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Contents

I Acts whose publication is obligatory

- Commission Regulation (EEC) No 2090/77 of 23 September 1977 fixing the import levies on cereals and on wheat or rye flour groats and meal 1
- Commission Regulation (EEC) No 2091/77 of 23 September 1977 fixing the premiums to be added to the import levies on cereals, flour and malt 3
- Commission Regulation (EEC) No 2092/77 of 20 September 1977 opening an invitation to tender for the sale for export of baled tobacco held by the Italian intervention agency 5
- Commission Regulation (EEC) No 2093/77 of 21 September 1977 on the delivery of butteroil as food aid 7
- Commission Regulation (EEC) No 2094/77 of 21 September 1977 on the delivery of various consignments of skimmed-milk powder as food aid 9
- Commission Regulation (EEC) No 2095/77 of 23 September 1977 opening an invitation to tender for the mobilization of long grain milled rice as food aid for the island of Mauritius 11
- Commission Regulation (EEC) No 2096/77 of 23 September 1977 opening an invitation to tender for the mobilization of common wheat flour as food aid for the Republic of the Philippines 14
- Commission Regulation (EEC) No 2097/77 of 23 September 1977 opening a new invitation to tender for the mobilization of common wheat flour as food aid for the Democratic Republic of Sao Tome and Principe 17
- ★ Commission Regulation (EEC) No 2098/77 of 23 September 1977 derogating from Regulation (EEC) No 1569/77 fixing the procedure and conditions for the taking over of cereals by intervention agencies 20

Contents (continued)

★ Commission Regulation (EEC) No 2099/77 of 23 September 1977 on the putting up for sale of olive oil held by the Italian intervention agency	21
Commission Regulation (EEC) No 2100/77 of 23 September 1977 abolishing the countervailing charge on certain varieties of plums originating in Czechoslovakia	23
Commission Regulation (EEC) No 2101/77 of 23 September 1977 altering the export refunds on oil seeds	24

II *Acts whose publication is not obligatory*

Council

77/602/EEC :

★ Council Decision of 20 September 1977 on the conclusion of the Agreement between the European Economic Community and Austria concerning macaroni, spaghetti and similar products negotiated under Article XXVIII of GATT	26
Agreement between the European Economic Community and Austria concerning macaroni, spaghetti and similar products negotiated under Article XXVIII of GATT	27

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2090/77**of 23 September 1977****fixing the import levies on cereals and on wheat or rye flour groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1386/77⁽²⁾, and in particular Article 13 (5) thereof,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 1729/77⁽³⁾ and subsequent amending Regulations;

Whereas it follows from applying the provisions contained in Regulation (EEC) No 1729/77 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 24 September 1977.

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

Done at Brussels, 23 September 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 158, 29. 6. 1977, p. 1.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 5.

ANNEX

to the Commission Regulation of 23 September 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	86.83
10.01 B	Durum wheat	122.67 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	79.35 ⁽⁶⁾
10.03	Barley	75.30
10.04	Oats	67.11
10.05 B	Maize, other than hybrid maize for sowing	77.52 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	63.32 ⁽⁴⁾
10.07 C	Grain sorghum	78.03 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	132.47
11.01 B	Rye flour	121.99
11.02 A I a)	Durum wheat groats and meal	200.94
11.02 A I b)	Common wheat groats and meal	142.89

⁽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 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 2091/77**of 23 September 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 1386/77 ⁽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
1730/77 ⁽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 24
September 1977.

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

Done at Brussels, 23 September 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 158, 29. 6. 1977, p. 1.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 7.

ANNEX

to the Commission Regulation of 23 September 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 9	1st period 10	2nd period 11	3rd period 12
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(u.a./tonne)

CCT heading No	Description of goods	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2092/77

of 20 September 1977

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

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 Regulation (EEC) No 489/77⁽⁴⁾, lays down the procedure and conditions for the sale of tobacco held by intervention 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 Management Committee for Raw Tobacco,

HAS ADOPTED THIS REGULATION:

Article 1

Two lots of baled raw tobacco from the 1972 and 1974 crops held by the Italian intervention agency of a total weight of 2 362 319 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 Brussel, 20 September 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 Communities shall be at 2 p.m. local time on 14 November 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 Regulation (EEC) No 3389/73 shall be lodged 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 securities 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

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 345, 15. 12. 1973, p. 47.

⁽⁴⁾ OJ No L 65, 11. 3. 1977, p. 23.

ANNEX

Varieties	Crop	Weight (kg)
Nostrano	1972	37 582
Beneventano	1972	841 071
Kentucky	1974	1 483 666
		Total 2 362 319

COMMISSION REGULATION (EEC) No 2093/77
of 21 September 1977
on the delivery of butteroil as food aid

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 1541/75 of 16 June 1975 laying down general rules for the supply of milk fats under the 1975 food-aid programme to certain developing countries and to certain international organization⁽³⁾, and in particular Article 7 thereof,

Whereas, under the food-aid programmes adopted by the Council Regulations specified in the Annex, Ghana has requested the delivery of the quantities of butteroil set out therein;

Whereas, therefore, delivery should be effected in accordance with the rules laid down in 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⁾; whereas, in particular, the periods and terms for delivery and the procedure to be followed by the intervention agencies to establish the costs arising therefrom should be laid down;

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

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with the provisions of Regulation (EEC) No 303/77 the German intervention agency shall deliver butteroil as food aid on the special terms set out therein.

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, 21 September 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 157, 19. 6. 1975, p. 4.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

ANNEX

1. Application of Council Regulations :
 - (a) legal basis : (EEC) No 1541/75
 - (b) affectation (EEC) No 1542/75 (reserve)
 2. Beneficiary : Ghana
 3. Country of destination :
 4. Total quantity of the consignment : 500 tonnes
 5. Intervention agency responsible for delivery : German
 6. Origin of the butteroil : to be manufactured from intervention butter
 7. Special characteristics and/or packaging : in 5 kilogram boxes, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees
 8. Markings on the packaging : 'Butteroil/Gift of the European Economic Community to Ghana/For free distribution'
 9. Delivery period : loading at the latest by 20 October 1977
 10. Stage and place of delivery : port of unloading Takoradi (ship's hold)
 11. Representative of the beneficiary responsible for reception : Ghana National Trading Corporation, PO Box 67, Accra
 12. Procedure to be applied to determine the costs of supply : mutual agreement
-

COMMISSION REGULATION (EEC) No 2094/77

of 21 September 1977

on the delivery of various consignments of skimmed-milk powder as food aid

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,

Having regard to Council Regulation (EEC) No 1298/76 of 1 June 1976 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1976 programme⁽³⁾, as amended by Regulation (EEC) No 2017/76⁽⁴⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 1766/77 of 25 July 1977 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1977 programme⁽⁵⁾, and in particular Article 6 thereof,

Whereas, under the food-aid programmes adopted by the Council Regulation specified in the Annex, Uruguay and Ghana have requested the delivery of the quantities of skimmed-milk powder set out therein;

Whereas, therefore, delivery should be effected in accordance with the rules laid down in 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⁽⁶⁾, whereas, in particular, the periods and terms for delivery and the procedure to be followed by the intervention agencies to establish the costs arising therefrom should be laid down;

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

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with the provisions of Regulation (EEC) No 303/77 the intervention agency as specified in the Annex shall deliver skimmed-milk powder as food aid on the special terms set out therein.

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, 21 September 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 146, 4. 6. 1976, p. 3.

⁽⁴⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 192, 30. 7. 1977, p. 1.

⁽⁶⁾ OJ No L 43, 15. 2. 1977, p. 1.

ANNEX⁽¹⁾

Consignment	A	B
1. Application of Council Regulations (a) legal basis (b) affectation	(EEC) No 1766/77 (EEC) No 1767/77	(EEC) No 1298/76 (EEC) No 2018/76 (reserve)
2. Beneficiary	} Uruguay	Ghana
3. Country of destination		
4. Total quantity of the consignment		500 tonnes
5. Intervention agency responsible for delivery	will result from the application of the procedure referred to in point 12	Belgian
6. Origin of the skimmed-milk powder	bought on the Community market	
7. Special characteristics and/or packaging ⁽²⁾	Vitamin A content: 5 000 IU per 100 g minimum vitamin D content: 500 IU per 100 g minimum date of manufacture should be clearly indicated on the bags	
8. Markings on the packaging	'Lait écrémé en poudre vitaminé/Don de la Communauté Économique Européenne à l'Uruguay/À distribuer gratuitement	'Skimmed-milk powder enriched with vitamins A and D/Gift of the European Economic Community to Ghana/For free distribution
9. Delivery period	after 15 and before 30 November 1977	loading at the latest 20 October 1977
10. Stage and place of delivery	port of loading of Antwerp, Hamburg or Rotterdam, to be chosen by the tenderer and specified in the tender	port of unloading Takoradi (ship's hold)
11. Representative of the beneficiary responsible for reception ⁽³⁾		Ghana National Trading Corporation, PO. Box 67, Accra
12. Procedure to be applied to determine the costs of supply	tender	mutual agreement
13. In case of invitation to tender: expiry of the time limit for submission of tenders at 12 noon on:	10 October 1977	—

Notes

(¹) This Annex, together with the notice published in OJ No C 95 of 19 April 1977, page 7, takes the place of an invitation to tender from the intervention agency or agencies concerned in cases where, under point 12, there must be a tendering procedure.

(²) Other than those set out in the Annex to Regulation (EEC) No 1108/68; see Article 6 (2) of Regulation (EEC) No 303/77.

(³) Only in the case of delivery 'to be port of unloading' and 'free at destination'; see Article 5 and the last indent of Article 13 (1) of Regulation (EEC) No 303/77.

COMMISSION REGULATION (EEC) No 2095/77

of 23 September 1977

opening an invitation to tender for the mobilization of long grain milled rice as food aid for the island of Mauritius

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 organization of the market in rice ⁽¹⁾, as amended by Regulation (EEC) No 1158/77 ⁽²⁾,

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

Whereas on 8 February 1977 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 1 750 tonnes of husked rice (in other words 1 400 tonnes of long grain milled rice) to the island of Mauritius under its 1976/77 food-aid programme;

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

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

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

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

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

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

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

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

Whereas the Monetary Committee will be consulted; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3 (2) of Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁵⁾, and in particular Article 3 thereof;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the island of Mauritius, by way of Community food-aid action, of 1 400 tonnes of long grain milled rice.

2. The tendering procedure shall take place in Italy in one lot. The product shall be mobilized on the Community market. The products shall be loaded for departure from any Mediterranean port.

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 136, 2. 6. 1977, p. 13.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

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

'Riz Blanchi — Don de la Communauté économique européenne à l'Île Maurice'.

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

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 10 October 1977.
2. The closing date for the submission of tenders shall be 10 October 1977 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for the submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. For the purpose of rendering the tenders comparable, the prices shall, where appropriate, be corrected by the accession compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender.
3. The rates used for converting into units of account those offers made in national currencies shall be:
 - the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
 - in other cases, the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of tenders.

Article 4

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

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

Article 5

If the tenderer is unable to deliver the goods in compliance with Article 1 (3) on the date given in the

notice of invitation to tender as a result of the late availability of the vessels to be used for sea transportation, the resulting costs shall be borne by the intervention agency.

Article 6

The successful tenderer shall give security of a value of 10 units of account per tonne; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

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

Article 7

1. The long grain milled rice referred to in Article 1 to be supplied to the island of Mauritius, must meet the following requirements:

- moisture: 15 %;
- broken rice: 25 % maximum;
- chalky grains: 5 % maximum;
- grains striated with red: 3 % maximum;
- spotted grains: 1.5 % maximum;
- stained grains: 1 % maximum;
- yellow grains: 0.050 % maximum;
- amber grains: 0.20 % maximum.

Rice not meeting these requirements shall be refused.

2. Tenders for supply to the island of Mauritius of the long grain milled rice referred to in Article 1 must relate to a product with the following characteristics:

- moisture: 15 %;
- broken rice: 25 % maximum;
- chalky grains: 5 % maximum;
- grains striated with red: 3 % maximum;
- spotted grains: 1.5 % maximum;
- stained grains: 1 % maximum;
- yellow grains: 0.050 % maximum;
- amber grains: 0.20 % maximum.

Article 8

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

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

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

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

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

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

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

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

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

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

Article 9

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

Article 10

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

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

Done at Brussels, 23 September 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2096/77

of 23 September 1977

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

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 1386/77⁽²⁾,

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

Whereas on 8 February 1977 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 7 500 tonnes of common wheat, in the form of 4 967 tonnes of common wheat flour, to the Republic of the Philippines under its 1976/77 food-aid programme;

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

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

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

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

Whereas, should *force majeure* make it impossible to complete the operation in question within the set

time limit, it should be made clear who is to bear the liability for any resulting costs;

Whereas provision should be made for security to be given to guarantee fulfilment of obligations arising by virtue of participation in the invitation to tender for the supply of goods to the Republic of the Philippines,

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

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

Whereas the Monetary Committee will be consulted; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3 (2) of Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender shall be issued in respect of the supply of 4 967 tonnes of common wheat flour to the Republic of the Philippines by way of Community food-aid action.

2. The tendering procedure shall take place in the Kingdom of Belgium and shall be in respect of a single lot.

3. The product shall be mobilized on the Community market.

4. Shipment shall be from Antwerp.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 158, 29. 6. 1977, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

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

Minimum weight of the sacks shall be 600 grams.

6. The following shall be printed on the sacks:

'Wheat flour — Gift of the European Communities to the Republic of the Philippines.'

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

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 7 October 1977.

2. The closing date for submission of tenders shall be 7 October 1977 at 12 noon.

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

Article 3

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

2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.

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

Such correction shall be made by:

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

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

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

Article 4

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

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

Article 5

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

Article 6

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

It shall be released:

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

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

Article 7

1. The common wheat flour referred to in Article 1 to be supplied to the Republic of the Philippines must meet the following requirements:

- moisture: 14 % maximum;
- protein content: 10.5 % minimum ($N \times 6.25$ on dry matter);
- ash content: 0.52 % maximum referred to dry matter.

Flour not meeting these requirements shall be refused.

2. Tenders for supply to the Republic of the Philippines of the common wheat flour referred to in Article 1 must relate to a product with the following characteristics:

- moisture: 14 % maximum;
- protein content: 10.5 % minimum ($N \times 6.25$ on dry matter);
- ash content: 0.52 % maximum referred to dry matter.

Article 8

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

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

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

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

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

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

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

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

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

Article 9

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

Article 10

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

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

Done at Brussels, 23 September 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2097/77

of 23 September 1977

opening a new invitation to tender for the mobilization of common wheat flour
as food aid for the Democratic Republic of Sao Tome and Principe

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 1386/77⁽²⁾,

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

Whereas on 8 February 1977 the Council of the Euro-
pean Communities declared that it proposed, by way
of Community action, to grant the equivalent of 602
tonnes of common wheat (in other words 400 tonnes
of common wheat flour) to the Democratic Republic
of Sao Tome and Principe under its 1976/77 food-aid
programme;

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

Whereas the successful tenderer appointed under
Commission Regulation (EEC) No 1370/77 of 24
June 1977 opening an invitation to tender for the
mobilization of common wheat flour as food aid for
the Democratic Republic of Sao Tome and Prin-
cipe⁽⁴⁾, has not been able to carry out the execution
of this aid; whereas it is necessary to open a new
tender;

Whereas the proposed invitation to tender should be
for supply of the products to the dock or in the
lighter where applicable at the port of unloading;

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

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

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

Whereas provision should be made for security to be
given for the purpose of guaranteeing that the obliga-
tions arising by virtue of participation in the invita-
tion to tender will be fulfilled;

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

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

Whereas the Monetary Committee will be consulted;
whereas, in view of the urgency, the measures envis-
aged should be adopted in accordance with the condi-
tions laid down in Article 3 (2) of Council Regulation
No 129 on the value of the unit of account and the
exchange rates to be applied for the purpose of the
common agricultural policy⁽⁵⁾, as last amended by
Regulation (EEC) No 2543/73⁽⁶⁾, and in particular
Article 3 thereof;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the
Democratic Republic of Sao Tome and Principe by
way of Community action, of 400 tonnes of common
wheat flour.

2. The tendering procedure shall take place in Italy
in one lot. The product shall be mobilized on the
Community market. The products shall be loaded for
departure from a Community port.

3. The invitation to tender provided for in para-
graph 1 is for supply of products to the dock, or in
the lighter where applicable, at the port of unloading
(Sao Tome).

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 158, 29. 6. 1977, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 156, 25. 6. 1977, p. 27.

⁽⁵⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the products in new cotton sacks of a net capacity of 50 kilograms.

Minimum weight of the sacks shall be 180 grams.

The following shall be printed on the sacks:

'Farinha — Dom da Comunidade económica europeia a Republica democratica de São Tomé e Príncipe.'

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

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 7 October 1977.

2. The closing date for the submission of tenders shall be 7 October 1977 at 12 noon.

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

Article 3

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

2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.

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

Such correction shall be made by:

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

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

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

Article 4

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

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

Article 5

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

It shall be released:

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

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

Article 6

1. The common wheat flour referred to in Article 1 to be supplied to Sao Tome and Principe must meet the following requirements:

- moisture: 12 % maximum,
- protein content: 10.5 % minimum ($N \times 6.25$ on dry matter),
- ash content: 0.52 % maximum referred to dry matter.

Flour not meeting these requirements shall be refused.

2. Tenders for supply to Sao Tome and Principe of the common wheat flour referred to in Article 1 must relate to a product with the following characteristics :

- moisture : 12 % maximum,
- protein content : 10.5 % minimum ($N \times 6.25$ on dry matter),
- ash content : 0.52 % maximum referred to dry matter.

Article 7

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

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

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

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

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

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

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

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

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

Article 8

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

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

Done at Brussels, 23 September 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2098/77

of 23 September 1977

derogating from Regulation (EEC) No 1569/77 fixing the procedure and conditions for the taking over of cereals by 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 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1386/77⁽²⁾, and in particular Article 7 (5) thereof,

Whereas Article 2 (4) of Commission Regulation (EEC) No 1569/77 of 11 July 1977 fixing the procedure and conditions for the taking over of cereals by intervention agencies⁽³⁾ provides for the possibility of derogating from the criteria for the minimum quality set out in the Annex thereto; whereas, as a result of the particularly unfavourable climatic conditions at the time of the 1977 harvest and their consequences upon the quality of cereal production in certain regions of the Community, the intervention agencies should be authorized to purchase cereals containing up to 12 % of sprouted grains; whereas to this end the maximum percentage of matter which is not basic cereal of unimpaired quality should be increased to 15 %;

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

HAS ADOPTED THIS REGULATION:

Article 1

During the marketing year 1977/78, the intervention agencies shall be authorized to apply in the case of common wheat, rye and barley the derogations in respect of the maximum percentage of matter which is not basic cereal of unimpaired quality, and also the maximum percentage for sprouted grains, as set out in the first and second indents of Article 2 (4) of Regulation (EEC) No 1569/77.

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, 23 September 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 158, 29. 6. 1977, p. 1.

⁽³⁾ OJ No L 174, 14. 7. 1977, p. 15.

COMMISSION REGULATION (EEC) No 2099/77

of 23 September 1977

on the putting up for sale of olive oil held by the Italian intervention agency

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European
Economic Community,

Article 1

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, pursuant to Article 11 (1) of Regulation No
136/66/EEC, the Italian intervention agency bought
in large quantities of olive oil during the 1975/76
marketing year;

Whereas Commission Regulation (EEC) No 1226/77
of 8 June 1977 laying down rules for the sale of olive
oil held by the intervention agencies⁽³⁾ laid down the
conditions for the sale by tender on the Community
market of olive oil;

Whereas under Commission Regulation (EEC) No
1862/77 of 12 August 1977 on the putting up for sale
of olive oil held by the Italian intervention agency⁽⁴⁾
the latter put up for sale about 20 000 tonnes of olive
oil of all qualities on 9 and 10 September 1977;

Whereas only a small quantity of that oil was sold;
whereas, having regard to the market situation, it
appears advisable to put the oil remaining unsold up
for sale again, together with about 14 000 tonnes still
held by the Italian intervention agency; whereas, in
view of the state of the market, the oil should be put
up for sale by tender;

Whereas, in order to avoid the risk of disturbing the
market, the maximum quantity which may be
awarded to a single tenderer should be limited;

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

The Italian intervention agency 'Azienda di Stato per
gli interventi nel mercato agricolo', hereinafter
referred to as 'AIMA', shall put up for sale by tender
in accordance with the provisions of this Regulation
and of Regulation (EEC) No 1226/77:

- (a) the olive oil not sold on 9 and 10 September 1977
under Regulation (EEC) No 1862/77;
- (b) any other olive oil still held by the Italian interven-
tion agency at the date of entry into force of this
Regulation,

being olive oil bought in during the 1975/76
marketing year.

Article 2

The invitation to tender in respect of the olive oil
referred to in Article 1 (a) shall be published on 24
September 1977.

The invitation to tender in respect of the olive oil
referred to in Article 1 (b) shall be published on 28
September 1977.

Particulars of the lots of oil offered for sale and the
place where they are stored shall be displayed at the
central office of AIMA, Via Palestro 81, Rome, Italy.

Article 3

Tenders, the reference degrees of acidity being 5° for
lampante olive oil and 15° for olive-residue oil, shall
reach AIMA, Via Palestro 81, Rome, Italy, not later
than 1400 hours (Italian time) on:

- 28 September 1977 in the case of the olive oil
referred to in Article 1 (a),
- 4 October 1977 in the case of the olive oil referred
to in Article 1 (b).

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 141, 9. 6. 1977, p. 20.

⁽⁴⁾ OJ No L 207, 13. 8. 1977, p. 37.

The intervention agency shall inform the Commission without delay of the tenders received.

Article 4

On the basis of the tenders received, a minimum price shall be fixed for each quality in accordance with the procedure under Article 38 of Regulation No 136/66/EEC.

Article 5

The olive oil referred to in Article 1 (a) shall be sold by AIMA on 7 October 1977.

The quantities of olive oil referred to in Article 1 (b) shall be sold by AIMA on 13 October 1977.

AIMA shall supply the agencies responsible for storage with a list of the lots remaining unsold.

Article 6

The security shall be :

- Lit 10 000 per 100 kilograms for extra virgin olive oil,
- Lit 8 000 per 100 kilograms for fine and ordinary virgin olive oil,
- Lit 7 000 per 100 kilograms for lampante virgin olive oil,
- Lit 5 000 per 100 kilograms for olive-residue oil.

Article 7

The storage charge shall be Lit 1 000 per 100 kilograms.

Article 8

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

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

Done at Brussels, 23 September 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2100/77

of 23 September 1977

abolishing the countervailing charge on certain varieties of plums originating in
Czechoslovakia

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1034/77⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Commission Regulation (EEC) No 2078/77
of 21 September 1977⁽³⁾ introduced a countervailing
charge on certain varieties of plums originating in
Czechoslovakia ;

Whereas the present trend of prices for Czechoslovak
products on the representative markets referred to in
Regulation (EEC) No 2118/74⁽⁴⁾, as amended by

Regulation (EEC) No 385/75⁽⁵⁾, recorded or calcu-
lated in accordance with the provisions of Article 5 of
that Regulation indicates that entry prices have been
at least equal to the reference price for two consecu-
tive market days ; whereas the conditions specified in
the second indent of Article 26 (1) of Regulation
(EEC) No 1035/72 are therefore fulfilled and the
countervailing charge on imports of these products
originating in Czechoslovakia can be abolished,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 2078/77 is hereby repealed.

Article 2

This Regulation shall enter into force on 24
September 1977.

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

Done at Brussels, 23 September 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 125, 19. 5. 1977, p. 1.

⁽³⁾ OJ No L 243, 22. 9. 1977, p. 15.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 44, 18. 2. 1975, p. 8.

COMMISSION REGULATION (EEC) No 2101/77

of 23 September 1977

altering the export refunds on oil seeds

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 No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽⁴⁾, as last amended by Regulation (EEC) No 2429/72⁽⁵⁾, and in particular the first sentence of Article 2 (3) thereof,

Whereas the export refunds on oil seeds were fixed by Regulation (EEC) No 1961/77⁽⁶⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in Regulation (EEC)

No 1961/77 to the information at present available to the Commission that the export refunds at present in force should be altered as shown in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The refunds on the products referred to in Article 21 of Regulation No 136/66/EEC, exported to third countries and Greece, as fixed in the Annex to Regulation (EEC) No 1961/77 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 24 September 1977.

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

Done at Brussels, 23 September 1977.

For the Commission

Finn GUNDELACH

Vice-President

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

(²) OJ No L 175, 29. 6. 1973, p. 5.

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

(⁴) OJ No 125, 26. 6. 1967, p. 2461/67.

(⁵) OJ No L 264, 23. 11. 1972, p. 1.

(⁶) OJ No L 223, 1. 9. 1977, p. 29.

ANNEX

to the Commission Regulation of 23 September 1977 altering the export refunds on oil seeds

(u.e. / 100 kg)		
CCT heading No	Description of goods	Refund
ex 12.01	Colza and rape seed, other than for sowing	7.50
ex 12.01	Sunflower seed, other than for sowing	—

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 20 September 1977

on the conclusion of the Agreement between the European Economic Community and Austria concerning macaroni, spaghetti and similar products negotiated under Article XXVIII of GATT

(77/602/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas Austria, invoking Article XXVIII of the General Agreement on Tariffs and Trade (GATT), has expressed its intention to unbind a tariff concession for a product of which the European Economic Community is the principal supplier;

Whereas the Commission has conducted negotiations with Austria under Article XXVIII of GATT; whereas it has reached an Agreement with Austria; whereas the Agreement has been found to be satisfactory,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Economic Community and Austria concerning macaroni, spa-

ghetti and similar products negotiated under Article XXVIII of GATT is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

The Contracting Parties to the General Agreement on Tariffs and Trade shall be notified of the result of the negotiations.

Done at Brussels, 20 September 1977.

For the Council

The President

H. SIMONET

AGREEMENT

between the European Economic Community and Austria concerning macaroni, spaghetti and similar products negotiated under Article XXVIII of GATT

GENERAL AGREEMENT ON TARIFFS AND TRADE**NEGOTIATIONS REGARDING SCHEDULE XXXII — AUSTRIA**

The Delegation of the Commission of the European Communities and the Austrian Delegation have decided in accordance with the result of the negotiations conducted under Article XXVIII of the General Agreement, that the concession set out in the attached list shall be withdrawn from Schedule XXXII — Austria.

*For the Delegation
of the Commission
of the European Communities*

*For the Austrian
Delegation
Subject to ratification*

Geneva, 1977 Vienna, 1977

ANNEX

Result of the negotiations with the European Economic Community conducted under Article XXVIII of GATT with a view to the withdrawal of a concession included in Schedule XXXII — Austria

MODIFICATION TO SCHEDULE XXXII — AUSTRIA**Concession to be withdrawn**

Tariff item No	Description of goods	Rate of bound duty
19.03	Macaroni, spaghetti and similar products	30 % but not less than AS 200/100 kg