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Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1230/77

of 9 June 1977

**concerning the allocation of a Community quota of wine of fresh grapes,
intended to be fortified for distillation, originating in Algeria (1977/78)**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1516/76 of 24 June 1976 on imports of wine of fresh
grapes, intended to be fortified for distillation, origi-
nating in Algeria⁽¹⁾, and in particular Article 3(1)
thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 1516/76 lays down
that, pursuant to the Cooperation Agreement and the
Interim Agreement⁽²⁾ signed on 26 April 1976 by the
European Economic Community and the People's
Democratic Republic of Algeria, wines of fresh grapes,
intended for fortifying, falling within subheadings
22.05 C I ex b) and C II ex b) of the Common
Customs Tariff, originating in Algeria, may be
imported into the Community with a tariff concession
consisting of an 80 % reduction in the customs duties
and within the limits of a Community quota subject
to observance of a special price; whereas the annual
quota is 500 000 hectolitres per year for four years
from the entry into force of the Interim Agreement;
whereas the second annual Community quota should
be allocated for the period between 1 July 1977 to 30
June 1978;

Whereas, in order to follow as closely as possible the
actual development of the market in the products in
question, such allocation must be effected in propor-
tion to Member States' requirements, calculated on
the basis of the statistics on imports of the said
products from Algeria during a representative period
and also on the basis of the economic prospects for
the tariff period under consideration;

Whereas, however, in this case, there are no Commu-
nity or national statistics for the wines in question;

whereas, provision should consequently be made for
allocating the total quota into shares which take
account of the capacity of the markets of the Member
States to absorb the said wines;

Whereas, in order to take account in these conditions
of the uncertainty in trends in imports into the
Member States of the product concerned, the quota
should be divided into two instalments; the first to be
allocated among all the Member States and the second
to form a reserve intended to cover any subsequent
requirements of Member States which have used up
their initial shares;

Whereas Member States may use up their initial
shares at different rates; whereas to provide for this
eventuality and to avoid disruption of supplies, any
Member State which has almost used up its initial
share should draw an additional share from the
reserve; whereas this should be done by each Member
State when each of its additional shares has been
almost used up, and so on as many times as the
reserve allows; whereas the initial and additional
shares should be valid until the end of the quota
period;

Whereas if, at a given date in the quota period, a
considerable quantity of a Member State's initial share
remains unused, it is essential that that Member State
should return it to the reserve so as to prevent a part
of the quota from remaining unused in one Member
State when it could be used in others;

Whereas, since the Kingdom of Belgium, the
Kingdom of the Netherlands and the Grand Duchy of
Luxembourg are united within and jointly represented
by the Benelux Economic Union any measure
concerning the administration of the shares allocated
to that economic union may be carried out by any
one of its members,

⁽¹⁾ OJ No L 169, 28. 6. 1976, p. 29.

⁽²⁾ OJ No L 141, 28. 5. 1976, p. 2.

HAS ADOPTED THIS REGULATION:

Article 1

The 500 000 hectolitres quota opened for wine of fresh grapes intended for fortifying, originating in Algeria, under the conditions laid down by Regulation (EEC) No 1516/76, shall be allocated as follows among the Member States for the period from 1 July 1977 to 30 June 1978:

	<i>(in hectolitres)</i>
Benelux	30 000
Denmark	1 250
Germany	115 000
France	100 000
Ireland	1 250
Italy	100 000
United Kingdom	7 500

The remaining 145 000 hectolitres shall constitute the reserve.

Article 2

1. If 90 % or more of any Member State's initial share as fixed in Article 1 is used for fortifying as part of its initial share, that Member State shall forthwith by notifying the Commission, draw a second share which may amount to the total quantities actually used for fortifying, to the extent that the reserve so permits.

2. Other shares may be drawn in accordance with the same conditions until the reserve is used up.

3. Member States shall return to the reserve, not later than 1 April 1978, the unused share of their quota. The reserve shall be used in accordance with paragraph 2.

Article 3

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, 9 June 1977.

For the Council

The President

J. SILKIN

COMMISSION REGULATION (EEC) No 1231/77

of 9 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 10 June
1977.

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

Done at Brussels, 9 June 1977.

For the Commission

Guido BRUNNER

Member of the Commission

⁽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 9 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	77.26 ⁽⁶⁾
10.03	Barley	66.51
10.04	Oats	58.21
10.05 B	Maize, other than hybrid maize for sowing	69.49 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	78.26 ⁽⁴⁾
10.07 C	Grain sorghum	77.52 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	150.92
11.01 B	Rye flour	120.31
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 1232/77**of 9 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 10 June
1977.

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

Done at Brussels, 9 June 1977.

For the Commission

Guido BRUNNER

Member of the Commission

⁽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 9 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	1.11	1.11	1.11
10.04	Oats	0	0.37	0.37	0.37
10.05 B	Maize, other than hybrid maize for sowing	0	0.73	0.73	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	1.98	1.98	1.98	1.98
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	1.48	1.48	1.48	1.48
11.07 B	Roasted malt	0	1.72	1.72	1.72	1.72

COMMISSION REGULATION (EEC) No 1233/77
of 9 June 1977
fixing the minimum import levies on olive oil

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⁾,

Having regard to Council Regulation No 162/66/EEC of 27 October 1966 on trade in oils and fats between the Community and Greece⁽³⁾,

Having regard to Council Regulation (EEC) No 2843/76 of 23 November 1976 laying down special measures in particular for the determination of the offers of olive oil on the world market⁽⁴⁾, and in particular Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 2844/76 of 23 November 1976 laying down special measures in particular for the determination of the offers of olive oil on the Greek market⁽⁵⁾, and in particular Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil from Algeria⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil from Morocco⁽⁷⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil from Tunisia⁽⁸⁾, and in particular Article 5 thereof,

Whereas, in Regulation (EEC) No 1362/76 of 14 June 1976⁽⁹⁾, the Commission decided to use the tendering procedure to fix the levies on olive oil;

Whereas Article 4 of Commission Regulation (EEC) No 3188/76 of 23 December 1976 on detailed rules

for the implementation of the special measures for the determination of offers of olive oil on the world market and the Greek market⁽¹⁰⁾, as last amended by Regulation (EEC) No 983/77⁽¹¹⁾, lays down the criteria for fixing the rate of the minimum levy;

Whereas that rate must be fixed for each of the products concerned on the basis of an examination of the world or Greek markets and of the Community market, and also of the levy rates indicated by the tenderers;

Whereas account should be taken of the oil content of products other than olive oil; whereas, however, no levies are applied to imports of oil-cake and other residues falling within subheading 23.04 A of the Common Customs Tariff and having an oil content of not more than 3 %;

Whereas account should be taken in applying the levy of the provisions of the agreements between the Community and certain non-member countries; whereas, in particular, the levy must be calculated on the basis of the levy to be collected on imports from non-member countries;

Whereas the application of the rules described above to the levy rates submitted by tenderers on 6 and 7 June 1977 results in the fixing of the minimum levies as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on imports of olive oil shall be as shown in the Annex.

Article 2

This Regulation shall enter into force on 10 June 1977.

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No 197, 29. 10. 1966, p. 3393/66.

⁽⁴⁾ OJ No L 327, 26. 11. 1976, p. 4.

⁽⁵⁾ OJ No L 327, 26. 11. 1976, p. 6.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁸⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁹⁾ OJ No L 154, 15. 6. 1976, p. 13.

⁽¹⁰⁾ OJ No L 359, 30. 12. 1976, p. 26.

⁽¹¹⁾ OJ No L 118, 11. 5. 1977, p. 7.

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

Done at Brussels, 9 June 1977.

For the Commission

Guido BRUNNER

Member of the Commission

ANNEX

to the Commission Regulation of 9 June 1977 fixing the minimum import levies on olive oil

(u.a. / 100 kg)

CCT heading No	Greece	Non-member countries
07.01 N II	7.00	9.00
07.03 A II	7.00	8.00
15.07 A I a)	35.00	49.00 ⁽¹⁾
15.07 A I b)	54.00	101.00 ⁽²⁾
15.07 A II a)	27.00 ⁽³⁾	43.50 ⁽³⁾
15.07 A II b)	35.00 ⁽³⁾	54.00 ⁽³⁾
15.17 A I	16.00	21.00
15.17 A II	26.00	34.00
23.04 A	3.00	3.00 ⁽⁴⁾

⁽¹⁾ For imports of oil falling within this tariff subheading and produced entirely in Algeria, Morocco or Tunisia and transported directly from those countries to the Community, the levy to be collected is reduced by 3.20 u.a. / 100 kg.

⁽²⁾ For imports of oil falling within this tariff subheading and produced entirely in Algeria, Morocco or Tunisia and transported directly from those countries to the Community, the levy to be collected is reduced by 6 u.a. / 100 kg.

⁽³⁾ For imports of oil falling within this tariff subheading and produced entirely in one of the countries listed below and transported directly from those countries to the Community, the levy to be collected is reduced by:

(a) Greece and Spain: 0.50 u.a. / 100 kg;

(b) Turkey: 0.50 u.a. / 100 kg; in addition, and provided that the operator furnishes proof of having paid the export tax applied by Turkey, the levy is reduced by 4.5 u.a. / 100 kg;

(c) Algeria, Morocco, Tunisia: 20.50 u.a. / 100 kg provided that the operator furnishes proof of having paid the export tax applied by those countries; however, the repayment may not exceed the amount of the tax in force.

⁽⁴⁾ Pursuant to Article 3 of Regulations (EEC) No 2843/76 and (EEC) No 2844/76, no import levy is collected on oil-cake and other residues falling within subheading 23.04 A of the Common Customs Tariff and having an oil content of not more than 3%.

COMMISSION REGULATION (EEC) No 1234/77

of 9 June 1977

amending various common agricultural policy Regulations following the consolidation of provisions on the Community transit procedure

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty of Accession⁽¹⁾,

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⁽²⁾, as last amended by Regulation (EEC) No 557/76⁽³⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 1930/75 of 22 July 1975 laying down special provisions applicable to trade in tomato concentrates between the Community as originally constituted and the new Member States⁽⁴⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽⁵⁾, as last amended by Regulation (EEC) No 3138/76⁽⁶⁾, and in particular Articles 7 (5), 12 (2), 15 (5) and 16 (6) thereof and the corresponding provisions of the other Regulations on the common organization of the market in agricultural products,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽⁷⁾, and in particular the second subparagraph of Article 7 (2) and Article 7 (3) thereof and the corresponding provisions of the other Regulations laying down general rules for granting refunds and criteria for fixing the amount of such refunds in the other agricultural sectors,

Having regard to the provisions mentioned in the citations of:

- Commission Regulation (EEC) No 269/73 of 31 January 1973 laying down detailed rules for the application of the system of accession compensatory amounts⁽⁸⁾, as last amended by Regulation (EEC) No 121/75⁽⁹⁾,
- Commission Regulation (EEC) No 645/75 of 13 March 1975 laying down common detailed rules for the application of the export levies and charges on agricultural products⁽¹⁰⁾,

Whereas Commission Regulation (EEC) No 223/77 of 22 December 1976 on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure⁽¹¹⁾ replaces a certain number of Regulations which are quoted in Regulations concerning the common agricultural policy; whereas the Regulations in which reference is made to the Regulations repealed by Regulation (EEC) No 223/77 should consequently be amended;

Whereas the measures provided for in this Regulation are in accordance with the opinions of all the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

1. In the following provisions the reference 'Article 1 of Regulation (EEC) No 2315/69' is hereby replaced by the reference 'Article 10 of Regulation (EEC) No 223/77':

- Article 7 (1) of Commission Regulation (EEC) No 990/72 of 15 May 1972 on detailed rules for granting aid for skimmed milk processed into compound feedingstuffs and for skimmed-milk powder for use as feed⁽¹²⁾, as last amended by Regulation (EEC) No 920/77⁽¹³⁾,
- Article 27 (2) of Commission Regulation (EEC) No 1204/72 of 7 June 1972 laying down detailed rules for the application of the subsidy system for oil seeds⁽¹⁴⁾, as last amended by Regulation (EEC) No 676/76⁽¹⁵⁾,

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No L 105, 12. 5. 1971, p. 1.

⁽³⁾ OJ No L 67, 15. 3. 1976, p. 1.

⁽⁴⁾ OJ No L 198, 29. 7. 1975, p. 15.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁸⁾ OJ No L 30, 1. 2. 1973, p. 73.

⁽⁹⁾ OJ No L 13, 18. 1. 1975, p. 23.

⁽¹⁰⁾ OJ No L 67, 14. 3. 1975, p. 16.

⁽¹¹⁾ OJ No L 38, 9. 2. 1977, p. 20.

⁽¹²⁾ OJ No L 115, 17. 5. 1972, p. 1.

⁽¹³⁾ OJ No L 108, 30. 4. 1977, p. 75.

⁽¹⁴⁾ OJ No L 133, 10. 6. 1972, p. 1.

⁽¹⁵⁾ OJ No L 81, 27. 3. 1976, p. 22.

- the second subparagraph of Article 5 (2) and the first paragraph of Article 6 of Regulation (EEC) No 269/73,
 - Articles 1 (1) and 2 (1) and the second paragraph of Article 3 of Commission Regulation (EEC) No 470/73 of 31 January 1973 laying down general rules for the application of the compensatory amounts applicable to colza and rape seed produced in the new Member States⁽¹⁾, as last amended by Regulation (EEC) No 433/75⁽²⁾,
 - Articles 11 (1) and 12 (1) of Commission Regulation (EEC) No 2300/73 of 23 August 1973 on detailed rules for applying the differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73⁽³⁾, as last amended by Regulation (EEC) No 632/75⁽⁴⁾,
 - Article 7 (1) of Commission Regulation (EEC) No 192/75 of 17 January 1975 laying down detailed rules for the application of export refunds in respect of agricultural products⁽⁵⁾, as last amended by Regulation (EEC) No 3186/76⁽⁶⁾,
 - the first subparagraph of Article 17 (4) (b) of Commission Regulation (EEC) No 193/75 of 17 January 1975 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽⁷⁾, as last amended by Regulation (EEC) No 773/77⁽⁸⁾,
 - the second paragraph of Article 11 (2) of Commission Regulation (EEC) No 1380/75 of 29 May 1975 laying down detailed rules for the application of monetary compensatory amounts⁽⁹⁾, as last amended by Regulation (EEC) No 750/77⁽¹⁰⁾,
 - Article 4 (b) of Commission Regulation (EEC) No 2026/75 of 4 August 1975 laying down detailed rules for the application of Regulation (EEC) No 1955/75 as regards production refunds on starches⁽¹¹⁾,
 - the first subparagraph of Article 3 (2) of Commission Regulation (EEC) No 2498/75 of 30 September 1975 laying down detailed rules for the payment of financial compensation for certain Community citrus fruits⁽¹²⁾,
 - the first subparagraph of Article 2 (2) of Commission Regulation (EEC) No 1624/76 of 2 July 1976 concerning special arrangements for the payment of aid for skimmed-milk powder denatured or processed into compound feedingstuffs in the territory of another Member State⁽¹³⁾, as last amended by Regulation (EEC) No 3161/76⁽¹⁴⁾,
 - Article 2 (3) of Commission Regulation (EEC) No 1687/76 of 30 June 1976 laying down common detailed rules for verifying the use and/or destination of products from intervention⁽¹⁵⁾, as last amended by Regulation (EEC) No 368/77⁽¹⁶⁾,
 - Article 19 (2) of Commission Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid⁽¹⁷⁾,
 - Article 2 (1) of Commission Regulation (EEC) No 643/77 of 29 March 1977 laying down rules for coupage and wine-making in free zones on the geographical territory of the Community in respect of wine products originating in third countries⁽¹⁸⁾,
2. The words 'for the purpose of Regulation (EEC) No 2315/69' in the first subparagraph of Article 6 of Regulation (EEC) No 269/73 are hereby amended to read 'for the purpose of Articles 10 to 16 of Regulation (EEC) No 223/77'.
 3. The words 'of Article 5 (3) of Regulation (EEC) No 2315/69' in the last subparagraph of Article 3 (2) of Regulation (EEC) No 2498/75 are hereby amended to read 'of Article 12 (3) of Regulation (EEC) No 223/77'.
 4. The words 'laid down in Articles 5 and 6 of Regulation (EEC) No 2315/69' in Article 5 of Regulation (EEC) No 1687/76 are hereby amended to read 'laid down in Articles 12, 13 and 16 of Regulation (EEC) No 223/77'.

Article 2

1. In the following provisions the words 'in Regulation (EEC) No 304/71' are hereby amended to read 'in Section I of Title IV of Regulation (EEC) No 223/77':

- the first subparagraph of Article 8 (3) of Regulation (EEC) No 269/73; in the English version the words to be amended are 'Commission Regulation (EEC) No 304/71 of 11 February 1971 on simplifi-

⁽¹⁾ OJ No L 53, 26. 2. 1973, p. 51.

⁽²⁾ OJ No L 90, 11. 4. 1975, p. 19.

⁽³⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁴⁾ OJ No L 66, 13. 3. 1976, p. 11.

⁽⁵⁾ OJ No L 25, 31. 1. 1975, p. 1.

⁽⁶⁾ OJ No L 359, 30. 12. 1976, p. 23.

⁽⁷⁾ OJ No L 25, 31. 1. 1975, p. 10.

⁽⁸⁾ OJ No L 94, 16. 4. 1977, p. 5.

⁽⁹⁾ OJ No L 139, 30. 5. 1975, p. 37.

⁽¹⁰⁾ OJ No L 91, 13. 4. 1977, p. 5.

⁽¹¹⁾ OJ No L 206, 6. 8. 1975, p. 5.

⁽¹²⁾ OJ No L 254, 1. 10. 1975, p. 38.

⁽¹³⁾ OJ No L 180, 6. 7. 1976, p. 9.

⁽¹⁴⁾ OJ No L 356, 28. 12. 1976, p. 13.

⁽¹⁵⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽¹⁶⁾ OJ No L 52, 24. 2. 1977, p. 19.

⁽¹⁷⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽¹⁸⁾ OJ No L 81, 30. 3. 1977, p. 7.

cation of the Community transit procedure for goods carried by rail',

- the first and second subparagraph of Article 7 (3) of Regulation (EEC) No 192/75,
- the first subparagraph of Article 17 (5) of Regulation (EEC) No 193/75,
- Article 8 of Regulation (EEC) No 645/75,
- the second and third subparagraphs of Article 10 (1) of Regulation (EEC) No 1380/75,
- the first subparagraph of Article 2 (3) of Commission Regulation (EEC) No 1993/75 of 31 July 1975 down detailed rules for the application of the system of compensatory amounts for tomato concentrates ⁽¹⁾, as last amended by Regulation (EEC) No 2320/76 ⁽²⁾,
- the first and second paragraphs of Article 9 of Regulation (EEC) No 1687/76,
- Article 3 (4) of Commission Regulation (EEC) No 2972/76 of 7 December 1976 laying down detailed rules for the application of Regulation (EEC) No 1861/76 on the transport to the Italian intervention agency of skimmed-milk powder held by the intervention agencies of other Member States ⁽³⁾,
- Article 3 (4) of Commission Regulation (EEC) No 22/77 of 5 January 1977 on the transfer to the Italian intervention agency of the first instalment of butter pursuant to Regulation (EEC) No 2452/76 ⁽⁴⁾, as last amended by Regulation (EEC) No 629/77 ⁽⁵⁾,
- the first subparagraph of Article 2 (3) of Regulation (EEC) No 643/77.

2. The words 'in Article 7 (4) of Regulation (EEC) No 304/71' in :

- the second subparagraph of Article 8 (3) of Regulation (EEC) No 269/73,
- the second subparagraph of Article 2 (3) of Regulation (EEC) No 1993/75,

are hereby amended to read 'in Article 42 (4) of Regulation (EEC) No 223/77'.

3. The words 'Regulation (EEC) No 304/71 ⁽⁴⁾, as last amended by the Act of Accession ⁽⁵⁾,' in Article 3 (3) of Commission Regulation (EEC) No 532/75 of 28 February 1975 concerning the recovery, on exportation, of aid granted in respect of skimmed-milk powder for use as feed and in respect of skimmed milk processed into compound feedingstuffs ⁽⁶⁾, as last

amended by Regulation (EEC) No 978/77 ⁽⁷⁾, are hereby amended to read 'Section I of Title IV of Regulation (EEC) No 223/77'.

Footnotes ⁽⁴⁾ and ⁽⁵⁾ of Regulation (EEC) No 532/75 are deleted.

4. The references in the first subparagraph of Article 17 (5) of Regulation (EEC) No 193/75 and in the second subparagraph of Article 2 (3) of Regulation (EEC) No 643/77 are hereby amended to read as follows :

'Sortie du territoire géographique de la Communauté sous le régime prévu au titre IV section I du règlement (CEE) n° 223/77' ;

'Udført fra Fællesskabets geografiske område i henhold til ordningen i afsnit IV, afdeling I, i forordning (EØF) nr. 223/77' ;

'Ausgang aus dem geographischen Gebiet der Gemeinschaft gemäß der Regelung der Verordnung (EWG) Nr. 223/77, Titel IV Abschnitt I' ;

'Departure from the geographical territory of the Community under Section I of Title IV of Regulation (EEC) No 223/77' ;

'Uscita del territorio geografico della Comunità nel quadro del regime di cui al regolamento (CEE) n. 223/77, titolo IV, sezione I' ;

'Verlaat het geografische grondgebied van de Gemeenschap met toepassing van de regeling van Verordening (EEG) nr. 223/77, titel IV, afdeling I'.

Article 3

1. The words 'in Article 4a or 4b of Regulation (EEC) No 1279/71' in the first subparagraph of Article 3 (2) of Regulation (EEC) No 532/75 are hereby amended to read 'in Article 31 or 32 of Regulation (EEC) No 223/77'.

2. The first paragraph of Article 7 of Regulation (EEC) No 645/75 is hereby amended as follows :

'In respect of products moving as provided for in Articles 31 and 32 of Regulation (EEC) No 223/77, a security shall be given, in the manner prescribed in Article 31 (2) of that Regulation, to ensure that the levy is charged if such products do not re-enter the Community.'

Article 4

This Regulation shall enter into force on 1 July 1977.

⁽⁷⁾ OJ No L 116, 7. 5. 1977, p. 9.

⁽¹⁾ OJ No L 202, 1. 8. 1975, p. 50.

⁽²⁾ OJ No L 261, 25. 9. 1976, p. 26.

⁽³⁾ OJ No L 339, 8. 12. 1976, p. 18.

⁽⁴⁾ OJ No L 5, 7. 1. 1977, p. 8.

⁽⁵⁾ OJ No L 78, 26. 3. 1977, p. 12.

⁽⁶⁾ OJ No L 56, 3. 3. 1975, p. 20.

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

Done at Brussels, 9 June 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1235/77

of 9 June 1977

opening an invitation to tender for the sale for export of baled tobacco held by
the German and Italian intervention agencies

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
727/70 of 21 April 1970 on the common organization
of the market in raw tobacco⁽¹⁾, as last amended by
the Act of Accession⁽²⁾, and in particular Articles 7
(4), and 9 (5) thereof,

Whereas Commission Regulation (EEC) No 3389/73
of 13 December 1973⁽³⁾, as last amended by Regula-
tion (EEC) No 489/77⁽⁴⁾, lays down the procedure
and conditions for the sale of tobacco held by inter-
vention agencies;

Whereas, in view of the problems caused by the
storage of baled tobacco, particularly the costs thereof,
and in view of the quantity of tobacco available on the
internal Community market, an invitation to tender
should be opened for the sale of tobacco in lots, to be
exported without the granting of a refund;

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

HAS ADOPTED THIS REGULATION:

Article 1

Seven lots of baled raw tobacco from the 1972, 1973,
1974 and 1975 crops held by the German and Italian
intervention agencies of a total weight of 3 888 198
kilograms, divided by reference to their varieties as
shown in the Annex hereto, shall be sold for export.

Article 2

1. The sale shall take place in accordance with the
tendering procedure provided for in Regulation (EEC)
No 3389/73.

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

Done at Brussels, 9 June 1977.

2. The export refunds referred to in Article 9 of
Regulation (EEC) No 727/70 shall not apply to
exports resulting from the said sale.

Article 3

The closing date for the submission of tenders to the
seat of the Commission of the European Communi-
ties shall be at 2 p.m. local time on 5 September 1977.

Article 4

The final date referred to in Article 9 (1) of Regulation
(EEC) No 3389/73 for the removal of the tobacco by
the successful tenderer shall be the 60th day following
the date of publication of the result of the sale by
tender in the *Official Journal of the European
Communities*.

Article 5

1. The security referred to in Article 5 of Regula-
tion (EEC) No 3389/73 shall be lodged, as appro-
priate, with the Bundesanstalt für Landwirtschaftliche
Marktordnung (BALM), Adickesallee 40, D-6000
Frankfurt/Main, Federal Republic of Germany or with
the Azienda di Stato per gli interventi nel mercato
agricolo, sezione specializzata per il tabacco (AIMA),
via Duccio Galimberti 47, I-00136 Rome, Italy.

2. The Commission shall inform the intervention
agencies concerned forthwith of the result of the sale
by tender. The latter shall immediately release the
securities of those tenderers whose tenders were not
validly submitted or who were unsuccessful. The secu-
rities of the successful tenderer or tenderers shall be
released when the conditions laid down in Article 7
(c) of the said Regulation have been satisfied.

Article 6

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

For the Commission

Guido BRUNNER

Member of the Commission

(1) OJ No L 94, 28. 4. 1970, p. 1.

(2) OJ No L 73, 27. 3. 1972, p. 14.

(3) OJ No L 345, 15. 12. 1973, p. 47.

(4) OJ No L 65, 11. 3. 1977, p. 23.

ANNEX

Varieties	Crop	Weight (kg)
Xanti-Yaka	1972	552 212
Perustitza	1972	376 028
Erzegovina	1972	848 000
Burley I	1972	424 690
Burley I	1974	7 979
Maryland	1974	4 460
Kentucky	1972	25 186
Kentucky	1973	1 285 013
Badischer Burley E	1974	119 706
Badischer Burley E	1975	55 354
Badischer Geudertheimer	1974	108 053
Badischer Geudertheimer	1975	81 517
		Total 3 888 198

COMMISSION REGULATION (EEC) No 1236/77

of 9 June 1977

re-establishing the levying of the customs duties on lead-acid electric accumulators, falling within subheading 85.04 A, originating in Yugoslavia 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, for these products, this reduced percentage will be 20 %;

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 of the same Regulation — once the relevant Community amount has been reached;

Whereas, in respect of lead-acid electric accumulators, falling within subheading 85.04 A, the ceiling, calculating as indicated above, should be 2 089 000 units of account, and therefore the maximum amount is 417 800 units of account; whereas on 2 June 1977, the amounts of imports into the Community of lead-acid electric accumulators, falling within subheading 85.04 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 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 Yugoslavia,

HAS ADOPTED THIS REGULATION:

Article 1

As from 13 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 Yugoslavia:

CCT heading No	Description of goods
85.04	Electric accumulators: A. Lead-acid accumulators

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.

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

Done at Brussels, 9 June 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 1237/77

of 9 June 1977

re-establishing the levying of the customs duties on equipment for parlour, table and funfair games, falling within heading No 97.04, originating in Hong Kong 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, for these products, this reduced percentage will be 30 %;

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 ques-

tion originating in any of the said countries or territories — with the exception of those listed in Annex C of the same Regulation — once the relevant Community amount has been reached;

Whereas, in respect of equipment for parlour, table and funfair games, falling within heading No 97.04, the ceiling, calculated as indicated above, should be 7 107 000 units of account, and therefore the maximum amount is 2 132 100 units of account; whereas on 2 June 1977, the amounts of imports into the Community of equipment for parlour, table and funfair games, falling within heading No 97.04, 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 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 Hong Kong,

HAS ADOPTED THIS REGULATION:

Article 1

As from 13 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 Hong Kong:

CCT heading No	Description of goods
97.04	Equipment for parlour, table and funfair games for adults or children (including billiard tables and pintables and table-tennis requisites)

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.

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

Done at Brussels, 9 June 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 1238/77

of 9 June 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 1192/77⁽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 10 June 1977.

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

Done at Brussels, 9 June 1977.

For the Commission

Guido BRUNNER

Member of the Commission

⁽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 138, 4. 6. 1977, p. 28.

ANNEX

to the Commission Regulation of 9 June 1977 fixing the import levies on white sugar and raw sugar

CCT heading No	Description of goods	Levy (m.u./100 kg)
17.01	Beet sugar and cane sugar, solid : A. White sugar B. Raw sugar	21.42 18.12 ⁽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 1239/77

of 9 June 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 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,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 1118/77⁽⁴⁾, as amended by Regulation (EEC) No 1149/77⁽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 1118/77, are hereby altered as shown in the table annexed to this Regulation.

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, 9 June 1977.

For the Commission

Guido BRUNNER

Member of the Commission

⁽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 134, 28. 5. 1977, p. 34.

⁽⁵⁾ OJ No L 135, 1. 6. 1977, p. 44.

⁽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 9 June 1977 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./tonne	
	Third countries (other than ACP or OCT)	ACP or OCT
07.06 A	12-00 ⁽¹⁾	10-50 ⁽¹⁾⁽³⁾
11.01 C ⁽²⁾	124-95	119-95
11.01 E I ⁽²⁾	130-08	125-08
11.01 E II ⁽²⁾	73-38	70-88
11.02 A III ⁽²⁾	124-95	119-95
11.02 A V a) 1 ⁽²⁾	130-08	125-08
11.02 A V a) 2 ⁽²⁾	130-08	125-08
11.02 A V b) ⁽²⁾	73-38	70-88
11.02 B I a) 1 ⁽²⁾	109-12	106-62
11.02 B I b) 1 ⁽²⁾	109-12	106-62
11.02 B II c) ⁽²⁾	113-68	111-18
11.02 C III ⁽²⁾	171-60	166-60
11.02 C V ⁽²⁾	113-68	111-18
11.02 D III ⁽²⁾	70-47	67-97
11.02 D V ⁽²⁾	73-38	70-88
11.02 E I a) 1 ⁽²⁾	70-47	67-97
11.02 E I b) 1 ⁽²⁾	138-28	133-28
11.02 E II c) ⁽²⁾	130-08	125-08
11.02 F III ⁽²⁾	124-95	119-95
11.02 F V ⁽²⁾	130-08	125-08
11.02 G II	57-12	52-12
11.06 A	14-50	9-00 ⁽⁵⁾
11.06 B I	106-34	86-34 ⁽⁵⁾
11.06 B II	128-88	108-88 ⁽⁵⁾
11.07 A II a)	127-62 ⁽⁴⁾	118-62
11.07 A II b)	97-63	88-63
11.07 B	112-29 ⁽⁴⁾	103-29
11.08 A I	106-34	89-34
11.08 A IV	106-34	89-34
11.08 A V	106-34	44-67 ⁽⁵⁾
17.02 B II a) ⁽³⁾	196-53	116-53
17.02 B II b) ⁽³⁾	144-34	89-34
17.05 B I	196-53	116-53
17.05 B II	144-34	89-34
23.02 A I a)	23-31	23-31
23.02 A I b)	74-59	74-59
23.02 A II a)	18-65	18-65
23.02 A II b)	74-59	74-59
23.03 A I	260-98	110-98

⁽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 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.

⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 23 May 1977

allowing admission free of Common Customs Tariff duties the scientific apparatus described as 'lock-in-amplifier' PAR model 128 A, with tuned amplifier PAR model 128 A/98 optional

(77/379/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 23 November 1976, the German Government requested the Commission to invoke the procedure laid down in paragraphs 3 to 7 of Article 4 of Regulation (EEC) No 3195/75 in order to determine whether apparatus of scientific value equivalent to the apparatus described as 'lock-in-amplifier' PAR model 128 A, with tuned amplifier PAR model 128 A/98 optional, is currently manufactured in the Community;

Whereas, in accordance with the provisions of Article 4 (5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all of the Member States met on 29 April 1977 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas the apparatus in question is a phase-sensitive detection system with tuned amplifier option, the purpose of which is to measure the 'Cotton-Mouton' effect on liquids and gases, permitting amplification, in the absence of sound, of signals emitted by a photodiode;

Whereas, on the basis of information obtained from the Member States, apparatus of equivalent scientific value capable of use for the same purpose could only have been available in the Community from 1 August 1976; whereas, taking into account the date when the apparatus in question was ordered, the delivery period fixed by the Community producers being taken into consideration is considerably greater than that for apparatus which is the subject of this application for duty-free admission; whereas it appears appropriate in these circumstances to allow the duty-free importation of the apparatus in question,

HAS ADOPTED THIS DECISION:

Article 1

The conditions referred to in Article 3(1)(b) of Council Regulation (EEC) No 1798/75 of 10 July 1975 for admission free of Common Customs Tariff duties of the scientific apparatus described as 'lock-in-amplifier' PAR model 128 A, with tuned amplifier PAR model 128 A/98 optional, are fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 May 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 316, 6. 12. 1975, p. 17.

COMMISSION DECISION**of 23 May 1977****excluding from admission free of Common Customs Tariff duties the scientific apparatus described as 'two-phase/vector lock-in-amplifier' PAR model 129 A**

(77/380/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 23 November 1976, the German Government requested the Commission to invoke the procedure laid down in paragraphs 3 to 7 of Article 4 of Regulation (EEC) No 3195/75 in order to determine whether apparatus of scientific value equivalent to the apparatus described as 'two-phase/vector lock-in-amplifier' PAR model 129 A is currently manufactured in the Community;

Whereas, in accordance with the provisions of Article 4(5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all of the Member States met on 29 April 1977 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas the apparatus in question is a phase-sensitive, vectorial biphasic detection system; whereas it is

used in the field of nuclear security for preventive detection of defects in reactor tube channels by analysis of the phase and amplitude of electric parasite signals which result; whereas, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus capable of use for the same purpose is currently manufactured in

HAS ADOPTED THIS DECISION:

Article 1

The conditions referred to in Article 3(1)(b) of Council Regulation (EEC) No 1798/75 of 10 July 1975 for admission free of Common Customs Tariff duties of the scientific apparatus described as 'two-phase/vector lock-in-amplifier' PAR model 129 A are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 May 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 316, 6. 12. 1975, p. 17.

COMMISSION DECISION

of 23 May 1977

excluding from admission free of Common Customs Tariff duties the scientific apparatus described as 'Packard automatic gamma counter', with teletype

(77/381/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 19 November 1976, the Italian Government requested the Commission to invoke the procedure laid down in Articles 4 and 5 of Regulation (EEC) No 3195/75 in order to determine whether or not the apparatus described as 'Packard automatic gamma counter', with teletype, should be considered to be a scientific apparatus, and where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently manufactured in the Community;

Whereas, in accordance with the provisions of Article 4(5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all of the Member States met on 29 April 1977 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination shows that the apparatus in question is an automatic gamma counter for use in carrying out radiographic tests, for study and for research on endocrine and metabolic illnesses in

infants; whereas its special characteristics and the use for which it is intended render it material specially adapted for research in the field of medicine; whereas it has the character of scientific apparatus;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Packard automatic gamma counter', with teletype, must be considered to be a scientific apparatus.
2. The conditions referred to in Article 3(1)(b) of Council Regulation (EEC) No 1798/75 of 10 July 1975 for admission free of Common Customs Tariff duties of the apparatus described in paragraph 1 are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 May 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 316, 6. 12. 1975, p. 17.

COMMISSION DECISION

of 23 May 1977

excluding from admission free of Common Customs Tariff duties the scientific apparatus described as 'Packard 2425 tri-carb spectrometer', with teletype

(77/382/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by letter dated 19 November 1976, the Italian Government requested the Commission to invoke the procedure laid down in Articles 4 and 5 of Regulation (EEC) No 3195/75 in order to determine whether or not the apparatus described as 'Packard 2425 tri-carb spectrometer', with teletype, should be considered to be a scientific apparatus, and where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently manufactured in the Community;

Whereas, in accordance with the provisions of Article 4(5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all of the Member States met on 29 April 1977 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination shows that the apparatus in question is a liquid scintillation spectrometer, complete with teletype; whereas it is used to study and effect research on endocrine and metabolic illnesses in infants; whereas its characteristics and the

use for which it is intended render it material specially adapted for research in the field of medicine; whereas it therefore has the character of scientific apparatus;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Packard 2425 tri-carb spectrometer', with teletype, must be considered to be a scientific apparatus.
2. The conditions referred to in Article 3(1) (b) of Council Regulation (EEC) No 1798/75 of 10 July 1975 for admission free of Common Customs Tariff duties of the scientific apparatus described in paragraph 1 are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 May 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 316, 6. 12. 1975, p. 17.

COMMISSION DECISION

of 25 May 1977

fixing the maximum export refund for the 80th partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75

(77/383/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 3138/76 ⁽²⁾, and in particular Article 19 (4) thereof,

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

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

Whereas, following an examination of the tenders submitted in response to the 80th partial invitation to tender, the provisions set out in Article 1 should be adopted ;

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

HAS ADOPTED THIS DECISION :

Article 1

The maximum export refund for the 80th partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75 is hereby fixed at 20.649 units of account per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 214, 12. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 333, 2. 12. 1976, p. 17.

COMMISSION DECISION

of 25 May 1977

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

(Only the French text is authentic)

(77/384/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 3138/76⁽²⁾, and in particular Article 11 (3) thereof,

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

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

For the sixth partial invitation to tender issued under Regulation (EEC) No 703/77, for which the period for submission of tenders expired on 25 May 1977, the maximum amount of the export refund allowed upon the award of tender shall be 20·486 units of account per 100 kilograms of white sugar.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 25 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 86, 2. 4. 1977, p. 5.

⁽⁴⁾ OJ No L 31, 4. 2. 1972, p. 22.

COMMISSION DECISION

of 1 June 1977

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 830/77, the maximum amounts for the costs of delivery of skimmed-milk powder as food aid

(77/385/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, pursuant to Commission Regulation (EEC) No 830/77 of 22 April 1977 on the delivery of various consignments of skimmed-milk powder as food aid⁽³⁾, the intervention agencies of the Member States have invited tenders for the costs of delivery to Zaire of 3 000 tonnes of skimmed-milk powder, bought on the Community market;

Whereas Article 16 of Commission Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid⁽⁴⁾ provides that in the light of the tenders received a maximum amount for each lot offered for tender is to be fixed or the tendering procedure is to be cancelled;

Whereas, on the basis of the tenders received, the maximum amounts should be those specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be set for the purpose of awarding a contract pursuant to Regulation (EEC) No 830/77 shall be fixed as follows:

- Lot A: 1 545 001 units of account,
- Lot B: 1 546 560 units of account.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 1 June 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 102, 26. 4. 1977, p. 5.

(⁴) OJ No L 43, 15. 2. 1977, p. 1.

COMMISSION DECISION

of 1 June 1977

fixing the minimum selling price for butter for the 52nd individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 232/75

(77/386/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, pursuant to Commission Regulation (EEC) No 232/75 of 30 January 1975 on the sale of butter at reduced prices for use in the manufacture of pastry products and ice-cream⁽⁵⁾, as last amended by Regulation (EEC) No 920/77⁽⁶⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

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

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

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

Whereas, in the light of the tenders received in response to the 52nd individual invitation to tender, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

For the 52nd individual invitation to tender under Regulation (EEC) No 232/75, in respect of which the time limit for the submission of tenders expires on 24 May 1977, the minimum selling price and, without prejudice to the provisions of the second subparagraph of Article 12 (1) of the said Regulation, the processing security shall be as follows:

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

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 1 June 1977.

For the Commission
Finn GUNDELACH
Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 15.

⁽⁵⁾ OJ No L 24, 31. 1. 1975, p. 45.

⁽⁶⁾ OJ No L 108, 30. 4. 1977, p. 75.

⁽⁷⁾ OJ No L 91, 6. 4. 1976, p. 13.

COMMISSION DECISION

of 1 June 1977

fixing the maximum export refund for the 81st partial invitation to tender for
white sugar issued under Regulation (EEC) No 2101/75

(77/387/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3330/74 of 19 December 1974 on the common organi-
zation of the market in sugar⁽¹⁾, as last amended by
Regulation (EEC) No 3138/76⁽²⁾, and in particular
Article 19 (4) thereof,

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

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

Whereas, following an examination of the tenders
submitted in response to the 81st partial invitation to
tender, the provisions set out in Article 1 should be
adopted;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for the 81st partial invi-
tation to tender for white sugar issued under Regula-
tion (EEC) No 2101/75 is hereby fixed at 21.512 units
of account per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 1 June 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 214, 12. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 333, 2. 12. 1976, p. 17.