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I Acts whose publication is obligatory

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1110/77**of 17 May 1977****amending Regulation (EEC) No 3330/74 on the common organization of the market in sugar**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee⁽²⁾,

Whereas the introduction of common measures for isoglucose, which provide in particular for isoglucose to be classified under subheadings 17.02 D I and 17.05 C I of the Common Customs Tariff, necessitates the exclusion of this product from the scope of Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽³⁾, as last amended by Regulation (EEC) No 3138/76⁽⁴⁾;

Whereas the sugar prices fixed hitherto by the Community have taken into account the value of the raw material, the processing costs and the costs of storing the sugar; whereas in the light of experience gained in the matter of establishing the guaranteed prices for preferential sugar, it follows that, on the one hand, storage costs should be omitted from the standard calculation of the intervention prices and of the target price and, on the other, the repayment of storage costs should be fixed at the same time as the derived intervention prices in accordance with the same procedure, and that the levy offsetting the repayments for storage costs should be taken into account in the calculation of the threshold price; whereas in

view of the special situation of preferential sugar as regards storage, the Community provisions should be re-examined in order that a specially adapted system of storage levies can be applied to the said sugar;

Whereas Article 27 of Regulation (EEC) No 3330/74 provides in particular that the sugar production levy is to be calculated taking into account the total losses incurred in marketing the quantity of sugar produced in the Community in excess of the guaranteed quantity, which losses are reduced by the revenue from export levies;

Whereas the production levy on isoglucose provided for in Article 9 of Council Regulation (EEC) No 1111/77 of 17 May 1977 laying down common provisions for isoglucose⁽⁵⁾, is based essentially on the need for isoglucose producers to share the costs incurred by the sugar sector inasmuch as the substitution of isoglucose for sugar makes it inevitable, in view of the Community sugar surplus, for corresponding quantities of sugar to be exported to third countries; whereas the revenue from the production levy on isoglucose should therefore be set against these marketing losses;

Whereas Article 38 (2a) of Regulation (EEC) No 3330/74 *inter alia* increased from 5.9 to 9.9 units of account the amount of the adaptation aid provided for in paragraph 1 of that Article which Italy is authorized to grant during the 1976/77 sugar year; whereas the latter amount applies to a quantity of white sugar corresponding to Italy's basic quantity increased by 100 000 tonnes of white sugar; whereas the reasons which led to this measure are still valid and it is therefore necessary to adopt it once again for the 1977/78 sugar year, while adjusting it to the new production prospects in Italy, and therefore to provide that the

⁽¹⁾ OJ No C 93, 18. 4. 1977, p. 11.

⁽²⁾ OJ No C 77, 30. 3. 1977, p. 15.

⁽³⁾ OJ No L 359, 13. 12. 1974, p. 1.

⁽⁴⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽⁵⁾ See page 4 of this Official Journal.

amount of 9.9 units of account shall apply to the basic quantity increased by 170 000 tonnes of white sugar; whereas if total production exceeds 1 400 000 tonnes of white sugar, an amount of 106 620 000 units of account could be granted by the Italian Republic, to be applied to the entire production,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (1) (d) of Regulation (EEC) No 3330/74 shall be replaced by the following:

- (d) 17.02 Other sugars (but not including C, D II, E, F lactose, glucose and isoglucose); syrups (but not including lactose syrup, glucose syrup and isoglucose syrup); artificial honey (whether or not mixed with natural honey); caramel
- 17.05 Flavoured or coloured sugars (but not including lactose, glucose and isoglucose); syrups (but not including lactose syrup, glucose syrup and isoglucose syrup) and molasses but not including fruit juices containing added sugar in any proportion.
- C II

Article 2

Article 8 of Regulation (EEC) No 3330/74 shall be replaced by the following:

Article 8

1. Subject to Article 31 (2), storage costs for white sugar, raw sugar and certain syrups produced prior to the crystallizing stage, manufactured from beet or cane harvested in the Community shall be reimbursed at a flat rate by the Member States.

The storage costs for preferential sugar referred to in Article 43 shall also be reimbursed at a flat rate by the Member States.

Member States shall charge a levy:

- (a) on each sugar manufacturer:
- per unit of weight of sugar produced, or
 - per unit of weight of the syrups referred to in the first subparagraph and produced and marketed in the natural state;
- (b) on each importer of preferential sugar per unit of weight of sugar imported and marketed in the natural state;

- (c) on each sugar refiner of preferential sugar per unit of weight of refined sugar.

The amount of the reimbursement shall be the same for the entire Community. This rule of uniformity shall also apply to the levy applicable in each case referred to in subparagraph (a) on the one hand and subparagraphs (b) and (c) on the other.

2. The Council, acting by a qualified majority on a proposal from the Commission, shall:

- (a) adopt general rules for the application of paragraph 1;
- (b) fix the amount of the reimbursement at the same time as the derived intervention prices.

The amount of the levy shall be fixed annually in accordance with the procedure laid down in Article 36. Other rules for the application of this Article shall be adopted in accordance with the same procedure.

Article 3

Article 13 (2) of Regulation (EEC) No 3330/74 shall be replaced by the following:

2. The threshold price for white sugar shall be the same as the target price for the Community area having the largest surplus plus charges, calculated at a flat rate, for transport from that area to the most distant deficit area in the Community, plus a flat-rate amount which takes account of the levy referred to in Article 8 for the sugar year in question. This price shall apply to the same standard quality as the target price.

Article 4

The first indent of the third subparagraph of Article 27 (2) of Regulation (EEC) No 3330/74 shall be replaced by the following:

— the total losses mentioned in that subparagraph shall be reduced by the amount of the export levies and by the production levy provided for in Article 9 of Council Regulation (EEC) No 1111/77 of 17 May 1977 laying down common provisions for isoglucose⁽¹⁾ imposed on isoglucose produced during the sugar year in question;

Footnote (1) shall read as follows:

(1) OJ No L 134, 28. 5. 1977, p. 4.

Article 5

Article 38 (2a) of Regulation (EEC) No 3330/74 shall be replaced by the following:

'2a. By way of derogation from paragraphs 1 and 2, during the 1977/78 sugar year the amount referred to in the first subparagraph of paragraph 1 shall be 9.9 units of account, a portion of which may be granted to the processing industry. This amount shall apply to the quantity of white sugar referred to in the second subparagraph of paragraph 1 increased by 170 000 tonnes of white sugar.

However, if total production exceeds 1 400 000 tonnes of white sugar the Italian Republic may grant a maximum of 106 620 000 units of account, to be applied to all the production on its territory during the 1977/78 sugar year.'

Article 6

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

It shall apply from 1 July 1977.

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

Done at Brussels, 17 May 1977.

For the Council

The President

J. SILKIN

COUNCIL REGULATION (EEC) No 1111/77**of 17 May 1977****laying down common provisions for isoglucose**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas the recent industrial development in several Member States of the Community of the production of glucose syrup with a high fructose content, hereinafter referred to as 'isoglucose', calls for the introduction of common measures in respect of this product; whereas in view of the basic products from which it is obtained and of the use to which it is put, it is advisable that these measures should be grouped together in a specific Regulation;

Whereas the operation and development of the common market in agricultural products must be accompanied by the establishment of a common agricultural policy to include, in particular, a common organization of the agricultural markets which may take various forms depending on the product concerned; whereas isoglucose is a processed agricultural product which is obtained from starch processed to glucose; whereas isoglucose is a direct substitute for liquid sugar obtained from sugar-beet or cane;

Whereas the creation of a single Community market for isoglucose involves the introduction of a common trading system at the external frontiers of the Community; whereas a trading system including import levies and export refunds serves to stabilize the Community market by preventing, in particular, price fluctuations on the world market from affecting prices ruling within the Community; whereas, therefore, provision should be made for the charging of a levy on imports from third countries and the possibility of granting a refund on exports to such countries; whereas account should be taken of the need to provide some measure of protection for the relevant Community processing industry;

Whereas, in addition to the above system and to the extent necessary for its proper working, provision should be made for regulating or, when the situation on the market so requires, prohibiting the use of inward processing arrangements;

Whereas it must be made possible for the competent authorities to keep a constant watch on movements in trade with third countries in order to enable them to assess the trends thereof and, where appropriate, apply such measures provided for in this Regulation as may prove necessary; whereas, to this end, provision should be made for a system of import and export licences the issue of which is conditional on the provision of security by way of guarantees that the operation for which the licence was requested will be carried out;

Whereas the levy system makes it possible to dispense with all other protective measures at the external frontiers of the Community; whereas, however, the common levy machinery may in exceptional circumstances prove defective; whereas in such cases, so as not to leave the Community market without defence against disturbances which may arise therefrom after the import barriers which existed previously have been removed, the Community should be empowered to take all necessary measures without delay;

Whereas, being a substitute product in direct competition with liquid sugar, which, like all beet or cane sugar, is subject to stringent production constraints, isoglucose therefore enjoys an economic advantage, and since the Community has a sugar surplus, it is necessary to export corresponding quantities of sugar to third countries; whereas there should, therefore, be provision for a suitable production levy on isoglucose to contribute to export costs;

Whereas the establishment of a single market would be jeopardized by the granting of certain kinds of aid; whereas, therefore, the provisions of the Treaty which allow the assessment of aid granted by Member States and the prohibition of aid which is incompatible with the common market should be made to apply to isoglucose;

⁽¹⁾ OJ No C 93, 18. 4. 1977, p. 11.

⁽²⁾ OJ No C 77, 30. 3. 1977, p. 15.

Whereas the levy system established by this Regulation is complementary to that established by 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 1110/77⁽²⁾; whereas the envisaged levy on the production of isoglucose is therefore analogous to that provided for in Article 27 of Regulation (EEC) No 3330/74 and, consequently, constitutes own resources of the Communities within the meaning of Article 2 of the Council Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources⁽³⁾;

Whereas the transition to the system established by this Regulation must be effected as smoothly as possible; whereas, to this end, certain transitional measures may prove necessary; whereas, therefore, provision should be made for the possibility of adopting appropriate measures;

Whereas the common measures applicable to isoglucose must, at the same time, take appropriate account of the objectives set out in Articles 39 and 110 of the Treaty;

Whereas, in order to facilitate implementation of the proposed measures, a procedure should be provided for establishing close cooperation between Member States and the Commission within a management committee,

HAS ADOPTED THIS REGULATION:

Article 1

The common provisions for isoglucose shall comprise a trading system and a production levy system and cover the following products:

CCT heading No	Description of goods
17.02 D I	Isoglucose
17.05 C I	Flavoured or coloured isoglucose

For the purposes of this Regulation isoglucose means the syrup obtained from glucose syrups with a content by weight in the dry state of:

- at least 10 % fructose,
- at least 1 % in total of oligosaccharides and polysaccharides.

TITLE I

Trade with third countries

Article 2

1. Imports or exports into or out of the Community of the products listed in Article 1 shall be made conditional upon the submission of an import or export licence issued by Member States to any applicant irrespective of the place of his establishment in the Community.

Where the refund is fixed in advance, the advance fixing shall be noted on the licence, which serves as a supporting document for such advance fixing. The licence shall be valid throughout the Community.

The issue of a licence shall be conditional on the lodging of a deposit guaranteeing that importation or exportation will be effected during the period of validity of the licence; this deposit shall be forfeited in whole or in part if the transaction is not effected, or is only partially effected, within that period.

2. The period of validity of licences and other detailed rules for the application of this Article, which may include, in particular, a time limit for the issue of licences, shall be adopted in accordance with the procedure laid down in Article 12.

Article 3

1. A levy, consisting of a variable component and a fixed component shall be charged on imports of the products listed in Article 1. The variable component shall be equal, for every 100 kilograms of dry matter, to one hundred times the basic amount of the import levy fixed in accordance with Article 15 (5) of Regulation (EEC) No 3330/74 for the products listed in Article 1 (1) (d) of the said Regulation and shall apply with effect from the first day of each month.

The fixed component shall be equal, for every 100 kilograms of dry matter, to one-tenth of the fixed component as determined in accordance with Article 14 (1) B of Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽⁴⁾, as last amended by Regulation (EEC) No 3138/76⁽⁵⁾, for the purposes of fixing the import levy on products falling within subheading 17.02 B II of the Common Customs Tariff.

2. The levy to be charged shall be that applicable on the day of importation.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 19.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁵⁾ OJ No L 354, 24. 12. 1976, p. 1.

3. Detailed rules for the application of this Article shall be adopted, as necessary, in accordance with the procedure laid down in Article 12.

4. The levies referred to in this Article shall be fixed each month by the Commission.

Article 4

1. Provision may be made for an export refund for the products listed in Article 1.

The level of the refund shall be determined, per 100 kilograms of dry matter, taking into account the following, in particular:

- (a) the export refund applicable to the products falling within subheading 17.02 B II a) of the Common Customs Tariff;
- (b) any production refund granted where appropriate for the basic product used in the manufacture of the products referred to in subparagraph (a);
- (c) the production levy referred to in Article 9;
- (d) the economic aspects of the proposed exportation.

2. The refund shall be the same for the entire Community. It may be varied according to destination.

The refund shall be granted at the request of the party concerned.

Refunds shall be fixed at intervals in accordance with the procedure laid down in Article 12. Where necessary, the Commission may, at the request of a Member State or on its own initiative, alter the refunds in the intervening period.

3. The amount of the refund shall be that applicable on the day of exportation.

However, the refund may be fixed in advance in accordance with the procedure laid down in Article 12.

4. In cases of extreme urgency, the Commission may, after examining the situation, decide on the basis of all the information available to it, to suspend advance fixing for a maximum of three working days. Applications for certificates accompanied by applications for advance fixing lodged during the period of suspension shall be rejected.

5. The detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 12.

Article 5

To the extent necessary for the proper functioning of the common measures for isoglucose, the Council, acting by a qualified majority on a proposal from the Commission, may prohibit, in whole or in part, the use of inward processing arrangements in respect of the products listed in Article 1.

Article 6

1. The general rules for the interpretation of the Common Customs Tariff and the special rules for its application shall apply to the tariff classification of products covered by this Regulation; the tariff nomenclature resulting from the application of this Regulation shall be incorporated in the Common Customs Tariff.

2. Save as otherwise provided in this Regulation or where derogation therefrom is decided upon by the Council, acting by a qualified majority on a proposal from the Commission, the following shall be prohibited:

- the levying of any customs duty on the products listed in Article 1,
- the levying of any charge having an effect equivalent to a customs duty,
- the application of any quantitative restriction or measure having equivalent effect.

The restriction of import or export licences to a specified category of those entitled to receive them shall be one of the measures considered as having an effect equivalent to a quantitative restriction.

Article 7

1. If, by reason of imports or exports, the Community market in one of the products listed in Article 1 experiences or is threatened with serious disturbances which are likely to endanger the objectives set out in Article 39 of the Treaty, appropriate measures may be applied in trade with third countries until such disturbance or threat of disturbance has ceased to exist.

The Council, acting by a qualified majority on a proposal from the Commission, shall adopt detailed rules for the application of this paragraph and define the cases in which and the limits within which Member States may take protective measures.

2. If the situation referred to in paragraph 1 arises, the Commission shall, at the request of a Member State or on its own initiative, decide upon the necessary measures; the measures shall be communicated to the Member States and shall be immediately applicable. If the Commission receives a request from a Member State, it shall take a decision thereon within 24 hours following receipt of the request.

3. The measures decided upon by the Commission may be referred to the Council by any Member State within a period of three working days following the day on which they were communicated. The Council shall meet without delay. Acting by a qualified majority, it may either amend or repeal the measures in question.

TITLE II

System of levies

Article 8

1. Article 9 shall be applicable to the periods corresponding to the 1977/78 and 1978/79 sugar years.
2. The Council shall adopt before 1 January 1979, in accordance with the procedure laid down in Article 43 (2) of the Treaty, the system applicable from 1 July 1979.

Article 9

1. Member States shall charge a production levy on manufacturers of isoglucose.
2. The amount of the levy, per 100 kilograms of dry matter, shall be equal to the amount of the production levy provided for in Article 27 of Regulation (EEC) No 3330/74 for the same period to which the latter amount applies.

However, for the period 1 July 1977 to 30 June 1978, the amount of the levy referred to in paragraph 1 may not exceed the amount of five units of account per 100 kilograms of dry matter. This latter amount shall apply when the amount of the production levy provided for in Article 27 of Regulation (EEC) No 3330/74 exceeds five units of account per 100 kilograms of white sugar for the same period.

3. The detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 12.

TITLE III

General provisions

Article 10

Member States and the Commission shall communicate to each other the information necessary for implementing this Regulation. Rules for the communication and distribution of such information shall be adopted in accordance with the procedure laid down in Article 12.

Article 11

1. A Management Committee for Isoglucose (hereinafter called 'the Committee') shall be established, consisting of representatives of Member States presided over by a representative of the Commission.
2. Within the Committee the votes of Member States shall be weighted in accordance with Article 148 (2) of the Treaty. The chairman shall not vote.

Article 12

1. Where the procedure laid down in this Article is to be followed, the chairman shall refer the matter to the Committee either on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit a draft of the measures to be taken. The Committee shall deliver its opinion on such measures within a time limit to be set by the chairman according to the urgency of the questions under consideration. An opinion shall be adopted by a majority of 41 votes.

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall forthwith be communicated to the Council by the Commission. In that event the Commission may defer application of the measures which it has adopted for not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within one month.

Article 13

The Committee may consider any other question referred to it by its chairman either on his own initiative or at the request of the representative of a Member State.

Article 14

The provisions concerning the financing of the common agricultural policy shall apply to the products listed in Article 1.

Article 15

Goods listed in Article 1 which are manufactured or obtained from products to which Articles 9 (2) and 10 (1) of the Treaty do not apply shall not be admitted to free circulation within the Community.

Article 16

Save as otherwise provided in this Regulation, Articles 92, 93 and 94 of the Treaty shall apply to the production of and trade in the products listed in Article 1.

Article 17

This Regulation shall be applied so that appropriate account is taken, at the same time, of the objectives set out in Articles 39 and 110 of the Treaty.

Article 18

Should transitional measures be necessary to facilitate transition to the system established by this Regulation, in particular if the introduction of the new system on the date provided for would give rise to substantial difficulties, such measures shall be adopted in accordance with the procedure laid down in Article 12. They shall be applicable until 30 June 1978 at the latest.

Article 19

The Common Customs Tariff annexed to Regulation (EEC) No 950/68 shall be amended as follows :

(a) in Chapter 17, Additional Note 2 shall become Note 3 and the following shall be added as Note 2 :

'2. For the purposes of subheadings 17.02 D I and 17.05 C I, "isoglucose" means the syrup obtained from glucose syrup with a content by weight in the dry state of :

— at least 10 % fructose, and

— at least 1 % in total of oligosaccharides and polysaccharides';

(b) subheadings 17.02 D and 17.05 C shall be replaced by the following :

CCT heading No	Description	Rate of duty	
		autonomous % or levy (L)	conventional %
1	2	3	4
17.02	D. Other sugars and syrups :		
	I. Isoglucose	80 (L)	—
	II. Other	80 (L)	—
17.05	C. Other :		
	I. Isoglucose	67 (L)	—
	II. Other	67 (L)	—

Article 20

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

It shall apply from 1 July 1977, with the exception of Article 18 thereof, which shall apply from the entry into force of this Regulation.

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

Done at Brussels, 17 May 1977.

For the Council

The President

J. SILKIN

COUNCIL REGULATION (EEC) No 1112/77**of 17 May 1977****fixing, for the 1977/78 sugar year, the sugar prices, the standard quality of beet and the coefficient for calculating the maximum quota**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

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 1110/77⁽²⁾, and in particular Articles 2 (2), 3 (5) and 4 (3) and the second subparagraph of Article 25 (2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas, when sugar prices are fixed, account should be taken of the objectives of the common agricultural policy and of the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are in particular to ensure a fair standard of living for the agricultural community, to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas, in order to attain these objectives, the target price for sugar must be fixed at a level which, taking into account in particular the resultant level of the intervention price, ensures a fair remuneration for beet and sugar cane producers while at the same time respecting consumers' interests, and which is likely to maintain the balance between the prices of the principal agricultural products;

Whereas, as a result of the characteristics of the sugar market, the risks involved in this trade are relatively slight; whereas, consequently, when the intervention price for sugar is being fixed, the difference between the target price and the intervention price may be fixed at a relatively low level;

Whereas the minimum price for beet must take account of the intervention price and of the costs of processing and delivering the beet to factories and be based on an estimated Community yield of 130 kilograms of white sugar per tonne of beet with a 16 % sugar content;

Whereas the abovementioned standard costs may be estimated at 13.27 units of account per 100 kilograms of white sugar; whereas that standard amount is made up of the sum of the real processing margin, ignoring sugar storage costs, estimated at 11.68 units of account, the costs of delivering the beet to factories, estimated at 2.32 units of account, and the cost relating to the minimum stock not covered by the offsetting of storage costs, estimated at a flat-rate amount of 0.10 unit of account, less a flat-rate amount of 0.83 unit of account representing factories' receipts from the sale of molasses calculated on the basis of a yield of 38.5 kilograms per tonne of beet processed and an ex-factory price for molasses of 2.80 units of account per 100 kilograms of molasses;

Whereas the standard quality chosen for beet should be a quality which takes account of production characteristics in the main beet-producing areas of the Community;

Whereas in the light of production trends resulting from specialization on the one hand of the Community's sugar requirements, and possible outlets on the other, the coefficient for the maximum quotas laid down in Article 25 of Regulation (EEC) No 3330/74 should be fixed at 1.35,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation shall apply to the 1977/78 sugar year.

Article 2

1. The target price for white sugar shall be 34.56 units of account per 100 kilograms.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No C 93, 18. 4. 1977, p. 11.

⁽⁴⁾ OJ No C 77, 30. 3. 1977, p. 15.

2. The intervention price for white sugar shall be 32.83 units of account per 100 kilograms.

3. The area having the largest surplus consists of the following French departments: Asine, Oise, Somme.

Article 3

The minimum price for beet for the area referred to in Article 2 (3) shall be 25.43 units of account per tonne delivered at the collection centre.

Article 4

Standard quality beet shall :

- (a) be of sound, genuine and merchantable quality ;
- (b) have a sugar content of 16 % at the reception point.

Article 5

The coefficient referred to in Article 25 (1) of Regulation (EEC) No 3330/74 shall be 1.35.

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

Done at Brussels, 17 May 1977.

For the Council

The President

J. SILKIN

COUNCIL REGULATION (EEC) No 1113/77**of 17 May 1977**

fixing, for the 1977/78 sugar year, the derived intervention prices, the intervention price for raw beet sugar, the minimum prices for beet, the threshold prices, the maximum amount of the production levy and the amount of the repayment to offset storage costs

THE COUNCIL 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 1110/77⁽²⁾, and in particular Articles 3 (6), 4 (4), 8 (2), 9 (5), 13 (5) and 28 thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 1112/77 of 17 May 1977 fixing, for the 1977/78 sugar year, the sugar prices, the standard quality of beet and the coefficient for calculating the maximum quota⁽³⁾, fixed the intervention price for white sugar at 32.83 units of account per 100 kilograms for the Community area having the largest surplus;

Whereas Article 3 (2) of Regulation (EEC) No 3330/74 provides that derived intervention prices for white sugar shall be fixed for other areas, account being taken of the regional variations which, given a normal harvest and free movement of sugar, might be expected to occur in the price of sugar under natural conditions of price formation;

Whereas in view of the quotas fixed in the production areas of Belgium, Denmark, Germany, France and the Netherlands, a balance or surplus situation can be anticipated; whereas, with the exception of the French overseas departments, the ex-factory prices in the areas mentioned will, to a large extent, be equal to the prices in the Community area having the largest surplus;

Whereas sugar production in Italy, with relatively high production costs, will probably not appreciably exceed the basic quantity fixed; whereas a deficit of about 300 000 tonnes should be allowed for, which will therefore have to be covered by production from Community surplus areas;

Whereas, in these circumstances, the level of market prices in Italy will be determined by the offer prices of sugar from Community surplus areas; whereas the derived intervention price for Italy may be fixed at 35.36 units of account per 100 kilograms, account

being taken, on the one hand, of the intervention price applicable in the north of France, plus the marketing costs for deliveries to Italy and, on the other, of the marketing costs of the Italian sugar industry;

Whereas, given a normal harvest, the sugar production in Ireland and the United Kingdom covers roughly 90 and 40 % respectively of the needs of their respective home markets; whereas these needs must in part be met by sugar available in Community surplus areas;

Whereas, in these circumstances, the level of market prices in both Ireland and the United Kingdom will be determined largely by the offer prices of sugar from these areas; whereas a single derived intervention price for white sugar, which may be fixed at 33.83 units of account per 100 kilograms, should therefore be adopted for all regions of Ireland and the United Kingdom, account being taken on the one hand of the intervention price applicable in the Community area having the largest surplus plus the marketing costs of delivery to Ireland and the United Kingdom and, on the other, of the disposal costs of the sugar industry of these Member States;

Whereas there is a considerable surplus production of raw sugar in the French overseas departments; whereas the most favourable potential outlets for this sugar within the Community are in the south of France and in Italy, where the sugar, after being refined, may be sold directly; whereas, on the basis of the foreseeable market prices in the deficit areas of Italy, which will probably be 2.43 units of account per 100 kilograms above the derived intervention price in Italy, and taking account of transport costs between the French overseas departments and these areas, the derived intervention prices for those departments should be fixed at 32.63 units of account per 100 kilograms of white sugar;

Whereas Article 3 (4) of Regulation (EEC) No 3330/74 provides that an intervention price for raw sugar shall be fixed for those departments, such price to be derived from the intervention price for white sugar fixed for those departments account being taken of a uniform processing margin and a standard yield; whereas, on the basis of available information, the refining costs may be estimated at 2.70 units of account per 100 kilograms of refined sugar; whereas,

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ See page 9 of this Official Journal.

moreover, in accordance with the definition of the standard quality for raw sugar laid down by Regulation (EEC) No 431/68⁽¹⁾, a yield of 92 % should be taken into account;

Whereas Article 9 (5) of Regulation (EEC) No 3330/74 provides for the fixing of intervention prices for raw beet sugar; whereas this fixing is not, however, necessary for the Community regions in which this production is not actually marketed; whereas these prices should be derived from the intervention price for white sugar, account being taken of the factors already mentioned for fixing the intervention price for raw sugar in the French overseas departments and of the forwarding costs for supplying raw sugar, these being estimated at a standard rate of 0.51 unit of account per 100 kilograms;

Whereas the minimum prices for sugar beet, as referred to in the first indent of Article 4 (1) of Regulation (EEC) No 3330/74, must be determined for the areas other than that having the largest surplus on the basis of the intervention prices for white sugar applicable in those areas, account being taken in particular of the amounts used when fixing the minimum price for beet for the area having the largest surplus, the processing margin, the yield, the receipts from molasses and the delivery costs of the beet;

Whereas Article 13 (2) of Regulation (EEC) No 3330/74 provides that the threshold price for white sugar should be the same as the target price for the Community area having the largest surplus plus transport charges, calculated at a flat rate, from that area to the most distant deficit area in the Community, plus a flat-rate amount taking account of the storage levy, which for 1977/78 can be estimated at 1.77 units of account per 100 kilograms of white sugar; whereas, given the state of supplies within the Community, account should be taken of transport charges between the departments of northern France and Palermo, the main port of importation in Sicily;

Whereas the threshold price for raw sugar is to be derived from the threshold price for white sugar by reference to a standard processing margin and a standard yield; whereas the same criteria as are used in the derivation of the intervention price for raw sugar should therefore be applied;

Whereas the threshold price for molasses should be fixed in such a way that the receipts from sales of molasses may reach the level of receipts of undertak-

ings taken into account in the fixing of minimum prices for beet;

Whereas Article 28 of Regulation (EEC) No 3330/74 provides for the fixing of the maximum amount of the production levy, for the fixing of the minimum prices for beet outside the basic quota for the sugar-beet producing areas for which an intervention price is fixed and for fixing the percentage determining the amount of the supplementary payment which manufacturers must, where appropriate, make to beet sellers; whereas, by Article 27 (3) of Regulation (EEC) No 3330/74, the production levy may not exceed 30 % of the intervention price; whereas for the area with the largest surplus the minimum price for beet outside the basic quota should be fixed at 70 % of the minimum price for beet; whereas the percentage taken for determining the abovementioned supplementary payment may be fixed at 60 %, account being taken of the value of beet in relation to the intervention price for sugar; whereas the same percentage should be taken to determine the payment which sugar manufacturers may require of cane sellers;

Whereas Article 5 of Council Regulation (EEC) No 750/68 of 18 June 1968 laying down general rules for offsetting storage costs for sugar⁽²⁾, as last amended by Regulation (EEC) No 152/71⁽³⁾, provides that the amount of repayment shall be fixed per month and per unit of weight taking account of financing, insurance and specific storage costs,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation shall apply for the 1977/78 sugar year.

Article 2

For the regions other than the Community area having the largest surplus the derived intervention prices for 100 kilograms of white sugar shall be:

- (a) 35.36 units of account for all regions of Italy;
- (b) 32.63 units of account for the French overseas departments;
- (c) 33.83 units of account for all regions of Ireland and of the United Kingdom;
- (d) 32.83 units of account for the other regions of the Community.

⁽¹⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽²⁾ OJ No L 137, 21. 6. 1968, p. 4.

⁽³⁾ OJ No L 22, 28. 1. 1971, p. 1.

Article 3

1. The intervention price for 100 kilograms of raw beet sugar shall be 27.25 units of account.

This intervention price shall be valid for raw sugar of standard quality, unpacked, ex-factory, loaded on to the means of transport chosen by the buyer.

2. The derived intervention price for the French overseas departments for raw sugar referred to in Article 3 (4) of Regulation (EEC) No 3330/74 shall be 27.53 units of account per 100 kilograms, account being taken of the second subparagraph of Article 3 (6) of the said Regulation.

Article 4

1. The minimum price for beet shall be, per tonne :

- (a) 28.72 units of account for the regions referred to in Article 2 (a);
- (b) 26.73 units of account for the regions referred to in Article 2 (c);
- (c) 25.43 units of account for the regions referred to in Article 2 (d).

2. The minimum price for beet outside the basic quotas shall be, per tonne :

- (a) 17.80 units of account for the Community area having the largest surplus and for the regions referred to in Article 2 (d);

- (b) 21.09 units of account for the regions referred to in Article 2 (a);

- (c) 19.10 units of account for the regions referred to in Article 2 (c).

Article 5

The threshold price shall be :

- (a) 39.72 units of account per 100 kilograms of white sugar;
- (b) 34.06 units of account per 100 kilograms of raw sugar;
- (c) 3.20 units of account per 100 kilograms of molasses.

Article 6

1. The maximum amount of the production levy referred to in Article 28 of Regulation (EEC) No 3330/74 shall be 9.85 units of account per 100 kilograms of white sugar.

2. The percentages referred to in Article 27 (4) and (5) of Regulation (EEC) No 3330/74 shall be 60 %.

Article 7

The amount of repayment referred to in Article 8 of Regulation (EEC) No 3330/74 shall be 0.30 unit of account per month per 100 kilograms of white sugar.

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

Done at Brussels, 17 May 1977.

For the Council

The President

J. SILKIN

COMMISSION REGULATION (EEC) No 1114/77
of 27 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 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 28 May
1977.

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

Done at Brussels, 27 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 27 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	95.47
10.01 B	Durum wheat	140.83 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	74.73 ⁽⁶⁾
10.03	Barley	60.27
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	75.36 ⁽⁴⁾
10.07 C	Grain sorghum	74.62 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	145.69
11.01 B	Rye flour	116.63
11.02 A I a)	Durum wheat groats and meal	228.81
11.02 A I b)	Common wheat groats and meal	155.82

⁽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 1115/77**of 27 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 28 May
1977.

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

Done at Brussels, 27 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 27 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	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0.14
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 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	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	0.25	0.25
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0.19	0.19
11.07 B	Roasted malt	0	0	0	0.22	0.22

COMMISSION REGULATION (EEC) No 1116/77
of 27 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⁾, as
amended by Regulation (EEC) No 1008/77⁽⁴⁾;

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 1 June 1977.

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

Done at Brussels, 27 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.

⁽⁴⁾ OJ No L 121, 14. 5. 1977, p. 5.

ANNEX

to the Commission Regulation of 27 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	21.72
04.01 A I b)	0120	19.72
04.01 A II a) 1	0130	19.72
04.01 A II a) 2	0140	24.21
04.01 A II b) 1	0150	18.72
04.01 A II b) 2	0160	23.21
04.01 B I	0200	49.14
04.01 B II	0300	103.94
04.01 B III	0400	160.64
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	103.94
04.02 A III b) 2	1720	160.64
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 1.0394 ⁽¹⁰⁾
04.02 B II b) 2	3010	per kg 1.6064 ⁽¹⁰⁾
04.03 A	3110	188.99
04.03 B	3210	230.57
04.04 A I a) 1	3321	15.00
04.04 A I a) 2	3420	131.05 ⁽¹¹⁾
04.04 A I b) 1 aa)	3521	15.00
04.04 A I b) 1 bb)	3619	131.05 ⁽¹¹⁾
04.04 A I b) 2	3719	131.05 ⁽¹¹⁾
04.04 A II	3800	131.05
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	129.20
04.04 D II a) 2	4510	137.67
04.04 D II b)	4610	217.67
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	164.20

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	83·70
23.07 B I c) 3	6000	68·06
23.07 B II	6100	89·80

For notes ⁽¹⁾ to ⁽⁶⁾, see notes ⁽¹⁾ to ⁽⁶⁾ 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) 10·11 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) 10·11 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.

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 1117/77

of 27 May 1977

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

— the economic aspect of the proposed exports;

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

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

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

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

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 5, 9. 1. 1975, p. 7.

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

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

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 3138/76⁽²⁾;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state are hereby fixed at the amounts shown in the Annex.
2. No refunds are fixed for exports to Zone E for products falling within heading Nos 04.01, 04.02, 04.03 and 23.07 of the Common Customs Tariff.

Article 2

This Regulation shall enter into force on 28 May 1977.

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

Done at Brussels, 27 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 228, 20. 8. 1976, p. 17.

ANNEX

to the Commission Regulation of 27 May 1977 fixing the refunds on milk and milk products
exported in the natural state

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % :		
	I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of two litres or less	0110 00	4·61
	b) Other	0120 00	—
	II. Others :		
	a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1·5 %	0130 10	1·14
	(bb) Of a fat content, by weight, exceeding 1·5 % but not exceeding 3 %	0130 22	
	for exports to :		
	— Countries near the Community		4·02
	— Other destinations		5·04
	(cc) Of a fat content, by weight, exceeding 3 %	0130 31	
	for exports to :		
	— Countries near the Community		5·71
	— Other destinations		7·32
	2. Exceeding 4 %	0140 00	
	for exports to :		
	— Countries near the Community		6·13
	— Other destinations		8·51
	b) Other of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1·5 %	0150 10	1·14
	(bb) Of a fat content, by weight, exceeding 1·5 % but not exceeding 3 %	0150 21	4·16
	(cc) Of a fat content, by weight, exceeding 3 %	0150 31	5·02
	2. Exceeding 4 %	0160 00	5·41
	ex B. Other, excluding whey, of a fat content, by weight :		
	ex I. Exceeding 6 % but not exceeding 21 % :		
	(a) Of a fat content, by weight, not exceeding 10 %	0200 05	15·14
	(b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 %	0200 11	23·56
	(c) Of a fat content, by weight, exceeding 17 %	0200 21	35·59
	II. Exceeding 21 % but not exceeding 45 % :		
	(a) Of a fat content, by weight, not exceeding 39 %	0300 10	42·47
	(b) Of a fat content, by weight, exceeding 39 %	0300 20	73·41

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01 (cont'd)	III. More than 45 % :		
	(a) Of a fat content, by weight, not exceeding 68 %	0400 11	83.72
	(b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 %	0400 22	123.24
	(c) Of a fat content, by weight, exceeding 80 %	0400 30	143.87
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar :		
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight :		
	1. Not exceeding 1.5 %	0620 00	64.85
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	0720 00	64.85
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	0720 20	76.80
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	0720 30	82.77
	(dd) Of a fat content, by weight, exceeding 25 %	0720 40	90.67
	3. Exceeding 27 % but not exceeding 29 %	0820 00	92.66
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	0920 10	94.62
	(bb) Of a fat content, by weight, exceeding 41 %	0920 20	106.49
	b) Other, excluding products containing fish meal or fish oil or fish liver oil and iron carbonate or sulphate, of a fat weight content :		
	1. Not exceeding 1.5 %	1020 00	64.85
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	1120 10	64.85
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	1120 20	76.80
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	1120 30	82.77
	(dd) Of a fat content, by weight, exceeding 25 %	1120 40	90.67
	3. Exceeding 27 % but not exceeding 29 %	1220 00	92.66
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	1320 10	94.62
	(bb) Of a fat content, by weight, exceeding 41 %	1320 20	106.49

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

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2520 00	0.6485 ⁽¹⁾ per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2620 10	0.6485 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0.7680 ⁽¹⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	0.8277 ⁽¹⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2620 40	0.9067 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2720 10	0.9266 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2720 20	1.0649 ⁽¹⁾ per kg
	ex II. Milk and cream, excluding whey other than in powder or granules :		
	ex a) In hermetically sealed cans of a net capacity of 454 grams or less and of a fat content, by weight, not exceeding 9.5 % :		
	(1) Of a fat content, by weight, not exceeding 6.9 % and of a lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	2810 11	— ⁽¹⁾ per kg
	(22) Exceeding 3 %, by weight for exports to :	2810 12	
	— Countries near the Community		0.0571 ⁽¹⁾ per kg
	— Other destinations		0.0732 ⁽¹⁾ per kg
	(bb) Of 15 % or more	2810 15	13.96 ⁽²⁾
	(2) Of a fat content, by weight, exceeding 6.9 % and of a lactic dry matter content, by weight, of 15 % or more	2810 20	23.80 ⁽²⁾
	b) Other, of a fat content, by weight :		
	ex 1. Not exceeding 45 % :		
	(aa) Of a fat content, by weight, not exceeding 6.9 % and of lactic dry matter content, by weight, of 15 % or more	2910 70	13.96 ⁽²⁾
	(bb) Of a fat content, by weight, exceeding 6.9 % but not exceeding 21 % and of a lactic dry matter content, by weight, of 15 % or more	2910 76	23.80 ⁽²⁾
	(cc) Of a fat content by weight, exceeding 9.5 % but not exceeding 21 % and of a lactic dry matter content, by weight, less than 15 %	2910 80	0.2356 ⁽¹⁾ per kg
	(dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 %	2910 85	0.4247 ⁽¹⁾ per kg
	(ee) Of a fat content, by weight, exceeding 39 %	2910 90	0.7341 ⁽¹⁾ per kg
	2. Exceeding 45 %	3010 00	0.8372 ⁽¹⁾ per kg

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.03	Butter :		
	ex A. Of a fat content, by weight, not exceeding 85 % :		
	(I) Of a fat content, by weight, of 62 % or more, but less than 78 %	3110 05	120-79
	(II) Of a fat content, by weight, of 78 % or more but less than 80 %	3110 16	151-96
	(III) Of a fat content, by weight, of 80 % or more but less than 82 %	3110 22	155-85
	(IV) Of a fat content, by weight, of 82 % or more	3110 32	159-75
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99.5 %	3210 10	159-75
	(II) Exceeding 99.5 %	3210 20	206-90
04.04	Cheese and curd :		
	ex A. Emmentaler and Gruyère, not grated or powdered :		
	II. Other	3800 00	
	for exports to :		
	— Zone D		36-15
	— Zone E		—
	— Canada		48-00
	— Liechtenstein and Switzerland		—
	— Austria		40-00
	— Other destinations		90-71
	ex C. Blue-veined cheese, not grated or powdered, other than Roquefort	4000 00	
	for exports to :		
	— Austria		30-00
	— Zone D		56-39
	— Zone E		22-38
	— Canada		39-40
	— Other destinations		74-86
	D. Processed cheese, not grated or powdered :		
	II. Other, of a fat content, by weight :		
	a) Not exceeding 36 % and of a fat content, by weight, in the dry matter :		
	ex 1. Not exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 %	4410 10	
	for exports to :		
	— Austria		8-28
	— Zone D		7-78
	— Zone E		14-58
	— Canada		14-78
	— Switzerland		5-30
	— Other destinations		30-63

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(bb) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 %	4410 20	
	for exports to :		
	— Austria		8.28
	— Zone D		7.78
	— Zone E		14.58
	— Canada		14.78
	— Switzerland		5.30
	— Other destinations		30.63
	(22) Of 20 % or more	4410 30	
	for exports to :		
	— Austria		12.25
	— Zone D		11.49
	— Zone E		21.50
	— Canada		21.84
	— Switzerland		7.84
	— Other destinations		45.37
	(cc) Of 43 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 %	4410 40	
	for exports to :		
	— Austria		8.28
	— Zone D		7.78
	— Zone E		14.58
	— Canada		14.78
	— Switzerland		5.30
	— Other destinations		30.63
	(22) Of 20 % or more but less than 40 %	4410 50	
	for exports to :		
	— Austria		12.25
	— Zone D		11.49
	— Zone E		21.50
	— Canada		21.84
	— Switzerland		7.84
	— Other destinations		45.37
	(33) Of 40 % or more	4410 60	
	for exports to :		
	— Austria		17.88
	— Zone D		16.78
	— Zone E		31.32
	— Canada		31.90
	— Switzerland		11.44
	— Other destinations		66.37
	ex 2. Exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 %	4510 10	
	for exports to :		
	— Austria		8.28
	— Zone D		7.78
	— Zone E		14.58
	— Canada		14.78
	— Switzerland		5.30
	— Other destinations		30.63

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(bb) Of 38 % or more but less than 43 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4510 20	 12.25 11.49 21.50 21.84 7.84 45.37
	(cc) Of 43 % or more but less than 46 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4510 30	 17.88 16.78 31.32 31.90 11.44 66.37
	(dd) Of 46 % or more and of a fat content, by weight, in the dry matter : (11) Less than 55 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4510 40	 17.88 16.78 31.32 31.90 11.44 66.37
	(22) Of 55 % or more for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4510 50	 21.21 19.91 37.16 37.85 13.58 78.79
	b) Exceeding 36 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4610 00	 21.21 19.91 37.16 37.85 13.58 78.79
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :		
	ex a) Not exceeding 47 % :		
	(1) Grana, Parmigiano Reggiano for exports to : — Zone D — Zone E — Canada — Switzerland — Other destinations	4710 11	 116.64 71.50 88.00 91.64 116.64

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(2) Fiore Sardo, Pecorino	4710 16	
	for exports to :		
	— Zone D		125.27
	— Zone E		82.50
	— Canada		89.50
	— Switzerland		100.27
	— Other destinations		125.27
	(3) Other, of a fat content, by weight, in the dry matter of 30 % or more	4710 21	
	for exports to :		
	— Zone D		116.64
	— Zone E		71.50
	— Canada		88.00
	— Switzerland		91.64
	— Other destinations		116.64
	b) Exceeding 47 % but not exceeding 72 % :		
	1. Cheddar :		
	ex bb) Other, of a fat content, by weight, in the dry matter of 48 % or more	4850 00	
	for exports to :		
	— Austria		25.00
	— Zone D		23.47
	— Zone E		—
	— Canada		28.00
	— Switzerland		16.00
	— Other destinations		84.50
	ex 5. Other, of a fat content, by weight, in the dry matter :		
	(aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more	5120 11	
	for exports to :		
	— Austria		14.54
	— Zone D		5.85
	— Zone E		—
	— Canada		12.50
	— Switzerland		3.99
	— Other destinations		32.43
	(bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more	5120 15	
	for exports to :		
	— Austria		14.71
	— Zone D		6.46
	— Zone E		—
	— Canada		29.90
	— Switzerland		4.40
	— Other destinations		54.54
	(cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 %	5120 21	
	for exports to :		
	— Austria		19.91
	— Zone D		6.94
	— Zone E		—
	— Canada		35.57
	— Switzerland		4.73
	— Other destinations		66.12

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(dd) Of 39 % or more : (11) Asiago, Caciocavallo, Provolone, Ragusano for exports to : — Zone D — Zone E — Canada — Switzerland — Other destinations (22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations (33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations (44) Cantal, Cheshire, Wensleydale, Lancashire, double Gloucester for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations (55) Salted ricotta, of a fat content, by weight, of 30 % or more for exports to : — Zone E — Canada — Other destinations (66) Feta for exports to : — Zone D — Zone E — Canada — Switzerland — Jordan, Iraq, Iran, the Arabian Peninsula and Mediterranean countries except Zone D — Other destinations (77) Colby, Monterey for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	5120 31 5120 44 5120 54 5120 58 5120 59 5120 82 5120 83	84.20 67.00 77.50 15.30 116.23 35.00 32.14 18.60 40.90 37.44 77.12 45.00 32.14 16.10 35.35 37.44 66.74 25.00 23.47 23.11 41.70 16.00 79.13 15.00 20.00 35.03 15.00 (*) 2.15 (*) 34.00 (*) 12.00 (*) 76.28 (*) 63.42 (*) 25.00 23.47 — 41.70 16.00 79.13

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(88) Other, of a water content, calculated by weight, of the non-fatty matter : (aaa) Exceeding 47 % but not exceeding 52 % for exports to : — Zone D — Switzerland — Zone E — Canada — Other destinations (bbb) Exceeding 52 % but not exceeding 62 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations II. Other : ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight : (1) Of 80 % or more but less than 85 % for exports to : — Zone E — Canada — Other destinations (2) Of 85 % or more but less than 95 % for exports to : — Zone E — Canada — Other destinations (3) Of 95 % or more for exports to : — Zone E — Canada — Other destinations	5120 86 5120 91 5310 10 5310 21 5310 30	25-00 15-00 43-08 62-50 85-00 35-00 32-14 18-60 40-90 30-00 77-12 20-00 33-50 56-25 25-00 39-50 70-59 30-00 45-00 82-26
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : ex B. Other, containing starch, glucose or glucose syrup falling within sub-headings 17.02 B and 17.05 B, or milk products, excluding special compound feedingstuffs ⁽³⁾ : I. Containing starch, or glucose or glucose syrup : a) Containing no starch or containing 10 % or less, by weight, of starch : 3. Containing 50 % or more but less than 75 %, by weight, of milk products and containing, by weight, milk powder of a fat content, by weight, not exceeding 11 %, excluding whey powder :		

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
23.07 (cont'd)	(aa) Less than 30 %	5700 12	—
	(bb) 30 % or more but less than 40 %	5700 22	20-75
	(cc) 40 % or more but less than 50 %	5700 32	27-24
	(dd) 50 % or more but less than 60 %	5700 41	33-72
	(ee) 60 % or more but less than 70 %	5700 51	40-21
	(ff) 70 % or more	5700 61	46-69
	4. Containing 75 % or more, by weight, of milk products and containing, by weight, milk powder of a fat content, by weight, not exceeding 11 %, excluding whey powder :		
	(aa) Less than 30 %	5800 12	—
	(bb) 30 % or more but less than 40 %	5800 22	20-75
	(cc) 40 % or more but less than 50 %	5800 31	27-24
	(dd) 50 % or more but less than 60 %	5800 41	33-72
	(ee) 60 % or more but less than 70 %	5800 51	40-21
	(ff) 70 % or more but less than 75 %	5800 61	46-69
	(gg) 75 % or more but less than 80 %	5800 71	49-93
	(hh) 80 % or more	5800 81	53-18
	II. Containing no starch, glucose or glucose syrup, but containing milk products, containing, by weight, milk powder of a fat content, by weight, not exceeding 11 %, excluding whey powder :		
	(a) 50 % or more but less than 60 %	5900 11	33-72
	(b) 60 % or more but less than 70 %	5900 21	40-21
	(c) 70 % or more but less than 80 %	5900 31	46-69
	(d) 80 % or more	5900 41	53-18

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

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

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

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

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

(³) 'Special compound feedingstuffs' are feedingstuffs containing skimmed-milk powder and either fish meal or fish oil and/or fish liver oil and/or fish liver oil or iron carbonate and/or iron sulphate and/or copper sulphate.

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

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

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

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

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

COMMISSION REGULATION (EEC) No 1118/77

of 27 May 1977

fixing 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 organization 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 organization of the market in rice⁽³⁾, and in particular Article 12 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied to calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁴⁾, as amended by Regulation (EEC) No 832/76⁽⁵⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation, is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for

these products and for compound feedingstuffs manufactured from cereals⁽⁶⁾, as last amended by Regulation (EEC) No 1997/75⁽⁷⁾, provides that the levy thus determined, increased by the fixed component, is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than 2.5 units of account per tonne from the average of the levies calculated as described above;

Whereas in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing; whereas Regulation (EEC) No 1921/75⁽⁸⁾, as amended by Regulation (EEC) No 2415/75⁽⁹⁾, laid down certain transitional measures in respect of starches;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States or in the 'overseas countries and territories', the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'⁽¹⁰⁾;

Whereas Article 4 (2) of Regulation (EEC) No 2744/75 provides that the levy to be charged on the products listed in the Annex to that Regulation under subheading 07.06 A is limited, with effect from the date of entry into force of the Geneva Protocol (1967) annexed to the General Agreement on tariffs and trade, to the amount resulting from application of the rate of duty bound within GATT;

(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 281, 1. 11. 1975, p. 65.

(5) OJ No L 100, 14. 4. 1976, p. 1.

(6) OJ No L 168, 25. 6. 1974, p. 7.

(7) OJ No L 202, 1. 8. 1975, p. 57.

(8) OJ No L 195, 26. 7. 1975, p. 25.

(9) OJ No L 247, 23. 9. 1975, p. 22.

(10) OJ No L 85, 31. 3. 1976, p. 2.

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

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

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 June 1977.

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

Done at Brussels, 27 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 27 May 1977 fixing the import levies on products processed from cereals and rice

(u.a./tonne)

CCT heading No	Nomenclature in simplified wording	Levies	
		Third countries (other than ACP or OCT)	ACP or OCT
07.06 A	Manioc, arrowroot, salep and other similar roots and tubers with high starch content, excluding sweet potatoes	10-20 ⁽¹⁾	8-70 ⁽¹⁾⁽⁶⁾
11.01 C	Barley flour ⁽⁸⁾	106-95	101-95
11.01 D	Oat flour ⁽⁸⁾	106-84	101-84
11.01 E I	Maize flour, of a fat content not exceeding 1.5 % by weight ⁽⁸⁾	125-58	120-58
11.01 E II	Maize flour, of a fat content exceeding 1.5 % by weight ⁽⁸⁾	70-83	68-33
11.01 F	Rice flour ⁽⁸⁾	67-13	64-63
11.01 G	Cereals flours, other than flour of wheat, meslin, rye, barley, oats, maize or rice ⁽⁸⁾	81-39	78-89
11.02 A II	Rye groats and meal ⁽⁸⁾	141-53	136-53
11.02 A III	Barley groats and meal ⁽⁸⁾	106-95	101-95
11.02 A IV	Oat groats and meal ⁽⁸⁾	106-84	101-84
11.02 A V a) 1	Maize groats and meal, of a fat content not exceeding 1.5 % by weight, for the brewing industry ⁽⁸⁾	125-58	120-58
11.02 A V a) 2	Maize groats and meal, of a fat content not exceeding 1.5 % by weight, other than for the brewing industry ⁽⁸⁾	125-58	120-58
11.02 A V b)	Maize groats and meal, of a fat content exceeding 1.5 % by weight ⁽⁸⁾	70-83	68-33
11.02 A VI	Rice groats and meal ⁽⁸⁾	67-13	64-63
11.02 A VII	Cereals groats and meal, other than groats and meal of wheat, meslin, rye, barley, oats, maize or rice ⁽⁸⁾	81-39	78-89
11.02 B I a) 1	Hulled (shelled or husked) barley ⁽⁸⁾	93-12	90-62
11.02 B I a) 2 aa)	Clipped oats	60-21	57-71
11.02 B I a) 2 bb)	Hulled (shelled or husked) oats other than clipped oats ⁽⁸⁾	104-34	101-84
11.02 B I b) 1	Hulled and sliced or kibbled barley ('Grütze' or 'Grutten') ⁽⁸⁾	93-12	90-62
11.02 B I b) 2	Hulled and sliced or kibbled oats ('Grütze' or 'Grutten') ⁽⁸⁾	104-34	101-84

CCT heading No	Nomenclature in simplified wording	(u.a./tonne)	
		Levies	
		Third countries (other than ACP or OCT)	ACP or OCT
11.02 B II a)	Hulled (shelled or husked) wheat, whether or not sliced or kibbled ^(*)	128.15	125.65
11.02 B II b)	Hulled (shelled or husked) rye, whether or not sliced or kibbled ^(*)	103.38	100.88
11.02 B II c)	Hulled (shelled or husked) maize, whether or not sliced or kibbled ^(*)	109.68	107.18
11.02 B II d)	Hulled (shelled or husked) grains, whether or not sliced or kibbled, other than those of wheat, rye, maize, barley or oats ^(*)	126.24	123.74
11.02 C I	Pearled wheat ^(*)	153.65	151.15
11.02 C II	Pearled rye ^(*)	123.86	121.36
11.02 C III	Pearled barley ^(*)	146.60	141.60
11.02 C IV	Pearled oats ^(*)	93.03	90.53
11.02 C V	Pearled maize ^(*)	109.68	107.18
11.02 C VI	Pearled grains, other than grains of wheat, rye, barley, oats or maize ^(*)	126.24	123.74
11.02 D I	Wheat not otherwise worked than kibbled ^(*)	98.86	96.36
11.02 D II	Rye not otherwise worked than kibbled ^(*)	79.87	77.37
11.02 D III	Barley not otherwise worked than kibbled ^(*)	60.27	57.77
11.02 D IV	Oats not otherwise worked than kibbled ^(*)	60.21	57.71
11.02 D V	Maize not otherwise worked than kibbled ^(*)	70.83	68.33
11.02 D VI	Grains not otherwise worked than kibbled, other than grains of wheat, rye, barley, oats or maize ^(*)	81.39	78.89
11.02 E I a) 1	Rolled barley ^(*)	60.27	57.77
11.02 E I a) 2	Rolled oats ^(*)	60.21	57.71
11.02 E I b) 1	Flaked barley ^(*)	118.28	113.28
11.02 E I b) 2	Flaked oats ^(*)	118.16	113.16
11.02 E II a)	Rolled or flaked wheat ^(*)	175.05	170.05
11.02 E II b)	Rolled or flaked rye ^(*)	141.53	136.53
11.02 E II c)	Rolled or flaked maize ^(*)	125.58	120.58
11.02 E II d) 1	Flaked rice ^(*)	114.75	109.75

CCT heading No	Nomenclature in simplified wording	(u.s./tonne)	
		Levies	
		Third countries (other than ACP or OCT)	ACP or OCT
11.02 E II d) 2	Rolled or flaked grains other than grains of wheat, rye, barley, oats, maize or rice, excluding flaked rice ⁽²⁾	144.21	139.21
11.02 F I	Wheat pellets ⁽³⁾	175.05	170.05
11.02 F II	Rye pellets ⁽³⁾	141.53	136.53
11.02 F III	Barley pellets ⁽³⁾	106.95	101.95
11.02 F IV	Oat pellets ⁽³⁾	106.84	101.84
11.02 F V	Maize pellets ⁽³⁾	125.58	120.58
11.02 F VI	Rice pellets ⁽³⁾	67.13	64.63
11.02 F VII	Pellets of cereals other than wheat, rye, barley, oats, maize or rice ⁽²⁾	81.39	78.89
11.02 G I	Wheat germ, whole, rolled, flaked or ground	75.85	70.85
11.02 G II	Germ of cereals other than wheat, whole, rolled flaked or ground	55.24	50.24
11.06 A	Denatured flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06, for the manufacture of starches	12.70	7.20 ⁽⁵⁾
11.06 B I	Undenatured flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06, for the manufacture of starches	102.31	82.31 ⁽⁵⁾
11.06 B II	Undenatured flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06, other than for the manufacture of starches	124.85	104.85 ⁽⁵⁾
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	177.16	168.16
11.07 A I b)	Unroasted malt, obtained from wheat, other than in the form of flour	134.65	125.65
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	109.82 ⁽⁴⁾	100.82
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	84.33	75.33
11.07 B	Roasted malt	96.79 ⁽⁴⁾	87.79
11.08 A I	Maize starch	102.31	85.31
11.08 A II	Rice starch	92.03	66.53
11.08 A III	Wheat starch	180.83	163.83
11.08 A IV	Potato starch	102.31	85.31

CCT heading No	Nomenclature in simplified wording	(u.a./tonne)	
		Levies	
		Third countries (other than ACP or OCT)	ACP or OCT
11.08 A V	Starches other than maize, rice, wheat or potato starch	102.31	42.65 ⁽⁵⁾
11.09	Wheat gluten, whether or not dried	447.88	297.88
17.02 B II a)	Glucose other than glucose containing, in the dry state, 99 % or more by weight of the pure product ⁽⁶⁾ , in the form of white crystalline powder, whether or not agglomerated	191.28	111.28
17.02 B II b)	Glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product ⁽⁶⁾ , other than glucose in the form of white crystalline powder, whether or not agglomerated	140.31	85.31
17.05 B I	Flavoured or coloured glucose, in the form of white crystalline powder, whether or not agglomerated	191.28	111.28
17.05 B II	Flavoured or coloured glucose syrup, other than in the form of white crystalline powder, whether or not agglomerated	140.31	85.31
23.02 A I a)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, with a starch content not exceeding 35 % by weight	21.81	21.81
23.02 A I b)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, with a starch content exceeding 35 % by weight	69.79	69.79
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, of which the starch content does not exceed 28 % by weight, and of which the percentage which passes through a sieve with an aperture of 0.2 mm does not exceed 10 % by weight or of which the sieved product has an ash content, calculated on the dry product, of 1.5 % or more by weight	17.45	17.45
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not falling within subheading 23.02 A II a)	69.79	69.79
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40 % by weight	255.98	105.98

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes.

⁽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 heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric 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.

⁽³⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

⁽⁴⁾ In accordance with Regulation (EEC) No 2755/75 this levy is reduced by 0.45 u.a./100 kg for products originating in Turkey.

⁽⁵⁾ In accordance with Regulation (EEC) No 706/76 the levy shall not be charged on the following products originating in the countries and territories:

- arrowroot falling within subheading ex 07.06 A,
- flours and meal of arrowroot falling within subheadings ex 11.06 A, ex 11.06 B I and II,
- arrowroot starch falling within subheading ex 11.08 A V.

COMMISSION REGULATION (EEC) No 1119/77**of 27 May 1977****fixing the import levies on compound feedingstuffs**

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 the opinion of the Monetary
Committee,

Whereas the rules to be applied in calculating the vari-
able component of the import levy on compound
feedingstuffs are laid down in Article 14 (1) (A) of
Regulation (EEC) No 2727/75; whereas the incidence
of the levies applicable to the basic products of
compound feedingstuffs on their prime costs should
be determined, in pursuance of Article 4 of Council
Regulation (EEC) No 2743/75 of 29 October 1975 on
the system to be applied to cereal-based compound
feedingstuffs⁽³⁾, on the basis of the average of the
levies applicable during the first 25 days of the month
preceding the month of importation to the quantities
of basic products considered to have been used in the
manufacture of such compound feedingstuffs, this
average being adjusted on the basis of the threshold
price for the basic products in question ruling during
the month of importation;

Whereas the levy thus determined, increased by the
fixed component, is valid for one month; whereas the
amount of the fixed component of the levy is speci-
fied in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the
interests of the African, Caribbean and Pacific States
or in the 'overseas countries and territories', the levy
relating to them in respect of certain products
processed from cereals must be reduced by the

amount of the fixed component and, in respect of
some of these products, by part of the variable compo-
nent; whereas this reduction must be made in accor-
dance with Article 12 of Council Regulation (EEC)
No 706/76 of 30 March 1976 on the arrangements
applicable to agricultural products and certain goods
resulting from the processing of agricultural products
originating in the African, Caribbean and Pacific
States or in the 'overseas countries and territories'⁽⁴⁾;

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

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

Whereas, in accordance with Article 18 (1) of Regula-
tion (EEC) No 2727/75 the nomenclature provided for
in this Regulation is incorporated in the Common
Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound
feedingstuffs covered by Regulation (EEC) No
2727/75 and subject to Regulation (EEC) No 2743/75
are fixed hereby as shown in the Annex to this Regula-
tion.

Article 2

This Regulation shall enter into force on 1 June 1977.

⁽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. 60.

⁽⁴⁾ OJ No L 85, 31. 3. 1976, p. 2.

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

Done at Brussels, 27 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 27 May 1977 fixing the import levies on compound feedingstuffs

(u.a./tonne)

CCT heading No	Nomenclature in simplified wording	Levies	
		Third countries (other than ACP and OCT)	ACP and OCT
	Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 968/68, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 17.05 B, or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04, and subheadings 17.02 A and 17.05 A) containing starch, glucose or glucose syrup:		
	Containing no starch or containing 10 % or less by weight of starch:		
23.07 B I a) 1	— Containing no milk products or containing less than 10 % by weight of such products	19.72	10.72
23.07 B I a) 2	— Containing 10 % or more but less than 50 % by weight of milk products	474.21	465.21
	Containing more than 10 % but not more than 30 % by weight of starch:		
23.07 B I b) 1	— Containing no milk products or containing less than 10 % by weight of such products	42.50	33.50
23.07 B I b) 2	— Containing 10 % or more but less than 50 % by weight of milk products	496.99	487.99
	Containing more than 30 % by weight of starch:		
23.07 B I c) 1	— Containing no milk products or containing less than 10 % by weight of such products	75.99	66.99
23.07 B I c) 2	— Containing 10 % or more but less than 50 % by weight of milk products	530.48	521.48

COMMISSION REGULATION (EEC) No 1120/77

of 27 May 1977

opening an invitation to tender for the mobilization of common wheat flour as food aid for the Hashemite Kingdom of Jordan

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,

Whereas on 8 February 1977 the Council of the European Communities declared that by way of Community action it proposed to grant the Hashemite Kingdom of Jordan the equivalent of 18 000 tonnes of common wheat, in the form of flour, i.e. 11 921 tonnes of common wheat flour, under its 1976/77 food-aid programme;

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

Whereas tenders should be invited for the supply of the product to the port of shipment in the vicinity of the vessel, the goods to be set down at the place nominated by the recipient or its agent;

Whereas tenders may be submitted by tenderers established in any Member State of the Community and may relate to products mobilized anywhere within those Member States; whereas, in view of the currency situation in the Member States and in order to ensure that the tenders are as comparable as possible, account should be taken of the effect on each tender of the currency situation in the Member State in which the customs export formalities will be completed;

Whereas the contract should be awarded to the tenderer who makes the best offer;

Whereas it must be made clear who is to bear any costs which arise in the event that for reasons of *force majeure* the operation in question is not completed within the time stipulated;

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

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

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

Whereas the Monetary Committee will be consulted; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions 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⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender shall be issued in respect of the supply of 11 921 tonnes of common wheat flour to the Hashemite Kingdom of Jordan by way of Community food-aid action.
2. The tendering procedure shall take place in the Kingdom of Belgium and shall be in respect of a single lot.
3. The goods shall be mobilized on the Community market.
4. Shipment shall be from a Community port.

⁽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 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

5. The product referred to in paragraph 1 is to be delivered in new cotton sacks of a net capacity of 50 kilograms to the port of shipment in the vicinity of the vessel. The goods must be set down at the place nominated by the recipient country or its agent, the timing of delivery being settled by the tenderer and the recipient country's agent.

Minimum weight of sacks: 180 g.

The following shall be printed on the sacks:

'Wheat flour — Gift of the European Economic Community to Jordan — For free distribution'.

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 award of the contract shall take place on 10 June 1977.
2. The closing date for submission of tenders shall be 10 June 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 submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.
3. For the purpose of rendering the tenders comparable, the prices shall, where appropriate, be corrected by the monetary compensatory amount and the accession compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2.

Such correction shall be made by:

- increasing prices which mention a Member State whose currency has depreciated or a new Member State,
- reducing prices which mention a Member State whose currency has been revalued.

The monetary compensatory amount shall, where appropriate, be converted into the currency of the

Member State in which the invitation to tender is issued using:

- in the case when the currencies concerned are kept at any given moment within a band of 2.25 %, a conversion rate resulting from their central rate,
- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms, taking into consideration the adjustment referred to in Article 3 (3).

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

Article 5

1. The tenderer shall give security in an amount of 10 units of account per tonne of goods.

It shall be released:

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3 (2),
- in the case of the successful tenderer, for quantities not supplied by reason of *force majeure*.

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

Article 6

1. The goods referred to in Article 1 which are to be supplied to the Hashemite Kingdom of Jordan must meet the following requirements:

common wheat flour:

- moisture content: 15 % maximum,
- acidity: 4 ml NaOH/n maximum per 100 g (calculated on the dry matter),
- ash content: 0.52 % maximum on the dry matter.

If the goods referred to in Article 1 do not meet the foregoing requirements they shall be rejected and the successful tenderer shall be owner thereof.

2. Tenders for supply to the Hashemite Kingdom of Jordan of the goods referred to in Article 1 must relate to products with the following characteristics :

common wheat flour :

- moisture content : 15 % maximum,
- acidity : 4 ml NaOH/n maximum per 100 g (calculated on the dry matter),
- ash content : 0.52 % maximum on the dry matter.

Article 7

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

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

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

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with 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 (3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

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

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

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

5. When the 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

On delivery of the goods at the port of shipment, a handing-over certificate shall be supplied to the successful tenderer, acting as agent for the Community, by the agent of the recipient country or, in the absence of the latter, by the intervention agency of the Member State in whose territory the port of shipment is situated.

Article 9

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, 27 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1121/77

of 27 May 1977

opening a new invitation to tender for the mobilization of durum wheat as food aid for the Republic of Malta

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,

Whereas on 8 February 1977 the Council of the European Communities declared that by way of Community action it proposed to grant the Republic of Malta 1 000 tonnes of durum wheat under the 1976/77 food-aid programme;

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

Whereas tenders should be invited for the supply of the product to the port of shipment in the vicinity of the vessel, the goods to be set down at the place nominated by the recipient or its agent;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply, by way of Community food-aid action, to the Republic of Malta, of 1 000 tonnes of durum wheat.
2. The tendering procedure shall take place in Belgium in one lot.
3. The product shall be mobilized by the Belgian intervention agency from the stores specified in the Annex.
4. Shipment shall be from Antwerp.
5. The product referred to in paragraph 1 is to be delivered in bulk to the port of shipment in the vicinity of the vessel. The goods must be set down at the place nominated by the recipient country or its agent, the timing of delivery being settled by the tenderer and the recipient country's agent.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 10 June 1977.
2. The closing date for the receipt of tenders shall be 10 June 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 submission of tenders.

Article 3

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

Article 4

If the tenderer is unable to deliver the goods in compliance with Article 1 (5) on the date given in the notice of invitation to tender as a result of the late availability of the vessels to be used for sea transportation the resulting costs shall be borne by the intervention agency.

Article 5

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

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

Article 6

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 7

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

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

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

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

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

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

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

Article 8

On delivery of the goods at the port of shipment, a handing-over certificate shall be supplied to the successful tenderer, acting as agent for the Community, by the agent of the recipient country, or, in the absence of the latter, by the intervention agency of the Member State in whose territory the port of shipment is situated.

Article 9

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, 27 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Number of lot	Port of shipment	Tonnage fob	Town at which stored
1	Antwerp	1 000 tonnes	Antwerp

COMMISSION REGULATION (EEC) No 1122/77

of 27 May 1977

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

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,

Whereas on 8 February 1977 the Council of the European Communities declared that by way of Community action it proposed to grant the Republic of Tunisia 3 500 tonnes of common wheat under the 1976/77 food-aid programme;

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

Whereas tenders should be invited for the supply of the product to the port of shipment in the vicinity of the vessel, the goods to be set down at the place nominated by the recipient or its agent;

Whereas tenders may be submitted by tenderers established in any Member State of the Community and may relate to products mobilized anywhere within those Member States; whereas, in view of the currency situation in the Member States and in order to ensure that the tenders are as comparable as possible, account should be taken of the effect on each tender of the currency situation in the Member State in which the customs export formalities will be completed;

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

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

Whereas provision should be made for security to be given to guarantee fulfilment of the obligations arising

by virtue of participation in the invitation to tender for the supply of common wheat to the Republic of Tunisia.

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

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

Whereas the Monetary Committee will be consulted; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions 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⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply, by way of Community food-aid action, to the Republic of Tunisia, of 3 500 tonnes of common wheat.
2. The tendering procedure shall take place in the Republic of France in one lot.
3. The product shall be mobilized on the Community market.
4. Shipment shall be from a Community port.
5. The product referred to in paragraph 1 is to be delivered in bulk to the port of shipment in the vicinity of the vessel. The goods must be set down at the place nominated by the recipient country or its agent, the timing of delivery being settled by the tenderer and the recipient country's agent.

⁽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 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 10 June 1977.
2. The closing date for submission of tenders shall be 10 June 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 submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.
3. For the purpose of rendering the tenders comparable, the prices shall, where appropriate, be corrected by the monetary compensatory amount and the accession compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2.

Such correction shall be made by:

- increasing prices which mention a Member State whose currency has depreciated or a new Member State,
- reducing prices which mention a Member State whose currency has been revalued.

The monetary compensatory amount shall, where appropriate, be converted into the currency of the Member State in which the invitation to tender is issued using:

- in the case when the currencies concerned are kept at any given moment within a band of 2.25 %, a conversion rate resulting from their central rate,
- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms, taking into consideration the adjustment referred to in Article 3 (3).

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

Article 5

If the tenderer is unable to deliver the goods in compliance with Article 1 (3) on the date given in the notice of invitation to tender as a result of the late availability of the vessels to be used for sea transportation, the resulting costs shall be borne by the intervention agency.

Article 6

1. The tenderer shall give security of a value of five units of account per tonne of goods.

It shall be released:

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3 (2),
- in the case of the successful tenderer, for quantities not supplied by reason of *force majeure*.

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

Article 7

The common wheat referred to in Article 1 to be supplied to the Republic of Tunisia must be of fair and sound merchantable quality and correspond at least to the standard quality for which the intervention price is fixed, except that the humidity shall not exceed 15.5 % and that a maximum tolerance of 3 % of sprouted grains and 1.5 % of miscellaneous impurities shall be allowed.

Article 8

1. The French intervention agency shall be responsible for organizing 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 this case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

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

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

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

- (b) the date of departure of the vessels.

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

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

Article 9

On delivery of the goods at the port of shipment, a handing-over certificate shall be supplied to the successful tenderer, acting as agent for the Community, by the agent of the recipient country, or, in the absence of the latter, by the intervention agency of the Member State in whose territory the port of shipment is situated.

Article 10

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, 27 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1123/77

of 27 May 1977

on transitional measures concerning the application of monetary compensatory amounts to certain products not included in Annex II

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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⁽¹⁾, as last amended by Regulation (EEC) No 557/76⁽²⁾, and in particular Article 6 thereof,

Whereas Commission Regulation (EEC) No 800/77 of 20 April 1977 amending, as regards products which are subject to monetary compensatory amounts, Regulation (EEC) No 572/76 fixing the monetary compensatory amounts⁽³⁾, introduced monetary compensatory amounts for certain additional products not covered by Annex II; whereas by Commission Regulation (EEC) No 1051/77 of 18 May 1977 postponing the date of entry into application of Regulation (EEC) No 800/77⁽⁴⁾, this date was postponed from 23 May to 4 July 1977;

Whereas the introduction of these amounts leads to a considerable change in the terms of trade for the products concerned; whereas in view of this change there could be speculation in the products in question thus giving rise to deflection of trade;

Whereas in order to avoid such deflection it should be laid down that for a certain period, no monetary compensatory amount is to be granted on exports and imports effected for the purpose of profiting from the new amounts;

Whereas, however, transitional measures are not necessary for trade between Ireland and the United Kingdom as, since 1 April 1977, Ireland has been applying, in trade in the products in question with the United Kingdom, a system of export subsidies and import levies corresponding to the effect of the monetary compensatory amounts;

Whereas the Management Committees for Cereals, Sugar, Poultrymeat and Eggs and Milk and Milk Products have not delivered opinions within the time limits set by their respective chairmen;

HAS ADOPTED THIS REGULATION:

Article 1

1. By way of derogation from the Regulations fixing the monetary compensatory amounts, the amounts fixed for products falling within subheadings 17.04 D, 18.06 B, 18.06 C, 19.08 B and 21.07 C of the Common Customs Tariff shall be granted only in the following cases:

(a) on products exported from Member States whose currencies have appreciated if proof is provided either that:

- they were obtained in the exporting Member State, or
- prior to export the customs formalities for importation into the exporting Member State were completed before 7 April or after 3 July 1977;

(b) on products imported into Member States whose currencies have depreciated if proof is provided either that:

- they were obtained in a third country or in a Member State other than the importing Member State, or
- prior to import the customs formalities for exportation from the importing Member State were completed before 7 April or after 3 July 1977.

2. Paragraph 1 shall apply to exports and imports in respect of which the customs formalities are completed before 29 August 1977.

3. The preceding provisions shall not apply:

- (a) to products obtained in the United Kingdom which are reimported by that Member State from Ireland where they had been previously imported;
- (b) to products obtained in Ireland which are reimported by that Member State from the United Kingdom where they had been previously imported.

4. The Member State responsible for granting the monetary compensatory amounts in question shall adopt the necessary control measures.

Article 2

This Regulation shall enter into force on 4 July 1977.

(¹) OJ No L 106, 12. 5. 1971, p. 1.

(²) OJ No L 67, 15. 3. 1976, p. 1.

(³) OJ No L 97, 21. 4. 1977, p. 18.

(⁴) OJ No L 125, 19. 5. 1977, p. 34.

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

Done at Brussels, 27 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1124/77**of 27 May 1977****redefining the destination zones for export refunds or levies and for certain export licences for 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 organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3138/76⁽²⁾, and in particular Articles 12 (2), 16 (6) and 19 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, and in particular Articles 17 (6) and 21 (3) thereof,

Whereas Commission Regulation (EEC) No 306/76 of 12 February 1976 redefining the destination zones for export refunds or levies on cereals and rice⁽⁴⁾ defined zones which were distinguished according to the characteristics of the markets in cereals, flour and rice;

Whereas, under Article 9a (1) of Commission Regulation (EEC) No 2042/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences for cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 2824/76⁽⁶⁾, the geographical groupings referred to in Regulation (EEC) No 306/76 have been applied to malt export licences with a long period of validity; whereas the geographical groupings currently set out in Regulation (EEC) No 306/76 have proved unsuitable for the parti-

cular nature of the malt market; whereas a set of zones should be laid down specifically for malt;

Whereas in the interests of clarity Regulation (EEC) No 306/76 should be repealed and the measures contained therein re-enacted in this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The destination zones to be used for the differentiation of export refunds or levies shall be as set out in Annex I hereto in respect of products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 and in Article 1 (a) and (b) of Regulation (EEC) No 1418/76.

Article 2

The destination zones to be used for export licences issued under Article 9a of Regulation (EEC) No 2042/75 shall be as set out in Annex II hereto.

Article 3

This Regulation shall enter into force on 1 June 1977.
Regulation (EEC) No 306/76 is hereby repealed.

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

Done at Brussels, 27 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 38, 13. 2. 1976, p. 14.

⁽⁵⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁶⁾ OJ No L 325, 24. 11. 1976, p. 5.

ANNEX I

ZONE I

- (a) Libya
- Egypt
- Israel
- Lebanon
- Syria
- Cyprus
- Turkey
- (b) Morocco
- Algeria
- Tunisia
- (c) Jordan
- (d) Malta
- Youslavia
- Greece
- Albania

ZONE II

- (a) Poland
- Soviet Union (Baltic ports)
- (b) Norway
- Sweden
- Finland
- Faroe Islands
- Iceland

ZONE III

- (a) Czechoslovakia
- Hungary
- (b) Romania
- Bulgaria
- Soviet Union (Black Sea ports)

ZONE IV

- (a) Mexico, countries and territories of Central America
- (b) Greater and Lesser Antilles, Bahamas and Bermuda
- (c) Countries and territories of South America (Atlantic coast)
- (d) Countries and territories of South America (Pacific coast)

ZONE V

- (a) Mauritania
- Senegal
- Guinea
- Ivory Coast
- Benin
- Togo
- Mali
- Upper Volta
- Niger
- Central African Republic
- Congo
- Chad
- Cameroon
- Zaire
- Gambia
- Sierra Leone
- Ghana
- Nigeria

Namibia (South West Africa)
Azores
Madeira
Canary Islands
Spanish Sahara
Cape Verde Islands
Guinea Bissau
Islands of the Gulf of Guinea
Angola
St. Helena and dependencies
Liberia
Equatorial Guinea

- (b) Republic of South Africa
- Botswana
- Lesotho
- Swaziland
- Zambia
- Rhodesia
- Malawi
- Mozambique
- Tanzania
- Kenya
- Rwanda
- Burundi
- Uganda
- Somalia
- Madagascar
- Comoros
- Mauritius

ZONE VI

Sudan
Ethiopia
French Territory of the Afars and Issas
Countries and territories of the Arabian Peninsula
Iraq
Iran

ZONE VII

- (a) Afghanistan
- Pakistan
- India (including Sikkim)
- Nepal
- Sri Lanka
- Bangladesh
- Burma
- Islands of Indian Ocean (other than Madagascar, the Comoros and Mauritius)
- Bhutan
- (b) Thailand
- Cambodia
- Laos
- Japan
- Indonesia
- Malaysia
- Philippines
- (c) Other countries and territories of Asia and Australasia
- Australia
- New Zealand

ANNEX II

ZONE A

- Iceland
- Finland
- Faroe Islands
- Norway
- Sweden
- Austria
- Switzerland
- Liechtenstein
- Spain
- Portugal
- Azores
- Madeira
- Canary Islands
- Greece
- Malta
- Cyprus
- Turkey

ZONE B

- Soviet Union
- Poland
- East Germany
- Czechoslovakia
- Hungary
- Romania
- Bulgaria
- Yugoslavia
- Albania

ZONE C

- Morocco
- Algeria
- Tunisia
- Libya
- Egypt
- Israel
- Lebanon
- Syria
- Jordan
- Iraq
- Iran
- Countries and territories of the Arabian Peninsula

ZONE D

- Other countries and territories of Africa including St. Helena and dependencies, Madagascar, the Comoros and Mauritius

ZONE E

- Other countries and territories of Asia and Australasia — Islands of the Indian Ocean (other than Madagascar, the Comoros and Mauritius)

ZONE F

- Countries and territories of North America

ZONE G

- West Indies
- Mexico, countries and territories of Central and South America

COMMISSION REGULATION (EEC) No 1125/77**of 27 May 1977****amending for the 11th time Regulation (EEC) No 2042/75 on special detailed rules for the application of the system of import and export licences for 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 organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3138/76 ⁽²⁾, and in particular Article 12 (2) and the second subparagraph of Article 26 (3) thereof,

Whereas Commission Regulation (EEC) No 2042/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences for cereals and rice ⁽³⁾, as last amended by Regulation (EEC) No 2824/76 ⁽⁴⁾ provides that the export licence for certain products falling within heading No 11.07 of the Common Customs Tariff is valid until the end of the 11th month following that of issue;

Whereas experience has shown that speculative use may be made of a long period of validity; whereas, however, in accordance with international practice, a large proportion of delivery contracts are concluded for at least a year; whereas, in order to enable malt exporters to continue to conclude such contracts, provision should be made for a longer period of validity, provided that certain conditions are fulfilled, in particular as regards the destination of the exports and the period within which the destination must be indicated on the export licence;

Whereas Commission Regulation (EEC) No 306/76 of 12 February 1976 redefining the destination zones for export refunds or levies on cereals and rice ⁽⁵⁾ defined zones which were distinguished according to the characteristics of the markets in cereals, flour and rice; whereas under Article 9a (1) of Regulation (EEC) No 2042/75, the geographical groupings referred to in the aforesaid Regulation (EEC) No 306/76 have been

applied to malt export licences with a long period of validity; whereas the geographical groupings currently set out in Regulation (EEC) No 306/76 have proved unsuitable to the particular nature of the malt market; whereas zones specifically for malt have therefore been defined by Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice ⁽⁶⁾; whereas Article 9a (1) of Regulation (EEC) No 2042/75 should be amended accordingly;

Whereas, moreover, the period for indicating the destination on an export licence, at present fixed at two months, has proved insufficient in the light of commercial practice; whereas this period should be extended to three months;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 9a (1) and (2) of Regulation (EEC) No 2042/75 is hereby amended to read as follows:

'1. By way of derogation from Article 9, the export licence for products falling within subheadings 11.07 A I b), 11.07 A II b) and 11.07 B of the Common Customs Tariff shall be valid from the day of issue, within the meaning of Article 9 (1) of Regulation (EEC) No 193/75 until the end of the 11th month following that of issue, where the application is made for export to a zone defined in Annex II to Regulation (EEC) No 1124/77. In this case, the destination shall be indicated in Section 13 of the licence, and the licence shall carry the obligation to export to the said destination.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 325, 24. 11. 1976, p. 5.

⁽⁵⁾ OJ No L 38, 13. 2. 1976, p. 14.

⁽⁶⁾ See page 53 of this Official Journal.

2. However, entry of the destination as referred to in paragraph 1 may be made after the licence is issued. In this case, it must be entered not later than three months from the day of issue of the licence within the meaning of Article 9 (1) of Regulation (EEC) No 193/75.'

Article 2

This Regulation shall enter into force on 1 June 1977.

It shall only apply to licences issued with effect from the day of its entry into force.

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

Done at Brussels, 27 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1126/77
of 27 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 1108/77 ⁽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 28 May 1977.

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

Done at Brussels, 27 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 132, 27. 5. 1977, p. 33.

ANNEX

to the Commission Regulation of 27 May 1977 fixing the import levies on white sugar and raw sugar

CCT heading No	Description of goods	Levy (nat./100 kg)
17.01	Beet sugar and cane sugar, solid : A. White sugar B. Raw sugar	20.83 17.61 ⁽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 1127/77**of 27 May 1977****repealing Regulation (EEC) No 3348/73 concerning the levying of a tax on the
exportation of certain goods covered by Regulation (EEC) No 1059/69**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1059/69 of 28 May 1969 laying down the trade arran-
gements applicable to certain goods resulting from the
processing of agricultural products ⁽¹⁾, as last amended
by Regulation (EEC) No 2670/76 ⁽²⁾, and in particular
Article 9a thereof,

Whereas in November 1973 the situation on the
world sugar market was such that action was necessary
to prevent the massive export of Community sugar ;

Whereas, to this end, Commission Regulation (EEC)
No 3348/73 of 12 December 1973 ⁽³⁾, as last amended
by Regulation (EEC) No 836/75 ⁽⁴⁾, introduced an
export tax on certain simple mixtures containing large
quantities of sugar ;

Whereas the conditions which gave rise to this export
tax no longer exist ; whereas it is appropriate therefore
to abolish the said Regulation ;

Whereas in accordance with the second indent of
Article 9a of Regulation (EEC) No 1059/69, the
Member States have been consulted on the measure
provided for in this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

Commission Regulation (EEC) No 3348/73 is hereby
repealed.

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, 27 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 302, 25. 10. 1976, p. 1.

⁽³⁾ OJ No L 342, 13. 12. 1973, p. 16.

⁽⁴⁾ OJ No L 79, 28. 3. 1975, p. 50.

COMMISSION REGULATION (EEC) No 1128/77

of 27 May 1977

re-establishing the levying of customs duties on cotton yarn, not put up for retail sale, falling within subheading 55.05 A, originating in Yugoslavia to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3022/76 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3022/76 of 13 December 1976 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 (1) to (3) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling which is indicated, for each of the products listed in Annex B, under (a) in column 5; whereas, only the products originating in the countries and territories listed in Annex D to the Regulation in question, other than those specified under (b) in column 4 of Annex B, in respect of the corresponding products may be charged against that ceiling; whereas, having regard to that ceiling, the amounts for products originating in any one of the countries listed in Annex D should be within a maximum amount representing 50 % of that ceiling;

Whereas Article 3 (2) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries and territories, with exception of countries listed in Annex E thereto, once the relevant Community maximum amount has been reached;

Whereas, in respect of cotton yarn, not put up for retail sale, falling within subheading 55.05 A, the ceiling, calculated as indicated above, should be 37 tonnes, and therefore the maximum amount is 19

tonnes; whereas on 24 May 1977, the amounts of imports into the Community of cotton yarn, not put up for retail sale, falling within subheading 55.05 A, originating in Yugoslavia, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 3022/76 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Yugoslavia,

HAS ADOPTED THIS REGULATION:

Article 1

As from 31 May 1977, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3022/76, shall be re-established in respect of the following products, imported into the Community and originating in Yugoslavia:

CCT heading No	Description of goods
55.05	Cotton yarn, not put up for retail sale: A. Multiple or cabled, finished in balls or on cards, reels, tubes or similar supports, of a weight (including support) not exceeding 900 g

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, 27 May 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 349, 20. 12. 1976, p. 69.

COMMISSION REGULATION (EEC) No 1129/77**of 27 May 1977****re-establishing the levying of customs duties on gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods, falling within heading No 61.10, originating in Hong Kong to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3022/76 apply**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3022/76 of 13 December 1976 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 (1) and (3) of that Regulation provides that customs duties may, for each category of products listed in Annex C to that Regulation, be suspended up to a Community ceiling equal to 174 % of the sum arrived at by adding together the value of the products in question, in tonnes, imported into the Community in 1968 and coming from countries listed in Annex D thereto, but not including products coming from countries already covered by various preferential tariff arrangements established by the Community, and 5 % of the 1970 tonnage of such imports coming from other countries and from countries already covered by such arrangements; whereas, having regard to that ceiling, the amounts for products originating in any one of the countries listed in Annex D should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex C to the abovementioned Regulation;

Whereas Article 3 (2) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries and territories, with exception of countries listed in Annex E thereto, once the relevant Community maximum amount has been reached;

Whereas, in respect of gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods, the ceiling, calculated as indicated above, should be 42 tonnes, and therefore the maximum amount is 21 tonnes; whereas on 25 May 1977, the amounts of imports into the Community of gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods, originating in Hong Kong, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 3022/76 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Hong Kong,

HAS ADOPTED THIS REGULATION:

Article 1

As from 31 May 1977, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3022/76, shall be re-established in respect of the following products, imported into the Community and originating in Hong Kong:

CCT heading No	Description of goods
61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods

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, 27 May 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 349, 20. 12. 1976, p. 69.

COMMISSION REGULATION (EEC) No 1130/77

of 27 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 organiza-
tion of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 3138/76 ⁽²⁾, and in particular
Article 14 (4) thereof,

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

Whereas the import levies on products processed
from cereals and rice were fixed by Regulation (EEC)
No 838/77 ⁽⁴⁾, as last amended by Regulation (EEC)
No 1107/77 ⁽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 28 May
1977.

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

Done at Brussels, 27 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 132, 27. 5. 1977, p. 31.

⁽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 27 May 1977 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.s./tonne	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 B II a) (*)	129-38	126-88
11.02 C I (*)	155-14	152-64
11.02 D I (*)	99-81	97-31
11.02 E II a) (*)	176-72	171-72
11.02 F I (*)	176-72	171-72
11.02 G I	76-55	71-55
11.07 A I a)	178-81	169-81
11.07 A I b)	135-88	126-88
11.08 A III	182-88	165-88
11.09 A	451-60	301-60

(*) 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.