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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1006/77**of 13 May 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 organization 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 Regulation (EEC) No 1882/76⁽³⁾ and subsequent amending Regulations;

Whereas it follows from applying the provisions contained in Regulation (EEC) No 1882/76 to the

offer prices and today's quotations known to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 are hereby fixed as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 14 May 1977.

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

Done at Brussels, 13 May 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 13 May 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	93.62
10.01 B	Durum wheat	140.83 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	77.69 ⁽⁶⁾
10.03	Barley	53.78
10.04	Oats	56.42
10.05 B	Maize, other than hybrid maize for sowing	66.40 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	74.25 ⁽⁴⁾
10.07 C	Grain sorghum	77.03 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	142.37
11.01 B	Rye flour	120.77
11.02 A I a)	Durum wheat groats and meal	228.81
11.02 A I b)	Common wheat groats and meal	152.23

⁽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 1007/77**of 13 May 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 14 May
1977.

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

Done at Brussels, 13 May 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 13 May 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 5	1st period 6	2nd period 7	3rd period 8
10.01 A	Common wheat, and meslin	0	0.52	0.52	0.52
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	1.07	1.07	1.07
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0.19	0.19	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	0.73	0.73	0.73

B. Malt

(u.a./tonne)

CCT heading No	Description of goods	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
11.07 A I(a)	Unroasted malt, obtained from wheat, in the form of flour	0	0.93	0.93	0.93	0.93
11.07 A I(b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0.69	0.69	0.69	0.69
11.07 A II(a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	1.90	1.90	1.90	1.90
11.07 A II(b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	1.42	1.42	1.42	1.42
11.07 B	Roasted malt	0	1.66	1.66	1.66	1.66

COMMISSION REGULATION (EEC) No 1008/77**of 13 May 1977****fixing the import levies on milk and milk products**

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 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 907/77⁽³⁾;

Whereas it follows from applying the rules contained
in Regulation (EEC) No 907/77 to the prices known

to the Commission that the levies at present in force
should be altered as shown in the Annex to this Regu-
lation,

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 14 (2) of Regulation
(EEC) No 804/68 are hereby fixed as shown in the
Annex.

Article 2

This Regulation shall enter into force on 16 May
1977.

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

Done at Brussels, 13 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 108, 30. 4. 1977, p. 30.

ANNEX

to the Commission Regulation of 13 May 1977 fixing the import levies on milk and milk products

(u.a./100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.01 A I a)	0110	21.64
04.01 A I b)	0120	19.64
04.01 A II a) 1	0130	19.64
04.01 A II a) 2	0140	24.10
04.01 A II b) 1	0150	18.64
04.01 A II b) 2	0160	23.10
04.01 B I	0200	48.73
04.01 B II	0300	103.09
04.01 B III	0400	159.32
04.02 A I	0500	15.30
04.02 A II a) 1	0620	95.59
04.02 A II a) 2	0720	121.60
04.02 A II a) 3	0820	123.60
04.02 A II a) 4	0920	135.68
04.02 A II b) 1	1020	89.59
04.02 A II b) 2	1120	115.60
04.02 A II b) 3	1220	117.60
04.02 A II b) 4	1320	129.68
04.02 A III a) 1	1420	30.67
04.02 A III a) 2	1520	41.40
04.02 A III b) 1	1620	103.09
04.02 A III b) 2	1720	159.32
04.02 B I a)	1820	30.00
04.02 B I b) 1 aa)	2220	per kg 0.8959 ⁽⁹⁾
04.02 B I b) 1 bb)	2320	per kg 1.1560 ⁽⁹⁾
04.02 B I b) 1 cc)	2420	per kg 1.2968 ⁽⁹⁾
04.02 B I b) 2 aa)	2520	per kg 0.8959 ⁽¹⁰⁾
04.02 B I b) 2 bb)	2620	per kg 1.1560 ⁽¹⁰⁾
04.02 B I b) 2 cc)	2720	per kg 1.2968 ⁽¹⁰⁾
04.02 B II a)	2810	33.26
04.02 B II b) 1	2910	per kg 1.0309 ⁽¹⁰⁾
04.02 B II b) 2	3010	per kg 1.5932 ⁽¹⁰⁾
04.03 A	3110	187.43
04.03 B	3210	228.66
04.04 A I a) 1	3321	15.00
04.04 A I a) 2	3420	133.29 ⁽¹¹⁾
04.04 A I b) 1 aa)	3521	15.00
04.04 A I b) 1 bb)	3619	133.29 ⁽¹¹⁾
04.04 A I b) 2	3719	133.29 ⁽¹¹⁾
04.04 A II	3800	133.29
04.04 B	3900	156.62 ⁽¹²⁾
04.04 C	4000	127.81
04.04 D I	4120	30.00
04.04 D II a) 1	4410	129.12
04.04 D II a) 2	4510	137.29
04.04 D II b)	4610	217.29
04.04 E I a)	4710	156.62
04.04 E I b) 1 aa)	4834	15.00
04.04 E I b) 1 bb)	4850	163.83

CCT heading No	Code	Import levy
04.04 E I b) 2 aa)	4922	137·19 ⁽¹³⁾
04.04 E I b) 2 bb)	5022	137·19 ⁽¹⁴⁾
04.04 E I b) 3	5030	137·19 ⁽¹⁵⁾
04.04 E I b) 4	5060	137·19 ⁽¹⁵⁾
04.04 E I b) 5	5120	137·19
04.04 E I c) 1	5210	102·89
04.04 E I c) 2	5250	217·19
04.04 E II a)	5310	156·62
04.04 E II b)	5410	217·19
17.02 A II ⁽¹⁶⁾	5500	18·95
17.05 A	5600	18·95
23.07 B I a) 3	5700	69·19
23.07 B I a) 4	5800	89·80
23.07 B I b) 3	5900	83·61
23.07 B I c) 3	6000	67·77
23.07 B II	6100	89·80

For notes ⁽¹⁾ to ⁽⁸⁾, see notes ⁽¹⁾ to ⁽⁸⁾ of Council Regulation (EEC) No 823/68 (OJ No L 151, 30. 6. 1968).

- ⁽⁹⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
- a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
 - b) 6 u.a. ; and
 - c) 9·70 u.a.

- ⁽¹⁰⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
- a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
 - and
 - b) 9·70 u.a.

⁽¹¹⁾ The levy is limited to 7·50 u.a. per 100 kg net weight.

⁽¹²⁾ The levy is limited to 6% of the value for customs purposes.

⁽¹³⁾ The levy is limited to 64·00 u.a. per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁴⁾ The levy is limited to 84·00 u.a. per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁵⁾ The levy is limited to 64·00 u.a. per 100 kg net weight for imports from Bulgaria, Hungary, Romania and Turkey (Regulation (EEC) No 1054/68 as amended).

⁽¹⁶⁾ Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.

(a) For imports into the United Kingdom, this free-at-frontier value shall be reduced by 3·47 u.a. per 100 kg net.

NB : For the purposes of heading No 04.04, the exchange rate to be applied in converting into national currencies the unit of account referred to in the subdivisions of this heading shall, notwithstanding general rule C 3 contained in Part I, Section I of the Common Customs Tariff be the representative rate, if such a rate is fixed pursuant to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy (OJ No 106, 30.10.1962, p. 2553/62).

COMMISSION REGULATION (EEC) No 1009/77

of 13 May 1977

opening an invitation to tender for the mobilization of round grain milled rice
as food aid for the Cape Verde Islands

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⁾,

Having regard to Council Regulation (EEC) No
2750/75 of 29 October 1975 laying down the condi-
tions for the mobilization of cereals as food aid ⁽²⁾, and
in particular Article 6 thereof,

Whereas on 16 December 1976 the Council of the
European Communities declared that it proposed, by
way of Community action, to grant the equivalent of
3 250 tonnes of husked rice (in other words, 2 518
tonnes of round grain milled rice) to the Cape Verde
Islands under its 1976/77 food-aid programme;

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

Whereas the proposed invitation to tender should be
for supply of the products delivered in the ship's hold
at the port of unloading;

Whereas in view of the different monetary circum-
stances in the Member States, the observation of these
conditions is not guaranteed by the application of
exchange rates applicable in the framework of the
common agricultural policy since monetary compensa-
tory amounts do not apply in the rice sector; whereas
it is advisable to take account of the monetary situa-
tion as regards different offers;

Whereas the award under the invitation to tender
must be made to the tenderer offering the best terms;

Whereas, should *force majeure* make it impossible to
complete the operation in question within the time
limits specified, it must be made clear who is to bear
the liability for any resulting costs;

Whereas provision should be made for security to be
given for the purpose of guaranteeing that the obliga-

tions arising by virtue of participation in the invita-
tion to tender for supplies to the Cape Verde Islands
will be fulfilled;

Whereas the Italian intervention agency should be
made responsible for the tendering procedure;

Whereas the Commission must be informed quickly
of the tenders submitted in response to the invitation
and of those accepted by the intervention agency;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the
Cape Verde Islands, by way of Community action, of
2 518 tonnes of round grain milled rice.

2. The tendering procedure shall take place in Italy
in two lots. The product shall be mobilized on the
Community market. The product shall be loaded for
departure from any Community port.

3. The invitation to tender provided for in para-
graph 1 is for supply of products delivered in the
ship's hold at the port of unloading (Sao Vincente :
1 000 tonnes; Praia : 1 518 tonnes). The recipient
country shall bear all costs subsequent to delivery of
the goods, including unloading costs (such as
unstowing, hoisting and reception) and any lighterage
costs.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks of a net capacity of 50 kilograms.

Minimum weight of the sacks shall be 600 grams. The following shall be printed on the sacks:

'Arroz blanqueado / Dom da Comunidade Económica Europeia / Destinado a distribuição gratuita'.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 27 May 1977.

2. The closing date for the submission of tenders shall be 27 May 1977 at 12 noon.

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

Article 3

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

2. For the purpose of rendering the tenders comparable, the prices shall, where appropriate, be corrected by the accession compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender.

3. The rates used for converting into units of account those offers made in national currencies shall be:

- the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
- in other cases, the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of offers.

Article 4

The contract shall be awarded to the tenderer offering the best terms.

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

Article 5

1. The successful tenderer shall give security of a value of 10 units of account per tonne; the security is

intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

2. The security provided for in paragraph 1 may be given in the form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by the Member State.

Article 6

1. The round grain milled rice referred to in Article 1 to be supplied to the Cape Verde Islands must meet the following requirements:

- moisture: 15 %;
- broken rice: 5 % maximum;
- chalky grains: 5 % maximum;
- grains striated with red: 3 % maximum;
- spotted grains: 1.5 % maximum;
- stained grains: 1 % maximum;
- yellow grains: 0.050 % maximum;
- amber grains: 0.20 % maximum.

Rice not meeting these requirements shall be refused.

2. Tenders for supply to the Cape Verde Islands of the round grain milled rice referred to in Article 1 must relate to a product with the following characteristics:

- moisture: 15 %;
- broken rice: 5 % maximum;
- chalky grains: 5 % maximum;
- grains striated with red: 3 % maximum;
- spotted grains: 1.5 % maximum;
- stained grains: 1 % maximum;
- yellow grains: 0.050 % maximum;
- amber grains: 0.20 % maximum.

Article 7

1. The Italian intervention agency shall be responsible for the operations relating to the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (2) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall ask that the tenderer specifies the following information :

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging ;
- (b) the date of the departure of the ships ; the expected date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information provided for to the Commission as soon as it is received.

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

Article 8

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

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

Done at Brussels, 13 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1010/77

of 13 May 1977

amending Regulation (EEC) No 22/77 on the transfer to the Italian intervention agency of the first instalment of butter pursuant to Regulation (EEC) No 2452/76

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 6 (7) thereof,

Having regard to Council Regulation (EEC) No 2452/76 of 5 October 1976 on the transfer to the Italian intervention agency of butter held by the intervention agencies of other Member States⁽³⁾, as amended by Regulation (EEC) No 539/77⁽⁴⁾, and in particular Article 1 (2) thereof,

Whereas Article 2 of Commission Regulation (EEC) No 22/77 of 5 January 1977 on the transfer to the Italian intervention agency of the first instalment of butter pursuant to Regulation (EEC) No 2452/76⁽⁵⁾, as last amended by Regulation (EEC) No 629/77⁽⁶⁾, provides that the costs in respect of the transport of the butter shall be determined by the Italian intervention agency by tender;

Whereas the butter was not placed at the disposal of the carrier within the time limit fixed by the notice of

tender; whereas, to take account of the economic consequences of this delay, notably the increase in the cost of transport and of labour, it is necessary to allow the Italian intervention agency to settle privately with the carrier the final amount of the transport charges;

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

A further subparagraph as follows is added to Article 2 (4) of Regulation (EEC) No 22/77:

'Whereas it was not possible to place the butter at the disposal of the successful tenderer within the time limit fixed by the notice of tender, the Italian intervention agency is authorized to come to a private settlement with the successful tenderer.'

Article 2

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

It shall apply with effect from 2 May 1977.

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

Done at Brussels, 13 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 279, 9. 10. 1976, p. 1.

⁽⁴⁾ OJ No L 70, 17. 3. 1977, p. 1.

⁽⁵⁾ OJ No L 5, 7. 1. 1977, p. 8.

⁽⁶⁾ OJ No L 78, 26. 3. 1977, p. 12.

COMMISSION REGULATION (EEC) No 1011/77

of 13 May 1977

on the transfer to the Italian intervention agency of the second instalment of butter pursuant to Regulation (EEC) No 2452/76

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 6 (7) and 28 thereof,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2788/72⁽⁴⁾,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States⁽⁵⁾, as last amended by Regulation (EEC) No 557/76⁽⁶⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 2452/76 of 5 October 1976 on the transfer to the Italian intervention agency of butter held by the intervention agencies of other Member States⁽⁷⁾, as amended by Regulation (EEC) No 539/77⁽⁸⁾, and in particular Article 1 (2) thereof,

Whereas, pursuant to Regulation (EEC) No 2452/76, 10 000 tonnes of butter held by the intervention agencies of other Member States was made available to the Italian intervention agency; whereas the transfer of the first instalment of 5 000 tonnes of butter was made under Commission Regulation (EEC) No 22/77 of 5 January 1977⁽⁹⁾, as last amended by Regulation (EEC) No 629/77⁽¹⁰⁾; whereas the transfer of the second instalment of 5 000 tonnes of butter made available by the French and Luxembourg intervention agencies should be commenced, and detailed rules for implementing this measure should be laid down;

Whereas the Italian intervention agency should rapidly be informed of the storage places of the quan-

tity to be transferred; whereas this information as well as that concerning the geographical situation of the storage places in Italy should be notified to the Commission so as to enable it to determine the financial consequences of this transfer;

Whereas in order to find the most economical way of carrying out such an operation, recourse should be had to a tendering procedure for the transport to Italy;

Whereas, in view of the specific objectives of this transfer, it is advisable to lay down that the second instalment of butter referred to in this measure is offered for sale under Commission Regulation (EEC) No 1282/72 of 21 June 1972 on the sale of butter at a reduced price to the army and similar forces⁽¹¹⁾, as last amended by Regulation (EEC) No 920/77⁽¹²⁾, Commission Regulation (EEC) No 232/75 of 30 January 1975 on the sale of butter at reduced prices for use in the manufacture of pastry products and ice-cream⁽¹³⁾, as last amended by Regulation (EEC) No 920/77, and Commission Regulation (EEC) No 2315/76 of 24 September 1976 on the sale of butter from public stocks⁽¹⁴⁾;

Whereas because of the non-commercial nature of the transfer of the butter in question, no monetary compensatory amount should be applied;

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. Pursuant to Regulation (EEC) No 2452/76, the French and Luxembourg intervention agencies shall make available to the Italian intervention agency 5 000 tonnes of butter bought-in in accordance with Article 7 (1) of Regulation (EEC) No 804/68 divided up as follows:

(¹) OJ No L 148, 28. 6. 1968, p. 13.

(²) OJ No L 67, 15. 3. 1976, p. 9.

(³) OJ No L 94, 28. 4. 1970, p. 13.

(⁴) OJ No L 295, 30. 12. 1972, p. 1.

(⁵) OJ No L 106, 12. 5. 1971, p. 1.

(⁶) OJ No L 67, 15. 3. 1976, p. 1.

(⁷) OJ No L 279, 9. 10. 1976, p. 1.

(⁸) OJ No L 70, 17. 3. 1977, p. 1.

(⁹) OJ No L 5, 7. 1. 1977, p. 8.

(¹⁰) OJ No L 78, 26. 3. 1977, p. 12.

(¹¹) OJ No L 142, 22. 6. 1972, p. 14.

(¹²) OJ No L 108, 30. 4. 1977, p. 75.

(¹³) OJ No L 24, 31. 1. 1975, p. 45.

(¹⁴) OJ No L 261, 25. 9. 1976, p. 12.

French intervention agency : 3 800 tonnes,
Luxembourg intervention agency : 1 200 tonnes.

2. The French and Luxembourg intervention agencies shall arrange that the quantities in question are made available at the latest on 23 May 1977.

They shall choose as few places of storage as possible, preferably from amongst the places nearest to the country of destination.

Within seven days of the entry into force of this Regulation, they shall communicate to the Italian intervention agency and to the Commission the list of places where the quantities to be transferred are stored.

3. Within 15 days of the entry into force of this Regulation, the Italian intervention agency shall communicate to the French and Luxembourg intervention agencies and to the Commission the list of depots where the quantities concerned are to be stored.

4. Article 7 of Regulation (EEC) No 685/69 shall apply as regards the refrigerated depots where the butter will be stored by the Italian intervention agency.

Article 2

1. After checking the number of packages, the quality and the packaging of the butter, the Italian intervention agency shall take delivery of the goods, loaded on to the means of transport at the loading ramp of the storage depot of the supplying intervention agency, and shall thereupon assume responsibility for them.

A quality certificate, accompanying the goods, shall be given by the supplying intervention agency.

2. The amount of the costs of transporting the butter in question shall be determined by the Italian intervention agency by means of a tendering procedure. Such costs shall cover :

- (a) transport (excluding the loading) from the loading ramp of the supplying storage depot to the delivery ramp of the recipient storage depot ;
- (b) unloading and placing in refrigerated store ;
- (c) insurance on the value of the goods determined by the intervention price of butter.

3. The Italian intervention agency shall determine the terms and conditions of the invitation to tender, in accordance with the provisions of this Regulation. They shall provide for, in particular, the lodging of a security to guarantee fulfilment of the obligations under the tendering procedure.

They shall also ensure equality of access and treatment for all interested parties wherever they may be

established in the Community. For this purpose the Italian intervention agency shall communicate to the other intervention agencies and to the Commission the text of the notice of tender, which shall be referred to in a notice published in the *Official Journal of the European Communities* at least 12 days before the final date fixed by the Italian intervention agency for the submission of tenders.

Tenders submitted to the Italian intervention agency shall be made and accepted in Italian lire.

4. The contract shall be awarded to the tenderer or tenderers offering the most favourable terms.

However, if the tenders submitted do not correspond to normal prices and costs, the invitation to tender shall be cancelled.

5. The Italian authorities shall keep the Commission informed of the progress of the tendering procedure and shall immediately communicate the results thereof both to it and to the French and Luxembourg intervention agencies.

Article 3

1. On consignment of the butter to Italy, a removal voucher issued by the supplying intervention agency shall be produced at the customs office of departure. Such voucher shall be numbered and shall include the following particulars :

- (a) the description of the goods ;
- (b) the number of packages, the mark or the identification number of the dairy ;
- (c) the gross and net weight of the goods ;
- (d) a reference to this Regulation ;
- (e) the address of the recipient storage depot of the Italian intervention agency.

The vouchers shall be retained by the customs office of departure.

2. The Community transit document applicable shall contain in Section No 31, in addition to a description of the goods, one of the following endorsements :

'Destiné à être livré à l'organisme d'intervention italien, à l'entrepôt suivant : ... (règlement (CEE) n° 1011/77)',

'Destinato ad essere fornito all'organismo d'intervento italiano al deposito seguente : ... (regolamento (CEE) n. 1011/77)'.

3. Where a new document is issued in place of the Community transit document applicable, the new document shall contain the same endorsement as the original document.

4. Where Regulation (EEC) No 304/71 applies to the carriage of the butter in question, the endorsement provided for in paragraph 2 shall be made on the International Consignment Note (CIM) in the space headed 'Description of goods' or, as the case may be, on the International Express Parcels Consignment note (TIEx). Such endorsement shall be authenticated by the stamp of the customs office of departure.

Article 4

No compensatory amount shall be applicable to the butter transferred pursuant to this Regulation.

Article 5

The butter transferred under the present Regulation may only be sold by the Italian intervention agency under Regulations (EEC) No 1282/72, (EEC) No 232/75 and (EEC) No 2315/76.

Article 6

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, 13 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1012/77**of 13 May 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 988/77 ⁽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 14 May 1977.

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

Done at Brussels, 13 May 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 118, 11. 5. 1977, p. 16.

ANNEX**to the Commission Regulation of 13 May 1977 fixing the import levies on white sugar and raw sugar**

(u.a./100 kg)		
CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid :	
	A. White sugar	20.04
	B. Raw sugar	16.72 ⁽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.

COMMISSION REGULATION (EEC) No 1013/77

of 13 May 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 organi-
zation 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 838/77⁽⁴⁾, as last amended by Regulation (EEC)
No 998/77⁽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 838/77, are hereby
altered as shown in the table annexed to this Regula-
tion.

Article 2

This Regulation shall enter into force on 14 May
1977.

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

Done at Brussels, 13 May 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 103, 27. 4. 1977, p. 11.

⁽⁵⁾ OJ No L 119, 12. 5. 1977, p. 19.

⁽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 13 May 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 D ⁽²⁾	106-20	101-20
11.02 A II ⁽²⁾	144-63	139-63
11.02 A IV ⁽²⁾	106-20	101-20
11.02 B I a) 2 aa)	59-84	57-34
11.02 B I a) 2 bb) ⁽²⁾	103-70	101-20
11.02 B I b) 2 ⁽²⁾	103-70	101-20
11.02 B II b) ⁽²⁾	105-67	103-17
11.02 C II ⁽²⁾	126-61	124-11
11.02 C IV ⁽²⁾	92-45	89-95
11.02 D II ⁽²⁾	81-62	79-12
11.02 D IV ⁽²⁾	59-84	57-34
11.02 E I a) 2 ⁽²⁾	59-84	57-34
11.02 E I b) 2 ⁽²⁾	117-44	112-44
11.02 E II b) ⁽²⁾	144-63	139-63
11.02 F II ⁽²⁾	144-63	139-63
11.02 F IV ⁽²⁾	106-20	101-20

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within subheading 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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 April 1977

on the implementation of the reform of agricultural structures in Italy (Region of Emilia-Romagna) pursuant to Council Directives 72/159/EEC, 72/160/EEC and 72/161/EEC of 17 April 1972 and Titles III and IV of Council Directive 75/268/EEC of 28 April 1975

(Only the Italian text is authentic)

(77/344/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms⁽¹⁾, and in particular Article 18 (3) thereof,

Having regard to Council Directive 72/160/EEC of 17 April 1972 concerning measures to encourage the cessation of farming and the re-allocation of utilized agricultural area for the purposes of structural improvement⁽²⁾, and in particular Article 9 (3) thereof,

Having regard to Council Directive 72/161/EEC of 17 April 1972 concerning the provision of socio-economic guidance for and the acquisition of occupational skills by persons engaged in agriculture⁽³⁾, and in particular Article 11 (3) thereof,

Having regard to Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas⁽⁴⁾, and in particular Article 13 thereof,

Whereas on 16 February 1977 the Government of Italy notified the Law of the Region of Emilia-Romagna of 9 December 1976 laying down provisions

implementing the Council Directives on the reform of agricultural structures ;

Whereas pursuant to Article 18 (3) of Directive 72/159/EEC, Article 9 (3) of Directive 72/160/EEC, Article 11 (3) of Directive 72/161/EEC and Article 13 of Directive 75/268/EEC the Commission has to decide whether, having regard to the aforementioned Law of the Region of Emilia-Romagna, the existing Italian provisions implementing Directives 72/159/EEC, 72/160/EEC, 72/161/EEC and Titles III and IV of Directive 75/268/EEC, which are the subject of Commission Decisions 76/480/EEC of 13 April 1976⁽⁵⁾ and 76/964/EEC of 7 December 1976⁽⁶⁾, continue to satisfy the conditions for financial contribution by the Community and whether the said Law satisfies the conditions for financial contribution by the Community to the measures defined in Title II of Directive 72/268/EEC ;

Whereas Articles 1 to 23 and 25 to 27 of the said Law are consistent with the conditions and aims of Directive 72/159/EEC and Titles III and IV of Directive 75/268/EEC ; whereas the Commission bases that finding on the fact that the condition laid down in the first paragraph of Article 10 applies equally to Community development plans and to development plans implemented by cooperatives and to the cases regulated by Article 7 (2) ;

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 96, 23. 4. 1972, p. 9.

⁽³⁾ OJ No L 96, 23. 4. 1972, p. 15.

⁽⁴⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽⁵⁾ OJ No L 138, 26. 5. 1976, p. 14.

⁽⁶⁾ OJ No L 364, 31. 12. 1976, p. 62.

Whereas it is not yet possible to establish whether Article 24 of the Law satisfies the conditions of Title II of Directive 75/268/EEC in that the provisions do not make it sufficiently clear whether the principles mentioned in Commission Decision 76/964/EEC have been taken into account;

Whereas Articles 28 to 42 are consistent with the conditions and aims of Directive 72/160/EEC and Articles 43 to 58 are consistent with the conditions and aims of Directive 72/161/EEC;

Whereas this Decision is in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

Article 1

The existing Italian provisions implementing Directives 72/159/EEC, 72/160/EEC, 72/161/EEC and

Titles III and IV of Directive 75/268/EEC, having regard to Articles 1 to 23 and 25 to 58 of the Law of 9 December 1976 of Emilia-Romagna notified on 16 February 1977, continue to satisfy the conditions for financial contribution by the Community to the common measures referred to in Article 15 of Directive 72/159/EEC, Article 6 of Directive 72/160/EEC, Article 8 of Directive 72/161/EEC and Article 13 of Directive 75/268/EEC.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 25 April 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 3 May 1977

amending Decision 77/268/EEC on certain measures to prevent the spread of classical swine fever

(77/345/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

Having regard to the Treaty establishing the European Economic Community,

HAS ADOPTED THIS DECISION :

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾, as last amended by Directive 77/98/EEC ⁽²⁾, and in particular Article 9 (4) thereof,

Article 1

Having regard to Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat ⁽³⁾, as last amended by Directive 77/98/EEC, and in particular Article 8 (4) thereof,

Article 1 of Decision 77/268/EEC is hereby amended to read as follows :

Whereas, by Decision 77/268/EEC of 30 March 1977 ⁽⁴⁾, as last amended by Decision 77/293/EEC ⁽⁵⁾, the Commission adopted measures requiring the Member States to prohibit the introduction into their territory of pigs for rearing and fattening from the Netherlands in general, and of pigs for slaughter from a well delimited zone, which is subject to animal health measures prohibiting the exit of live pigs to all other parts of Netherlands territory ; whereas, moreover, these measures also prohibit the introduction into intra-Community trade of fresh meat obtained from pigs from this zone, which, under the strict official provisions applied by the Netherlands authorities, must not be considered as excluding the marketing in intra-Community trade of fresh meat obtained in certain abattoirs in the said zone, but from live pigs from free zones ;

Whereas the health situation in the Netherlands now justifies a reduction of the said zone as regards the export of fresh meat for intra-Community trade ; whereas on the other hand it is premature to lift the measures in force regarding live animals ;

1. Member States shall prohibit until 10 May 1977 the introduction into their territory of pigs for rearing and fattening from the Netherlands.

2. From 4 May 1977 the Netherlands may only send to other Member States fresh meat of pigs

(a) which does not originate from the area bordered by the highway E 35 from Harderwijk to Amersfoort, the ringway around Amersfoort in a southerly direction as far as the Leusden exit, the road via Leusden, Woudenberg, Maarsbergen, Leersum to Elst, from Elst to the Rhine in an easterly direction as far as Renkum, from Renkum in an easterly direction to the traffic junction near Heelsum, from Heelsum in a northerly direction, via Schaarsbergen, Otterlo and Harskamp to the highway E 8, the highway E 8 in easterly direction to Nieuw-Milligen, from Nieuw-Milligen the road in a northerly direction to Harderwijk ; or from regions which are subject to prohibition measures laid down by the Netherlands authorities ; and

(b) which were slaughtered after 3 May 1977 in abattoirs situated outside the said regions, or, by way of exception from 7 April 1977, in abattoirs situated within the said regions provided that the Netherlands authorities ensure that a period of at least 24 hours is reserved after cleaning and disinfection for the exclusive slaughter of these pigs.

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 81.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 87, 5. 4. 1977, p. 34.

⁽⁵⁾ OJ No L 98, 22. 4. 1977, p. 24.

3. From 20 April 1977 the Netherlands may only send to other Member States pigs for slaughter which do not originate

- from the coastal region of the North Sea delimited by the following waters: Haringvliet — Hollandsch Diep — Amer — Bergsche Maas — Maas — Maas-Waalkanaal — Waal-Pannerdenkanaal — IJssel — Ketelmeer — Vossemeer — Drontermeer — Veluwemeer — Eemmeer — Gooimeer — IJmeer — IJ — Noordzeekanaal or
- from regions which are subject to prohibition measures laid down by the Netherlands authorities.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 3 May 1977.

For the Commission

Finn GJUNDELACH

Vice-President

COMMISSION DECISION

of 3 May 1977

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 752/77, the maximum amount for the delivery of butteroil as food aid

(Only the Dutch text is authentic)

(77/346/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 Article 6(7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 752/77 of 12 April 1977, concerning an invitation to tender for the supply of butteroil as food aid to Honduras⁽³⁾, the Dutch intervention agency has invited tenders for the manufacture and delivery of a lot of 500 tonnes of butteroil;

Whereas Article 7 of Commission Regulation (EEC) No 2247/75 of 29 August 1975 concerning conditions for 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⁽⁴⁾, as last amended by Regulation (EEC) No 2402/76⁽⁵⁾, provides that in the light of the tenders received a maximum amount is to be fixed or the tendering procedure is to be cancelled;

Whereas, on the basis of the tenders received, the maximum amount should be that specified below;

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

The maximum amount to be set for the purpose of awarding a contract pursuant to Regulation (EEC) No 752/77 shall be 1 478 900 units of account.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 3 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 91, 13. 4. 1977, p. 8.

⁽⁴⁾ OJ No L 229, 30. 8. 1975, p. 60.

⁽⁵⁾ OJ No L 270, 2. 10. 1976, p. 23.

COMMISSION DECISION

of 4 May 1977

fixing the maximum export refund for the 77th partial invitation to tender for
white sugar issued under Regulation (EEC) No 2101/75

(77/347/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 organi-
zation 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 77th 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 Manage-
ment Committee for Sugar,

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for the 77th partial invi-
tation to tender for white sugar issued under Regula-
tion (EEC) No 2101/75 is hereby fixed at 18.389 units
of account per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 May 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.

COMMISSION DECISION

of 4 May 1977

fixing the maximum amount of the refund for the eighth partial invitation to tender for white sugar issued under Regulation (EEC) No 2732/76

(Only the German text is authentic)

(77/348/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 11 (3) thereof,

Whereas, in accordance with Commission Regulation (EEC) No 2732/76 of 10 November 1976 on a standing invitation to tender for white sugar held by the German intervention agency and intended for export⁽³⁾, as amended by Regulation (EEC) No 703/77⁽⁴⁾, the said agency is to issue partial invitations to tender for the sale of white sugar which it holds and for determining the export refund on such sugar;

Whereas, in accordance with Article 9 of Commission Regulation (EEC) No 258/72 of 3 February 1972 laying down detailed rules concerning the sale by tender of sugar by intervention agencies⁽⁵⁾, where the terms of the invitation to tender do not specify a maximum amount for the refund, that amount shall be fixed in accordance with the procedure laid down in Article 36 of Regulation (EEC) No 3330/74, after examination of the tenders, account being taken of market conditions and potential outlets; whereas,

applying these criteria, the maximum amount for the eighth partial invitation to tender should be fixed as provided in Article 1;

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

For the eighth partial invitation to tender issued under Regulation (EEC) No 2732/76, for which the period for submission of tenders expired on 4 May 1977, the maximum amount of the export refund allowed upon the award of tender shall be 18·990 units of account per 100 kilograms of white sugar.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 4 May 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 310, 11. 11. 1976, p. 20.

⁽⁴⁾ OJ No L 86, 2. 4. 1977, p. 5.

⁽⁵⁾ OJ No L 31, 4. 2. 1972, p. 22.

COMMISSION DECISION

of 4 May 1977

fixing the maximum amount of the refund for the ninth partial invitation to tender for white sugar issued under Regulation (EEC) No 2733/76

(Only the French and Dutch texts are authentic)

(77/349/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 11 (3) thereof,

Whereas, in accordance with Commission Regulation (EEC) No 2733/76 of 10 November 1976 on a standing invitation to tender for white sugar held by the Belgian intervention agency and intended for export and temporarily suspending the invitation to tender provided for in Regulation (EEC) No 2101/75⁽³⁾, as amended by Regulation (EEC) No 703/77⁽⁴⁾, the said agency is to issue partial invitations to tender for the sale of white sugar which it holds and for determining the export refund on such sugar;

Whereas, in accordance with Article 9 of Commission Regulation (EEC) No 258/72 of 3 February 1972 laying down detailed rules concerning the sale by tender of sugar by intervention agencies⁽⁵⁾, where the terms of the invitation to tender do not specify a maximum amount for the refund, that amount shall be fixed in accordance with the procedure laid down in Article 36 of Regulation (EEC) No 3330/74, after examination of the tenders, account being taken of

market conditions and potential outlets; whereas, applying these criteria, the maximum amount for the ninth partial invitation to tender should be fixed as provided in Article 1;

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

For the ninth partial invitation to tender issued under Regulation (EEC) No 2733/76, for which the period for submission of tenders expired on 4 May 1977 the maximum amount of the export refund allowed upon the award of tender shall be 18.724 units of account per 100 kilograms of white sugar.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 4 May 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 310, 11. 11. 1976, p. 20.

⁽⁴⁾ OJ No L 86, 2. 4. 1977, p. 5.

⁽⁵⁾ OJ No L 31, 4. 2. 1972, p. 22.

COMMISSION DECISION

of 4 May 1977

fixing the maximum amount of the refund for the fourth partial invitation to tender for white sugar issued under Regulation (EEC) No 703/77

(Only the French text is authentic)

(77/350/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 11 (3) thereof,

Whereas, in accordance with Commission Regulation (EEC) No 703/77 of 1 April 1977 on a standing invitation to tender for white sugar held by the French intervention agency and intended for export and reopening the standing invitation to tender provided for in Regulations (EEC) No 2732/76 and (EEC) No 2733/76⁽³⁾, the said agency is to issue partial invitations to tender for the sale of white sugar which it holds and for determining the export refund on such sugar;

Whereas, in accordance with Article 9 of Commission Regulation (EEC) No 258/72 of 3 February 1972 laying down detailed rules concerning the sale by tender of sugar by intervention agencies⁽⁴⁾, where the terms of the invitation to tender do not specify a maximum amount for the refund, that amount shall be fixed in accordance with the procedure laid down in Article 36 of Regulation (EEC) No 3330/74, after examination of the tenders, account being taken of market conditions and potential outlets; whereas, applying these criteria, the maximum amount for the

fourth partial invitation to tender should be fixed as provided in Article 1;

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

For the fourth partial invitation to tender issued under Regulation (EEC) No 703/77, for which the period for submission of tenders expired on 4 May 1977 the maximum amount of the export refund allowed upon the award of tender shall be per 100 kilograms of white sugar:

- 18 331 units of account for the lot A 1,
- 17 860 units of account for the lot B 7.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 4 May 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 86, 2. 4. 1977, p. 5.

⁽⁴⁾ OJ No L 31, 4. 2. 1972, p. 22.

COMMISSION DECISION

of 4 May 1977

fixing the minimum selling price for butter for the 50th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC)

No 232/75

(77/351/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 Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EEC) No 2714/72 ⁽⁴⁾, and in particular Article 7a thereof,

Whereas, pursuant to Commission Regulation (EEC) No 232/75 of 30 January 1975 on the sale of butter at reduced prices for use in the manufacture of pastry products and ice-cream ⁽⁵⁾, as last amended by Regulation (EEC) No 569/77 ⁽⁶⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

Whereas Article 9 of that Regulation provides that, in the light of the tenders received, a minimum selling price must be fixed which may vary according to the use to which the butter is to be put and according to the fat content of the butter; whereas alternatively a decision may be taken not to proceed with the invitation to tender; whereas the amount of the processing

security must be fixed in the light of the difference between the minimum selling price and the market price of the butter;

Whereas Commission Regulation (EEC) No 777/76 of 5 April 1976 ⁽⁷⁾ reduces the scope of Regulation (EEC) No 232/75 to the butter to be used when processed into pastry products (formula A);

Whereas, in the light of the tenders received in response to the 50th individual invitation to tender, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly;

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

For the 50th individual invitation to tender under Regulation (EEC) No 232/75, in respect of which the time limit for the submission of tenders expires on 26 April 1977, the minimum selling price and, without prejudice to the provisions of the second subparagraph of Article 12 (1) of the said Regulation, the processing security shall be as follows:

Fat content of the butter	Use to which the butter is to be put (Article 6 (1) (c) of Regulation (EEC) No 232/75)	Minimum selling price in u.a. per 100 kg butter	Processing security in u.a. per 100 kg butter
82 % or more	Formula A	88	162

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 15.

⁽⁵⁾ OJ No L 24, 31. 1. 1975, p. 45.

⁽⁶⁾ OJ No L 72, 19. 3. 1977, p. 11.

⁽⁷⁾ OJ No L 91, 6. 4. 1976, p. 13.

COMMISSION DECISION

of 5 May 1977

relating to the urgent supply of durum wheat as food aid to the Republic of Chad

(Only the French and Dutch texts are authentic)

(77/352/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3138/76⁽²⁾,

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

Having regard to Council Regulation (EEC) No 696/76 of 25 March 1976 derogating from Regulation (EEC) No 2750/75 in respect of mobilization procedures for cereals to be supplied as food aid⁽⁴⁾,

Whereas on 18 January 1977 the Council of the European Communities declared that it proposed, by way of Community action, to grant 2 000 tonnes of durum wheat to the Republic of Chad under its 1975/76 food-aid programme;

Whereas, in view of the need to provide quick aid, it is necessary to have recourse to contracts by mutual agreement;

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

HAS ADOPTED THIS DECISION:

Article 1

1. In accordance with Article 1 of Council Regulation (EEC) No 696/76 of 25 March 1976, the Belgian Intervention Agency (OBEA), 82, rue de Trèves, 1040 Brussels, shall conclude a private contract for the mobilization of 2 000 tonnes of durum wheat in stock

in its intervention stores for delivery to the Republic of Chad.

2. In concluding the private contract, OBEA must seek the least onerous terms possible.

3. The contract shall be for supply to the port of loading, loading charges and transport of the product to the destinations shown in the Annex.

4. The product shall be delivered in 50 kg new jute sacks.

Minimum weight of the sacks shall be 600 grams. The following shall be printed on the sacks:

'Froment dur / Don de la CEE à la République du Tchad / À distribuer gratuitement'.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

The product referred to in Article 1 must be of fair and sound merchantable quality, be free from odour, and correspond at least to the standard quality for which the intervention price is fixed.

Article 3

1. A security of a value of five units of account per tonne shall be given by the party concerned on the signature of the contract. It shall be released on the completion of the operations in question within the time limit laid down and also for those quantities not realized due to *force majeure*.

2. The security provided for in paragraph 1 may be given in the form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by the Member State.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 83, 30. 3. 1976, p. 8.

Article 4

Loading shall be carried out 14 May 1977.

Article 5

The intervention agency shall request the interested party to supply the following information :

- (a) a statement giving details of the quantities loaded, the quality of the products and their packaging ;
- (b) the date of the departure of the ships ; the expected date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information indicated to the Commission as soon as it is received together with a copy of the private contract.

Article 6

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 5 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

*ANNEXE — ANHANG — ALLEGATO — BIJLAGE — BILAG — ANNEX***Lieux de livraison des 2 000 tonnes de froment dur****Lieferungsorte für 2 000 Tonnen Hartweizen****Luoghi di consegna delle 2 000 tonnellate di frumento duro****Plaatsen van bestemming voor 2 000 ton durum tarwe****Destinationer for i alt 2 000 tons hård hvede****Destination for the delivery of 2 000 tonnes of durum wheat**

Biltine	100 t
Guereda	50 t
Iriba	50 t
Arada	25 t
Amzoer	25 t
Faya-Largeau	292 t
Bardat	175 t
Fada	116 t
Kirdimi	82 t
Koro Toro	46 t
Koulba	46 t
Oum-Chalouba	151 t
Ounianga-Keb	82 t
Souliat	60 t
Zouar	116 t
Mongo	175 t
Bitkine	175 t
Melfi	117 t
Mangalme	117 t
	2 000 t