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Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 776/77 of 18 April 1977 fixing the import levies on cereals and on wheat or rye flour groats and meal	1
Commission Regulation (EEC) No 777/77 of 18 April 1977 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 778/77 of 18 April 1977 fixing additional amounts for egg products	5
Commission Regulation (EEC) No 779/77 of 18 April 1977 fixing additional amounts for ovalbumin and lactalbumin	7
Commission Regulation (EEC) No 780/77 of 18 April 1977 fixing additional amounts for live and slaughtered poultry	9
Commission Regulation (EEC) No 781/77 of 18 April 1977 fixing additional amounts for poultrymeat products	11
★ Commission Regulation (EEC) No 782/77 of 18 April 1977 amending Regulation (EEC) No 589/68 on detailed rules for the sale of olive oil held by intervention agencies	13
Commission Regulation (EEC) No 783/77 of 18 April 1977 fixing in respect of the 1976 crop export refunds for raw tobacco	14
★ Commission Regulation (EEC) No 784/77 of 18 April 1977 amending Regulation (EEC) No 1728/70 fixing the scales of price increases and reductions for raw tobacco	16
Commission Regulation (EEC) No 785/77 of 18 April 1977 altering the basic amount of the import levy on syrups and certain other sugar products	17
Commission Regulation (EEC) No 786/77 of 18 April 1977 fixing the import levies on white sugar and raw sugar	18

II *Acts whose publication is not obligatory*

Commission

77/281/EEC :

- ★ Commission Decision of 30 March 1977 extending for the Federal Republic of Germany in respect of a certain number of varieties the period provided for in Article 15 (1) of Directive 70/457/EEC 19

77/282/EEC :

- ★ Commission Decision of 30 March 1977 authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species 21

77/283/EEC :

- ★ Commission Decision of 30 March 1977 authorizing the United Kingdom to restrict the marketing of seed of certain varieties of agricultural plant species 23

77/284/EEC :

- ★ Commission Decision of 5 April 1977 excluding from admission free of Common Customs Tariff duties the scientific apparatus described as Lock-in Amplifier, P.A.R. model 120 25

77/285/EEC :

- ★ Commission Decision of 5 April 1977 excluding from admission free of Common Customs Tariff duties the scientific apparatus described as Lock-in Amplifier, P.A.R. model 122 26

77/286/EEC :

- ★ Commission Decision of 5 April 1977 allowing admission free of Common Customs Tariff duties of scientific apparatus for measuring emissions of pollutants in the atmosphere 27

77/287/EEC :

Commission Decision of 5 April 1977 relating to the urgent supply to the International Committee of the Red Cross of vitaminized skimmed-milk powder, to be bought on the Community market, for use as food aid for the Philippines . . 29

77/288/EEC :

Commission Decision of 6 April 1977 fixing the maximum export refund for the 73rd partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75 32

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 776/77**of 18 April 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 19 April
1977.

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

Done at Brussels, 18 April 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 18 April 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	85.42
10.01 B	Durum wheat	143.27 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	69.81 ⁽⁶⁾
10.03	Barley	53.95
10.04	Oats	49.98
10.05 B	Maize, other than hybrid maize for sowing	58.53 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	67.27 ⁽⁴⁾
10.07 C	Grain sorghum	69.15 ⁽⁴⁾
10.07 D	Other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	131.47
11.01 B	Rye flour	109.60
11.02 A I a)	Durum wheat groats and meal	232.62
11.02 A I b)	Common wheat groats and meal	140.63

⁽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 durum 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 777/77**of 18 April 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 19 April
1977.

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

Done at Brussels, 18 April 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 18 April 1977 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.a./tonne)

CCT heading No	Description of goods	Current 4	1st period 5	2nd period 6	3rd period 7
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	0.26
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(u.a./tonne)

CCT heading No	Description of goods	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
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	0.46	0.46
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0.35	0.35
11.07 B	Roasted malt	0	0	0	0.40	0.40

COMMISSION REGULATION (EEC) No 778/77
of 18 April 1977
fixing additional amounts for egg products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry farming products from third countries⁽²⁾, as last amended by Regulation (EEC) No 1527/73⁽³⁾;

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

Whereas, pursuant to Article 1 of Regulation (EEC) No 990/69⁽⁴⁾, the levies on imports of eggs not in

shell and egg yolks originating in and coming from Austria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 (1) (b) of Regulation (EEC) No 2771/75 indicates that additional amounts corresponding to the figures shown in the Annex below should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2771/75 are hereby fixed as shown in the Annex for the products listed in Article 1 (1) of that Regulation which appear in the Annex.

Article 2

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

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

Done at Brussels, 18 April 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽³⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁴⁾ OJ No L 130, 31. 5. 1969, p. 4.

ANNEX

**Additional amounts applicable to certain products listed in Article 1 (1) (b) of Regulation
(EEC) No 2771/75**

(u.a./100 kg)

CCT heading No	Description of goods	Additional amount	Imports affected
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not :		
	B. Eggs, not in shell ; egg yolks :		
	I. Suitable for human consumption :		
	a) Eggs, not in shell :		
	1. Dried	100.00	All imports ⁽¹⁾
	2. Other	30.00	All imports ⁽¹⁾
	b) Egg yolks :		
	1. Liquid	50.00	All imports ⁽¹⁾
	2. Frozen	80.00	All imports ⁽¹⁾
	3. Dried	120.00	Origin : People's Republic of China or Sweden
		20.00	Other imports ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 779/77

of 18 April 1977

fixing additional amounts for ovalbumin and lactalbumin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin⁽¹⁾, and in particular Article 5 (5) thereof,

Whereas, if for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽²⁾, as last amended by Regulation (EEC) No 1527/73⁽³⁾; whereas that Article 1 applies by virtue of Article 2 of Commission Regulation No 201/67/EEC of 28 June 1967 on detailed rules for the application of Regulation No 170/67/EEC on the common system of trade for ovalbumin and lactalbumin and repealing Regulation No 48/67/EEC⁽⁴⁾;

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

Whereas, pursuant to Article 2 of Regulation (EEC) No 990/69⁽⁵⁾, the import levies on ovalbumin and lactalbumin originating in and coming from Austria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 of Regulation (EEC) No 2783/75 indicates that additional amounts corresponding to the figures shown in the Annex below should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 5 of Regulation (EEC) No 2783/75 are hereby fixed as shown in the Annex for the products listed in Article 1 of that Regulation which appear in the Annex.

Article 2

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

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

Done at Brussels, 18 April 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 104.

⁽²⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽³⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁴⁾ OJ No 134, 30. 6. 1967, p. 2836/67.

⁽⁵⁾ OJ No L 130, 31. 5. 1969, p. 4.

ANNEX

Additional amounts applicable to ovalbumin and lactalbumin

(u.a./100 kg)

CCT heading No	Description of goods	Additional amount	Imports affected
35.02	Albumins, albuminates and other albumin derivatives : A. Albumins : II. Other (i.e. other than unfit, or rendered unfit, for human consumption) : a) Ovalbumin and lactalbumin : 2. Other	15.00	Origin : Finland, Spain or Czechoslovakia

COMMISSION REGULATION (EEC) No 780/77
of 18 April 1977
fixing additional amounts for live and slaughtered poultry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 18 April 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 45, 21. 2. 1976, p. 3.

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

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁶⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁷⁾ OJ No L 265, 8. 12. 1970, p. 13.

⁽⁸⁾ OJ No L 232, 12. 10. 1972, p. 3.

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

(u.a./100 kg)

CCT heading No	Description of goods	Additional amount	Imports affected
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen :		
	A. Whole poultry :		
	I. Fowls :		
	a) Plucked and gutted, with heads and feet, known as '83 % chickens'	5.00	All imports (1)
	b) Plucked and drawn, without heads and feet but with hearts, livers and gizzards, known as '70 % chickens'	5.00	All imports (1)
	c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens'	5.00	All imports (1)
	V. Guinea fowls	7.00	Origin : Hungary
	B. Poultry cuts (excluding offals) :		
	II. Unboned (bone-in) :		
	a) Halves or quarters :		
	1. Of fowls	5.00	All imports
	4. Of turkeys	15.00	Origin : United States of America

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

COMMISSION REGULATION (EEC) No 781/77
of 18 April 1977
fixing additional amounts for poultrymeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 18 April 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 45, 21. 2. 1976, p. 3.

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

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

ANNEX

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

(u.a./100 kg)

CCT heading No	Description of goods	Additional amount	Imports affected
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen :		
	B. Poultry cuts (excluding offals) :		
	I. Boned or boneless	30.00	Origin : United States of America or Israel
	II. Unboned (bone-in) :		
	d) Breasts and cuts of breasts :		
	2. Of turkeys	20.00	Origin : United States of America
	e) Legs and cuts of legs :		
	2. Of turkeys :		
	aa) Drumsticks and cuts of drumsticks	40.00	All imports
	bb) Other	35.00	Origin : United States of America or Israel

COMMISSION REGULATION (EEC) No 782/77**of 18 April 1977****amending Regulation (EEC) No 589/68 on detailed rules for the sale of olive oil
held by intervention agencies**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 136/66/EEC
of 22 September 1966 on the establishment of a
common organization of the market in oils and
fats⁽¹⁾, as last amended by Regulation (EEC) No
1707/73⁽²⁾, and in particular Article 11 (5) thereof,

Whereas in Commission Regulation (EEC) No 589/68
of 14 May 1968 on detailed rules for the sale of olive
oil held by intervention agencies⁽³⁾, as amended by
Regulation (EEC) No 1687/76⁽⁴⁾, no provision is
made, in respect of the quantity of oil sold, for the
adjustments made when oil with a moisture and impu-
rities content exceeding the limits permitted in trade
is bought into intervention ; whereas, for the purposes
of sound administration, those adjustments should
also be applied when oil held by intervention agencies
is sold ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The following subparagraph is added to Article 6 (2)
of Regulation (EEC) No 589/68 :

'Payment for the quality of oil delivered shall be
effected following deduction of the weight of mois-
ture and impurities in excess of 0.2 % in the case
of virgin olive oils and 0.5 % in the case of oils
from olive residues.'

Article 2

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

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

Done at Brussels, 18 April 1977.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 112, 15. 5. 1968, p. 6.

⁽⁴⁾ OJ No L 190, 14. 7. 1976, p. 1.

COMMISSION REGULATION (EEC) No 783/77

of 18 April 1977

fixing in respect of the 1976 crop export refunds for raw tobacco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco⁽¹⁾, as last amended by the Act of Accession⁽²⁾, and in particular the first sentence of the third subparagraph of Article 9 (2) thereof,

Whereas by virtue of Article 9 of Regulation (EEC) No 727/70 the difference between the world market prices of the products referred to in Article 1 of that Regulation and their prices within the Community may be covered by an export refund;

Whereas, pursuant to Council Regulation (EEC) No 326/71 of 15 February 1971 laying down general rules for granting export refunds on raw tobacco and criteria for fixing the amount of such refunds⁽³⁾, the granting of export refunds is to be limited to baled tobacco produced from leaf tobacco harvested in the Community; whereas the refunds must be fixed for each variety produced in the Community in the light of the factors indicated in Article 2 (1) of Regulation (EEC) No 326/71;

Whereas the market for the variety Round Tip is characterized by limited outlets and by exceptionally high marketing costs; whereas the specific market characteristics of the variety Round Tip constitute in the sense of Article 4 of the abovementioned Regulation, one of the exceptional cases referred to in the second subparagraph of Article 9 (1) of Regulation (EEC) No 727/70 and therefore permit the fixing of the refund outside the limits set by this Article;

Whereas, in view of current export possibilities and of market conditions in the Community, it is appropriate

that a refund be granted for certain varieties of the 1976 crop in respect of the countries listed in the Annex hereto;

Whereas, in order to facilitate marketing, encouragement should be given to finding outlets rapidly; whereas, therefore, the period during which export refunds may be granted for certain varieties from the 1976 crop should be limited;

Whereas, applying the abovementioned rules and criteria to existing conditions in the tobacco market, and in particular to prices in the Community and on the world market, it follows that the amount of the refund and the products and countries in respect of which it should apply should be as specified in the Annex hereto;

Whereas the Management Committee for Raw Tobacco has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The list of varieties of baled tobacco from the 1976 crop in respect of which the export refund provided for in Article 9 of Regulation (EEC) No 727/70 shall be granted, and the amount of such refund and the third countries of destination for which it shall apply, shall be as shown in the Annex hereto.

Article 2

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

It shall apply until 31 December 1978.

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

Done at Brussels, 18 April 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 39, 17. 2. 1971, p. 1.

ANNEX

Tobacco from the 1976 crop

Serial No	Varieties	Amount of refund (u.a./kg)	Countries of destination
1a	Badischer Geudertheimer	0.28	} to all third countries
1b	Forchheimer Havanna		
2	Badischer Burley E	0.28	
11a	Burley I	0.21	} to all third countries with the exception of the USA and Canada
11b	Maryland	0.21	
14	Beneventano	0.21	to all third countries
15	Xanti-Yakà	0.18	} to all third countries with the exception of Greece, Turkey and Yugoslavia
16	Perustitza	0.18	
17	Erzegovina	0.18	
18	(a) Round Tip (b) Scafati (c) Sumatra I	0.70	to all third countries with the exception of the USA and Canada

COMMISSION REGULATION (EEC) No 784/77

of 18 April 1977

amending Regulation (EEC) No 1728/70 fixing the scales of price increases and reductions for raw tobacco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by the Act of Accession ⁽²⁾, and in particular Articles 5 (6) and 6 (10) thereof,

Whereas Commission Regulation (EEC) No 1728/70 of 25 August 1970 ⁽³⁾, as amended by Regulation (EEC) No 716/73 ⁽⁴⁾, fixed scales of price increases and reductions for leaf and baled tobacco, including a scale of increases and reductions by reference to the manufacturing qualities of certain varieties of baled tobacco designed to take into account the commercial practice then obtaining in certain Member States;

Whereas since that time the situation on the tobacco market has reflected the ever increasing integration of

the Community market in the world market; whereas the scale of price increases and reductions by reference to the manufacturing qualities of baled tobacco no longer corresponds to current commercial practice;

Whereas these allowances do not exist on the world market; whereas, therefore, this scale should be repealed with effect from the 1977 crop;

Whereas the Management Committee for Raw Tobacco has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Sole Article

Annex II (B) to Regulation (EEC) No 1728/70 is repealed with effect from the 1977 crop.

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

Done at Brussels, 18 April 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 191, 27. 8. 1970, p. 18.

⁽⁴⁾ OJ No L 68, 15. 3. 1973, p. 19.

COMMISSION REGULATION (EEC) No 785/77**of 18 April 1977****altering the basic amount of the import levy on syrups and certain other sugar products**

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 basic amount of the import levy on syrups and certain other sugar products was fixed by Regulation (EEC) No 670/77⁽³⁾, as amended by Regulation (EEC) No 704/77⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 670/77

to the information at present available to the Commission that the basic amount of the levy at present in force should be altered as shown in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) d) of Regulation (EEC) No 3330/74 is hereby fixed, per 100 kilograms of product, at 0.1951 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 19 April 1977.

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

Done at Brussels, 18 April 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 84, 1. 4. 1977, p. 24.

⁽⁴⁾ OJ No L 86, 2. 4. 1977, p. 11.

COMMISSION REGULATION (EEC) No 786/77
of 18 April 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 organ-
ization 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 775/77⁽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 19 April
1977.

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

Done at Brussels, 18 April 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 94, 16. 4. 1977, p. 11.

ANNEX

to the Commission Regulation of 18 April 1977 fixing the import levies on white sugar
and raw sugar

(u.u./100 kg)		
CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid :	
	A. White sugar	19.51
	B. Raw sugar	14.72 ⁽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)

COMMISSION

COMMISSION DECISION

of 30 March 1977

extending for the Federal Republic of Germany in respect of a certain number of varieties the period provided for in Article 15 (1) of Directive 70/457/EEC

(Only the German text is authentic)

(77/281/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species⁽¹⁾, as last amended by Council Directive 73/438/EEC of 11 December 1973⁽²⁾, and in particular Article 15 (7) thereof,

Having regard to the application lodged by the Federal Republic of Germany,

Whereas, under Article 15 (1) of the said Directive, seeds and propagating material of varieties of agricultural plant species which have been officially accepted during 1974 in one or more Member States and which also meet the conditions laid down in the said Directive are, with effect from 31 December 1976, no longer subject to any marketing restrictions relating to variety within the Community;

Whereas, however, Article 15 (2) thereof provides that a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas the Federal Republic of Germany has applied for such authorization for a certain number of varieties;

Whereas Commission Decision 77/146/EEC of 29 December 1976⁽³⁾ extended the period provided for in the said Article 15 (1) for these varieties for the Federal Republic of Germany from 31 December 1976 to 31 March 1977;

Whereas for the varieties Erika and Wintergreen (red fescue), Patora (perennial ryegrass) and Sprint 180 (maize) the Federal Republic of Germany is not yet in a position to justify its application for reasons beyond its control;

Whereas the period provided for in the said Article 15 (1) should therefore be extended in the case of the Federal Republic of Germany to enable it to prepare the necessary data concerning these varieties (Article 15 (7) of the said Directive);

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seed and Propagating Material for Agriculture, Horticulture and Forestry,

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

⁽³⁾ OJ No L 47, 18. 2. 1977, p. 64.

HAS ADOPTED THIS DECISION :

Article 1

In respect of the varieties Erika and Wintergreen (*Festuca rubra* L.) and Patora (*Lolium perenne* L.), the period provided for in Article 15 (1) of Directive 70/457/EEC shall be extended for the Federal Republic of Germany beyond 31 March 1977 to 31 May 1977. In respect of the variety Sprint 180 (*Zea mays* L.) the said period shall be extended from 31 March 1977 to 31 December 1977.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 30 March 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 30 March 1977

authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species

(Only the French text is authentic)

(77/282/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species⁽¹⁾, as last amended by Council Directive 73/438/EEC of 11 December 1973⁽²⁾, and in particular Article 15 (2), (3) and (7) thereof,

Having regard to the application lodged by the French Republic,

Whereas, under Article 15 (1) of the said Directive, seeds and propagating material of varieties of agricultural plant species which have been officially accepted during 1974 in one or more Member States and which also meet the conditions laid down in the said Directive are, with effect from 31 December 1976, no longer subject to any marketing restrictions relating to variety in the Community;

Whereas, however, Article 15 (2) thereof provides that a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas the French Republic has applied for such authorization for a certain number of varieties of different species;

Whereas Commission Decision 77/148/EEC of 29 December 1976⁽³⁾ extended the period provided for in the said Article 15 (1) for the majority of these varieties for the French Republic from 31 December 1976 to 31 March 1977;

Whereas the Commission has meanwhile completed its examination of the French application in respect of these varieties;

Whereas the varieties listed in this Decision have been the subject of official growing trials in the French Republic; whereas the results of these trials have led the French Republic to decide that these varieties are not sufficiently uniform there;

Whereas the other Member States have accepted these conclusions in respect of the variety Capelli Senatore (durum wheat); whereas it is therefore clear that this variety is not sufficiently uniform in France in one characteristic (Article 15 (3) (c), first case of the said Directive);

Whereas in respect of the variety Hydra (barley), the results of the trials show that in the French Republic, when compared with the national rules governing the acceptance of varieties there, which apply as part of current Community provisions, it is not sufficiently uniform in certain characteristics (Article 15 (3) (a) of the said Directive);

Whereas, therefore, the application of the French Republic in respect of these varieties should be granted in full;

Whereas in respect of the variety Oberweihst (cocksfoot), the French Republic is not yet in a position to justify its application for reasons beyond its control;

Whereas the period provided for in Article 15 (1) thereof should therefore be extended in the case of the French Republic by an appropriate period to enable it to prepare the necessary data concerning these varieties (Article 15 (7) of the said Directive);

Whereas other varieties are no longer included in the French application;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seed and Propagating Material for Agriculture, Horticulture and Forestry,

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

⁽³⁾ OJ No L 47, 18. 2. 1977, p. 68.

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is hereby authorized to prohibit the marketing in its territory of seed of the following varieties listed in the 1977 common catalogue of varieties of agricultural plant species :

Cereals

1. *Hordeum distichum* L.
Hydra
2. *Triticum durum* L.
Cappelli senatore.

Article 2

The authorization under Article 1 shall be withdrawn as soon as it is established that the conditions thereof are no longer satisfied.

Article 3

In respect of the variety Oberweihst (*Dactylis glomerata*), the period provided for in Article 15 (1) of Direc-

tive 70/457/EEC shall be extended for the French Republic from 31 March 1977 to 31 December 1979.

Article 4

The French Republic shall notify the Commission of the date from which it makes use of the authorization under Article 1 and the detailed methods to be followed. The Commission shall inform the other Member States thereof.

Article 5

This Decision is addressed to the French Republic.

Done at Brussels, 30 March 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 30 March 1977

authorizing the United Kingdom to restrict the marketing of seed of certain varieties of agricultural plant species

(Only the English text is authentic)

(77/283/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species⁽¹⁾, as last amended by Council Directive 73/438/EEC of 11 December 1973⁽²⁾, and in particular Article 15 (2) and (3) thereof,

Having regard to the application lodged by the United Kingdom,

Whereas, under Article 15 (1) of the said Directive, seeds and propagating material of varieties of agricultural plant species which have been officially accepted during 1974 in one or more Member States and which also meet the conditions laid down in the said Directive are, with effect from 31 December 1976, no longer subject to any marketing restrictions relating to variety in the Community;

Whereas, however, Article 15 (2) thereof provides that a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas the United Kingdom has for such authorization for a certain number of varieties of different species;

Whereas Commission Decision 77/151/EEC of 29 December 1976⁽³⁾ extended the period provided for in the said Article 15 (1) for these varieties for the United Kingdom from 31 December 1976 to 31 March 1977;

Whereas the Commission has meanwhile completed its examination of the United Kingdom application in respect of these varieties;

Whereas the varieties listed in this Decision have been the subject of official growing trials in the United Kingdom; whereas the results of these trials have led the United Kingdom to decide that these varieties are not distinct, stable or sufficiently uniform there;

Whereas, in respect of the variety Belida (perennial rye grass) and Ramona (barley), the results of the trials show that in the United Kingdom, when compared with the national rules governing the acceptance of varieties there, which apply as part of current Community provisions, they are not distinct from other varieties accepted therein (Article 15 (3) (a) of the said Directive);

Whereas, in respect of variety Patora (perennial rye grass), the results of the trials show that in the United Kingdom, when compared with the national rules governing the acceptance of varieties there, which apply as part of current Community provisions, it is neither distinct from other varieties accepted therein nor stable (Article 15 (3) (a) of the said Directive);

Whereas, in respect of the variety Burma (common wheat), the results of the trials show that in the United Kingdom, when compared with the national rules governing the acceptance of varieties there, which apply within the framework of current Community provisions, it is not sufficiently uniform in certain characteristics (Article 15 (3) (a) of the said Directive);

Whereas therefore the application of the United Kingdom in respect of these varieties should be granted in full;

Whereas other varieties are no longer included in the United Kingdom application;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seed and Propagating Material for Agriculture, Horticulture and Forestry,

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

⁽³⁾ OJ No L 47, 18. 2. 1977, p. 74.

HAS ADOPTED THIS DECISION :

Article 3

Article 1

The United Kingdom is hereby authorized to prohibit the marketing in its territory of seed of the following varieties listed in the 1977 common catalogue of varieties of agricultural plant species.

I. Fodder plants

Lolium perenne L.
Belida
Patora

II. Cereals

1. Hordeum distichum L.
Ramona
2. Triticum aestivum L.
Burma.

The United Kingdom shall notify the Commission of the date from which it make use of the authorization under Article 1 and the detailed methods to be followed. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the United Kingdom.

Done at Brussels, 30 March 1977.

Article 2

The authorization under Article 1 shall be withdrawn as soon as it is established that the conditions thereof are no longer satisfied.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 5 April 1977

excluding from admission free of Common Customs Tariff duties the scientific apparatus described as Lock-in Amplifier, P.A.R. model 120

(77/284/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3195/75 of 2 December 1975 laying down provisions for the implementation of Regulation (EEC) No 1798/75⁽²⁾, and in particular Article 4 thereof,

Whereas, by letter dated 23 November 1976, the German Government requested the Commission to invoke the procedure laid down in paragraphs 3 to 7 of Article 4 of Regulation (EEC) No 3195/75 in order to determine whether apparatus of scientific value equivalent to the apparatus described as Lock-in Amplifier, P.A.R. model 120 is currently manufactured in the Community;

Whereas, in accordance with the provisions of Article 4 (5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all of the Member States met on 9 March 1977 within the Committee on Duty Free Arrangements to examine this particular case;

Whereas the apparatus in question is a fixed frequency lock-in amplifier, in which the operating frequency is determined by a plug-in circuit board over a range of 5 Hz to 150 kHz;

Whereas it is used for research programmes in the study of changes occurring in the spectrum band of solid bodies by the disturbances in the crystal systems;

Whereas, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus capable of use for the same purpose is currently manufactured in the Community,

HAS ADOPTED THIS DECISION:

Article 1

The conditions referred to in Article 3 (1) (b) of Council Regulation (EEC) No 1798/75 of 10 July 1975 for admission free of Common Customs Tariff duties of the scientific apparatus described as Lock-in Amplifier, P.A.R. model 120 are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 April 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 316, 6. 12. 1975, p. 17.

COMMISSION DECISION**of 5 April 1977****excluding from admission free of Common Customs Tariff duties the scientific apparatus described as Lock-in Amplifier, P.A.R. model 122**

(77/285/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3195/75 of 2 December 1975 laying down provisions for the implementation of Regulation (EEC) No 1798/75⁽²⁾, and in particular Article 4 thereof,

Whereas, by letter dated 23 November 1976, the German Government requested the Commission to invoke the procedure laid down in paragraphs 3 to 7 of Article 4 of Regulation (EEC) No 3195/75 in order to determine whether apparatus of scientific value equivalent to the apparatus described as Lock-in Amplifier, P.A.R. model 122 is currently manufactured in the Community;

Whereas, in accordance with the provisions of Article 4 (5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all of the Member States met on 9 March 1977 within the Committee on Duty Free Arrangements to examine this particular case;

Whereas the apparatus in question is a continuously tunable lock-in amplifier covering the frequency

range of 5 Hz to 50 kHz ; whereas it is used to analyze optical absorption of alkali atoms contained in the range of rare gases ;

Whereas, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus and capable of use for the same purpose is currently manufactured in the Community,

HAS ADOPTED THIS DECISION :

Article 1

The conditions referred to in Article 3 (1) (b) of Council Regulation (EEC) No 1798/75 of 10 July 1975 for admission free of Common Customs Tariff duties of the apparatus described as Lock-in Amplifier, P.A.R. model 122 are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 April 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 316, 6. 12. 1975, p. 17.

COMMISSION DECISION

of 5 April 1977

allowing admission free of Common Customs Tariff duties of scientific apparatus for measuring emissions of pollutants in the atmosphere

(77/286/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3195/75 of 2 December 1975 laying down provisions for the implementation of Regulation (EEC) No 1798/75 ⁽²⁾, and in particular Articles 4 and 5 thereof,

Whereas, by letter dated 19 November 1976, the Italian Government requested the Commission to invoke the procedure laid down in Articles 4 and 5 of Regulation (EEC) No 3195/75 in order to determine whether or not the apparatus described as :

- Intensifier Detector Head, OMA model 1205 D,
- Scintillator, OMA model 1205 D/01,
- Polychromator, UV-VIS-NIR OMA model 1208,
- Optical Multichannel Analyzer Console, OMA model 1205 A,
- Display, OMA model 604,

should be considered to be scientific apparatus, and where the reply is in the affirmative, whether apparatus of equivalent scientific value are currently manufactured in the Community ;

Whereas, in accordance with the provisions of Article 4 (5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all of the Member States met on 9 March 1977 within the Committee on Duty Free Arrangements to examine this particular case ;

Whereas this examination shows that :

- the apparatus Intensifier Detector Head is a 500 channel photodiode photodetector with amplifier, having a response time of the order of a picosecond for flash phenomena,
- the apparatus Scintillator is a scintillator which widens the spectrum band of the photodetector,

— the apparatus Polychromator is a monochromator specially adapted for operation with the photodetector,

— the apparatus Optical Multichannel Analyzer Console is a multichannel optical analyzer specially designed for the operation and reading of signals from the photodetector,

— the apparatus Display is a visual screen specially constructed for use with the above apparatus ;

Whereas all these apparatus are interdependent components which are essential for the operation of the complete unit intended to be used for studying the application of lasers to fluid dynamics to measure emissions of pollutants in the atmosphere ;

Whereas the characteristics of these apparatus and their intended use renders them materials specially adapted to research in the field of ecology ; whereas in consequence, they are considered to be scientific apparatus ;

Whereas, with regard to the technical adaptations of apparatus referred to above for the purpose of the operation of the said unit, no apparatus of scientific value equivalent to any of the above apparatus is currently manufactured in the Community,

HAS ADOPTED THIS DECISION :

Article 1

1. The apparatus described as :

- Intensifier Detector Head, OMA model 1205 D,
- Scintillator, OMA model 1205 D/01,
- Polychromator UV-VIS-NIR, OMA model 1208,
- Optical Multichannel Analyzer Console, OMA model 1205 A,
- Display, OMA model 604,

must be considered to be scientific apparatus.

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 316, 6. 12. 1975, p. 17.

2. The conditions referred to in Article 3 (1) (b) of Council Regulation (EEC) No 1798/75 of 10 July 1975 for admission free of Common Customs Tariff duties of the apparatus described in paragraph 1 are fulfilled, in so far as the apparatus is specially adapted to operate a unit intended for measuring emissions of pollutants in the atmosphere.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 April 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION DECISION

of 5 April 1977

relating to the urgent supply to the International Committee of the Red Cross of vitaminized skimmed-milk powder, to be bought on the Community market, for use as food aid for the Philippines

(Only the French and Dutch texts are authentic)

(77/287/EEC)

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 Articles 7 (5) and 28 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 complementary supply of skimmed-milk powder to certain developing countries, international organizations and non-governmental organizations under the 1976 food-aid 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; whereas the ICRC has requested 300 tonnes of vitaminized skimmed-milk powder for the Philippines;

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 determining the forwarding costs, in case of emergency, a private contract may be concluded;

Whereas, in view of the need to provide immediate aid, it is apparent that mutual agreement must be sought in respect of this supply;

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

HAS ADOPTED THIS DECISION:

Article 1

1. In accordance with the provisions of Regulations (EEC) No 1298/76 and (EEC) No 2018/76, the Belgian intervention agency shall arrange delivery to the ICRC of one lot of 300 tonnes of vitaminized skimmed-milk powder bought on the Community market for the Philippines.

2. The skimmed-milk powder shall meet:

- as to quality, the requirements set out in the Annex to this Decision,
- 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 1457/75⁽⁷⁾.

3. In addition, the supplier designated by the private contract referred to in Article 3, shall supply 5 % empty bags identical to those containing the goods. He shall undertake to have these bags mentioned on the bill of lading.

4. The packaging of the skimmed-milk powder shall bear a red cross of 10 cm by 10 cm and the following inscription in letters at least one centimetre high:

⁽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.

'Skimmed-milk powder containing vitamins "A" (5 000 i.u. / 100 g) and "D" (500 i.u. / 100 g) / Gift of the European Economic Community / Action of the International Committee of the Red Cross / For free distribution'.

Article 2

1. Delivery shall be effected to the port of unloading of Manila.
2. Embarkation shall take place as soon as possible on 10 May 1977 at the latest.
3. Delivery *cif* shall be completed when the goods are actually deposited on the quayside at the port of unloading, or on board a lighter, as the case may be.
4. The recipient country shall bear all costs incurred after delivery, including the costs of taking delivery of the goods. Any demurrage costs at the port of unloading attributable to the recipient agency shall be borne by it. The rates and other details concerning such costs shall be laid down in the contract between the Community agent (designated by the mutual agreement contract specified in Article 3) and the carrier and must have been previously agreed upon by that and the recipient's delivery agent.
5. A delivery certificate shall be issued on delivery by the receiving agent nominated by the recipient country.

Article 3

1. The amount to cover delivery costs to the port of unloading referred to in Article 2 (1) including the insurance costs shall be determined by the intervention agency concerned, by mutual agreement, on the least onerous terms possible. This shall only result in the payment of this amount on presentation of the delivery certificate provided for in Article 2 (5).
2. The intervention agency shall send immediately to the Commission a copy of the private contract or contracts.
3. 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 2 (5) is delayed, the competent agency may grant an advance.

Such an 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 raised by 10 %.

Article 4

The Belgian Government :

1. shall ensure that the agent designated by the mutual agreement contract :
 - (a) notifies the recipient organization, as soon as possible after the goods have been loaded on board ship, of details of the ship, the loading date, the quantity and quality of the goods as recorded on shipment ;
 - (b) informs the recipient organization, at least 10 clear days before arrival at the port of unloading, of the expected date of arrival ;
 - (c) has included in the terms of the charter-party a provision stipulating that the ship's captain shall, at least 72 hours in advance, notify the recipient organization of the ship's probable date of arrival in port ;
2. send to the Commission as soon as possible the information specified in paragraph 1 (a) and (b).

Article 5

No refund or compensatory amount (whether monetary or accession) may be granted in respect of skimmed-milk powder supplied pursuant to this Decision.

Article 6

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 5 April 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 content :	
(aa) vitamin A :	5 000 i.u. per 100 g minimum
(bb) vitamin D :	500 i.u. per 100 g minimum

COMMISSION DECISION

of 6 April 1977

fixing the maximum export refund for the 73rd partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75

(77/288/EEC)

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 19 (4) thereof;

Whereas Commission Regulation (EEC) No 2101/75 of 11 August 1975 on a standing invitation to tender to determine levies and/or refunds on export of white sugar⁽³⁾, as last amended by Regulation (EEC) No 2924/76⁽⁴⁾, requires Member States to carry out partial invitations to tender for the export of white sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2101/75 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 73rd partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for the 73rd partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75 is hereby fixed at 18.590 units of account per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 6 April 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 214, 12. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 333, 2. 12. 1976, p. 17.