 1977; whereas the Community intends to maintain its trading relations with that country; whereas the provisions governing the second part of 1977 should not be less favourable than those laid down for the first; whereas in order not to disrupt

trading patterns for the products in question, there should be provision for applying these import arrangements for the whole of 1977,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters relating to Article 20 of the Cooperation Agreement and Article 13 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of fruit salads originating in Morocco is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community⁽²⁾.

Article 3

This Regulation shall enter into force on the day following that 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, 18 January 1977.

For the Council

The President

Anthony CROSLAND

⁽¹⁾ OJ No L 141, 28. 5. 1976, p. 98.

⁽²⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Communities* on the initiative of the Secretary-General of the Council.

AGREEMENT

in the form of an exchange of letters relating to Article 20 of the Cooperation Agreement and Article 13 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of fruit salads originating in Morocco

A. Letter from Morocco

Sir,

With a view implementing the 55 % reduction in the Common Customs Tariff provided for in Article 20 of the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco and in Article 13 of the Interim Agreement, and following the clarifications exchanged concerning the conditions governing imports into the Community of fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff originating in Morocco, I have the honour to inform you that the Moroccan Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1977 do not exceed 100 tonnes.

To this end the Moroccan Government declares that all exports to the Community of the said products will be effected exclusively by the 'Office de commercialisation et d'exportation (OCE)' (Marketing and Exports Office).

The guarantees relating to quantities will be met in accordance with procedures agreed between the Marketing and Exports Office and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

For the Moroccan Government

B. Letter from the Community

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows :

‘With a view to implementing the 55 % reduction in the Common Customs Tariff provided for in Article 20 of the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco and in Article 13 of the Interim Agreement, and following the clarifications exchanged concerning the conditions governing imports into the Community of fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Morocco, I have the honour to inform you that the Moroccan Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1977 do not exceed 100 tonnes.

To this end the Moroccan Government declares that all exports to the Community of the said products will be effected exclusively by the “Office de commercialisation et d’exportation (OCE)” (Marketing and Exports Office).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Marketing and Exports Office and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.’

I am able to confirm the agreement of the Community with the foregoing and consequently to state that the 55 % reduction in the Common Customs Tariff will apply from 1 January to 31 December 1977 to the quantities of fruit salads originating in Morocco referred to in your letter.

Please accept, Sir, the assurance of my highest consideration.

*For the Council
of the European Communities*

COUNCIL REGULATION (EEC) No 147/77

of 18 January 1977

concluding the Agreement in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of fruit salads originating in Algeria

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria was signed on 26 April 1976;

Whereas the Interim Agreement on the advance implementation of the trade provisions of the Cooperation Agreement⁽¹⁾ signed on the same day entered into force on 1 July 1976;

Whereas the Agreement in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of fruit salads originating in Algeria should be concluded; whereas the Agreement expires on 30 June 1977; whereas the Community intends to maintain its trading relations with that country; whereas the provisions governing the second part of 1977 should not be less favourable than those laid down for the first; whereas in order not to disrupt trading patterns for

the products in question, there should be provision for applying these import arrangements for the whole of 1977,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of fruit salads originating in Algeria is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community⁽²⁾.

Article 3

This Regulation shall enter into force on the day following that 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, 18 January 1977.

For the Council

The President

Anthony CROSLAND

⁽¹⁾ OJ No L 141, 28. 5. 1976, p. 2.

⁽²⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Communities* on the initiative of the Secretary-General of the Council.

AGREEMENT

in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of fruit salads originating in Algeria

A. Letter from Algeria

Sir,

With a view to implementing the 55 % reduction in the Common Customs Tariff provided for in Article 19 of the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria and in Article 12 of the Interim Agreement, and following the clarifications exchanged concerning the conditions governing imports into the Community of fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff originating in Algeria, I have the honour to inform you that the Algerian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1977 do not exceed 100 tonnes.

To this end the Algerian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the 'Société de gestion et de développement des industries alimentaires (SOGEDIA)' (Society for the Administration and Development of the Foodstuffs Industries).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Society for the Administration and Development of the Foodstuffs Industries and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

For the Algerian Government

B. Letter from the Community

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows :

'With a view to implementing the 55 % reduction in the Common Customs Tariff provided for in Article 19 of the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria and in Article 12 of the Interim Agreement, and following the clarifications exchanged concerning the conditions governing imports into the Community of fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Algeria, I have the honour to inform you that the Algerian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1977 do not exceed 100 tonnes.

To this end the Algerian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the "Société de gestion et de développement des industries alimentaires (SOGEDIA)" (Society for the Administration and Development of the Foodstuffs Industries).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Society for the Administration and Development of the Foodstuffs Industries and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.'

I am able to confirm the agreement of the Community with the foregoing and consequently to state that the 55 % reduction in the Common Customs Tariff will apply from 1 January to 31 December 1977 to the quantities of fruit salads originating in Algeria referred to in your letter.

Please accept, Sir, the assurance of my highest consideration.

*For the Council
of the European Communities*

COUNCIL REGULATION (EEC) No 148/77

of 18 January 1977

concluding the Agreement in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of fruit salads originating in Tunisia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Republic of Tunisia was signed on 25 April 1976;

Whereas the Interim Agreement on the advance implementation of the trade provisions of the Cooperation Agreement⁽¹⁾ signed on the same day entered into force on 1 July 1976;

Whereas the Agreement in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of fruit salads originating in Tunisia should be concluded; whereas the Agreement expires on 30 June 1977; whereas the Community intends to maintain its trading relations with that country; whereas the provisions governing the second part of 1977 should not be less favourable than those laid down for the first; whereas in order not to disrupt

trading patterns for the products in question, there should be provision for applying these import arrangements for the whole of 1977,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of fruit salads originating in Tunisia is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community⁽²⁾.

Article 3

This Regulation shall enter into force on the day following that 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, 18 January 1977.

For the Council

The President

Anthony CROSLAND

⁽¹⁾ OJ No L 141, 28. 5. 1976, p. 195.

⁽²⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Communities* on the initiative of the Secretary-General of the Council.

AGREEMENT

in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of fruit salads originating in Tunisia

A. Letter from Tunisia

Sir,

With a view to implementing the 55 % reduction in the Common Customs Tariff provided for in Article 19 of the Cooperation Agreement between the European Economic Community and the Republic of Tunisia and in Article 12 of the Interim Agreement, and following the clarifications exchanged concerning the conditions governing imports into the Community of fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff originating in Tunisia, I have the honour to inform you that the Tunisian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1977 do not exceed 100 tonnes.

To this end the Tunisian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the 'Office de Commerce de Tunisie' (Tunisian Board of Trade).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Board of Trade and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

For the Tunisian Government

B. Letter from the Community

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows :

'With a view to implementing the 55 % reduction in the Common Customs Tariff provided for in Article 19 of the Cooperation Agreement between the European Economic Community and the Republic of Tunisia and in Article 12 of the Interim Agreement and following the clarifications exchanged concerning the conditions governing imports into the Community of fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Tunisia, I have the honour to inform you that the Tunisian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1977 do not exceed 100 tonnes.

To this end the Tunisian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the "Office de Commerce de Tunisie" (Tunisian Board of Trade).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Board of Trade and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.'

I am able to confirm the agreement of the Community with the foregoing and consequently to state that the 55 % reduction in the Common Customs Tariff will apply from 1 January to 31 December 1977 to the quantities of fruit salads originating in Tunisia referred to in your letter.

Please accept, Sir, the assurance of my highest consideration.

*For the Council
of the European Communities*

COUNCIL REGULATION (EEC) No 149/77
of 18 January 1977

concluding the Agreement in the form of an exchange of letters relating to Article 9 of Protocol 1 to the Agreement between the European Economic Community and the State of Israel and concerning the import into the Community of fruit salads originating in Israel

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas the Agreement between the European Economic Community and the State of Israel⁽¹⁾ was signed on 11 May 1975;

Whereas the Agreement in the form of an exchange of letters relating to Article 9 of Protocol 1 to the said Agreement and concerning the import into the Community of fruit salads originating in Israel should be concluded,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters relating to Article 9 of Protocol 1 to the Agreement

between the European Economic Community and the State of Israel and concerning the import into the Community of fruit salads originating in Israel is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community⁽²⁾.

Article 3

This Regulation shall enter into force on the day following that 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, 18 January 1977.

For the Council

The President

Anthony CROSLAND

⁽¹⁾ OJ No L 136, 28. 5. 1975, p. 3.

⁽²⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Communities* on the initiative of the Secretary-General of the Council.

AGREEMENT

in the form of an exchange of letters relating to Article 9 of Protocol 1 to the Agreement between the European Economic community and the State of Israel and concerning the import into the Community of fruit salads originating in Israel

Letter No 1

Sir,

In pursuance of Article 9 of Protocol 1 to the Agreement concluded between the European Economic Community and the State of Israel and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Israel, I have the honour to inform you that Israel undertakes to take all necessary measures in order that the quantities supplied to the Community from 1 January to 31 December 1977 will not exceed 200 tonnes.

To this end the Government of the State of Israel declares that all exports to the Community of the products concerned will be effected exclusively by exporters whose operations are controlled by the Israeli Ministry of Trade and Industry.

The guarantees relating to quantities will be met in accordance with the procedures agreed between that Ministry and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would kindly confirm the agreement of the Community with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*For the Government
of the State of Israel*

Letter No 2

Your Excellency,

I have the honour to acknowledge receipt of your letter of today worded as follows :

'In pursuance of Article 9 of Protocol 1 to the Agreement concluded between the European Economic Community and the State of Israel and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Israel, I have the honour to inform you that Israel undertakes to take all necessary measures in order that the quantities supplied to the Community from 1 January to 31 December 1977 will not exceed 200 tonnes.

To this end the Government of the State of Israel declares that all exports to the Community of the products concerned will be effected exclusively by exporters whose operations are controlled by the Israeli Ministry of Trade and Industry.

The guarantees relating to quantities will be met in accordance with the procedures agreed between that Ministry and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would kindly confirm the agreement of the Community with the foregoing.'

I am able to confirm the agreement of the Community with the foregoing.

Please accept, Your Excellency, the assurance of my highest consideration.

*On behalf of the Council
of the European Economic Communities*

COUNCIL REGULATION (EEC) No 150/77

of 18 January 1977

concluding the Agreement in the form of an exchange of letters relating to Article 9 of Protocol 1 to the Agreement between the European Economic Community and the State of Israel and concerning the import into the Community of tomato concentrates originating in Israel

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas the Agreement in the form of an exchange of letters relating to Article 9 of Protocol 1 to the Agreement between the European Economic Community and the State of Israel and concerning the import into the Community of tomato concentrates originating in Israel should be concluded,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters relating to Article 9 of Protocol 1 to the Agreement

between the European Economic Community and the State of Israel and concerning the import into the Community of tomato concentrates originating in Israel is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community⁽¹⁾.

Article 3

This Regulation shall enter into force on the day following that 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, 18 January 1977.

For the Council

The President

Anthony CROSLAND

⁽¹⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Communities* on the initiative of the Secretary-General of the Council.

AGREEMENT

in the form of an exchange of letters relating to Article 9 of Protocol 1 to the Agreement between the European Economic Community and the State of Israel and concerning the import into the Community of tomato concentrates originating in Israel

Letter No 1

Sir,

As the conditions which led to the Agreement in the form of an exchange of letters between the European Economic Community and the State of Israel, signed on 16 January 1976, are still present I have the honour to confirm the suspension, until the entry into force of a new exchange of letters, of the application of Article 9 of Protocol 1 to the Agreement between the European Economic Community and the State of Israel in respect of tomato concentrates prepared or preserved otherwise than by vinegar or acetic acid falling within subheading 20.02 ex C of the Common Customs Tariff and originating in Israel.

I should be grateful if you would confirm your Government's agreement with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*For the Council
of the European Communities*

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date worded as follows :

'As the conditions which led to the Agreement in the form of an exchange of letters between the European Economic Community and the State of Israel, signed on 16 January 1976, are still present I have the honour to confirm the suspension, until the entry into force of a new exchange of letters, of the application of Article 9 of Protocol 1 to the Agreement between the European Economic Community and the State of Israel in respect of tomato concentrates prepared or preserved otherwise than by vinegar or acetic acid falling within subheading 20.02 ex C of the Common Customs Tariff and originating in Israel.

I should be grateful if you would confirm your Government's agreement with the foregoing.'

I am able to confirm my Government's agreement with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*For the Government
of the State of Israel*

COUNCIL REGULATION (EEC) No 151/77**of 18 January 1977****concluding the Agreement in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria concerning the import into the Community of tomato concentrates originating in Algeria**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria was signed on 26 April 1976;

Whereas an Interim Agreement⁽¹⁾ signed on the same date for the advance implementation of the trade provisions of the Cooperation Agreement entered into force on 1 July 1976;

Whereas the Agreement in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the said Interim Agreement and concerning the import into the Community of tomato concentrates originating in Algeria should be concluded; whereas the Agreement expires on 30 June 1977; whereas the Community intends to maintain its trading relations with that country; whereas the provisions governing the second part of 1977 should not be less favourable than those laid down for the first; whereas in order not to disrupt trading

patterns for the products in question, there should be provision for applying these import arrangements for the whole of 1977,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria concerning the import into the Community of tomato concentrates originating in Algeria, is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community⁽²⁾.

Article 3

This Regulation shall enter into force on the day following that 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, 18 January 1977.

For the Council

The President

Anthony CROSLAND

⁽¹⁾ OJ No L 141, 28. 5. 1976, p. 2.

⁽²⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Communities* on the initiative of the Secretary-General of the Council.

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria on the import into the Community of tomato concentrates originating in Algeria

A. Letter from Algeria

Sir,

With a view to implementing the 30 % reduction in the Common Customs Tariff provided for in Article 19 of the Cooperation Agreement concluded between the European Economic Community and the People's Democratic Republic of Algeria and in Article 12 of the Interim Agreement, and following the clarifications exchanged concerning the conditions governing imports into the Community of tomato concentrates prepared or preserved otherwise than by vinegar or acetic acid and falling within subheading 20.02 ex C of the Common Customs Tariff and originating in Algeria, I have the honour to inform you that the Algerian Government undertakes to take all necessary measures in order that the quantities supplied to the Community from 1 January to 31 December 1977 shall not exceed 100 tonnes.

To this end the Algerian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the Société de gestion et de développement des industries alimentaires (SOGEDIA).

The guarantees relating to quantities will be met in accordance with the procedures agreed between SOGEDIA and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

For the Algerian Government

B. Letter from the Community

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows :

'With a view to implementing the 30 % reduction in the Common Customs Tariff provided for in Article 19 of the Cooperation Agreement concluded between the European Economic Community and the People's Democratic Republic of Algeria and in Article 12 of the Interim Agreement, and following the clarifications exchanged concerning the conditions governing imports into the Community of tomato concentrates prepared or preserved otherwise than by vinegar or acetic acid and falling within subheading 20.02 ex C of the Common Customs Tariff and originating in Algeria, I have the honour to inform you that the Algerian Government undertakes to take all necessary measures in order that the quantities supplied to the Community from 1 January to 31 December 1977 shall not exceed 100 tonnes.

To this end the Algerian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the Société de gestion et de développement des industries alimentaires (SOGEDIA).

The guarantees relating to quantities will be met in accordance with the procedures agreed between SOGEDIA and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.'

I am able to confirm the agreement of the Community with the foregoing and that consequently the 30 % reduction in the Common Customs Tariff will apply to the quantities of tomato concentrates originating in Algeria referred to in your letter from 1 January to 31 December 1977.

Please accept, Sir, the assurance of my highest consideration.

*For the Council
of the European Communities*

COMMISSION REGULATION (EEC) No 152/77

of 26 January 1977

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 3138/76⁽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 27 January
1977.

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

Done at Brussels, 26 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 206, 31. 7. 1976, p. 62.

ANNEX

to the Commission Regulation of 26 January 1977 fixing the import levies on cereals and on wheat or rye flour groats and meal

(u.a./tonne)

CCT heading No	Description of goods	Levies
10.01 A	Common wheat and meslin	81.03
10.01 B	Durum wheat	135.53 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	61.01 ⁽⁶⁾
10.03	Barley	36.93
10.04	Oats	39.05
10.05 B	Maize other than hybrid maize for sowing	47.17 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	51.77 ⁽⁴⁾
10.07 C	Grain sorghum	54.21 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	124.90
11.01 B	Rye flour	96.85
11.02 A I a)	Durum wheat groats and meal	220.70
11.02 A I b)	Common wheat groats and meal	134.05

⁽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./tonne.

⁽²⁾ Where maize originating in the ACP or OCT is imported into the French overseas departments, the levy is reduced by 6 u.a./tonne 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./tonne.

⁽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./tonne.

⁽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 153/77**of 26 January 1977****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 3138/76⁽²⁾, and in particular
Article 15 (6) thereof,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
1883/76⁽³⁾ and subsequent amending Regulations ;

Whereas, on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in
force, which are to be added to the levies, should be

altered as shown in the tables annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION :

Article 1

The scale of the premiums to be added, pursuant to
Article 15 of Regulation (EEC) No 2727/75, to the
import levies fixed in advance in respect of cereals
and malt is hereby fixed as shown in the tables
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 27 January
1977.

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

Done at Brussels, 26 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 206, 31. 7. 1976, p. 64.

ANNEX

to the Commission Regulation of 26 January 1977 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.d./tonne)

CCT heading No	Description of goods	Current 1	1st period 2	2nd period 3	3rd period 4
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
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	2.47
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(u.d./tonne)

CCT heading No	Description of goods	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
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 154/77
of 26 January 1977
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, and in particular Article
11 (2) thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2137/76 ⁽²⁾, as last
amended by Regulation (EEC) No 98/77 ⁽³⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2137/76
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 table annexed to
this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 27 January
1977.

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

Done at Brussels, 26 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 240, 1. 9. 1976, p. 5.

⁽³⁾ OJ No L 17, 20. 1. 1977, p. 5.

ANNEX

to the Commission Regulation of 26 January 1977 fixing the import levies on rice and broken rice

(u.s. / tonne)

CCT heading No	Description of goods	Third countries	ACP or OCT ⁽¹⁾ ⁽²⁾
10.06	Rice :		
	A. Paddy rice ; husked rice :		
	I. Paddy rice :		
	a) Round grain	89.23	41.62
	b) Long grain	114.82	54.41
	II. Husked rice :		
	a) Round grain	111.54	52.77
	b) Long grain	143.52	68.76
	B. Semi-milled or wholly milled rice :		
	I. Semi-milled rice :		
	a) Round grain	153.56	66.88
	b) Long grain	234.17	107.22
	II. Wholly milled rice :		
	a) Round grain	163.54	71.52
	b) Long grain	251.03	115.27
	C. Broken rice :	59.70	27.35

⁽¹⁾ Subject to the application of the provisions of Article 9 of Regulation (EEC) No 706/76.

⁽²⁾ In accordance with Regulation (EEC) No 706/76, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

COMMISSION REGULATION (EEC) No 155/77**of 26 January 1977****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, and in particular Article
13 (6) thereof,

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 2138/76 ⁽²⁾, as last amended by Regulation (EEC)
No 99/77 ⁽³⁾;

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 table annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION :

Article 1

The premiums to be added to the import levies fixed
in advance in respect of rice and broken rice are
hereby fixed as shown in the table annexed to this
Regulation.

Article 2

This Regulation shall enter into force on 27 January
1977.

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

Done at Brussels, 26 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 240, 1. 9. 1976, p. 8.

⁽³⁾ OJ No L 17, 20. 1. 1977, p. 7.

ANNEX

to the Commission Regulation of 26 January 1977 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description of goods	(u.s.t. / tonne)			
		Current 1	1st period 2	2nd period 3	3rd period 4
10.06	Rice :				
	A. Paddy rice ; husked rice :				
	I. Paddy rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Husked rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	B. Semi-milled or wholly milled rice :				
	I. Semi-milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Wholly milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	C. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 156/77

of 26 January 1977

fixing the 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 3138/76⁽²⁾, and in particular the first sentence of the last subparagraph of Article 19 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 3330/74 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾;

Whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as amended by Regulation (EEC) No 1499/76⁽⁷⁾;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal means;

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

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

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying these rules to the present situation on the market in sugar and in particular to quotations or prices for sugar 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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 3330/74, undenatured and exported in the natural state, are hereby fixed at the amounts shown in the Annex.

Article 2

This Regulation shall enter into force on 27 January 1977.

(¹) OJ No L 359, 31. 12. 1974, p. 1.

(²) OJ No L 354, 24. 12. 1976, p. 1.

(³) OJ No L 143, 25. 6. 1968, p. 6.

(⁴) OJ No L 167, 26. 6. 1976, p. 13.

(⁵) OJ No L 89, 10. 4. 1968, p. 3.

(⁶) OJ No L 50, 4. 3. 1970, p. 1.

(⁷) OJ No L 167, 26. 6. 1976, p. 29.

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

Done at Brussels, 26 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 26 January 1977 fixing the refunds on white sugar and raw sugar exported in the natural state

(u.u./100 kg)		
CCT heading No	Description of goods	Refund
17.01	Beet sugar and cane sugar, solid :	
	A. White sugar	11.00
	B. Raw sugar :	
	(a) Candy sugar	13.16 ⁽¹⁾
	(b) Other raw sugar	10.00 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

COMMISSION REGULATION (EEC) No 157/77

of 26 January 1977

fixing the export refunds on pigmeat for the period beginning 1 February 1977

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat ⁽¹⁾, as amended by Regulation (EEC) No 367/76 ⁽²⁾, and in particular the first sentence of Article 15 (5) thereof,

Whereas Article 15 of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market and prices within the Community for the products listed in Article 1 (1) of that Regulation may be covered by an export refund;

Whereas Council Regulation (EEC) No 2768/75 of 29 October 1975 ⁽³⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas it follows from applying these rules and criteria to the present situation on the market in pigmeat that the refund should be fixed as indicated below;

Whereas, facilities exist at present for the export of certain products falling within subheading 02.01 A III to third countries; whereas a refund should be fixed for these products, taking into account in particular conditions of competition of these markets;

Whereas, for products falling within subheadings 02.06 B I b) 3 bb) and 6 bb), the refund should be limited to an amount which takes account of the qualitative characteristics of each of the products falling within this heading and of the foreseeable trend of production costs on the world market;

Whereas, if existing export outlets for products falling within subheadings 02.06 B I b) 3 aa), 5 aa) and 6 aa) are to be available in the future, the refund should be comparable with that fixed for dried or smoked products;

Whereas, for certain typical Italian products, falling within subheading 02.06 B I b) 3 bb), maintaining

participation by the Community in international commerce requires a refund of an amount to be established on taking into account conditions of access to the world market;

Whereas, for products falling within subheadings 02.06 B I b) ex 7, the refund should be granted solely in respect of products of a quality comparable with that of products falling within subheadings 02.06 B I b) 3, 4 and 5;

Whereas, for products falling within subheading 15.01 A II, provision should be made for an amount which will cover the difference between the most favourable import prices in traditional importing third countries and export prices in exporting Member States;

Whereas, because of conditions of competition in certain third countries, which are traditionally major importers of products falling within subheadings ex 16.01 A, ex 16.01 B I and II, ex 16.02 A II, ex 16.02 B III a) 1 aa), bb) and cc), 2 and 3, set out in the Annex to this Regulation, the refund for these products should be fixed taking this situation into account;

Whereas, since economically significant quantities of other pigmeat products are not being exported at present, there is no need to fix a refund for these products;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which the export refund referred to in Article 15 of Regulation (EEC) No 2759/75 is granted, and the amount of that refund, are hereby fixed as shown in the Annex.

Article 2

This Regulation shall enter into force on 1 February 1977.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 45, 21. 2. 1976, p. 1.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 39.

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

Done at Brussels, 26 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 26 January 1977 fixing the export refunds on pigmeat for the period beginning 1 February 1977

CCT heading No	Description of goods	(u.a./100 kg)
		Refund
		net weight
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03, or 01.04, fresh, chilled or frozen : A. Meat : III. Of swine : a) Of domestic swine : 1. Carcases or half carcases, with or without heads, feet or flare fat 2. Hams and cuts of hams, unboned (bone-in) 3. Shoulders (fores) and cuts of shoulders, unboned (bone-in) 4. Loins and cuts of loins, unboned (bone-in) 5. Bellies (streaky) and cuts of bellies 6. Other : - ex aa) Boned or boneless and frozen : (11) Hams, shoulders and loins and cuts thereof (a) - ex bb) Other : (11) Hams, shoulders and loins and cuts thereof (a)	15-00 15-00 15-00 15-00 10-00 15-00 15-00
02.06	Meat and edible meat offal (except poultry liver), salted, in brine, dried or smoked : B. Meat and edible meat offals of domestic swine : I. Meat : b) Dried or smoked : 2. Bacon sides, spencers, $\frac{3}{4}$ sides or middles : - cc) $\frac{3}{4}$ sides or middles 3. Hams and cuts of hams, unboned (bone-in) : - aa) Slightly dried or slightly smoked - bb) Other : (11) 'Prosciutto di Parma', 'Prosciutto di San Daniele' (b) (22) Other 4. Shoulders (fores) and cuts of shoulders, unboned (bone-in) : - aa) Slightly dried or slightly smoked 5. Loins and cuts of loins, unboned (bone-in) : - aa) Slightly dried or slightly smoked 6. Bellies (streaky) and cuts of bellies : - aa) Slightly dried or slightly smoked - bb) Other	5-00 6-50 15-00 9-00 4-00 6-50 3-00 4-00

CCT heading No	Description of goods	(u.a./100 kg)
		Refund net weight
02.06 (cont'd)	ex 7. Other : Hams, loins and shoulders (boned or boneless) ; pieces thereof : aa) Slightly dried or slightly smoked bb) Other : (11) 'Prosciutto di Parma', 'Prosciutto di San Daniele' (b) (22) Other	6-50 15-00 9-00
ex 16.01	Sausages and the like, of meat, meat offal, or animal blood, suitable for human consumption : A. Liver sausages B. Other (c) : I. Sausages, dry or for spreading, uncooked (d) II. Other	10-00 20-00 13-00
ex 16.02	Other prepared or preserved meat or meat offal, suitable for human consumption : A. Liver : II. Other B. Other : III. Other : a) Containing meat or offals of domestic swine and containing by weight : 1. 80 % or more of meat or offal, of any kind, including fats of any kind or origin : aa) Hams, fillets and loins ; pieces thereof bb) Shoulder and pieces thereof cc) Other 2. 40 % or more but less than 80 % of meat or offal, of any kind, including fats of any kind or origin 3. Less than 40 % of meat or offal, of any kind, including fats of any kind or origin	8-00 20-00 16-50 10-00 8-00 4-00

- (a) The cuts are classified in this subheading only if they can be identified as originating from hams, shoulders or loins of swine.
- (b) Only those products for which the name is certified by the competent authorities of the producing Member State can benefit from this refund.
- (c) The refund on sausages presented in containers with a preservative liquid is granted on net weight after deduction of weight of this liquid.
- (d) The weight of a coating of paraffin corresponding to normal use in the trade is considered as part of the net weight of the sausage.

COMMISSION REGULATION (EEC) No 158/77

of 25 January 1977

on the issue of an invitation to tender for the costs of delivery of butteroil to the
International Committee of the Red Cross for Lebanon

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European
Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 559/76⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Council Regulation (EEC) No 695/76 of 25 March 1976 on the supply of milk fats to certain developing countries and international organizations under the 1976 food-aid programme⁽³⁾, provides *inter alia* for a reserve of 3 640 tonnes of butteroil produced from butter held by the intervention agencies; whereas 1 600 tonnes from this reserve shall be attributed to the International Committee of the Red Cross (ICRC) for Lebanon; whereas the ICRC has requested delivery of the 800 tonnes remaining to be delivered;

Whereas under Article 5 of Council Regulation (EEC) No 694/76 of 25 March 1976 laying down general rules for the supply of milk fats to certain developing countries and international organizations under the 1976 food-aid programme⁽⁴⁾, an invitation to tender for this supply shall be issued;

Whereas, as regards the tendering procedure, the provisions of Commission Regulation (EEC) No 2247/75 of 29 August 1975 on the terms of invitations to tender for the costs of manufacture and delivery of butteroil as food aid to certain developing countries and to the World Food Programme⁽⁵⁾, as amended by Regulation (EEC) No 2212/76⁽⁶⁾, shall be applied; whereas it is therefore necessary to provide for certain details, particularly as regards the time limit for the submission of tenders and the delivery terms for the butteroil;

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

1. In accordance with the provisions of Regulations (EEC) No 694/76 and (EEC) No 695/76, tenders shall be invited for the costs of manufacture and delivery to the ICRC for Lebanon of 800 tonnes of butteroil, divided into two lots of 400 tonnes.

2. The provisions of Regulation (EEC) No 2247/75 apply by analogy, as regards the tendering procedure and the terms of manufacture and delivery of the butteroil.

By way of derogation from Article 4 (2) of Regulation (EEC) No 2247/75, the tenderer shall indicate whether his offer is valid for one lot or for the two lots offered for tender.

Article 2

1. The butter to be manufactured into butteroil shall be taken from the French intervention agency.

2. The butteroil shall meet the requirements for quality and packing set out in the Annex to Regulation (EEC) No 2247/75 and shall be packed in 5 kg boxes only.

3. The packaging mentioned in II. 2. (b) of the Annex quoted in the previous paragraph shall bear a red cross measuring 10 cm by 10 cm and, in letters at least one centimetre high, the following wording :

'Butteroil/Don de la Communauté économique européenne / Action du Comité international de la Croix-Rouge / Pour distribution gratuite au Liban'.

4. The time limit for the submission of tenders shall be 8 February 1977 at 12 noon.

(1) OJ No L 148, 28. 6. 1968, p. 13.

(2) OJ No L 67, 15. 3. 1976, p. 9.

(3) OJ No L 83, 30. 3. 1976, p. 6.

(4) OJ No L 83, 30. 3. 1976, p. 4.

(5) OJ No L 229, 30. 8. 1975, p. 60.

(6) OJ No L 249, 11. 9. 1976, p. 5.

Article 3

1. Delivery shall be made to the port of unloading of Beirut, notwithstanding the provisions of Article 5.
2. Loading shall take place after 25 March and before 5 April 1977.
3. Delivery to the port of unloading shall be considered as completed when the goods are actually deposited on the quayside at the port of unloading or on board a lighter in the case where the latter method is used.
4. On delivery at the port of unloading, the recipient organization shall issue the tenderer with the acceptance certificate specified in Article 15 of Regulation (EEC) No 2247/75.
5. The recipient organization shall bear all expenditure incurred after delivery including acceptance costs.
6. Any demurrage costs at the port of unloading attributable to the recipient organization shall be borne by it. The rates and other details concerning such costs, laid down in the contract between the successful tenderer and the carrier, must have been previously agreed upon by the successful tenderer acting as Community agent and the recipient organization's agent.

Article 4

1. The intervention agency concerned shall as soon as possible notify the recipient organization of the

name of the vessel, the date of loading and the quantity and quality of the goods as recorded at the time of loading.

2. The successful tenderer shall inform the recipient organization at least 10 clear days in advance of the expected date of arrival of the ship in the port of unloading.

3. The successful tenderer shall have included in the terms of the charter-party a provision stipulating that the ship's captain shall inform the recipient organization at least 72 hours in advance of the ship's probable date of arrival in port.

Article 5

If events in Lebanon make delivery to the port of Beirut impossible, the intervention agency in question shall deliver the goods to the port of Limassol (Cyprus).

In this case, the intervention agency may, on presentation of supporting documents, come to an agreement with the organization making the delivery as to an increase in expenses compared with those initially set.

The intervention agency shall immediately inform the Commission of the new amount agreed upon.

Article 6

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

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

Done at Brussels, 25 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 159/77

of 25 January 1977

on the issue of an invitation to tender for the supply to the International Committee of the Red Cross for Lebanon, for use as food aid, of vitaminized skimmed-milk powder to be bought on the Community market

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 559/76⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 1298/76 of 1 June 1976 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and certain international organizations under the 1976 programme⁽³⁾, as amended by Regulation (EEC) No 2017/76⁽⁴⁾, and in particular Article 6 thereof,

Whereas Council Regulation (EEC) No 2018/76 of 27 July 1976 on the additional supply of skimmed-milk powder as food aid to certain developing countries, international organizations and non-governmental organizations under the 1976 programme⁽⁵⁾, provides *inter alia* for 1 500 tonnes of skimmed-milk powder to be made available to the International Committee of the Red Cross (ICRC); whereas the ICRC has requested 400 tonnes of vitaminized skimmed-milk powder for Lebanon;

Whereas Article 2 (2) of Regulation (EEC) No 1298/76 provides that if there is enough skimmed-milk powder available in public stocks with the characteristics necessary for the particular destination where this requires, in particular the addition of vitamins, supplies shall be obtained by purchase on the Community market;

Whereas Article 5 of Regulation (EEC) No 1298/76 provides that for the purpose of the supply and shipment of skimmed-milk powder invitations to tender are to be issued;

Whereas the procedure to be adopted for this tendering should in the main be the procedure used hitherto in similar cases;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders shall be invited in accordance with Regulations (EEC) No 1298/76 and (EEC) No 2018/76 for the costs of supplying to the ICRC one lot of 400 tonnes of vitaminized skimmed-milk powder purchased on the Community market for Lebanon.

2. Delivery shall be effected at the port of Beirut notwithstanding the provisions in Article 16.

3. Loading shall take place after 25 March and before 5 April 1977.

4. The skimmed-milk powder shall meet:

— as to quality, the requirements set out in the Annex to this Regulation,

— as to packing, the requirements set out in Annex I to Commission Regulation (EEC) No 1108/68 of 27 July 1968 on detailed rules of application for public storage of skimmed-milk powder⁽⁶⁾, as last amended by Regulation (EEC) No 1457/75⁽⁷⁾.

5. In addition the successful tenderer shall supply 5 % empty bags identical to those containing the goods. He shall undertake to have these bags mentioned on the bill of lading.

6. The packing of the skimmed-milk powder shall bear a red cross measuring 10 cm by 10 cm and, in letters at least one centimetre high, the following wording:

‘Lait écrémé en poudre avec vitamines “A” (5 000 UI/100 g) et “D” (500 UI/100 g) / Don de la Communauté économique européenne / Action du comité international de la Croix-Rouge / Pour distribution gratuite au Liban’.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 146, 4. 6. 1976, p. 3.

⁽⁴⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 224, 16. 8. 1976, p. 2.

⁽⁶⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽⁷⁾ OJ No L 145, 6. 6. 1975, p. 17.

Article 2

1. The intervention agencies shall frame a notice of invitation to tender which shall be published in the *Official Journal of the European Communities* not less than 10 days before the closing date for the submission of tenders.
2. The closing date for the submission of tenders shall be 8 February 1977 at 12 noon.

Article 3

1. Tenders, which shall be in writing, shall be submitted either by delivery by hand to an intervention agency against acknowledgement of receipt or by registered letter addressed to an intervention agency.
2. A tender shall be valid only if it relates to the entire quantity of a lot put out to tender.
3. The tender shall indicate *inter alia*:
 - (a) the name and address of the tenderer;
 - (b) the port of loading, chosen from among Community ports;
 - (c) the price, exclusive of taxes, expressed in the currency of the Member State in which the tender is presented, at which the tenderer undertakes to supply, in accordance with the specifications, the entire quantity which is the subject of his tender.

Such price shall be inclusive of transport insurance costs of the stage referred to in Article 1 (2) for delivery.

4. A tender shall be valid only if proof is given before expiry of the period set for the submission of tenders that the security referred to in Article 4 has been provided.
5. No tender may be withdrawn.

Article 4

1. The tendering and delivery security shall be 20 units of account per tonne of skimmed-milk powder.
2. It shall take the form, at the discretion of the Member State concerned, either of a cheque made out in favour of the intervention agency, or of a bank guarantee which satisfies the criteria fixed by the Member State.

Article 5

In the light of the tenders received and in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68 a maximum price, expressed in units of account, shall be fixed or alternatively a decision shall be taken to make no award.

Article 6

1. A tender shall be refused if the price proposed, converted into units of account, is more than the maximum price fixed for the lot in question.
2. Subject as provided in paragraph 1, the successful tenderer shall be the one whose offer, converted into units of account, is the lowest. Where two or more valid offers specifying identical amounts, as converted into units of account, are received by a given intervention agency, the award shall be made by drawing lots. Where such offers are made to different intervention agencies, the award shall be made by the intervention agency selected in accordance with the procedure referred to in Article 5.
3. The intervention agency shall immediately inform each tenderer whether he has been awarded the contract.
4. Rights and obligations arising in connection with the invitation to tender shall not be transferable.
5. The intervention agencies shall immediately inform the Commission of the successful tenderer's name and address.

Article 7

1. The successful tenderer shall deliver a quantity of skimmed-milk powder satisfying the requirements as to quality and packaging referred to in Article 1 (4).
2. Delivery at the port of unloading shall be considered as completed when the goods are actually deposited on the quayside or on board a lighter at the port of unloading.
3. The recipient organization shall bear all expenditure incurred after delivery, including acceptance costs.

Article 8

Any demurrage costs at the port of unloading attributable to the recipient organization shall be borne by it. The rate and other details concerning such costs shall be laid down in the contract between the successful tenderer and the carrier and must have been previously agreed upon by the successful tenderer acting as Community agent and the recipient organization's agent.

Article 9

1. The intervention agency concerned shall as soon as possible notify the recipient organization of the name of the vessel, the date of loading as well as the quantity and the quality of the goods as recorded at the time of loading.

2. The successful tenderer shall inform the recipient organization at least 10 clear days in advance of the expected date of arrival of the ship in the port of unloading. The successful tenderer shall have included in the terms of the charter-party a provision stipulating that the ship's captain shall inform the recipient organization at least 72 hours in advance of the ship's probable date of arrival in port.

Article 10

1. The competent agency of the Member State in which the contract is awarded shall check that the skimmed-milk powder in question satisfies the requirements as to quality and packaging referred to in Article 1 (4).

2. If the goods are found to satisfy those requirements, the agency shall, before completion of the customs formalities referred to in Article 11 (1), provide the successful tenderer with a certificate to that effect.

3. On delivery the recipient organization shall issue a certificate proving taking delivery of the goods, stating that delivery of that quantity of skimmed-milk powder as well as the empty bags referred to in Article 1 (5) have been taken at the stage specified in Article 1 (2).

Article 11

1. Customs export formalities shall be carried out in the Member State in which the award of contract is made.

2. If the port of loading specified in the tender is situated in a Member State other than that in which the customs export formalities are carried out, the goods shall, on completion of such formalities, be placed under customs control with the object of ensuring that they are loaded at the port specified in the tender.

Proof of loading can be furnished only by production of the control copy referred to in Article 1 of Commission Regulation (EEC) No 2315/69 of 19 November 1969 on the use of Community transit documents for the purpose of applying Community measures for verifying the use and/or destination of goods⁽¹⁾, as amended by Regulation (EEC) No 690/73⁽²⁾.

Sections 101, 103 and 104 of the control copy shall be completed.

Section 104 shall be completed by deleting as necessary and entering against the second indent one of the following endorsements:

- 'Delivery of skimmed-milk powder as food aid (Regulation (EEC) No 159/77) to be shipped from the port of ...',

- 'Livraison de lait écrémé en poudre à titre d'aide alimentaire (règlement (CEE) n° 159/77) destinée à être embarquée au port de ...',
- 'Lieferung von Magermilchpulver als Nahrungsmittelhilfe (Verordnung (EWG) Nr. 159/77) zur Verschiffung im Hafen von ... bestimmt',
- 'Fornitura di latte scremato in polvere a titolo di aiuto alimentare (regolamento (CEE) n. 159/77) destinata ad essere imbarcata nel porto di ...',
- 'Levering van magere-melkpoeder als voedselhulp (Verordening (EEG) nr. 159/77) bestemd om te worden verscheept in de haven van ...',
- 'Levering af skummetmælkspulver som fødevarehjælp (forordning (EØF) nr. 159/77) bestemt til lastning i havnen i ...'.

Article 12

1. Except in cases of *force majeure*, the tendering and delivery security shall be released only if:

- (a) the tender has not been accepted;
- (b) the tenderer:
 - has not withdrawn his tender before the contract is awarded,
 - has furnished the certificates provided for in Article 10 (2) and (3).

2. Release of the security shall take place immediately.

Article 13

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

Article 14

1. The amount referred to in Article 3 (3) (c) shall be paid only on production of the certificates provided for in Article 10 (2) and (3).

2. If, owing to circumstances beyond the control of the undertaking responsible for the delivery, the submission of the attestation of delivery referred to in Article 10 (3) is delayed, the competent agency may grant an advance.

3. Such advance may, however, not exceed 80 % of the sum agreed for the delivery and shall be paid only subject to the undertaking concerned lodging a security for the skimmed-milk powder shipped in accordance with the conditions laid down in Article 1 (2) to (4) and having left the geographical territory of the Community and if the undertaking furnished a surety to the sum of the advance, plus 10 %.

⁽¹⁾ OJ No L 295, 24. 11. 1969, p. 14.

⁽²⁾ OJ No L 66, 13. 3. 1973, p. 23.

Article 15

Except in cases of *force majeure*, the successful tenderer shall accept all financial liability devolving upon the Community by reason of failure to load the skimmed-milk powder by the date specified in Article 1 (3).

Costs incurred by reason of failure to deliver the skimmed-milk powder as a result of *force majeure* shall be borne by the competent agency of the Member State in which the award of contract is made.

Article 16

If events in Lebanon make delivery to the port of Beirut impossible, the intervention agency in question shall deliver the goods to the port of Limassol (Cyprus).

In this case the intervention agency shall, on submission of supporting documents, come to an agreement with the undertaking in charge of the delivery of an increase of expenses compared with those initially set.

The intervention agency shall immediately inform the Commission of the new amount agreed upon.

Article 17

No refund or compensatory amount (whether monetary or accession) shall be applicable in respect of skimmed-milk powder supplied under this Regulation.

Article 18

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

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

Done at Brussels, 25 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

*ANNEX***Skimmed-milk powder requirements**

(a) fat content :	1.5 % maximum
(b) water content :	4.0 % maximum
(c) total acidity in lactic acid :	0.15 % maximum (18° Dornic)
(d) test for neutralization agents :	negative
(e) authorized additives :	none
(f) phosphatase test :	negative
(g) solubility :	0.5 ml maximum (99 % minimum)
(h) degree of purity :	disc B (15.0 mg minimum)
(i) germ content :	50 000 per g maximum
(k) colon bacillus titer :	negative in 0.1 g
(l) taste and smell :	clean
(m) appearance :	white or slightly yellowish colour, free from impurities or coloured particles
(n) vitamin enrichment :	
(aa) vitamin A :	5 000 i.u. per 100 g minimum
(bb) vitamin D :	500 i.u. per 100 g minimum

COMMISSION REGULATION (EEC) No 160/77

of 25 January 1977

on the issue of an invitation to tender for the supply to Mauritius, for use as food aid, of vitaminized skimmed-milk powder to be bought on the Community market

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 559/76 ⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 1298/76 of 1 June 1976 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1976 programme ⁽³⁾, as amended by Regulation (EEC) No 2017/76 ⁽⁴⁾, and in particular Article 6 thereof,

Whereas Council Regulation (EEC) No 1299/76 of 1 June 1976 on the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1976 programme ⁽⁵⁾, provides *inter alia* for 200 tonnes of skimmed-milk powder to be made available to Mauritius;

Whereas Council Regulation (EEC) No 2018/76 of 27 July 1976 on the additional supply of skimmed-milk powder as food aid to certain developing countries, international organizations and non-governmental organizations under the 1976 programme ⁽⁶⁾, provides *inter alia* for 800 tonnes of skimmed-milk powder to be made available to Mauritius; whereas this country has requested the delivery of 500 tonnes of vitaminized skimmed-milk powder in which 300 tonnes shall be delivered in accordance with Regulation (EEC) No 2018/76;

Whereas Regulation (EEC) No 1298/76 provides in Article 2 (2) that, if the amounts of skimmed-milk powder in public stocks do not have the characteristics necessary for their particular destination where this requires, in particular, the addition of vitamins, supply shall be ensured by the buying-in of skimmed-milk powder on the Community market;

Whereas Article 5 of Regulation (EEC) No 1298/76 provides that for the purpose of the supply and shipment of skimmed-milk powder invitations to tender are to be issued;

Whereas the procedure to be adopted for this tendering should in the main be the procedure used hitherto in similar cases;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders shall be invited in accordance with the provisions of Regulations (EEC) No 1298/76, (EEC) No 1299/76 and (EEC) No 2018/76, for the costs of supplying a lot of 500 tonnes of vitaminized skimmed-milk powder bought on the Community market for Mauritius.

2. The skimmed-milk powder shall meet:

- as to quality, the requirements set out in the Annex to this Regulation,
- as to packaging, the requirements set out in Annex I to Commission Regulation (EEC) No 1108/68 of 27 July 1968 on detailed rules for public storage of skimmed-milk powder ⁽⁷⁾, as last amended by Regulation (EEC) No 1457/76 ⁽⁸⁾.

3. In addition the successful tenderer shall supply 5 % empty bags identical to those containing the goods.

4. The packaging of the skimmed-milk powder shall bear the following inscription in letters at least one centimetre high:

'Lait écrémé en poudre vitaminé/Don de la Communauté économique européenne à l'île Maurice/À distribuer gratuitement'.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 146, 4. 6. 1976, p. 3.

⁽⁴⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 146, 4. 6. 1976, p. 5.

⁽⁶⁾ OJ No L 224, 16. 8. 1976, p. 2.

⁽⁷⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽⁸⁾ OJ No L 145, 6. 6. 1975, p. 17.

Article 2

1. Delivery shall be effected to a French port designated in the tender accessible for ocean-going ships having a regular service with the recipient country.
2. Delivery at the port of loading shall take place on a date fixed by the intervention agency concerned, which must be after 1 and before 15 March 1977.
3. The time limit for the submission of tenders shall be 8 February 1977 at 12 noon.

Article 3

1. The intervention agencies shall draw up a notice of invitation to tender which shall be published in the *Official Journal of the European Communities* not less than 10 days before the closing date for the submission of tenders.
2. Tenders, which shall be in writing, shall be submitted either by delivery by hand to an intervention agency against acknowledgment of receipt or by registered letter to an intervention agency. Intervention agencies may also authorize the use of telex.
3. The tender may only be submitted to the intervention agency of the Member State on whose territory the manufacture of the vitaminized skimmed-milk powder and its packaging, in accordance with Article 1 (2), take place.
4. A tender shall be valid only if it relates to the whole of the lot put up for tender.
5. The tender shall indicate *inter alia*:
 - (a) the name and address of the tenderer;
 - (b) the port of embarkation chosen in accordance with Article 2 (1);
 - (c) the price, exclusive of taxes, expressed in the currency of the Member State in which the tender is presented, at which the tenderer undertakes to supply, under the stipulated conditions, the entire quantity to which his tender relates.

Such price shall be inclusive of transport insurance costs to the stage for delivery.

6. A tender shall be valid only if the proof is given before expiry of the period set for the submission of tenders that the security referred to in Article 4 has been provided.
7. No tender may be withdrawn.

Article 4

1. The tendering and delivery security shall be 20 units of account per tonne of skimmed-milk powder.

2. It shall take the form, at the discretion of the Member State concerned, either of a cheque made out in favour of the intervention agency, or of a bank guarantee which satisfies the criteria fixed by the Member State.

Article 5

In the light of the tenders received and in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68 a maximum amount, expressed in units of account, shall be fixed or alternatively a decision shall be taken to make no award.

Article 6

1. A tender shall be refused if the price proposed, converted into units of account, is more than the maximum price fixed for the lot in question.
2. Subject as provided in paragraph 1, the successful tenderer shall be the one whose offer, converted into units of account, is the lowest. Where two or more valid offers specifying identical amounts, as converted into units of account, are received by a given intervention agency, the award shall be made by drawing lots. Where such offers are made to different intervention agencies, the award shall be made by the intervention agency selected in accordance with the procedure referred to in Article 5.
3. The intervention agency shall immediately inform each tenderer whether he has been awarded the contract.
4. Rights and obligations arising in connection with the invitation to tender shall not be transferable.
5. The intervention agencies shall immediately communicate to the Commission the tenderer's name and address.

Article 7

1. The successful tenderer shall deliver at the port designated in Article 2 (1) and on the date fixed by the recipient country the quantity of skimmed-milk powder meeting the requirements as regards quality and packaging laid down in Article 1 (2). Any schedule for instalment deliveries shall be fixed by the recipient country's agent in agreement with the successful tenderer.

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

Article 8

1. The competent agency of the Member State in which the contract is awarded shall check that the skimmed-milk powder in question satisfies the requirements as to quality and packaging referred to in Article 1 (2).

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

3. Upon delivery of the goods at the port of embarkation, the recipient country's agent shall hand to the successful tenderer acting as agent for the Community a letter of acceptance.

This letter shall state that delivery of that quantity of skimmed-milk powder as well as the empty bags referred to in Article 1 (3) have been taken at the stage specified in Article 2 (1).

Article 9

If the tender has been submitted to the intervention agency of another Member State than that in which the port of loading is situated the goods shall, on completion of the control referred to in Article 8 (1), be placed under customs control with the object of ensuring that they are delivered at the port specified in Article 2 (1).

Proof of delivery to the port of loading can be furnished only by production of the control copy referred to in Article 1 of Commission Regulation (EEC) No 2315/69 of 19 November 1969 on the use of Community transit documents for the purpose of applying Community measures for verifying the use and/or destination of goods⁽¹⁾, as amended by Regulation (EEC) No 690/73⁽²⁾.

Sections 101, 103 and 104 of the control copy shall be completed.

Section 104 shall be completed by deleting as necessary and entering against the second indent one of the following endorsements:

- 'Skimmed-milk powder as food aid (Regulation (EEC) No 160/77) to be delivered at the port of ...',
- 'Lait écrémé en poudre à titre d'aide alimentaire (règlement (CEE) n° 160/77) destiné à être livré au port de ...',
- 'Magermilchpulver als Nahrungsmittelhilfe (Verordnung (EWG) Nr. 160/77) zur Lieferung zum Hafen von ... bestimmt',
- 'Latte scremato in polvere a titolo di aiuto alimentare (regolamento (CEE) n. 160/77) destinato ad essere consegnato nel porto di ...',

⁽¹⁾ OJ No L 295, 24. 11. 1969, p. 14.

⁽²⁾ OJ No L 66, 13. 3. 1973, p. 23.

— 'Magere-melkpoeder als voedselhulp (Verordening (EEG) nr. 160/77) bestemd om te worden geleverd in de haven van ...',

— 'Skummetmælkspulver som fødevarehjælp (forordning (EØF) nr. 160/77) bestemt til levering i havnen i ...'.

Article 10

1. Except in cases of *force majeure*, the tendering security and delivery shall be released only if:

- (a) the tender has not been accepted;
- (b) the tenderer:
 - has not withdrawn his tender before the contract is awarded,
 - has furnished the certificates provided for in Article 8 (2) and (3).

2. Release of the security shall take place immediately.

Article 11

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

Article 12

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

Article 13

Except in cases of *force majeure*, the successful tenderer shall accept all financial liability devolving upon the Community by reason of failure to load the skimmed-milk powder at the place and in due time, the recipient country having enabled the delivery at the place and by the time appointed.

Costs incurred by reason of failure to deliver the skimmed-milk powder as a result of *force majeure* shall be borne by the competent agency of the Member State concerned.

Article 14

No refund or compensatory amount (whether monetary or accession) shall be applicable in respect of the skimmed-milk powder supplied under this Regulation.

Article 15

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

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

Done at Brussels, 25 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Skimmed-milk powder requirements

(a) fat content :	1.5 % maximum
(b) water content :	4.0 % maximum
(c) total acidity in lactic acid :	0.15 % maximum (18° Dornic)
(d) test for neutralization agents :	negative
(e) authorized additives :	none
(f) phosphatase test :	negative
(g) solubility :	0.5 ml maximum (99 % minimum)
(h) degree of purity :	disc B (15.0 mg minimum)
(i) germ content :	50 000 per g maximum
(k) colon bacillus titer :	negative in 0.1 g
(l) taste and smell :	clean
(m) appearance :	white or slightly yellowish colour, free from impurities or coloured particles
(n) vitamin enrichment :	
(aa) vitamin A :	5 000 i.u. per 100 g minimum
(bb) vitamin D :	500 i.u. per 100 g minimum

COMMISSION REGULATION (EEC) No 161/77

of 26 January 1977

on the issue of an invitation to tender for the supply to Tanzania, for use as food aid, of vitaminized skimmed-milk powder to be bought on the Community market

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 559/76⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 1298/76 of 1 June 1976 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1976 programme⁽³⁾, as amended by Regulation (EEC) No 2017/76⁽⁴⁾, and in particular Article 6 thereof,

Whereas Council Regulation (EEC) No 2018/76 of 27 July 1976 on the additional supply of skimmed-milk powder as food aid to certain developing countries, international organizations and non-governmental organizations under the 1976 programme⁽⁵⁾, provides *inter alia* for 1 000 tonnes of skimmed-milk powder to be made available to Tanzania;

Whereas this country has requested the delivery of 950 tonnes of skimmed-milk powder;

Whereas Regulation (EEC) No 1298/76 provides in Article 2 (2) that, if the amounts of skimmed-milk powder in public stocks do not have the characteristics necessary for their particular destination where this requires, in particular, the addition of vitamins, supply shall be ensured by the buying-in of skimmed-milk powder on the Community market;

Whereas Article 5 of Regulation (EEC) No 1298/76 provides that for the purpose of the supply and shipment of skimmed-milk powder invitations to tender are to be issued;

Whereas the procedure to be adopted for this tendering should in the main be the procedure used hitherto in similar cases;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders shall be invited in accordance with the provisions of Regulations (EEC) No 1298/76 and (EEC) No 2018/76 for the costs of supplying 950 tonnes of vitaminized skimmed-milk powder to Tanzania to be purchased on the Community market and divided as follows:

- Lot A: 400 tonnes,
- Lot B: 550 tonnes.

2. The skimmed-milk powder shall meet:

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

3. In addition the successful tenderer shall supply 5 % empty bags identical to those containing the goods.

4. The packaging of the skimmed-milk powder shall bear the following inscription in letters at least one centimetre high:

'Skimmed-milk powder enriched with vitamins A and D / Gift of the European Economic Community to Tanzania / For free distribution'.

Article 2

1. Delivery shall be effected from a port specified in the tender, which is accessible to ocean-going ships and has a regular service with the recipient country.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 146, 4. 6. 1976, p. 3.

⁽⁴⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 224, 16. 8. 1976, p. 2.

⁽⁶⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽⁷⁾ OJ No L 145, 6. 6. 1975, p. 17.

2. Delivery at the port of loading shall take place on a date fixed by the intervention agency concerned, which must be for:

- Lot A: after 1 and before 15 March 1977,
- Lot B: after 1 and before 15 April 1977.

3. The time limit for the submission of tenders shall be 8 February 1977.

Article 3

1. The intervention agencies shall draw up a notice of invitation to tender which shall be published in the *Official Journal of the European Communities* not less than 10 days before the closing date for the submission of tenders.

2. Tenders, which shall be in writing, shall be submitted either by delivery by hand to an intervention agency against acknowledgment of receipt or by registered letter to an intervention agency. Intervention agencies may also authorize the use of telex.

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

4. A tender shall be valid only if relates to the whole of a lot put up for tender.

5. The tender shall indicate, *inter alia*:

- (a) the name and address of the tenderers,
- (b) the port or ports of loading chosen according to Article 2 (1);
- (c) the price, exclusive of taxes, expressed in the currency of the Member State in which the tender is presented, at which the tenderer undertakes to supply, under the stipulated conditions, the entire quantity to which his tender relates.

Such price shall be inclusive of transport insurance costs to the stage for delivery.

6. A tender shall be valid only if the proof is given before expiry of the period set for the submission of tenders that the security referred to in Article 4 has been provided.

7. No tender may be withdrawn.

Article 4

1. The tendering and delivery security shall be 20 units of account per tonne of skimmed-milk powder.

2. It shall take the form, at the discretion of the Member State concerned, either of a cheque made out in favour of the intervention agency, or of a bank

guarantee which satisfies the criteria fixed by the Member State.

Article 5

In the light of the tenders received and in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68 a maximum amount, expressed in units of account, shall be fixed or alternatively a decision shall be taken to make no award.

Article 6

1. A tender shall be refused if the price proposed, converted into units of account, is more than the maximum price fixed for the lot in question.

2. Subject as provided in paragraph 1, the successful tenderer shall be the one whose offer, converted into units of account, is the lowest. Where two or more valid offers specifying identical amounts, as converted into units of account, are received by a given intervention agency, the award shall be made by drawing lots. Where such offers are made to different intervention agencies, the amount shall be made by the intervention agency selected in accordance with the procedure referred to in Article 5.

3. The intervention agency shall immediately inform each tenderer whether he has been awarded the contract.

4. Rights and obligations arising in connection with the invitation to tender shall not be transferable.

5. The intervention agencies shall immediately communicate to the Commission the tenderer's name and address.

Article 7

1. The successful tenderer shall deliver at the port designated in the tender and on the date fixed by the recipient country the quantity of skimmed-milk powder meeting the requirements as regards quality and packaging laid down in Article 1 (2). Any schedule for instalment deliveries shall be fixed by the recipient country's agent in agreement with the successful tenderer.

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

Article 8

1. The competent agency of the Member State in which the contract is awarded shall check that the skimmed-milk powder in question satisfies the requirements as to quality and packaging referred to in Article 1 (2).

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

3. Upon delivery of the goods at the port of embarkation, the recipient country's agent shall hand to the successful tenderer acting as agent for the Community a letter of acceptance.

This letter shall state that delivery of that quantity of skimmed-milk powder as well as the empty bags referred to in Article 1 (3) have been taken at the stage specified in Article 2 (1).

Article 9

If the tender has been submitted to the intervention agency of another Member State than that in which the port of loading is situated the goods shall, on completion of the control referred to in Article 8 (1), be placed under customs control with the object of ensuring that they are delivered at the port specified in Article 2 (1).

Proof of delivery to the port of loading can be furnished only by production of the control copy referred to in Article 1 of Commission Regulation (EEC) No 2315/69 of 19 November 1969 on the use of Community transit documents for the purpose of applying Community measures for verifying the use and/or destination of goods ⁽¹⁾, as amended by Regulation (EEC) No 690/73 ⁽²⁾.

Sections 101, 103 and 104 of the control copy shall be completed.

Section 104 shall be completed by deleting as necessary and entering against the second indent one of the following endorsements:

- 'Skimmed-milk powder as food aid (Regulation (EEC) No 161/77) to be delivered at the port of ...',
- 'Lait écrémé en poudre à titre d'aide alimentaire (règlement (CEE) n° 161/77) destiné à être livré au port de ...',
- 'Magermilchpulver als Nahrungsmittelhilfe (Verordnung (EWG) Nr. 161/77) zur Lieferung zum Hafen von ... bestimmt',
- 'Latte scremato in polvere a titolo di aiuto alimentare (regolamento (CEE) n. 161/77) destinato ad essere consegnato nel porto di ...',
- 'Magere-melkpoeder als voedselhulp (Verordening (EEG) nr. 161/77) bestemd om te worden geleverd in de haven van ...',

— 'Skummetmælkspulver som fødevarehjælp (forordning (EØF) nr. 161/77) bestemt til levering i havnen i ...'.

Article 10

1. Except in cases of *force majeure*, the tendering security and delivery shall be released only if:

- (a) the tender has not been accepted;
- (b) the tenderer:
 - has not withdrawn his tender before the contract is awarded,
 - has furnished the certificates provided for in Article 8 (2) and (3).

2. Release of the security shall take place immediately.

Article 11

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

Article 12

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

Article 13

Except in cases of *force majeure*, the successful tenderer shall accept all financial liability devolving upon the Community by reason of failure to load the skimmed-milk powder at the place and in due time, the recipient country having enabled the delivery at the place and by the time appointed.

Costs incurred by reason of failure to deliver the skimmed-milk powder as a result of *force majeure* shall be borne by the competent agency of the Member State concerned.

Article 14

No refund or compensatory amount (whether monetary or accession) shall be applicable in respect of the skimmed-milk powder supplied under this Regulation.

Article 15

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

⁽¹⁾ OJ No L 295, 24. 11. 1969, p. 14.

⁽²⁾ OJ No L 66, 13. 3. 1973, p. 23.

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

Done at Brussels, 26 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Skimmed-milk powder requirements

(a) fat content :	1.5 % maximum
(b) water content :	4.0 % maximum
(c) total acidity in lactic acid :	0.15 % maximum (18° Dornic)
(d) test for neutralization agents :	negative
(e) authorized additives :	none
(f) phosphatase test :	negative
(g) solubility :	0.5 ml maximum (99 % minimum)
(h) degree of purity :	disc B (15.0 mg minimum)
(i) germ content :	50 000 per g maximum
(k) colon bacillus titer :	negative in 0.1 g
(l) taste and smell :	clean
(m) appearance :	white or slightly yellowish colour, free from impurities or coloured particles
(n) vitamin enrichment :	
(aa) vitamin A :	5 000 i.u. per 100 g minimum
(bb) vitamin D :	500 i.u. per 100 g minimum

COMMISSION REGULATION (EEC) No 162/77

of 26 January 1977

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 3138/76 ⁽²⁾, and in particular
Article 14 (4) thereof,

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

Whereas the import levies on products processed
from cereals and rice were fixed by Regulation (EEC)
No 3174/76 ⁽⁴⁾, as last amended by Regulation (EEC)
No 39/77 ⁽⁵⁾;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products
processed from cereals and rice covered by Regulation
(EEC) No 2744/75 ⁽⁷⁾, as amended by Regulation
(EEC) No 832/76 ⁽⁸⁾, as fixed in the Annex to
amended Regulation (EEC) No 3174/76, are hereby
altered as shown in the table annexed to this Regula-
tion.

Article 2

This Regulation shall enter into force on 27 January
1977.

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

Done at Brussels, 26 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 357, 29. 12. 1976, p. 27.

⁽⁵⁾ OJ No L 9, 12. 1. 1977, p. 5.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 100, 14. 4. 1976, p. 1.

ANNEX

to the Commission Regulation of 26 January 1977 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./tonne	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 F ^(*)	66.43	63.93
11.02 A II ^(*)	116.20	111.20
11.02 A VI ^(*)	66.43	63.93
11.02 B II b) ^(*)	84.67	82.17
11.02 C II ^(*)	101.35	98.85
11.02 D II ^(*)	65.52	63.02
11.02 E II b) ^(*)	116.20	111.20
11.02 E II d) 1 ^(*)	113.56	108.56
11.02 F II ^(*)	116.20	111.20
11.02 F VI ^(*)	66.43	63.93
11.08 A II	91.03	65.53

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

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

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

COMMISSION REGULATION (EEC) No 163/77
of 26 January 1977
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 3138/76⁽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 145/77⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1564/76 to the information at present available to the Commis-

sion that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The levies referred to in Article 15 (1) of Regulation (EEC) No 3330/74 are, in respect of white sugar and standard quality raw sugar, hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 27 January 1977.

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

Done at Brussels, 26 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 172, 1. 7. 1976, p. 31.

⁽⁴⁾ OJ No L 22, 26. 1. 1977, p. 28.

ANNEX

to the Commission Regulation of 26 January 1977 fixing the import levies on white sugar and raw sugar

(unit/100 kg)		
CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid :	
	A. White sugar	18.44
	B. Raw sugar	16.90 ⁽¹⁾

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

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION

OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER
STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING
WITHIN THE COUNCIL

of 18 January 1977

extending the period of validity of Decision 75/373/ECSC opening tariff preferences for products covered by that Community and originating in Israel

(77/81/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

Whereas pending the entry into force of the Agreement between the Member States of the European Coal and Steel Community, of the one part, and the State of Israel, of the other part⁽¹⁾, signed on 11 May 1975, the Representatives of the Governments of the Member States adopted autonomously and concomitantly Decision 75/373/ECSC opening tariff preferences for products covered by that Community and originating in Israel⁽²⁾; whereas that Decision was applicable until 30 June 1976 at the latest and was extended by Decision 76/567/ECSC⁽³⁾ until 31 December 1976;

Whereas the said Agreement has not yet entered into force, and whereas the period of validity of the autonomous measures should be extended by six months,

in agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

In Article 4 of Decision 75/373/ECSC the date of 31 December 1976 is hereby replaced by that of 30 June 1977.

Article 2

Member States shall adopt all the measures necessary for the implementation of this Decision.

Done at Brussels, 18 January 1977.

The President

Anthony CROSLAND

⁽¹⁾ OJ No L 165, 28. 6. 1975, p. 62.

⁽²⁾ OJ No L 165, 28. 6. 1975, p. 76.

⁽³⁾ OJ No L 175, 1. 7. 1976, p. 11.

COUNCIL DIRECTIVE**of 18 January 1977****on a derogation accorded to the Kingdom of Denmark relating to the rules governing turnover tax and excise duty applicable in international travel**

(77/82/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 99 and 100 thereof,

Having regard to the Act of Accession, and in particular Article 133 and Annex VII, part V (1) thereof,

Having regard to the proposal from the Commission,

Whereas Annex VII, part V (1), of the Act of Accession grants a derogation to Denmark relating to the application of certain provisions of Council Directive 69/169/EEC of 28 May 1969 on the harmonization of provisions laid down by law, regulation or administrative action relating to exemption from turnover tax and excise on imports in international travel⁽¹⁾, as amended by Directive 72/230/EEC⁽²⁾;

Whereas, by Directive 76/134/EEC⁽³⁾, the Council granted a prolongation of this derogation up to and including 31 December 1976;

Whereas the Danish Government has requested a further prolongation of this derogation;

Whereas a prolongation of the derogation has proved necessary,

HAS ADOPTED THIS DIRECTIVE:

Article 1

By way of derogation from Directives 69/169/EEC and 72/230/EEC, the Kingdom of Denmark shall have the right to maintain up to and including 31 December 1977 the rules in force for exemptions applicable to travellers involved in international travel for the products set out in Annex VII, part V (1) (a) of the Act of Accession.

Article 2

The Kingdom of Denmark shall communicate to the Commission the text of the measures which it adopts in the field covered by this Directive.

Article 3

This Directive is addressed to the Kingdom of Denmark.

Done at Brussels, 18 January 1977.

For the Council

The President

Anthony CROSLAND

⁽¹⁾ OJ No L 133, 4. 6. 1969, p. 6.

⁽²⁾ OJ No L 139, 17. 6. 1972, p. 28.

⁽³⁾ OJ No L 21, 29. 1. 1976, p. 9.