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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 1220/77
of 3 June 1977**

on the conclusion of the Agreement between the European Economic Community and the Government of the United States of America concerning fisheries off the coasts of the United States

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⁾,

Whereas the common fisheries policy envisages the determination of conditions for fishing with a view to ensuring the conservation of the biological resources of the sea, as is indicated, in particular, in Article 102 of the Act of Accession; whereas to be effective the measures taken must be applied by all the parties concerned;

Whereas by its resolution of 3 November 1976 on certain external aspects of the creation of a 200-mile fisheries zone in the Community with effect from 1 January 1977, the Council agreed that fishing rights for Community fishermen in the waters of third countries must be obtained and preserved by appropriate Community agreements;

Whereas the Agreement between the Community and the United States of America concerning fisheries off

the coasts of the United States signed on 15 February 1977 should be concluded,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the European Economic Community and the Government of the United States of America concerning fisheries off the coasts of the United States is approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council shall, on behalf of the Community, give the notification provided for in Article XVI of the Agreement⁽²⁾.

Article 3

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

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

Done at Brussels, 3 June 1977.

For the Council

The President

J. SILKIN

⁽¹⁾ OJ No C 133, 6. 6. 1977, p. 54.

⁽²⁾ The date of the entry into force of the Agreement will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

AGREEMENT

between the Government of the United States of America and the European Economic Community concerning fisheries off the coasts of the United States

THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE EUROPEAN ECONOMIC COMMUNITY (hereinafter referred to as 'the Community'),

CONSIDERING their common concern for the rational management, conservation and optimum utilization of fish stocks off the coasts of the United States ;

ACKNOWLEDGING the fishery management authority of the United States as set forth in the Fishery Conservation and Management Act of 1976 ;

HAVING REGARD for the discussions at the Third United Nations Conference on the Law of the Sea relating to fisheries ; and

DESIROUS of establishing reasonable terms and conditions pertaining to fisheries of mutual concern over which the United States exercises fishery management authority,

HAVE AGREED AS FOLLOWS :

Article I

The purpose of this Agreement is to ensure effective conservation, optimum utilization and rational management of the fisheries of mutual interest off the coasts of the United States and to establish a common understanding of the principles and procedures under which fishing may be conducted by nationals and vessels of the Member States of the Community for the living resources over which the United States exercises fishery management authority as provided by United States law.

Article II

As used in this Agreement, the term :

1. 'living resources over which the United States exercises fishery management authority' means all fish within the fishery conservation zone of the United States, except highly migratory species as defined in subparagraph 7 of this Article, all anadromous species of fish that spawn in the fresh or estuarine waters of the United States and migrate to ocean waters and all living resources of the continental shelf appertaining to the United States ;

2. 'fish' means all finfish, molluscs, crustaceans, and other forms of marine animal and plant life, other than marine mammals, birds and highly migratory species ;

3. 'fishery' means :

(a) one or more stocks of fish that can be treated as a unit for purposes of conservation and manage-

ment and that are identified on the basis of geographical, scientific, technical, recreational and economic characteristics, and

(b) any fishing for such stocks ;

4. 'fishery conservation zone' means a zone contiguous to the territorial sea of the United States, the seaward boundary of which is a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the breadth of the territorial sea of the United States is measured ;

5. 'fishing' means :

(a) the catching, taking or harvesting of fish,

(b) the attempted catching, taking or harvesting of fish,

(c) any other activity that can reasonably be expected to result in the catching, taking or harvesting of fish, or

(d) any operations at sea directly in support of, or in preparation for, any activity described in subparagraphs (a), (b) and (c) above ; provided that such term does not include any scientific research activity conducted by a scientific research vessel ;

6. 'fishing vessel' means any vessel, boat, ship or other craft that is used for, equipped to be used for, or of a type that is normally used for :

- (a) fishing, or
 - (b) aiding or assisting one or more vessels at sea in the performance of any activity relating to fishing, including preparation, supply, storage, refrigeration, transportation or processing;
7. 'highly migratory' means species of tuna which, in the course of their life cycle, spawn and migrate over great distances in waters of the ocean; and
8. 'marine mammals' means any mammal that is morphologically adapted to the marine environment, including sea otters and members of the orders Sirenia, Pinnipedia, and Cetacea, or primarily inhabits the marine environment such as the polar bears.

Article III

1. The Government of the United States is willing to allow access for fishing vessels of the Member States of the Community to harvest, in accordance with terms and conditions to be established in permits issued under Article VI, an allocation of that portion of the total allowable catch for a specific fishery that will not be harvested by United States fishing vessels.

2. The Government of the United States shall determine each year, subject to such adjustments as may be necessitated by unforeseen circumstances affecting the stocks:

- (a) the total allowable catch for each fishery on the basis of the best available scientific evidence, taking into account the inter dependence of stocks, internationally accepted criteria, and all other relevant factors;
- (b) the harvesting capacity of United States fishing vessels in respect of each fishery;
- (c) the portion of the total allowable catch for a specific fishery that, on an annual basis, will not be harvested by United States fishing vessels; and
- (d) the allocation of such portion that can be made available to qualifying fishing vessels of the Member States of the Community.

3. In implementation of paragraph 2 (d) of this Article, the United States shall determine each year the measures necessary to prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery. Such measures may include *inter alia*:

- (a) designated areas where, and periods when, fishing shall be permitted, limited, or conducted only by specified types of fishing vessels or with specified types and quantities of fishing gear;
- (b) limitations on the catch of fish based on area, species, size, number, weight, sex, incidental catch, total biomass or other factors;
- (c) limitations on the number and types of fishing vessels that may engage in fishing and/or on the number of days each vessel or the total fleet may

engage in fishing in a designated area within the fishery conservation zone or for a specified fishery;

- (d) requirements as to the types of gear that may, or may not, be employed; and
- (e) requirements designed to facilitate enforcement of such conditions and restrictions, including the maintenance of appropriate position-fixing and identification equipment.

4. The Government of the United States shall notify the Community of the determinations provided for by this Article on a timely basis.

Article IV

In determining the portion of the surplus that may be made available to vessels of the Member States of the Community and vessels of other countries, the Government of the United States will promote the objective of optimum utilization, taking into account *inter alia* traditional fishing, if any, contributions to fishery research and the identification of stocks, previous cooperation in enforcement, previous cooperation with respect to conservation and management of fishery resources of mutual concern, and the need to minimize economic dislocation in cases where vessels have habitually fished for living resources over which the United States now exercises fishery management authority.

Article V

The Community shall take all necessary measures to assure:

- 1. that nationals and vessels of the Member States of the Community refrain from fishing for living resources over which the United States exercises fishery management authority except as authorized pursuant to this Agreement;
- 2. that all such vessels so authorized comply with the provisions of permits issued pursuant to this Agreement and applicable laws of the United States; and
- 3. that the total allocation referred to in paragraph 2 (d) of Article III of this Agreement is not exceeded for any fishery.

Article VI

The Community may submit an application to the Government of the United States for a permit for each fishing vessel of a Member State of the Community that wishes to engage in fishing in the fishery conservation zone pursuant to this Agreement. Such application shall be prepared and processed in accordance with Annex I, which constitutes an integral part of this Agreement. The Government of the United States may require the payment of reasonable fees for such permits.

Article VII

The Community shall take appropriate steps to assure that nationals and vessels of Member States of the Community refrain from harassing, hunting, capturing, or killing, or attempting to harass, hunt, capture or kill, any marine mammal within the United States fishery conservation zone, except as may be otherwise provided by an international agreement respecting marine mammals to which the United States is a Party, or in accordance with specific authorization for and controls on incidental taking of marine animals established by the Government of the United States.

Article VIII

The Community shall take appropriate steps to assure that in the conduct of the fisheries under this Agreement:

1. the authorizing permit for each vessel of Member States of the Community is prominently displayed in the wheelhouse of such vessel;
2. appropriate position-fixing and identification equipment, as determined by the Government of the United States, is installed and maintained in working order on each such vessel;
3. designated United States observers are permitted to board, upon request, any such fishing vessel, and shall be accorded the equivalent rank of ship's officer while aboard such vessel, and, further, the Government of the United States shall be reimbursed for the costs incurred in the utilization of observers;
4. agents are appointed and maintained within the United States possessing the authority to receive and respond to any legal process issued in the United States with respect to a vessel owner or operator for any cause arising out of the conduct of fishing activities under this Agreement; and
5. prompt and adequate compensation is made to United States citizens for any loss of, or damage to, their fishing vessels, fishing gear or catch that is caused by any fishing vessel of the Member States of the Community, as determined by applicable United States procedures.

Article IX

1. The Community shall take such measures as may be necessary to ensure that each vessel of Member States of the Community authorized to fish

pursuant to this Agreement, and any other fishing vessel of Member States of the Community that engages in fishing for living resources subject to the fishery management authority of the United States, shall allow and assist the boarding and inspection of such vessel by any duly authorized enforcement official of the United States, and shall cooperate in such enforcement action as may be undertaken pursuant to the laws of the United States.

2. In cases of an enforcement action undertaken by the authorities of the Government of the United States pursuant to this Agreement concerning fishing vessels of a Member State of the Community, the Government of the United States shall immediately notify the Community and the Member State concerned through diplomatic channels of the fact and the steps taken.

Article X

The Community undertakes to reinforce existing cooperation with the Government of the United States in the conduct of scientific research required for the purpose of managing and conserving living resources subject to the fishery management authority of the United States, including the compilation of best available scientific information required for the management and conservation of stocks of mutual concern. The competent agencies of the two Parties shall enter into such arrangements as may be necessary to facilitate such cooperation, including the exchange of information and scientists, regularly scheduled meetings between scientists to prepare research plans and review progress, and the implementation and maintenance of a standardized system for the collection and archiving of relevant statistical and biological information in accordance with the procedures in Annex II, which constitutes an integral part of this Agreement.

Article XI

1. The Parties agree that any existing bilateral agreement concerning fisheries between the United States and any Member State of the Community shall remain in force and shall not be prejudiced by this Agreement.

3. In the interest of conservation of anadromous species of United States origin, the Community will consult with the United States, in accordance with Article XII of this Agreement, regarding the management of such species within the fishery zones of its Member States to which the common fisheries policy of the Community applies.

Article XII

1. The Government of the United States and the Community shall carry out bilateral consultations regarding the implementation of this Agreement and the development of further cooperation in the field of fisheries of mutual concern, including the establishment of appropriate multilateral organizations for the collection and analysis of scientific data respecting such fisheries.

2. In the event of a dispute concerning the interpretation or application of this Agreement, such dispute shall be the subject of consultations between the Parties.

Article XIII

The Government of the United States undertakes to authorize fishing vessels of Member States of the Community allowed to fish pursuant to this Agreement to enter ports in accordance with United States laws for the purpose of purchasing bait, supplies, or outfits, or effecting repairs, changing crews, or for such other purposes as may be authorized.

Article XIV

Should the Government of the United States indicate to the Community that its nationals and vessels wish to engage in fishing in the fishery zone of a Member State of the Community to which the common fisheries policy applies, the Community is willing to

allow access in accordance with the provisions of its common fisheries policy and on terms not more restrictive than those established in accordance with this Agreement.

Article XV

Nothing contained in the present Agreement shall affect or prejudice in any manner the views of either Party with respect to any question relating to the law of the sea for purposes other than the conservation and management of fisheries as provided for in this Agreement.

Article XVI

1. Each Party shall notify the other of the completion of the procedures required under its internal law for the entry into force of this Agreement. The Agreement shall enter into force on the date of the last of such notifications and shall remain in force until 1 July 1984, unless extended by exchange of notes between the Parties. Notwithstanding the foregoing, either Party may terminate this Agreement at any time after giving notice of such termination one year in advance.

2. This Agreement shall be subject to review by the two Parties two years after its entry into force or upon the conclusion of a multilateral treaty resulting from the Third United Nations Conference on the Law of the Sea.

In witness whereof, the undersigned, being duly authorized for this purpose, have signed this Agreement.

Done at Washington on the fifteenth day of February, 1977, in duplicate, in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic.

For Rådet for De europæiske Fællesskaber

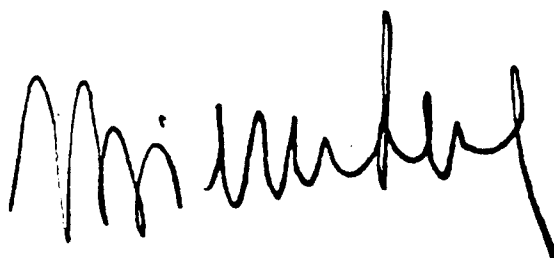
Für den Rat der Europäischen Gemeinschaften

For the Council of the European Communities

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad van de Europese Gemeenschappen

A handwritten signature in black ink, appearing to read "Bridges".A handwritten signature in black ink, appearing to read "Mink".

For regeringen for Amerikas Forenede Stater

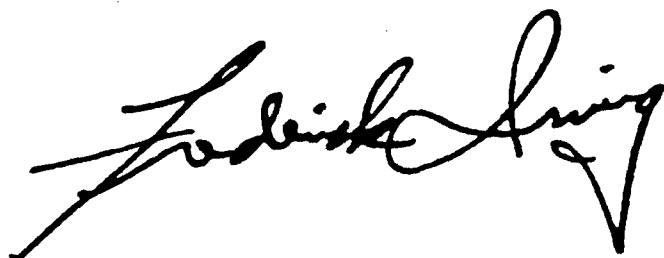
Für die Regierung der Vereinigten Staaten von Amerika

For the Government of the United States of America

Pour le gouvernement des États-Unis d'Amérique

Per il governo degli Stati Uniti d'America

Voor de Regering van de Verenigde Staten van Amerika

A handwritten signature in black ink, appearing to read "F. de la H. King".

*ANNEX I***APPLICATION AND PERMIT PROCEDURES**

The following procedures shall govern the application for and issuance of annual permits authorizing vessels of Member States of the Community to engage in fishing for living resources over which the United States exercises fishery management authority :

1. The Community may submit an application to the Government of the United States for each fishing vessel of a Member State of the Community that wishes to engage in fishing pursuant to this Agreement. Such application shall be made on forms provided by the Government of the United States for that purpose.
 2. Any such application shall specify :
 - (a) the name and official number or other identification of each fishing vessel for which a permit is sought, together with the name and address of the owner and operator thereof ;
 - (b) the tonnage, capacity, speed, processing equipment, type and quantity of fishing gear, and such other information relating to the fishing characteristics of the vessel as may be requested ;
 - (c) a specification of each fishery in which each vessel wishes to fish ;
 - (d) the amount of fish or tonnage of catch by species contemplated for each vessel during the time such permit is in force ;
 - (e) the ocean area in which, and the season or period during which, such fishing would be conducted ;
 - (f) such other relevant information as may be requested.
 3. The Government of the United States shall review each application, shall determine what conditions and restrictions related to fishery management and conservation may be needed, and what fee will be required. The Government of the United States shall inform the Community of such determinations.
 4. The Community shall thereupon notify the Government of the United States of its acceptance or rejection of such conditions and restrictions and, in the case of a rejection, of its objections thereto.
 5. Upon acceptance of the conditions and restrictions by the Community and the payment of any fees, the Government of the United States shall approve the application and issue a permit for each fishing vessel of a Member State of the Community, which fishing vessel shall thereupon be authorized to fish in accordance with this Agreement and the terms and conditions set forth in the permit. Such permits shall be issued for a specific vessel and shall not be transferred.
 6. In the event the Community notifies the United States of its objections to specific conditions and restrictions, the two Parties may consult with respect thereto and the Community may thereupon submit a revised application.
 7. The procedures in this Annex may be amended by agreement through an exchange of notes between the two Parties.
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ANNEX II

DATA COLLECTION AND REPORTING REQUIREMENTS FOR VESSELS OF MEMBER STATES OF THE COMMUNITY

The reporting procedure described below is designed to contribute to continuing needs for assessment of the status of stocks. However, specific needs may develop from time to time which require a change in standard procedures, or additional data for special studies. Also, the pattern of fisheries will change. These aspects require that the procedures for reporting must be flexible enough to accommodate necessary changes. It also implies that some form of archiving of the basic data be developed so that retrieval at a later date in a different format from that specified below is possible.

All data described below for the Atlantic area shall be reported to : 'the Director, Northeast Fisheries Center, National Marine Fisheries Service, Woods Hole, Massachusetts'.

1. Statistical information requirements for Atlantic fisheries

Catch and effort : three months after the close of each quarter, catch-effort statistics for biweekly time periods for 30-minute square areas will be reported by vessel for the previous quarter. These will be reported using bi-weekly 30-minute square Statlant 21 B forms or magnetic tape, computer cards or printouts for all species and gear types.

Vessel logbook data is to be available for selected, specific joint assessment studies. The collection of samples specified in 2 below should also be annotated in the logbook.

2. Procedures for scientific samples from Atlantic fisheries*(a) Length-age composition samples*

- (1) Samples will be taken separately for each gear type (e.g. bottom trawl, pelagic trawl, purse seine) and water layer (e.g. on the bottom, midwater level) combination every month for which fishing is pursued by 30-minute square areas throughout the agreement region. One sample will be taken for every 1 000 tonnes or fraction thereof within the above categories.

- (2) Data to be recorded for each sample :

- vessel classification,
- method of fishing : e.g. pelagic,
- specific type of trawl, including reference to its construction or actual scale drawing,
- mesh sizes,
- tonnage of the species sampled in the trawl haul,
- total weight of the fish sampled,
- time of day of haul,
- date,
- latitude and longitude of haul.

- (3) Sampling procedures :

A. Species for which the catch is sorted :

- (i) from a single net haul take four random aliquots of approximately 50 fish each (for species with less than 200 fish in a single trawl haul accumulate samples over trawl hauls until approximately 200 fish are taken) ;
- (ii) measure fork length for each fish to nearest centimetre, except for herring where the measurement will be the total length to the nearest centimetre below. Where other measurement systems are used, appropriate conversion information must be supplied ;
- (iii) take a subsample of one fish from each centimetre interval and remove scales and otoliths as appropriate. Record the sex of mature individuals.

B. Species for which catch is not sorted :

- (i) from a single trawl take two random aliquots of approximately 30 kilograms each ;
- (ii) sort to individual species (for 'river herring' this means sorting to alewife *Alosa pseudoharengus* and blueback *A. aestivalis*) ;
- (iii) measure fork length for each fish to nearest centimetre, except for herring where the measurement will be the total length to the nearest centimetre below. Where other measurement systems are used, appropriate conversion information must be supplied ;
- (iv) take a subsample of one fish from each centimetre interval and remove scales and otoliths as appropriate. Record the sex of mature individuals.

(b) *Length-weight samples*

Individuals of one sample of each principal species of fish (e.g. expected yearly catch in the area of agreement of 500 or more tonnes), per International Commission for the Northwest Atlantic Fisheries (ICNAF) Division per month, will be weighed in grams and measured in millimetres. Each sample will contain 10 fish per centimetre interval for the length range of fish and may be accumulated if necessary from small samples taken over several catches and days. With small fish, where weighing at sea of individuals is not accurate, appropriate numbers of fish of the same length class shall be weighed in aggregate. Sex shall be recorded for mature individuals.

- 3. Applicable data collection and reporting requirements for fisheries in areas other than the Atlantic will be provided as necessary by the United States.
 - 4. The procedures in this Annex may be amended by agreement through an exchange of notes between the two Parties.
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COMMISSION REGULATION (EEC) No 1221/77

of 8 June 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 9 June 1977.

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

Done at Brussels, 8 June 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 8 June 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	99.11
10.01 B	Durum wheat	143.80 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	76.15 ⁽⁶⁾
10.03	Barley	63.54
10.04	Oats	58.21
10.05 B	Maize, other than hybrid maize for sowing	67.82 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	77.52 ⁽⁴⁾
10.07 C	Grain sorghum	76.41 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	150.92
11.01 B	Rye flour	118.76
11.02 A I a)	Durum wheat groats and meal	233.38
11.02 A I b)	Common wheat groats and meal	161.30

⁽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 1222/77

of 8 June 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 9 June 1977.

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

Done at Brussels, 8 June 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 8 June 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 6	1st period 7	2nd period 8	3rd period 9
10.01 A	Common wheat, and meslin	0	0.74	0.74	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	2.97	2.97	2.97
10.04	Oats	0	0.37	0.37	0.37
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	1.05	1.05	0

B. Malt

(u.a./tonne)

CCT heading No	Description of goods	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
11.07 A I(a)	Unroasted malt, obtained from wheat, in the form of flour	0	1.32	1.32	0	0
11.07 A I(b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0.98	0.98	0	0
11.07 A II(a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	5.29	5.29	5.29	5.29
11.07 A II(b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	3.95	3.95	3.95	3.95
11.07 B	Roasted malt	0	4.60	4.60	4.60	4.60

COMMISSION REGULATION (EEC) No 1223/77
of 8 June 1977
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2137/76 ⁽²⁾, as last
amended by Regulation (EEC) No 1133/77 ⁽³⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2137/76
to the offer prices and today's quotations known to

the Commission that the levies at present in force
should be altered as shown in the table annexed to
this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 9 June 1977.

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

Done at Brussels, 8 June 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 240, 1. 9. 1976, p. 5.

⁽³⁾ OJ No L 135, 1. 6. 1977, p. 5.

ANNEX

to the Commission Regulation of 8 June 1977 fixing the import levies on rice and broken rice

CCT heading No	Description of goods	Third countries	ACP or OCT ⁽¹⁾ ⁽²⁾
10.06	Rice :		
	A. Paddy rice ; husked rice :		
	I. Paddy rice :		
	a) Round grain	89.64	41.82
	b) Long grain	105.92	49.96
	II. Husked rice :		
	a) Round grain	112.05	53.03
	b) Long grain	132.40	63.20
	B. Semi-milled or wholly milled rice :		
	I. Semi-milled rice :		
	a) Round grain	163.42	71.81
	b) Long grain	243.07	111.67
	II. Wholly milled rice :		
	a) Round grain	174.04	76.77
	b) Long grain	260.57	120.04
	C. Broken rice :	60.97	27.99

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

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

COMMISSION REGULATION (EEC) No 1224/77**of 8 June 1977****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 2138/76 ⁽²⁾, as last amended by Regulation (EEC)
No 1134/77 ⁽³⁾;

Whereas, on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in

force, which are to be added to the levies, should be
altered as shown in the table annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 9 June 1977.

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

Done at Brussels, 8 June 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 240, 1. 9. 1976, p. 8.

⁽³⁾ OJ No L 135, 1. 6. 1977, p. 7.

ANNEX

to the Commission Regulation of 8 June 1977 fixing the premiums to be added to the import levies on rice and broken rice

(u.d. / tonne)

CCT heading No	Description of goods	Current 6	1st period 7	2nd period 8	3rd period 9
10.06	Rice :				
	A. Paddy rice ; husked rice :				
	I. Paddy rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Husked rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	B. Semi-milled or wholly milled rice :				
	I. Semi-milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Wholly milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	C. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 1225/77

of 7 June 1977

establishing the standard average values for customs purposes of citrus fruits
and apples and pears

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Commission Regulation (EEC) No
1570/70 of 3 August 1970 establishing a system of
standard average values for citrus fruits⁽¹⁾, as last
amended by Regulation (EEC) No 1937/74 of 24 July
1974⁽²⁾, and in particular Article 2 thereof,

Having regard to Commission Regulation (EEC) No
1641/75 of 27 June 1975 establishing a system of
standard average values for the determination of the
value for customs purposes of apples and pears⁽³⁾, and
in particular Articles 2 and 8 thereof,

Whereas it follows from the application of the notes
and criteria laid down by Regulations (EEC) No
1570/70 and (EEC) No 1641/75 to the elements

communicated to the Commission in accordance with
Article 4 (1) of Regulation (EEC) No 1570/70 and
Article 4 (1) of Regulation (EEC) No 1641/75 that the
standard average values should be fixed as shown in
the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The standard average values provided for in Article 2
(1) of Regulation (EEC) No 1570/70 and in Article 2
(1) of Regulation (EEC) No 1641/75 shall be as shown
in the tables in the Annex.

Article 2

This Regulation shall enter into force on 10 June
1977.

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

Done at Brussels, 7 June 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 171, 4. 8. 1970, p. 10.

⁽²⁾ OJ No L 203, 25. 7. 1974, p. 25.

⁽³⁾ OJ No L 165, 28. 6. 1975, p. 45.

ANNEX

Table I: Citrus fruits

Code	Description of goods	Amount of standard average values/100 kg gross							
		Bfrs/Lfrs	Dkr	DM	FF	£ Irish	Lit	Fl	£ sterling
1.	Lemons :								
1.1	— Spain	1 332	221·63	86·82	182·14	21·43	32 543	90·77	21·43
1.2	— Tunisia, Morocco, Algeria	—	—	—	—	—	—	—	—
1.3	— Countries in southern Africa.	1 542	256·66	100·54	210·92	24·81	37 685	105·11	24·81
1.4	— Other African countries and countries on the Mediterranean	—	—	—	—	—	—	—	—
1.5	— USA	1 351	224·88	88·10	184·80	21·74	33 019	92·09	21·74
1.6	— Other countries	—	—	—	—	—	—	—	—
2.	Sweet oranges :								
2.1	— Countries on the Mediterranean :								
2.1.1	— Navels (with the exception of Navel sanguines), Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese blondes, Shamoutis, Ovalis, Trovita, Hamlins	1 124	187·05	73·28	153·72	18·08	27 465	76·60	18·08
2.1.2	— Sanguines and semi-sanguines, including Navel sanguines and Maltese sanguines.	—	—	—	—	—	—	—	—
2.1.3	— Other	—	—	—	—	—	—	—	—
2.2	— Countries in southern Africa.	1 139	189·64	74·29	155·85	18·33	27 846	77·67	18·33
2.3	— USA	1 305	217·26	85·11	178·54	21·01	31 900	88·98	21·01
2.4	— Brazil	—	—	—	—	—	—	—	—
2.5	— Other countries	1 159	192·89	75·57	158·52	18·65	28 323	79·00	18·65
3.	Grapefruit and pomelos :								
3.1	— Tunisia, Morocco, Algeria	—	—	—	—	—	—	—	—
3.2	— Cyprus, Israel, Gaza, Egypt, Turkey	865	143·98	56·40	118·32	13·92	21 140	58·96	13·92
3.3	— Countries in southern Africa.	1 084	180·50	70·71	148·33	17·45	26 502	73·92	17·45
3.4	— USA	1 293	215·28	84·33	176·91	20·81	31 609	88·16	20·81
3.5	— Other American countries.	1 049	174·66	68·42	143·53	16·89	25 645	71·53	16·89
3.6	— Other countries	910	151·49	59·35	124·49	14·65	22 244	62·04	14·65
4.	Clementines.	—	—	—	—	—	—	—	—
5.	Mandarines including wilkings	—	—	—	—	—	—	—	—
6.	Monreales and satsumas	—	—	—	—	—	—	—	—
7.	Tangerines	—	—	—	—	—	—	—	—

Table II: Apples and pears

8.	Apples :								
8.1	— Countries of the southern hemisphere.	2 168	347·26	141·32	296·45	38·03	52 966	147·73	30·41
8.2	— European third countries	—	—	—	—	—	—	—	—
8.3	— Countries of the northern hemisphere other than European countries	—	—	—	—	—	—	—	—
9.	Pears :								
9.1	— Countries of the southern hemisphere.	2 095	355·44	136·62	286·59	23·55	51 205	142·82	23·55
9.2	— European third countries	—	—	—	—	—	—	—	—
9.3	— Countries of the northern hemisphere other than European countries	—	—	—	—	—	—	—	—

COMMISSION REGULATION (EEC) No 1226/77

of 8 June 1977

laying down rules for the sale of olive oil held by the intervention agencies

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas Commission Regulation (EEC) No 589/68 of
14 May 1968 on detailed rules for the sale of olive oil
held by intervention agencies⁽³⁾, as last amended by
Regulation (EEC) No 782/77⁽⁴⁾, laid down the condi-
tions for the sale by tender on the Community market
of oil held by the intervention agencies; whereas expe-
rience has shown that the procedure laid down in that
Regulation does not enable the oil in question to be
put up for sale under the most favourable conditions;

Whereas olive oil held by the intervention agencies
must be sold without discrimination among Commu-
nity purchasers and on the best possible terms;
whereas sale by tender seems an appropriate proce-
dure for this purpose;

Whereas, however, certain special situations may call
for the use of other procedures;

Whereas, in order to ensure that the olive oil is sold
when the market situation is most favourable, sales
should be subject to a decision taken in accordance
with the procedure laid down in Article 38 of Regula-
tion No 136/66/EEC;

Whereas, where there is a risk of market disturbance,
provision should be made for limiting the quantity
which may be awarded to any one tenderer;

Whereas, since the object of holding an invitation to
tender is to obtain the best price, contracts should be
awarded to the tenderers quoting the highest prices,
subject always to a minimum price established by
reference to the market situation;

Whereas, moreover, provisions should be laid down to
deal with cases where two or more tenders relating to
the same quantity quote the same price;

Whereas in some cases olive-residue oil is stored in
especially large containers; whereas the purchase of
such quantities can interest only a limited number of
traders;

Whereas the transfer of such oil to other containers
might pose technical problems; whereas provision
should therefore be made whereby such oil may be
sold in more than one lot;

Whereas, in order to ensure that the sales take place
in a proper manner, provisions must be made for
certain information to be given in the invitation to
tender and in each tender;

Whereas prospective tenderers should be encouraged
by being permitted to familiarize themselves with the
characteristics of the products on sale; whereas, as a
corollary to this facility, such persons must be
required to waive all claims regarding the characteris-
tics of any oil eventually awarded to them;

Whereas, in order to guarantee performance of the
obligations resulting from the submission of a tender,
provision should be made for the lodging of a secu-
rity;

Whereas, since the quantity of oil sold may be
different from that actually withdrawn, the final
selling price cannot be calculated until withdrawal has
been completed; whereas, in order to ensure that the
sale is properly conducted, the provisional price
should be paid before withdrawal;

Whereas, in order to ensure the rapid disposal of the
oil sold, the time at which the oil must be placed at
the purchaser's disposal and the final date for comple-
tion of the withdrawal of the oil should be laid down;
whereas it should also be provided that any
consequences of delay in withdrawal should be borne
by the purchaser;

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

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 112, 15. 5. 1968, p. 6.

⁽⁴⁾ OJ No L 95, 19. 4. 1977, p. 13.

HAS ADOPTED THIS REGULATION:

Article 1

Intervention agencies may sell olive oil held by them only after a decision in respect of such sale has been taken in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

This Decision shall relate in particular, to:

- the quantity and quality of the oil to be put up for sale,
- the method of sale,
- the date or dates of publication of the notice of sale,
- the date or dates of the sale,
- where appropriate, the maximum quantity which may be awarded to each tenderer.

Article 2

1. The olive oil held by intervention agencies shall be sold by tender. However, in special circumstances, it may be sold by some other procedure.

2. The terms of the invitation to tender or other selling procedure must ensure equal access and treatment to all prospective purchasers irrespective of their place of establishment in the Community.

Article 3

'Sale by tender' means a procedure whereby all interested parties are invited to submit offers, the contract for each lot being awarded to the person offering the highest price, provided always that such price is at least equal to a set minimum price.

Such minimum price shall be fixed in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC:

- either in the decision providing for the opening of the invitation to tender, or
- on the basis of the tenders received.

Where, however, no minimum price has been fixed pursuant to the first indent, a decision may be taken, in accordance with the aforesaid procedure and in the light of the tenders received, to make no award.

Article 4

Where it is decided that the sale is to be by tender, the intervention agency concerned shall draw up the invitation to tender. This invitation shall be communicated to the Commission without delay.

The invitation shall be published by *inter alia* being placed on public display at the office of the intervention agency.

Article 5

1. The invitation to tender shall specify all the terms and conditions of the invitation to tender, including in particular the following:

- (a) the quantity of oil in each lot;
- (b) the name of the storage depot and the place of storage of each lot, together with the number of such lot;
- (c) the quality of the oil constitution each lot;
- (d) the minimum price, if any;
- (e) the time limit and place for the submission of tenders;
- (f) the date or dates of sale;
- (g) the amount of the security referred to in Article 8.

2. For the purposes of this Regulation, 'lot' means the quantity of olive oil contained in a single container.

However, in the case of olive-residue oil, if the oil contained in one container exceeds a quantity to be determined, the intervention agency concerned may be authorized to make up a lot out of part only of that oil.

3. The minimum price shall be net of tax and relate to 100 kilograms of olive oil delivered ex-storage depot, either in the purchaser's own drums loaded on a vehicle provided by him or in the purchaser's tank vehicle.

Article 6

Prospective purchasers may examine at the storage depot the oil offered for sale and may obtain a sample thereof, in containers supplied by them for that purpose, on payment of a price determined on the basis of either the minimum price fixed in the invitation to tender or the price at which the oil was bought in by the intervention agency.

This sample shall be put into two labelled bottles, which shall be sealed in the presence of both the storer and the prospective purchaser or his duly authorized agent.

One bottle shall be given to the prospective purchaser and the other to the storer, so that, in the event that oil is sold to the former, a check may be made to ensure that, subject as provided in the last sentence of Article 14 (1), the oil applied for by him corresponds to that actually delivered.

Article 7

1. Tenders, which shall be in writing, shall either be delivered personally to the intervention agency against acknowledgment of receipt or sent to the intervention agency by registered letter, telex or telegram.
2. Tenders shall indicate in particular:
 - (a) the name and full postal address of the tenderer;
 - (b) the number or numbers of the lot or lots concerned, the name of the storage depot, and the place of storage;
 - (c) the offer price per 100 kilograms.
3. Any tender not stating a price at least equal to the minimum price fixed for the product in question shall be refused.
4. Each tender must relate to all the oil contained in at least one lot.
5. Tenders may not be withdrawn.
6. A tender shall be valid only if it is accompanied by:
 - (a) a security;
 - (b) a statement by the tenderer waiving any claim as to the accuracy of the description under which the oil concerned is offered for sale.

Article 8

1. The security shall be in cash or by way of a guarantee issued by a credit institution satisfying the criteria laid down by the Member State in which it is situated.
2. The security shall be released if no sale is made to the party concerned. It shall likewise be released when the purchaser pays the final amount of the price referred to in Article 14.

Article 9

The oil in each particular lot shall be sold to the tenderer having submitted a valid tender offering the highest price. Where the same highest bid is made by more than one tenderer the purchaser shall be chosen by lot by the intervention agency.

Article 10

The intervention agency shall immediately inform each tenderer by registered letter of the result of his participation in the invitation to tender.

Article 11

1. On receipt by the successful tenderer of the information referred to in Article 10, the container or

containers awarded shall be sealed in the presence of both parties. The container or containers concerned shall remain sealed until withdrawal of the oil by the purchaser.

2. In addition, in the case of lampante oils and olive-residue oils, an acidity analysis shall be carried out in the presence of both parties before the placing of the seals referred to in paragraph 1. If the degree of acidity as so determined does not correspond to that in respect of which the minimum price was fixed, the selling price shall be adjusted upwards or downwards by amounts to be determined.

3. Where sealing in the presence of both parties has not been effected within 20 days following the dispatch of the information referred to in Article 10, the intervention agency shall forthwith itself seal the containers awarded. Where the oil awarded is a lampante oil or an olive-residue oil, the intervention agency shall, before sealing, effect an analysis of the acidity of the oil.

Article 12

1. The purchaser shall pay to the intervention agency, before withdrawing the oil and in any event not later than the 30th day following receipt of the information referred to in Article 10, the provisional amount of the selling price. Without prejudice to any domestic taxes applicable, such amount shall be calculated by multiplying the quantity indicated as being contained in the lot by the price offered for that lot.

2. If the provisional amount is not paid to the intervention agency within the period laid down in paragraph 1, the sale shall, without any special formality or invocation of legal process, be cancelled. In that event, the security referred to in Article 8 shall be forfeit.

Article 13

1. Purchasers shall withdraw the entire lot awarded. Withdrawal may begin as soon as the provisional amount referred to in Article 12 (1) has been paid; it shall be completed not later than the 40th day following the sale of the oil.

2. The quantity of oil delivered to the tenderer may differ from the quantity in respect of which the tender was submitted, depending on the actual quantity in the container at the time of delivery.

Article 14

1. When the withdrawal of the oil is complete the intervention agency shall draw up an invoice for the final amount of the selling price.

Without prejudice to any domestic tax applicable, the final amount shall be calculated by multiplying the quantity actually withdrawn, after the weight of water and impurities above 0.2 % in the case of virgin olive oil and 0.5 % in the case of olive-residue oil has been deducted, by the price offered for the lot in question. The weight of water and impurities shall be determined at the time of delivery by an analysis of a representative sample.

2. The invoice shall show the debit or credit balance, which shall be equal to the difference between :

- the provisional amount,
- the final amount of the selling price plus any storage charge payable pursuant to Article 15 (b).

The balance shall be paid within 30 days following completion of withdrawal of the oil.

Article 15

If withdrawal of the oil is not completed by the date laid down in Article 14 (1) :

- (a) the oil remaining in storage shall be held at the purchaser's own risk ;
- (b) the purchaser shall pay to the intervention agency a storage charge calculated by reference to the quantity to be withdrawn plus an amount to be determined for each period of 30 days of additional storage or part thereof.

Article 16

Regulation (EEC) No 589/68 is hereby repealed.

Article 17

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, 8 June 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1227/77

of 8 June 1977

amending Regulation (EEC) No 2101/75 as regards a standing invitation to tender for the purpose of white sugar exports during the marketing year 1976/77

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 1110/77⁽²⁾, and in particular Article 12 (2) thereof,

Whereas, in accordance with Commission Regulation (EEC) No 2101/75 of 11 August 1975 on a standing invitation to tender in order to determine a levy and/or refund on exports of white sugar⁽³⁾, as last amended by Regulation (EEC) No 2924/76⁽⁴⁾, the Member States issue partial invitations to tender for the export of such sugar;

Whereas, in order to take into account the present supply situation in the Community and on the world market, export licences issued from a certain date in connection with the abovementioned invitation to tender should have a period of validity other than that initially provided for;

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

HAS ADOPTED THIS REGULATION:

Article 1

The second subparagraph of Article 13 (2) (b) of Regulation (EEC) No 2101/75 is hereby amended to read as follows:

'(b) export licences issued in connection with a partial invitation to tender held:

— after 30 April and not later than 8 June 1977, shall be valid only until 30 September 1977,

— after 8 June 1977, shall be valid only until 31 October 1977.'

Article 2

This Regulation shall enter into force on 9 June 1977.

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

Done at Brussels, 8 June 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1977, p. 1.

⁽³⁾ OJ No L 214, 12. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 333, 2. 12. 1976, p. 17.

COMMISSION REGULATION (EEC) No 1228/77

of 8 June 1977

re-establishing the levying of customs duties on household utensils of wood, falling within heading No 44.24, originating in Thailand to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3021/76 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3021/76 of 13 December 1976 establishing preferential tariffs in respect of certain products originating in developing countries⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) and (4) of that Regulation provides that the customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A of the Regulation in question — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1974 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 172.5 % of that resulting from the substitution of the year 1971 for the year 1974 in the first term of the addition, and of the year 1972 for the year 1974 in the second term of the addition;

Whereas, having regard to that ceiling, the amounts for products originating in any one of the countries or territories listed in Annex B to that Regulation 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 A to that Regulation;

Whereas Article 2 (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 or territories — with the exception of those listed in Annex C to the same Regulation — once the relevant Community amount has been reached;

Whereas, in respect of household utensils of wood, the ceiling, calculated as indicated above, should be 2 576 000 units of account, and therefore the maximum amount is 1 288 000 units of account; whereas on 31 May 1977, the amounts of imports into the Community of the products in question, originating in Thailand, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 3021/76, 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 Thailand,

HAS ADOPTED THIS REGULATION:

Article 1

As from 12 June 1977, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3021/76, shall be re-established in respect of the following products, imported into the Community and originating in Thailand:

CCT heading No	Description of goods
44.24	Household utensils of wood

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, 8 June 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 349, 20. 12. 1976, p. 23.

COMMISSION REGULATION (EEC) No 1229/77

of 8 June 1977

re-establishing the levying of customs duties on spoons, forks, fish-eaters, etc., of stainless steel, falling within subheading 82.14 A, originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3021/76 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3021/76 of 13 December 1976 establishing preferential tariffs in respect of certain products originating in developing countries⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that the customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A of the Regulation in question — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1974 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 172.5 % of that resulting from the substitution of the year 1971 for the year 1974 in the first term of the addition, and of the year 1972 for the year 1974 in the second term of the addition;

Whereas Article 2 (1) of that Regulation provides that the levying of customs duties may be re-established at any time once the Community ceiling has been reached;

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

Done at Brussels, 8 June 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

Whereas, in respect of spoons, forks, fish-eaters, etc., of stainless steel, falling within subheading 82.14 A, the ceiling, calculated as indicated above, should be 4 437 000 units of account; whereas on 1 June 1977, the amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 3021/76, which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

As from 12 June 1977, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3021/76, shall be re-established in respect of the following products, imported into the Community:

CCT heading No	Description of goods
82.14	Spoons, forks, fish-eaters, butter-knives, ladles, and similar kitchen or tableware: A. Of stainless steel

Article 2

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

⁽¹⁾ OJ No L 349, 20. 12. 1976, p. 23.

CORRIGENDA

Corrigendum to 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

(Official Journal of the European Communities No L 134 of 28 May 1977)

Page 54, Annex I, Zone I (d):

for: 'Youslavia',

read: 'Yugoslavia'.

Page 54, Annex I, Zone V (a):

between 'Chad' and 'Cameroon' insert 'Gabon'.
