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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2595/77

of 21 November 1977

amending Regulations (EEC) No 1408/71 and (EEC) No 574/72 on the application of social security schemes to employed persons and their families moving within the Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 2, 7 and 51 thereof,

Having regard to Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community⁽¹⁾, as last amended by Regulation (EEC) No 1209/76⁽²⁾, and in particular Articles 95 and 97 thereof,

Having regard to Council Regulation (EEC) No 574/72 of 21 March 1972 fixing the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community⁽³⁾, as last amended by Regulation (EEC) No 1209/76, and in particular Article 121 thereof,

Having regard to the proposal from the Commission drawn up after consultation with the Administrative Commission on Social Security for Migrant Workers,

Having regard to the opinion of the European Parliament⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁵⁾,

Whereas the experience gained while implementing Regulations (EEC) No 1408/71 and (EEC) No 574/72 has revealed the need to make some improvements to the rights of migrant workers; whereas, consequently, a worker who is receiving a pension under the legislation of one Member State while working in the terri-

tory of another Member State, should be allowed to be insured under the legislation of the latter Member State even if the legislation of that State exempts pensioners from compulsory insurance; whereas workers should also be enabled to receive, without any restrictions, a pension acquired under the legislation of a Member State and to have a pension which was awarded under the legislation of another Member State postponed in order to receive the increase in pension due as a result of that postponement;

Whereas Regulation (EEC) No 1408/71 provides that the sickness and maternity insurance benefits in kind, provided to the members of the family who are residing in the territory of a Member State other than the competent State and other than the Member State in whose territory the worker resides, are refunded to the institution of the place of residence of the members of the family by the institution of the Member State to whose legislation the worker is subject; whereas the reimbursement is made by way of an annual lump sum; whereas it is therefore appropriate that the institution of the place of residence of the members of the family shall bear the cost of benefits in kind provided to these members of the family if they are staying in another Member State;

Whereas it is necessary to regulate the award of invalidity benefits in cases where a worker previously subject to legislation based on the materialization of the risk is subject to legislation based on the length of insurance, under which he becomes disabled, and where under the former legislation the award of invalidity benefits is subject to the condition that for a specified period the worker has previously received cash sickness benefits or has previously been incapable of work;

Whereas the Law on general insurance against incapacity for work entered into force in the Netherlands on 1 October 1976; whereas, since it is legislation based on the materialization of the risk, this Law should be mentioned in Annex III to Regulation (EEC) No 1408/71; whereas Annex V to this Regula-

⁽¹⁾ OJ No L 149, 5. 7. 1971, p. 2.

⁽²⁾ OJ No L 138, 26. 5. 1976, p. 1.

⁽³⁾ OJ No L 74, 27. 3. 1972, p. 1.

⁽⁴⁾ OJ No C 266, 7. 11. 1977, p. 45.

⁽⁵⁾ Opinion delivered on 26/27 October 1977 (not yet published in the Official Journal).

tion should also be amended to specify the *pro rata temporis* method of calculating invalidity benefits laid down by Netherlands legislation;

Whereas Annex V to Regulation (EEC) No 1408/71 should also be amended to take account of the consequences for Belgian, Irish and United Kingdom legislation of the addition of paragraph 3 (a) to Article 40 of the said Regulation and the consequences for Irish legislation of the amendment of Article 44 (2) of the said Regulation and to specify the procedures for

affiliation to the voluntary sickness insurance scheme in the Netherlands and for the calculation of the contributions to this insurance;

Whereas Annex II to Regulation (EEC) No 1408/71 and Annexes 2, 5, 7 and 10 to Regulation (EEC) No 574/72 also need to be amended to take account of the Agreements concluded between certain Member States pursuant to these Regulations, and of the changes in the internal administrative organization of the Member States,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1408/71 shall be amended as follows:

1. Article 14 (3) shall read as follows:

'3. The provisions of the legislation of a Member State under which a pensioner who is pursuing a professional or trade activity is not subject to compulsory insurance in respect of such activity shall also apply to a pensioner whose pension was acquired under the legislation of another Member State, unless the person concerned expressly asks to be so subject by applying to the institution designated by the competent authority of the first Member State and listed in Annex 10 to the Implementing Regulation.'

2. Article 21 shall be replaced by the following:

'Article 21

Stay in or transfer of residence to the competent State

1. The worker referred to in Article 19 (1) who is staying in the territory of the competent State shall receive benefits in accordance with the provisions of the legislation of that State as though he were resident there, even if he has already received benefits for the same case of sickness or maternity before his stay.

2. Paragraph 1 shall apply by analogy to the members of the family referred to in Article 19 (2).

However, where the latter reside in the territory of a Member State other than the one in whose territory the worker resides, benefits in kind shall be provided by the institution of the place of stay on behalf of the institution of the place of residence of the persons concerned.

3. Paragraphs 1 and 2 shall not apply to frontier workers and the members of their families.

4. A worker and members of his family referred to in Article 19 who transfer their residence to the territory of the competent State shall receive benefits in accordance with the provisions of the legislation of that State even if they have already received benefits for the same case of sickness or maternity before transferring their residence.'

3. The following paragraph shall be added to Article 22 (3):

'However, for the purpose of applying paragraph 1 (a) (i) and (c) (i) to the members of the family referred to in Article 19 (2) who reside in the territory of a Member State other than the one in whose territory the worker resides:

- (a) benefits in kind shall be provided on behalf of the institution of the Member State in whose territory the members of the family are residing by the institution of the place of stay in accordance with the provisions of the legislation which it administers as if the worker were insured there. The period during which benefits are provided shall, however, be that laid down under the legislation of the Member State in whose territory the members of the family are residing;
- (b) the authorization required under paragraph 1 (c) shall be issued by the institution of the Member State in whose territory the members of the family are residing.'

4. Article 40:

- (a) A new paragraph 3 shall be added after paragraph 2:

'3. (a) For the purpose of determining the right to benefits under the legislation of a Member State, listed in Annex III, which makes the granting of invalidity benefits conditional upon the person concerned during a specified period having received cash sickness benefit or having been incapable of work, where a worker who has been subject to that legislation suffers incapacity for work followed by invalidity while subject to the legislation of another Member State, account shall, without prejudice to Article 37 (1), be taken of:

- (i) any period during which, in respect of that incapacity for work, he has, under the legislation of the second Member State, received cash sickness benefits or, in lieu thereof, continued to receive his wage or salary,
- (ii) any period during which, in respect of the invalidity which followed that incapacity for work, he has received invalidity benefits under the legislation of the second Member State,

as if it were a period during which cash sickness benefits were paid to him under the legislation of the first Member State or during which he was incapable of work within the meaning of that legislation.

- (b) The right to invalidity benefits under the legislation of the first Member State shall be acquired either upon expiry of the preliminary period of compensation for sickness as required by that legislation or upon expiry of the preliminary period of incapacity for work as required by that legislation, and at the earliest:

- (i) on the day on which the right to invalidity benefits is acquired under the legislation of the second Member State, or
- (ii) on the day following the last day on which the person concerned is entitled to cash sickness benefits under the legislation of the second Member State.'

- (b) Paragraph 3 shall be renumbered paragraph 4.

5. The second sentence of Article 44 (2) shall be replaced by the following:

'Exception shall be made to this rule if the person concerned expressly asks for postponement of the award of old-age benefits to which he would be entitled under the legislation of one or more Member States.'

6. The introductory subparagraph of Article 46 (2) shall be replaced by the following:

'2. Where a worker has been subject to the legislation of a Member State and where the conditions for entitlement to benefits are not satisfied unless account is taken of the provisions of Article 45 and/or Article 40 (3), the competent institution of that Member State shall apply the following rules:'

7. Annex II, Parts A and B :

Item 9 shall be replaced by the following :

'9. DENMARK — GERMANY

- (a) Item 15 of the Final Protocol to the Convention on social insurances of 14 August 1953.
- (b) The Complementary Agreement of 14 August 1953 to the Convention mentioned above.'

8. Annex III :

Section H shall read as follows :

'H. NETHERLANDS

- (a) The Law of 18 February 1966 on insurance against incapacity for work.
- (b) The Law of 11 December 1975 on general insurance against incapacity for work.'

9. Annex V :

1. Section 'A. BELGIUM'

The following paragraph shall be added after paragraph 3 :

- '4. In applying Article 40 (3) (a) (ii), account shall only be taken of periods during which the worker was incapable of work within the meaning of Belgian legislation.'

2. Section 'E. IRELAND'

- (a) The following paragraph shall be added after paragraph 7 :

'8. In applying Article 40 (3) (a) (ii), account shall only be taken of periods during which the worker was incapable of work within the meaning of Irish legislation.'

- (b) The following paragraph shall be added after paragraph 8 :

'9. For the purposes of Article 44 (2), a worker shall be deemed to have expressly asked for postponement of the award of an old-age pension to which he would be entitled under the legislation of Ireland if, where retirement is a condition for receiving the old-age pension, he has not retired.'

3. Section 'H. NETHERLANDS'

- (a) Paragraph 1 shall be replaced by the following :

'1. *Voluntary sickness insurance*

- (a) A person receiving an old-age pension under Netherlands legislation and a pension under the legislation of another Member State shall, for the purposes of Article 27 and/or Article 28, be considered to be entitled to benefits in kind if, taking into account Article 9, where appropriate, he satisfies the conditions required for admission to sickness insurance schemes for elderly persons or to voluntary insurance schemes laid down in the Law on sickness fund insurance (Ziekenfondswet).

This provision also applies to a married woman whose husband is receiving an old-age pension for married persons under Netherlands legislation and satisfies the conditions required for admission to sickness insurance schemes for elderly persons or to voluntary insurance schemes laid down in the Law on sickness fund insurance.

- (b) A person receiving an old-age pension under Netherlands legislation who resides in another Member State shall, if he is insured under the sickness insurance schemes for elderly persons or under the voluntary insurance schemes laid down in the Law on sickness fund insurance, pay for himself and, if appropriate, for members of his family a contribution based on half of the average costs incurred in the Netherlands for medical treatment for an elderly person and members of his family. A reduction of this contribution shall be granted, the costs thereof being borne by the compulsory insurance scheme provided for in the Law on

sickness fund insurance, corresponding to the part of the reduction, the costs whereof are borne by the said scheme, that is granted to persons residing in the Netherlands who are covered by the sickness insurance schemes for elderly persons and whose contributions are fixed on the same basis.

- (c) A person who is not receiving an old-age pension under Netherlands legislation and, if he is married, whose spouse is not receiving an old-age pension for married persons under Netherlands legislation shall, if he resides in another Member State and if he is insured under the voluntary insurance scheme laid down in the Law on sickness fund insurance, pay for himself and, if appropriate, for each member of his family who has reached the age of 16 years an amount of contribution which corresponds to the average of the contributions fixed by the sickness funds in the Netherlands for voluntarily insured persons residing in the Netherlands. The contribution shall be rounded up to the nearest multiple of one guilder.'

- (b) The following paragraphs shall be added to paragraph 4 :

'5. Application of Netherlands legislation on general insurance against incapacity for work

- (a) For the purposes of Article 46 (2), the only periods considered as periods of insurance completed under the Netherlands Law on general insurance against incapacity for work (AAW) shall be the periods of insurance completed under this law which coincide with the periods of insurance completed under the Netherlands Law on insurance against incapacity for work (WAO).
- (b) If the benefit under the Law on insurance against incapacity for work (WAO), calculated pursuant to Article 46 (2), is greater than the benefit under the Law on general insurance against incapacity for work (AAW), calculated pursuant to the same provision, the latter benefit shall not be paid.

6. Application of certain transitional provisions

Article 45 (1) shall not apply to the assessment of entitlement to benefits under the transitional provisions of the legislations on general old-age insurance (Article 46), on general insurance for widows and orphans and on general insurance against incapacity for work.'

4. Section 'I. UNITED KINGDOM'

The following paragraph shall be added after paragraph 17 :

- '18. In applying Article 40 (3) (a) (ii), account shall only be taken of periods during which the worker was incapable of work within the meaning of United Kingdom legislation.'

Article 2

Regulation (EEC) No 574/72 shall be amended as follows :

1. Article 4 (10) :

Before the words 'of Article 6 (1)' insert 'of Article 14 (3) of the Regulation,'.

2. Article 9 (2) :

The words 'the worker' shall be replaced by 'the deceased person'.

3. The following paragraph shall be added to Article 23 :

'However, in the cases referred to in the second subparagraph of Article 22 (3) of the Regulation, the institution of the place of residence and the legislation of the country of residence of the members of the family shall be considered, respectively, as the competent institution and as the legislation of the competent State for the purposes of Articles 17 (6) and (7), 21 and 22 of the Implementing Regulation.'

4. In Article 93 :

(a) Paragraph 1 :

Before the words 'of Article 22' insert 'of Article 21 (2).'

(b) Paragraph 2 shall be replaced by the following :

'2. In the cases referred to in the second subparagraph of Article 21 (2), the second subparagraph of Article 22 (3) and in Articles 29 (1) and 31 of the Regulation, and for the purposes of implementing paragraph 1, the institution of the place of residence of the members of the family or of the pensioner, as the case may be, shall be considered the competent institution.'

5. Annex 2, Section 'H. NETHERLANDS'

Paragraph 4 shall read as follows :

'4. Unemployment :

- | | |
|--|---|
| (a) unemployment insurance benefits : | the Bedrijfsvereniging (Professional and Trade Association) with which the insured person's employer is insured |
| (b) benefits from public authorities : | |
| (i) if the person concerned resides in the Netherlands : | the local authority of the place of residence |
| (ii) for the purposes of applying Article 71 of the Regulation if the person concerned resides outside the Netherlands : | the local authority of the place in whose territory the employer has his registered office or place of business.' |

6. Annex 5 :

(a) The following paragraph (e) shall be added to Section '2. BELGIUM — GERMANY' :

'(e) The Agreement of 4 December 1975 on the waiving of reimbursement of the amount of benefits provided to unemployed persons.'

(b) The following paragraph (e) shall be added to Section '3. BELGIUM — FRANCE' :

'(e) The Agreement of 14 May 1976 on the waiving of reimbursement of the costs of administrative checks and medical examinations, adopted pursuant to Article 105 (2) of the Implementing Regulation.'

(c) The following paragraph (e) shall be added to Section '6. BELGIUM — LUXEMBOURG' :

'(e) The Agreement of 16 April 1976 on the waiving of reimbursement of the costs of administrative checks and medical examinations, adopted pursuant to Article 105 (2) of the Implementing Regulation.'

(d) Sections 7 and 8 shall read as follows :

‘7. BELGIUM — NETHERLANDS

- (a) Articles 2, 3, 25 (2), 26 (1) and (2), 27, 46 and 48 of the Agreement of 4 November 1957 on insurance for sickness, maternity, death (funeral expenses), medical treatment and invalidity, and the Agreement of 24 March 1975 amending this Agreement.
- (b) Articles 6, 9 to 15 and the fourth paragraph of Article 17 of the Agreement of 7 February 1964 on family and childbirth allowances.
- (c) The Agreement of 10 September 1964 on the refund of benefits in kind provided to pensioners who were formerly frontier workers, implementing Article 14 (3) of Regulation No 36/63/EEC and Article 73 (4) of Regulation No 4.
- (d) Articles 9, 15 (2), 17, 18, 29 and 37 of the Agreement of 10 April 1965 on insurance against sickness, invalidity and the unemployment of mariners of the merchant navy.
- (e) The Agreement on the reimbursement of administrative expenses concluded on 5 July 1967 between the competent Belgian and Netherlands authorities, pursuant to Article 45 (2) of Regulation No 3 and Article 77 of Regulation No 4 of the Council of the European Economic Community.
- (f) The Agreement of 21 March 1968 on the collection and recovery of social security contributions, and the Administrative Arrangement of 25 November 1970 made pursuant to the said Agreement.
- (g) The Agreement of 17 November 1976 on administrative checks and medical examinations and mutual administrative aid in connection with insurance against sickness and invalidity.

8. BELGIUM — UNITED KINGDOM

- (a) The exchange of letters of 4 May and 14 June 1976 regarding Article 105 (2) of the Implementing Regulation (waiving of reimbursement of the costs of administrative checks and medical examinations).
- (b) The exchange of letters of 18 January and 14 March 1977 regarding Article 36 (3) of the Regulation (arrangement for reimbursement or waiving of reimbursement of the costs of benefits in kind provided under the terms of Chapter 1 of Title III of the Regulation).’

(e) Section 15 shall read as follows :

‘15. DENMARK — UNITED KINGDOM

The exchange of letters of 30 March and 19 April 1977 regarding Articles 36 (3), 63 (3) and 70 (3) of the Regulation and Article 105 (2) of the Implementing Regulation (waiving of reimbursement of the costs of :

- (a) benefits in kind provided under the terms of Chapter 1 or 4 of Title III of the Regulation,
- (b) benefits paid in accordance with Article 69 of the Regulation, and
- (c) administrative checks and medical examinations referred to in Article 105 of the Implementing Regulation).’

(f) The following paragraphs (c) and (d) shall be added to Section '19. GERMANY — LUXEMBOURG':

'(c) The Agreement of 14 October 1975 on the waiving of reimbursement of the costs of administrative checks and medical examinations, adopted pursuant to Article 105 (2) of the Implementing Regulation.

(d) The Agreement of 14 October 1975 on the collection and recovery of social security contributions.'

(g) The following paragraph shall be added to Section '20. GERMANY — NETHERLANDS':

'(f) The Agreement of 22 July 1976 on the waiving of reimbursement of unemployment benefits.'

(h) Sections 24, 25 and 26 shall read as follows:

'24. FRANCE — LUXEMBOURG

(a) The Agreement of 24 February 1969 concluded pursuant to Article 51 of Regulation No 3, and the Administrative Arrangement of the same date made pursuant to the said Agreement.

(b) The Agreement of 2 July 1976 on the waiving of reimbursement, provided for in Article 36 (3) of Council Regulation (EEC) No 1408/71 of 14 June 1971, of the costs of sickness or maternity insurance benefits in kind provided to members of a worker's family who do not reside in the same country as the worker.

(c) The Agreement of 2 July 1976 on the waiving of reimbursement, provided for in Article 36 (3) of Council Regulation (EEC) No 1408/71 of 14 June 1971, of the costs of sickness or maternity insurance benefits in kind provided to former frontier workers, the members of their families, or their survivors.

(d) The Agreement of 2 July 1976 on the waiving of reimbursement of the costs of administrative checks and medical examinations provided for in Article 105 (2) of Council Regulation (EEC) No 574/72 of 21 March 1972.

25. FRANCE — NETHERLANDS

(a) The exchange of letters of 5 May and 21 June 1960 concerning Article 23 (5) of Regulation No 3 (waiving of reimbursement of benefits in kind provided to the members of the families of insured persons and to pensioners and members of their families).

(b) The Agreement of 28 April 1977 on the waiving of reimbursement of expenses for medical treatment provided to applicants for a pension and members of their families and to members of the families of pensioners within the framework of the Regulations.

(c) The Agreement of 28 April 1977 on the waiving of reimbursement of the costs of administrative checks and medical examinations pursuant to Article 105 of the Implementing Regulation.

26. FRANCE — UNITED KINGDOM

(a) The exchange of letters of 25 March and 28 April 1977 regarding Articles 36 (3) and 63 (3) of the Regulation (arrangement for reimbursement or waiving of reimbursement of the costs of benefits in kind provided under the terms of Chapter 1 or 4 of Title III of the Regulation).

(b) The exchange of letters of 25 March and 28 April 1977 regarding Article 36 (3) of the Regulation (waiving for a limited period of reimbursement of the costs of benefits in kind provided under the terms of Articles 28, 28a and 29 (1) (a) of the Regulation).

- (c) The exchange of letters of 25 March and 28 April 1977 regarding Article 105 (2) of the Implementing Regulation (waiving of reimbursement of the costs of administrative checks and medical examinations).'

(i) Section 28 shall read as follows :

'28. IRELAND — LUXEMBOURG

The exchange of letters of 26 September 1975 and 5 August 1976 concerning Articles 36 (3) and 63 (3) of the Regulation and Article 105 (2) of the Implementing Regulation (waiving of reimbursement of benefits in kind provided pursuant to Chapter 1 or 4 of Title III of the Regulation, and of the costs of administrative checks and medical examinations referred to in Article 105 of the Implementing Regulation).'

(j) Section 30 shall read as follows :

'30. IRELAND — UNITED KINGDOM

The exchange of letters of 9 July 1975 regarding Articles 36 (3) and 63 (3) of the Regulation (arrangement for reimbursement or waiving of reimbursement of the costs of benefits in kind provided under the terms Chapter 1 or 4 of Title III of the Regulation) and Article 105 (2) of the Implementing Regulation (waiving of reimbursement of the costs of administrative checks and medical examinations).'

(k) Section 34 shall read as follows :

'34. LUXEMBOURG — NETHERLANDS

- (a) The Agreement of 1 November 1976 on the waiving of reimbursement of the costs of administrative checks and medical examinations adopted pursuant to Article 105 (2) of the Implementing Regulation.
- (b) The Agreement of 3 February 1977 on the waiving of reimbursement of the costs of sickness or maternity insurance benefits in kind provided pursuant to Articles 19 (2), 26, 28 and 29 (1) of Council Regulation (EEC) No 1408/71 of 14 June 1971.'

(l) Section 36 shall read as follows :

'36. NETHERLANDS — UNITED KINGDOM

- (a) The second sentence of Article 3 of the Administrative Arrangement of 12 June 1956 on the implementation of the Convention of 11 August 1954.
- (b) The exchange of letters of 8 and 28 January 1976 regarding Article 70 (3) of the Regulation (waiving of reimbursement of benefits provided pursuant to Article 69 of the Regulation).
- (c) The exchange of letters of 24 February and 5 March 1976 on Articles 36 (3) and 63 (3) of the Regulation (waiving of reimbursement of benefits in kind provided pursuant to Chapter 1 or 4 of Title III of the Regulation).'

7. Annex 7 :

Section G shall read as follows :

'G. LUXEMBOURG : Caisse d'Épargne (Savings Bank), Luxembourg'

8. Annex 10 :

(a) Section 'C. GERMANY'

The following paragraph shall be added after paragraph 8 :

'9. For the purposes of applying Article 14 (3) of the Regulation :

The institution to which pension insurance contributions are paid or, if the application is made together with or after the pension application, the institution investigating the application.'

(b) Section G shall read as follows :

'G. LUXEMBOURG

1. For the purposes of applying Article 14 (3) of the Regulation :

The competent institution for the relevant type of employment

2. For the purposes of applying Article 6 (1) of the Implementing Regulation :

Caisse de pension des employés privés (Pension Fund for Clerical Staff in the Private Sector), Luxembourg
or

Établissement d'assurance contre la vieillesse et l'invalidité (Old-age and Invalidity Insurance Institution), Luxembourg

3. For the purposes of applying Articles 11 (1), 13 (2) and (3), and 14 (1), (2) and (3) of the Implementing Regulation :

Inspection générale de la sécurité sociale, (General Inspectorate for Social Security), Luxembourg

4. For the purposes of applying Articles 80 (2), 81, 82 (2) and 89 of the Implementing Regulation :

Office national du travail (National Labour Office), Luxembourg

5. For the purposes of applying Article 85 (2) of the Implementing Regulation :

The sickness fund with which the person concerned was last insured

6. For the purposes of applying Article 91 (2) of the Implementing Regulation :

(a) Invalidity, old-age, death (pensions) :

(i) for clerical staff including technicians in mines (underground) :

Caisse de pension des employés privés (Pension Fund for Clerical Staff in the Private Sector), Luxembourg

- | | |
|--|--|
| (ii) for other cases : | Établissement d'assurance contre la vieillesse et l'invalidité (Old-age and Invalidity Insurance Institution), Luxembourg |
| (b) Family benefits : | |
| (i) for persons insured with the institution referred to under (a) (ii) : | Caisse d'allocations familiales des ouvriers près l'Établissement d'assurance contre la vieillesse et l'invalidité (Family Allowances Fund for Manual Workers at the Old-age and Invalidity Insurance Institution), Luxembourg |
| (ii) for other cases : | Caisse d'allocations familiales des employés près la Caisse de pension des employés privés (Family Allowance Fund for Clerical Staff at the Pension Fund for Clerical Staff in the Private Sector), Luxembourg |
| 7. For the purposes of applying Article 102 (2) of the Implementing Regulation : | |
| (a) Sickness, maternity : | Caisse nationale d'assurance-maladie des ouvriers (National Sickness Insurance Fund for Manual Workers), Luxembourg |
| (b) Accidents at work : | Association d'assurance contre les accidents, section industrielle (Accident Insurance Association, Industrial Department), Luxembourg |
| (c) Unemployment : | Office national du travail (National Labour Office), Luxembourg |
| (d) Family benefits : | Caisse d'allocations familiales des ouvriers près l'Établissement d'assurance contre la vieillesse et l'invalidité (Family Allowances Fund for Manual Workers at the Old-age and Invalidity Insurance Institution), Luxembourg |
| 8. For the purposes of applying Article 113 (2) of the Implementing Regulation : | |
| (a) Sickness, maternity : | Caisse nationale d'assurance-maladie des ouvriers (National Sickness Insurance Fund for Manual Workers), Luxembourg |
| (b) Accidents at work : | Association d'assurance contre les accidents, section industrielle (Accident Insurance Association, Industrial Department), Luxembourg. |

Article 3

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

Article 1 (4) and (6) shall be applicable as from 1 July 1976 for the purposes of the application of Irish, Netherlands and United Kingdom legislation.

Points 2 (a) and 4 of Article 1 (9) shall be applicable as from 1 July 1976.

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

Done at Brussels, 21 November 1977.

For the Council

The President

H. SIMONET

COMMISSION REGULATION (EEC) No 2596/77
of 25 November 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 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 Regula-
tion (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 26
November 1977.

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

Done at Brussels, 25 November 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 25 November 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	80.45
10.01 B	Durum wheat	115.88 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	64.12 ⁽⁶⁾
10.03	Barley	72.21
10.04	Oats	56.51
10.05 B	Maize, other than hybrid maize for sowing	67.91 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	50.33 ⁽⁴⁾
10.07 C	Grain sorghum	69.10 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	123.83
11.01 B	Rye flour	100.96
11.02 A I a)	Durum wheat groats and meal	190.49
11.02 A I b)	Common wheat groats and meal	133.21

⁽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 2597/77**of 25 November 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 26
November 1977.

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

Done at Brussels, 25 November 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 25 November 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 11	1st period 12	2nd period 1	3rd period 2
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	5.41
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 11	1st period 12	2nd period 1	3rd period 2	4th period 3
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 2598/77**of 25 November 1977****fixing the import levies on live cattle and on beef and veal other than frozen**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
805/68 of 27 June 1968 on the common organization
of the market in beef and veal ⁽¹⁾, as last amended by
Regulation (EEC) No 425/77 ⁽²⁾, and in particular
Article 12 (8) thereof,

Whereas the import levies on live cattle and on beef
and veal other than frozen were fixed by Regulation
(EEC) No 934/77 ⁽³⁾, as last amended by Regulation
(EEC) No 2344/77 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 934/77

to the quotations and other information 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 on live cattle and on beef and veal
other than frozen shall be as specified in the Annex to
this Regulation.

Article 2

This Regulation shall enter into force on 5 December
1977.

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

Done at Brussels, 25 November 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 109, 30. 4. 1977, p. 20.

⁽⁴⁾ OJ No L 275, 27. 10. 1977, p. 16.

ANNEX

to the Commission Regulation of 25 November 1977 fixing the import levies on live cattle
and on beef and veal other than frozen ⁽¹⁾

(u.a./100 kg)

CCT heading No	Austria/Sweden/Switzerland	Other third countries
	— Live weight —	
01.02 A II a) (a)	—	57·456
01.02 A II b) (b)	16·084	57·456
	— Net weight —	
02.01 A II a) 1 aa) (a)	—	109·166
02.01 A II a) 1 bb)	30·560	109·166
02.01 A II a) 2 aa) (a)	—	87·333
02.01 A II a) 2 bb)	24·448	87·333
02.01 A II a) 3 aa) (a)	—	131·000
02.01 A II a) 3 bb)	36·673	131·000
02.01 A II a) 4 aa)	45·841	163·750
02.01 A II a) 4 bb)	52·434	187·307
02.06 C I a) 1	45·841	163·750
02.06 C I a) 2	52·434	187·307
16.02 B III b) 1 aa)	52·434	187·307

⁽¹⁾ In accordance with Regulation (EEC) No 706/76, levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

(a) The levy shall be established in accordance with the provisions set out in Annex I to the Trade Agreement between the EEC and the Socialist Federal Republic of Yugoslavia.

(b) The levy which is to be applied to young male bovine animals, intended for fattening, of a live weight of 300 kg or less, imported under the conditions set out in Article 13 of Council Regulation (EEC) No 805/68 of 27 June 1968, and in the provisions adopted for its application, is totally or partially suspended in accordance with those provisions.

COMMISSION REGULATION (EEC) No 2599/77
of 25 November 1977
fixing the import levies on frozen beef and veal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
805/68 of 27 June 1968 on the common organization
of the market in beef and veal ⁽¹⁾, as last amended by
Regulation (EEC) No 425/77 ⁽²⁾, and in particular
Article 12(8) thereof,

Whereas the import levies on frozen beef and veal
were fixed by Regulation (EEC) No 935/77 ⁽³⁾, as last
amended by Regulation (EEC) No 2345/77 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 935/77

to the quotations and other information known to the
Commission, that the levies should be fixed as shown
in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen beef and veal shall be as
specified in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 5 December
1977.

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

Done at Brussels, 25 November 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 109, 30. 4. 1977, p. 24.

⁽⁴⁾ OJ No L 275, 27. 10. 1977, p. 18.

ANNEX

to the Commission Regulation of 25 November 1977 fixing the import levies on frozen beef and veal ⁽¹⁾

(u.a./100 kg)

CCT heading No	Levy
	— Net weight —
02.01 A II b) 1	114.229
02.01 A II b) 2	91.383 (a)
02.01 A II b) 3	142.786
02.01 A II b) 4 aa)	171.344
02.01 A II b) 4 bb) 11	142.786 (a)
02.01 A II b) 4 bb) 22 (b)	142.786 (a)
02.01 A II b) 4 bb) 33	196.474 (a)

(¹) In accordance with Regulation (EEC) No 706/76, levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

(a) Where products are imported under the conditions set out in Article 14, of Council Regulation (EEC) No 805/68 of 27 June 1968 and in provisions adopted for its application, the levy is totally or partially suspended in accordance with those provisions.

(b) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

COMMISSION REGULATION (EEC) No 2600/77

of 25 November 1977

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

— the economic aspect of the proposed exports;

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

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

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

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

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 5, 9. 1. 1975, p. 7.

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

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

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1110/77⁽²⁾;

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

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

Whereas the special conditions concerning the payment of the refund for skimmed-milk powder for

use as feed in the country of destination were laid down in Regulation (EEC) No 2054/76⁽³⁾, as last amended by Regulation (EEC) No 1724/77⁽⁴⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for these products which fall within heading No 04.04.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 November 1977.

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

Done at Brussels, 25 November 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1977, p. 1.

⁽³⁾ OJ No L 228, 20. 8. 1976, p. 17.

⁽⁴⁾ OJ No L 189, 29. 7. 1977, p. 41.

ANNEX

to the Commission Regulation of 25 November 1977 fixing the refunds on milk and milk products exported in the natural state

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % :		
	I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of two litres or less	0110 00	4.61
	b) Other	0120 00	—
	II. Others :		
	a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1.5 %	0130 10	1.14
	(bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0130 22	
	for exports to :		
	— Countries near the Community		4.02
	— Other destinations		5.04
	(cc) Of a fat content, by weight, exceeding 3 %	0130 31	
	for exports to :		
	— Countries near the Community		5.71
	— Other destinations		7.32
	2. Exceeding 4 %	0140 00	
	for exports to :		
	— Countries near the Community		6.13
	— Other destinations		8.51
	b) Other of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1.5 %	0150 10	1.14
	(bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0150 21	4.16
	(cc) Of a fat content, by weight, exceeding 3 %	0150 31	5.02
	2. Exceeding 4 %	0160 00	5.41
	ex B. Other, excluding whey, of a fat content, by weight :		
	ex I. Exceeding 6 % but not exceeding 21 % :		
	(a) Of a fat content, by weight, not exceeding 10 %	0200 05	15.14
	(b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 %	0200 11	23.56
	(c) Of a fat content, by weight, exceeding 17 %	0200 21	35.59
	II. Exceeding 21 % but not exceeding 45 % :		
	(a) Of a fat content, by weight, not exceeding 39 %	0300 10	42.47
	(b) Of a fat content, by weight, exceeding 39 %	0300 20	73.41

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

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

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

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.03	Butter :		
	ex A. Of a fat content, by weight, not exceeding 85 % :		
	(I) Of a fat content, by weight, of 62 % or more, but less than 78 %	3110 05	120.79
	(II) Of a fat content, by weight, of 78 % or more but less than 80 %	3110 16	151.96
	(III) Of a fat content, by weight, of 80 % or more but less than 82 %	3110 22	155.85
	(IV) Of a fat content, by weight, of 82 % or more	3110 32	159.75
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99.5 %	3210 10	159.75
	(II) Exceeding 99.5 %	3210 20	206.90
04.04	Cheese and curd ⁽⁵⁾ :		
	ex A. Emmentaler and Gruyère, not grated or powdered :		
	II. Other	3800 00	
	for exports to :		
	— Zone D		60.00
	— Zone E		—
	— Canada		48.00
	— Liechtenstein and Switzerland		—
	— Austria		46.35
	— Other destinations		90.71
	ex C. Blue-veined cheese, not grated or powdered, other than Roquefort	4000 00	
	for exports to :		
	— Austria		30.00
	— Zone D		85.80
	— Zone E		24.38
	— Canada		41.40
	— Other destinations		74.86
	D. Processed cheese, not grated or powdered :		
	II. Other, of a fat content, by weight :		
	a) Not exceeding 36 % and of a fat content, by weight, in the dry matter :		
	ex 1. Not exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 %	4410 10	
	for exports to :		
	— Austria		8.28
	— Zone D		17.97
	— Zone E		14.58
	— Canada		14.78
	— Switzerland		5.30
	— Other destinations		30.63

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(bb) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 % for exports to :	4410 20	
	— Austria		8.28
	— Zone D		17.97
	— Zone E		14.58
	— Canada		14.78
	— Switzerland		5.30
	— Other destinations		30.63
	(22) Of 20 % or more for exports to :	4410 30	
	— Austria		12.25
	— Zone D		26.57
	— Zone E		21.50
	— Canada		21.84
	— Switzerland		7.84
	— Other destinations		45.37
	(cc) Of 43 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 % for exports to :	4410 40	
	— Austria		8.28
	— Zone D		17.97
	— Zone E		14.58
	— Canada		14.78
	— Switzerland		5.30
	— Other destinations		30.63
	(22) Of 20 % or more but less than 40 % for exports to :	4410 50	
	— Austria		12.25
	— Zone D		26.57
	— Zone E		21.50
	— Canada		21.84
	— Switzerland		7.84
	— Other destinations		45.37
	(33) Of 40 % or more for exports to :	4410 60	
	— Austria		17.88
	— Zone D		38.80
	— Zone E		31.32
	— Canada		31.90
	— Switzerland		11.44
	— Other destinations		66.37
	ex 2. Exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 % for exports to :	4510 10	
	— Austria		8.28
	— Zone D		17.97
	— Zone E		14.58
	— Canada		14.78
	— Switzerland		5.30
	— Other destinations		30.63

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(bb) Of 38 % or more but less than 43 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4510 20	12.25 26.57 21.50 21.84 7.84 45.37
	(cc) Of 43 % or more but less than 46 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4510 30	17.88 38.80 31.32 31.90 11.44 66.37
	(dd) Of 46 % or more and of a fat content, by weight, in the dry matter : (11) Less than 55 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4510 40	17.88 38.80 31.32 31.90 11.44 66.37
	(22) Of 55 % or more for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4510 50	21.21 46.03 37.16 37.85 13.58 78.79
	b) Exceeding 36 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4610 00	21.21 46.03 37.16 37.85 13.58 78.79
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :		
	ex a) Not exceeding 47 % :		
	(1) Grana, Parmigiano Reggiano for exports to : — Zone D — Zone E — Canada — Switzerland — Other destinations	4710 11	116.64 81.50 98.00 91.64 116.64

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(2) Fiore Sardo, Pecorino	4710 16	
	for exports to :		
	— Zone D		125.27
	— Zone E		92.50
	— Canada		99.50
	— Switzerland		100.27
	— Other destinations		125.27
	(3) Other, of a fat content, by weight, in the dry matter of 30 % or more	4710 21	
	for exports to :		
	— Zone D		116.64
	— Zone E		81.50
	— Canada		98.00
	— Switzerland		91.64
	— Other destinations		116.64
	b) Exceeding 47 % but not exceeding 72 % :		
	1. Cheddar :		
	ex bb) Other, of a fat content, by weight, in the dry matter of 48 % or more	4850 00	
	for exports to :		
	— Austria		32.87
	— Zone D		59.61
	— Zone E		—
	— Canada		28.00
	— Switzerland		16.00
	— Other destinations		84.50
	ex 5. Other, of a fat content, by weight, in the dry matter :		
	(aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more	5120 11	
	for exports to :		
	— Austria		14.54
	— Zone D		18.93
	— Zone E		—
	— Canada		12.50
	— Switzerland		3.99
	— Other destinations		32.43
	(bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more	5120 15	
	for exports to :		
	— Austria		14.71
	— Zone D		21.76
	— Zone E		—
	— Canada		29.90
	— Switzerland		4.40
	— Other destinations		54.54
	(cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 %	5120 21	
	for exports to :		
	— Austria		19.91
	— Zone D		25.93
	— Zone E		—
	— Canada		35.57
	— Switzerland		4.73
	— Other destinations		66.12

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(dd) Of 39 % or more :		
	(11) Asiago, Caciocavallo, Provolone, Ragusano	5120 31	
	for exports to :		
	— Zone D		99.28
	— Zone E		77.00
	— Canada		87.50
	— Switzerland		35.29
	— Other destinations		116.23
	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit	5120 44	
	for exports to :		
	— Austria		38.48
	— Zone D		63.93
	— Zone E		25.60
	— Canada		47.90
	— Switzerland		35.29
	— Other destinations		77.12
	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	5120 54	
	for exports to :		
	— Austria		45.00
	— Zone D		63.93
	— Zone E		23.10
	— Canada		42.35
	— Switzerland		35.29
	— Other destinations		66.74
	(44) Cantal, Cheshire, Wensleydale, Lancashire, double Gloucester	5120 58	
	for exports to :		
	— Austria		32.87
	— Zone D		59.61
	— Zone E		23.11
	— Canada		41.70
	— Switzerland		16.00
	— Other destinations		79.13
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more	5120 59	
	for exports to :		
	— Zone E		15.00
	— Canada		20.00
	— Other destinations		35.03
	(66) Feta	5120 82	
	for exports to :		
	— Zone D		41.54 (*)
	— Zone E		2.15 (*)
	— Canada		34.00 (*)
	— Switzerland		12.00 (*)
	— Jordan, Iraq, Iran, the Arabian Peninsula and Mediterranean countries except Zone D		76.28 (*)
	— Other destinations		63.42 (*)
	(77) Colby, Monterey	5120 83	
	for exports to :		
	— Austria		32.87
	— Zone D		59.61
	— Zone E		—
	— Canada		41.70
	— Switzerland		16.00
	— Other destinations		79.13

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(88) Other, of a water content, calculated by weight, of the non-fatty matter : (aaa) Exceeding 47 % but not exceeding 52 % for exports to : — Zone D — Switzerland — Zone E — Canada — Other destinations (bbb) Exceeding 52 % but not exceeding 62 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations II. Other : ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight : (1) Of 80 % or more but less than 85 % for exports to : — Zone E — Canada — Other destinations (2) Of 85 % or more but less than 95 % for exports to : — Zone E — Canada — Other destinations (3) Of 95 % or more for exports to : — Zone E — Canada — Other destinations	5120 86 5120 91 5310 10 5310 21 5310 30	59-61 15-00 43-08 62-50 85-00 38-48 63-93 25-60 47-90 35-29 77-12 20-00 33-50 56-25 25-00 39-50 70-59 30-00 45-00 82-26
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : ex B. Other, containing starch, glucose or glucose syrup falling within sub-headings 17.02 B and 17.05 B, or milk products, excluding special compound feedingstuffs (*) : I. Containing starch, or glucose or glucose syrup : a) Containing no starch or containing 10 % or less, by weight, of starch : 3. Containing 50 % or more but less than 75 %, by weight, of milk products, excluding whey powder, and containing, by weight, milk powder of a fat content, by weight, not exceeding 11 % :		

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
23.07 (cont'd)	(aa) Less than 30 %	5700 12	—
	(bb) 30 % or more but less than 40 %	5700 22	20.75
	(cc) 40 % or more but less than 50 %	5700 32	27.24
	(dd) 50 % or more but less than 60 %	5700 41	33.72
	(ee) 60 % or more but less than 70 %	5700 51	40.21
	(ff) 70 % or more	5700 61	46.69
	4. Containing 75 % or more, by weight, of milk products, excluding whey powder, and containing, by weight, milk powder of a fat content, by weight, not exceeding 11 % :		
	(aa) Less than 30 %	5800 12	—
	(bb) 30 % or more but less than 40 %	5800 22	20.75
	(cc) 40 % or more but less than 50 %	5800 31	27.24
	(dd) 50 % or more but less than 60 %	5800 41	33.72
	(ee) 60 % or more but less than 70 %	5800 51	40.21
	(ff) 70 % or more but less than 75 %	5800 61	46.69
	(gg) 75 % or more but less than 80 %	5800 71	49.93
	(hh) 80 % or more	5800 81	53.18
	II. Containing no starch, glucose or glucose syrup, but containing milk products, excluding whey powder, containing, by weight, milk powder of a fat content, by weight, not exceeding 11 % :		
	(a) 50 % or more but less than 60 %	5900 11	33.72
	(b) 60 % or more but less than 70 %	5900 21	40.21
	(c) 70 % or more but less than 80 %	5900 31	46.69
	(d) 80 % or more	5900 41	53.18

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

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

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

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

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

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

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

(⁵) No refund is applicable to cheese rinds and cheese wastes falling within heading No 04.04 of the Common Customs Tariff. Products unfit as such for human consumption shall be regarded as cheese wastes.

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

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

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

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

COMMISSION REGULATION (EEC) No 2601/77
of 25 November 1977

re-establishing the levying of customs duties on basketwork, wickerwork and other articles of plaiting materials falling within heading No 46.03, originating in the Philippines 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 to 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 ques-

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

Whereas, in respect of basketwork, wickerwork and other articles of plaiting materials, the ceiling, calculated as indicated above, should be 14 824 000 units of account, and therefore the maximum amount is 2 964 800 units of account; whereas on 18 November 1977, the amounts of imports into the Community of basketwork, wickerwork and other articles of plaiting materials, originating in the Philippines, 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 the Philippines,

HAS ADOPTED THIS REGULATION:

Article 1

As from 29 November 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 the Philippines:

CCT heading No	Description of goods
46.03	Basketwork, wickerwork and other articles of plaiting materials, made directly to shape; articles made up from goods falling within heading No 46.01 or 46.02; articles of loofah

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, 25 November 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 2602/77
of 25 November 1977

re-establishing the levying of customs duties on fabric and other articles of asbestos falling within subheadings 68.13 B II and III, 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 to 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 40 %;

Whereas Article 2 (2) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries or territories — with the exception of those listed in Annex C to the same Regulation — once the relevant Community amount has been reached;

Whereas, in respect of fabric and other articles of asbestos falling within subheadings 68.13 B II and III, the ceiling, calculated as indicated above, should be 1 688 000 units of account, and therefore the maximum amount is 675 200 units of account; whereas on 18 November 1977, the amounts of imports into the Community of fabric and other articles of asbestos falling within subheadings 68.13 B II and III, 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 29 November 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
68.13	Fabricated asbestos and articles thereof (for example, asbestos board, thread and fabric; asbestos clothing, asbestos jointing), reinforced or not, other than goods falling within heading No 68.14; mixtures with a basis of asbestos and mixtures with a basis of asbestos and magnesium carbonate, and articles of such mixtures: B. Articles of asbestos: II. Fabric III. Other

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, 25 November 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 2603/77

of 25 November 1977

re-establishing the levying of customs duties on primary cells and primary batteries falling within heading No 85.03, 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 to 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 question originating in any of the said countries or territories — with the exception of those listed in Annex C to the same Regulation — once the relevant Community amount has been reached;

Whereas, in respect of primary cells and primary batteries, the ceiling, calculated as indicated above, should be 4 441 000 units of account, and therefore the maximum amount is 1 332 300 units of account; whereas on 15 November 1977, the amounts of imports into the Community of primary cells and primary batteries, 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 29 November 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
85.03	Primary cells and primary batteries

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, 25 November 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 2604/77
of 25 November 1977

introducing monetary compensatory amounts in respect of durum wheat and the products derived therefrom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States⁽¹⁾, as last amended by Regulation (EEC) No 557/76⁽²⁾, and in particular Article 6 thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 974/71 were fixed by Commission Regulation (EEC) No 938/77 of 29 August 1977⁽³⁾, as last amended by Regulation (EEC) No 2542/77⁽⁴⁾; whereas durum wheat and the products derived therefrom are not included in the list of products to which such amounts apply;

Whereas the absence of monetary compensatory amounts has in recent months caused difficulties as regards both durum wheat and the products derived therefrom; whereas deflections of trade in the case of durum wheat and distortions of competition in the case of some of the products in question have been noted; whereas this state of affairs is furthermore worsened by the sharp drop in supplies of home-grown durum wheat and the increased need for imports from non-member countries;

Whereas it is necessary to remedy this state of affairs by introducing the amounts in question in respect of durum wheat and the products derived therefrom;

Whereas the introduction of the new compensatory amounts requires a transitional period enabling the trade to adjust to them, account being taken, however, of the importance of the measures provided for in this Regulation in ensuring the proper functioning of the markets and in preventing speculation;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Parts 1 and 8 of Annex I to Regulation (EEC) No 938/77 shall be supplemented as indicated in the Annex to this Regulation, subject always to the amounts set out therein being altered as a result of fluctuations in the exchange rates referred to in Article 2 (1) of Regulation (EEC) No 974/71.

Article 2

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

It shall apply with effect from 2 January 1978.

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

Done at Brussels, 25 November 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 1.

⁽³⁾ OJ No L 110, 30. 4. 1977, p. 6.

⁽⁴⁾ OJ No L 297, 21. 11. 1977, p. 1.

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

Complément à la partie 1 de l'annexe I du règlement (CEE) n° 938/77
Addition to Part 1 of Annex I to Regulation (EEC) No 938/77
Ergänzung zu Teil 1 von Anhang I der Verordnung (EWG) Nr. 938/77
Complemento alla parte 1ª dell'allegato I del regolamento (CEE) n. 938/77
Aanvulling op deel 1 van bijlage I van Verordening (EEG) nr. 938/77
Tilføjelse til del 1 i bilag I til forordning (EØF) nr. 938/77

Numéro du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif	Montants à percevoir à l'importation et à octroyer à l'exportation Amounts to be charged on imports and granted on exports Beträge, die bei der Einfuhr erhoben und bei der Ausfuhr gewährt werden Importi da riscuotere all'importazione e da concedere all'esportazione Bij de invoer te heffen en bij de uitvoer te verstrekken bedragen Beløb, der skal opkræves ved indførsel og ydes ved udførsel			Montants à octroyer à l'importation et à percevoir à l'exportation Amounts to be granted on imports and charged on exports Beträge, die bei der Einfuhr gewährt und bei der Ausfuhr erhoben werden Importi da concedere all'importazione e da riscuotere all'esportazione Bij de invoer te verstrekken en bij de uitvoer te heffen bedragen Beløb, der skal ydes ved indførsel og opkræves ved udførsel			
	Deutschland	Belgique/ Luxembourg	Nederland	United Kingdom	Ireland	Italia	France
	DM/t	FB/Flux/t	Fl./t	£/t	£/t	Lit/t	FF/t
1	2	3	4	5	6	7	8
10.01 B	51,96	140,3	9,67	34,418	2,853	34 502	181,89
11.02 A I a)	72,46	195,7	13,49	47,998	3,979	48 115	253,66

Complément à la partie 8 de l'annexe I du règlement (CEE) n° 938/77
Addition to Part 8 of Annex I to Regulation (EEC) No 938/77
Ergänzung zu Teil 8 von Anhang I der Verordnung (EWG) Nr. 938/77
Complemento alla parte 8ª dell'allegato I del regolamento (CEE) n. 938/77
Aanvulling op deel 8 van bijlage I van Verordening (EEG) nr. 938/77
Tilføjelse til del 8 i bilag I til forordning (EØF) nr. 938/77

Numéro du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif	Montants à percevoir à l'importation et à octroyer à l'exportation Amounts to be charged on imports and granted on exports Beträge, die bei der Einfuhr erhoben und bei der Ausfuhr gewährt werden Importi da riscuotere all'importazione e da concedere all'esportazione Bij de invoer te heffen en bij de uitvoer te verstrekken bedragen Beløb, der skal opkræves ved indførsel og ydes ved udførsel			Montants à octroyer à l'importation et à percevoir à l'exportation Amounts to be granted on imports and charged on exports Beträge, die bei der Einfuhr gewährt und bei der Ausfuhr erhoben werden Importi da concedere all'importazione e da riscuotere all'esportazione Bij de invoer te verstrekken en bij de uitvoer te heffen bedragen Beløb, der skal ydes ved indførsel og opkræves ved udførsel			
	Deutschland	Belgique/ Luxembourg	Nederland	United Kingdom	Ireland	Italia	France
	DM/100 kg	FB/Flux/100 kg	Fl./100 kg	£/100 kg	£/100 kg	Lit/100 kg	FF/100 kg
1	2	3	4	5	6	7	8
19.03 A	8,68	23,50	1,61	5,748	0,476	5 762	30,38
19.03 B I	8,68	23,50	1,61	5,748	0,476	5 762	30,38
19.03 B II	7,52	20,50	1,40	4,982	0,413	4 994	26,33

COMMISSION REGULATION (EEC) No 2605/77
of 25 November 1977
fixing the amount of the subsidy 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⁾, and in particular Article 27 (4) thereof,

Whereas the amount of the subsidy referred to in
Article 27 of Regulation No 136/66/EEC was fixed by
Regulation (EEC) No 1443/77⁽³⁾, as last amended by
Regulation (EEC) No 2558/77⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 1443/77

to the information at present available to the Commis-
sion that the amount of the subsidy at present in force
should be altered as shown in the Annex to this Regu-
lation,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the subsidy referred to in Article 27 of
Regulation No 136/66/EEC is hereby fixed as shown
in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 28
November 1977.

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

Done at Brussels, 25 November 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 L 161, 1. 7. 1977, p. 31.

⁽⁴⁾ OJ No L 298, 22. 11. 1977, p. 5.

*ANNEX***to the Commission Regulation of 25 November 1977 fixing the amount of the subsidy on oil seeds**

Subsidy applicable from 28 November 1977 to colza and rape seeds (CCT heading No ex 12.01) and sunflower seeds (CCT heading No ex 12.01) (u.a./100 kg)

	Colza and rape seed	Sunflower seed
Subsidy	9.064	11.870
Subsidy in the case of advance fixing :		
— for the month of November 1977	9.064	11.870
— for the month of December 1977	9.368	12.256
— for the month of January 1978	9.636	12.642
— for the month of February 1978	10.541	12.997
— for the month of March 1978	10.845	—
— for the month of April 1978	11.110	—

COMMISSION REGULATION (EEC) No 2606/77

of 25 November 1977

fixing the world market price for colza and rape seed

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 markets in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1707/73⁽²⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza and rape seed⁽³⁾, as last amended by Regulation (EEC) No 3477/73⁽⁴⁾,

Having regard to Commission Regulation (EEC) No 2300/73 of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73⁽⁵⁾, as last amended by Regulation (EEC) No 1234/77⁽⁶⁾, and in particular Article 9 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 9 (4) of Regulation (EEC) No 2300/73, the Commission must determine the world market price for colza and rape seed;

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 1443/77 of 30 June 1977 fixing the amount of the subsidy on

oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 2605/77⁽⁸⁾;

Whereas, to enable the price system to operate normally, the world market price should be calculated on the following basis:

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

Whereas, applying all these provisions, the world market price for colza and rape seed should be fixed as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The world market price referred to in Article 9 (4) of Regulation (EEC) No 2300/73 and the rates to be used for converting them into national currencies shall be as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 28 November 1977.

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

Done at Brussels, 25 November 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 L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 357, 28. 12. 1973, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 143, 10. 6. 1977, p. 9.

⁽⁷⁾ OJ No L 161, 1. 7. 1977, p. 31.

⁽⁸⁾ See page 42 of this Official Journal.

ANNEX

World market price applicable from 28 November 1977 for colza and rape seed (CCT heading No ex 12.01)

	u.a./100 kg (1)
World market price	20.378
World market price where the subsidy is fixed in advance :	
— for the month of November 1977	20.378
— for the month of December 1977	20.378
— for the month of January 1978	20.414
— for the month of February 1978	19.813
— for the month of March 1978	19.813
— for the month of April 1978	19.548

(1) The conversion rates from units of account into national currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following :

1 u.a. = DM	3.15665
1 u.a. = Fl	3.35507
1 u.a. = Bfr/Lfr	48.6572
1 u.a. = FF	6.76438
1 u.a. = Dkr	8.56656
1 u.a. = £	0.765134
1 u.a. = I £	0.765134
1 u.a. = Lit	1 215.12

COMMISSION REGULATION (EEC) No 2607/77
of 25 November 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 organ-
ization of the market in sugar⁽¹⁾, as last amended by
Regulation (EEC) No 1110/77⁽²⁾, and in particular
Article 15 (7) thereof,

Whereas the import levies on white sugar and raw
sugar were fixed by Regulation (EEC) No 1436/77⁽³⁾,
as last amended by Regulation (EEC) No 2594/77⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 1436/77
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 26
November 1977.

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

Done at Brussels, 25 November 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1977, p. 1.

⁽³⁾ OJ No L 161, 1. 7. 1977, p. 9.

⁽⁴⁾ OJ No L 301, 25. 11. 1977, p. 23.

ANNEX

**to the Commission Regulation of 25 November 1977 fixing the import levies on white
sugar and raw sugar**

(u.a./100 kg)		
CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid :	
	A. White sugar	24.76
	B. Raw sugar	20.34 ⁽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.

NOTICE TO READERS

As from 1 January 1978 a Supplement to the *Official Journal of the European Communities* will be published.

This Supplement will appear daily and will contain public works contracts notices and invitations to tender of the European Development Fund (EDF), which until now have been published in edition C of the Official Journal. At a later date public supplies contracts notices will also be published in this new Supplement.

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