

Official Journal

of the European Communities

ISSN 0378-6978

L 21

Volume 21

26 January 1978

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- Commission Regulation (EEC) No 130/78 of 25 January 1978 fixing the import levies on cereals and on wheat or rye flour groats and meal 1
- Commission Regulation (EEC) No 131/78 of 25 January 1978 fixing the premiums to be added to the import levies on cereals, flour and malt 3
- Commission Regulation (EEC) No 132/78 of 25 January 1978 fixing the import levies on rice and broken rice 5
- Commission Regulation (EEC) No 133/78 of 25 January 1978 fixing the premiums to be added to the import levies on rice and broken rice 7
- Commission Regulation (EEC) No 134/78 of 25 January 1978 fixing the refunds on white sugar and raw sugar exported in the natural state 9
- ★ Commission Regulation (EEC) No 135/78 of 25 January 1978 laying down detailed rules for the granting of subsidies for certain liqueur wines produced in the Community and similar to the liqueur wine marketed as 'Cyprus sherry' . . . 11
- ★ Commission Regulation (EEC) No 136/78 of 24 January 1978 re-establishing the levying of customs duties on other made up textile articles (including dress patterns) other than of jute, other than textile bast fibres of heading No 57.03 or coir, falling within heading No ex 62.05 and originating in South Korea, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2706/77 apply 14
- Commission Regulation (EEC) No 137/78 of 25 January 1978 correcting the levies on pigmeat 16

Contents (continued)

Commission Regulation (EEC) No 138/78 of 25 January 1978 fixing the amount of the subsidy on oil seeds	17
Commission Regulation (EEC) No 139/78 of 25 January 1978 fixing the world market price for colza and rape seed	19
Commission Regulation (EEC) No 140/78 of 25 January 1978 fixing the import levies on white sugar and raw sugar	21

II Acts whose publication is not obligatory

Council

78/65/ECSC :

★ Council Decision of 17 January 1978 amending the Council Decision of 16 February 1976 on the granting of daily subsistence allowances and refunds of travel expenses to Members of the Consultative Committee of the European Coal and Steel Community	22
--	----

Commission

78/66/EEC :

★ Commission Decision of 2 December 1977 relating to a proceeding under Article 85 of the EEC Treaty (IV/28.948 — Cauliflowers)	23
---	----

Corrigenda

Corrigendum to Council Regulation (EEC) No 2133/74 of 8 August 1974 laying down general rules for the description and presentation of wines and grape musts (OJ No L 227, 17. 8. 1974)	32
--	----

Corrigendum to Commission Regulation (EEC) No 109/78 of 20 January 1978 fixing the export refunds on fishery products (OJ No L 17, 21. 1. 1978)	32
---	----

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 130/78**of 25 January 1978****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 2560/77⁽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 January
1978.

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

Done at Brussels, 25 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 5.

ANNEX

to the Commission Regulation of 25 January 1978 fixing the import levies on cereals and on wheat or rye flour groats and meal

(u.a./tonne)

CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	87.29
10.01 B	Durum wheat	114.32 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	74.61 ⁽⁶⁾
10.03	Barley	77.35
10.04	Oats	68.56
10.05 B	Maize, other than hybrid maize for sowing	74.81 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	75.83 ⁽⁴⁾
10.07 C	Grain sorghum	79.81 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	133.70
11.01 B	Rye flour	115.46
11.02 A I a)	Durum wheat groats and meal	188.16
11.02 A I b)	Common wheat groats and meal	143.52

⁽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 131/78**of 25 January 1978****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 2560/77 ⁽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 January
1978.

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

Done at Brussels, 25 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 7.

ANNEX

to the Commission Regulation of 25 January 1978 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	Current 1	1st period 2	2nd period 3	3rd period 4
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	0-17
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
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 132/78
of 25 January 1978
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as amended by Regula-
tion (EEC) No 1158/77 ⁽²⁾, and in particular Article 11
(2) thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 87/78 ⁽³⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 87/78 to
the offer prices and today's quotations known to the

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 26 January
1978.

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

Done at Brussels, 25 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 136, 2. 6. 1977, p. 13.

⁽³⁾ OJ No L 15, 19. 1. 1978, p. 5.

ANNEX

to the Commission Regulation of 25 January 1978 fixing the import levies on rice and broken rice

(u.a. / tonne)

CCT heading No	Description	Third countries	ACP or OCT ⁽¹⁾ ⁽²⁾
10.06	Rice :		
	A. Paddy rice ; husked rice :		
	I. Paddy rice :		
	a) Round grain	51.72	22.86
	b) Long grain	66.77	30.39
	II. Husked rice :		
	a) Round grain	64.65	29.33
	b) Long grain	83.46	38.73
	B. Semi-milled or wholly milled rice :		
	I. Semi-milled rice :		
	a) Round grain	126.00	53.10
	b) Long grain	206.99	93.63
	II. Wholly milled rice :		
	a) Round grain	134.19	56.85
	b) Long grain	221.89	100.70
	C. Broken rice :	73.91	34.46

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

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

COMMISSION REGULATION (EEC) No 133/78

of 25 January 1978

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as amended by Regula-
tion (EEC) No 1158/77 ⁽²⁾, and in particular Article 13
(6) thereof,

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 1954/77 ⁽³⁾, as last amended by Regulation (EEC)
No 88/78 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 26 January
1978.

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

Done at Brussels, 25 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 136, 2. 6. 1977, p. 13.

⁽³⁾ OJ No L 223, 1. 9. 1977, p. 8.

⁽⁴⁾ OJ No L 15, 19. 1. 1978, p. 8.

ANNEX

to the Commission Regulation of 25 January 1978 fixing the premiums to be added to the import levies on rice and broken rice

(n.a. / t m m c)

CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4
10.06	Rice :				
	A. Paddy rice ; husked rice :				
	I. Paddy rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Husked rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	B. Semi-milled or wholly milled rice :				
	I. Semi-milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Wholly milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	C. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 134/78

of 25 January 1978

fixing the refunds on white sugar and raw sugar 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 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 2560/77⁽²⁾, and in particular the first sentence of the last subparagraph of Article 19 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 3330/74 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾;

Whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as amended by Regulation (EEC) No 1467/77⁽⁷⁾;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

Whereas, in special cases, the amount of the refund may be fixed by other legal means;

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 refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying these rules to the present situation on the market in sugar and in particular to quotations or prices for sugar 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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 3330/74, undenatured and exported in the natural state, are hereby fixed at the amounts shown in the Annex.

Article 2

This Regulation shall enter into force on 26 January 1978.

(1) OJ No L 359, 31. 12. 1974, p. 1.

(2) OJ No L 303, 28. 11. 1977, p. 1.

(3) OJ No L 143, 25. 6. 1968, p. 6.

(4) OJ No L 167, 26. 6. 1976, p. 13.

(5) OJ No L 89, 10. 4. 1968, p. 3.

(6) OJ No L 50, 4. 3. 1970, p. 1.

(7) OJ No L 162, 1. 7. 1977, p. 6.

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

Done at Brussels, 25 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 25 January 1978 fixing the refunds on white sugar and raw sugar exported in the natural state

(u.a./100 kg)

CCT heading No	Description of goods	Refund
17.01	Beet sugar and cane sugar, solid : A. White sugar ; flavoured or coloured sugar B. Raw sugar : (a) Candy sugar (b) Other raw sugar	 18.50 18.80 ⁽¹⁾ 14.00 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

COMMISSION REGULATION (EEC) No 135/78

of 25 January 1978

laying down detailed rules for the granting of subsidies for certain liqueur wines produced in the Community and similar to the liqueur wine marketed as 'Cyprus sherry'

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3016/77 of 29 December 1977 opening, allocating and providing for the administration of a Community tariff quota for liqueur wines falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Cyprus and marketed under the label of 'Cyprus sherry', and introducing subsidies for similar wine products produced in the Community⁽¹⁾, and in particular Article 8 thereof,

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine⁽²⁾, as last amended by Regulation (EEC) No 2560/77⁽³⁾, and in particular Article 29 (3) thereof,

Whereas Article 7 (1) of Regulation (EEC) No 3016/77 provides for the granting of subsidies in respect of Community liqueur wines similar to the liqueur wines described on the V.I.I document as liqueur wines intended for marketing as 'Cyprus sherry', consigned on or before 28 February 1978 by producer Member States to other Member States of the Community which have actually imported such products and marketed them pursuant to the said Regulation (EEC) No 3016/77; whereas, according to the information available to the Commission, such products are marketed as Cyprus sherry in two Member States, Ireland and the United Kingdom; whereas subsidies must therefore be granted for consignments of similar Community liqueur wines to those two Member States;

Whereas Article 7 (2) of Regulation (EEC) No 3016/77 provides that the amount of the subsidy granted to Community products must be determined on the basis of the difference, on the markets of the importing Member States, between the prices of Community liqueur wines and those of liqueur wines marketed as 'Cyprus sherry';

Whereas in order to obtain the subsidy the consignor should be required to furnish the necessary proof;

whereas to this end he should be required, when he submits an application for a subsidy, to submit also a copy of the accompanying document provided for in Commission Regulation (EEC) No 1153/75 of 30 April 1975 prescribing the form of the accompanying documents for wine products and specifying the obligations of wine producers and traders other than retailers⁽⁴⁾, as amended by Regulation (EEC) No 2617/77⁽⁵⁾; whereas, however, under Article 13 (2) of that Regulation the Member States may provide that in the case of certain products and in certain circumstances such document is not required; whereas it is therefore necessary, if the objectives of the present Regulation are to be attained, to prohibit the application of that provision in Member States from which the products in question are consigned;

Whereas the consignor should also be required to furnish proof that the products concerned have been released to the United Kingdom or Irish markets; whereas such proof may take the form of the control copy provided for in Commission Regulation (EEC) No 223/77 of 22 December 1976 on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure⁽⁶⁾, as amended by Regulation (EEC) No 1601/77⁽⁷⁾; whereas any further information necessary for control purposes should be given in that document;

Whereas, since the subsidy is at present to be granted only in respect of consignments to Ireland and the United Kingdom, it is necessary to provide that, where a wine product qualifying for a subsidy is re-consigned to another Member State of the Community or is exported to a non-member country, a sum equal to the amount of the subsidy is to be recovered; whereas the sums so recovered by Ireland and the United Kingdom should be used to finance intervention measures designed to stabilize the agricultural markets;

Whereas, in order that the Commission and the Member States concerned keep track of the situation, they should be informed of the quantities in respect of which subsidies have been applied for and the quantities in respect of which subsidies have been granted;

⁽¹⁾ OJ No L 355, 31. 12. 1977, p. 38.

⁽²⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽³⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁴⁾ OJ No L 113, 1. 5. 1975, p. 1.

⁽⁵⁾ OJ No L 304, 29. 11. 1977, p. 33.

⁽⁶⁾ OJ No L 38, 9. 2. 1977, p. 20.

⁽⁷⁾ OJ No L 182, 22. 7. 1977, p. 1.

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

HAS ADOPTED THIS REGULATION :

Article 1

The liqueur wines qualifying for the subsidy provided for in Article 7 of Regulation (EEC) No 3016/77 shall be those of quality liqueur wines produced in specified regions, consigned to Ireland and the United Kingdom.

Article 2

For products as referred to in Article 1 in respect of which customs formalities on consignment were completed between 1 January and 28 February 1978, the amount of the subsidy provided for in Article 7 of Regulation (EEC) No 3016/77 shall be :

- 10 units of account per hectolitre for products with an actual alcoholic strength of at least 15° and not more than 18°,
- 15 units of account per hectolitre for products with an actual alcoholic strength of at least 18° and not more than 22°.

Article 3

1. The subsidy shall be granted to the consignors concerned in accordance with the procedure laid down in Article 4.

2. The day on which the customs formalities on consignment are completed shall be the day on which the customs authorities accept the document by which the declarant states his intention to consign to Ireland or the United Kingdom a product of the kind specified in Article 1. At the time of such acceptance the products concerned shall be placed under customs control and shall so remain until they leave the territory of the Member State from which they are consigned.

The day on which the customs formalities on consignment are completed shall be the operative date for determining the quantity, nature and characteristics of the product consigned.

Article 4

1. To obtain payment of the subsidy, the consignor must, within three months of the completion of customs formalities on consignment or, in the case of wine consigned before this Regulation enters into force, within three months of its entry into force,

present to the competent authorities of the Member State from which the product was consigned an application for a subsidy accompanied by ;

- a copy of the accompanying document provided for in Regulation (EEC) No 1153/75, it being possible to replace such copy by any other appropriate document specified by the Member States concerned where the wine was consigned before the entry into force of this Regulation and the accompanying document was not required pursuant to Article 13 (2) of Regulation (EEC) No 1153/75, and
- proof from the United Kingdom or Irish customs authorities that the wine products in question have been released to the market in the Member State of destination.

For the purposes of this provision and without prejudice to the provision in the first indent above for the replacement of the accompanying document, the Member State from which the products in question are consigned may not avail itself of the option provided for in Article 13 (2) of Regulation (EEC) No 1153/75.

2. The proof referred to in the preceding paragraph shall be furnished by production of the control copy referred to in Article 10 of Regulation (EEC) No 223/77. Entries shall be made in the following sections of the control copy :

(a) Sections 101 and 103 ;

(b) Section 104, deleting as necessary and inserting one of the following :

- Intended for entry for home use,
- Bestemt til overgang til forbrug,
- Für den freien Verkehr bestimmt,
- Destiné à être mis à la consommation,
- Destinato ad essere immesso in consumo,
- Bestemd om in het vrije verkeer te worden gebracht.

Article 5

1. Where customs import formalities are completed in Ireland or the United Kingdom on or after 1 January 1978 in respect of a wine product as referred to in Article 1 and this product is then reconsigned from either of these two Member States to another Member State or exported to a non-member country, an amount shall be charged which is equal to the subsidy applicable on the day of completion of the customs formalities on consignment or export.

The said amount shall be paid by the consignor or exporter not later than the time of completion of the customs formalities.

However no such amount shall be charged if the consignor or exporter furnishes proof that no subsidy has been granted in respect of the product in question.

2. Ireland and the United Kingdom shall enter all sums collected in pursuance of paragraph 1 to the credit of the Guarantee Section of the EAGGF.

3. Ireland and the United Kingdom shall adopt whatever measures are necessary to implement this Article and shall inform the Commission thereof and of the quantities in respect of which the amount provided for in paragraph 1 has been charged.

Article 6

The Member State from which the wine products are consigned shall, not later than the 15th day of each month, provide the Commission and the Member States of destination with particulars in respect of the

preceding month concerning the quantities of products in respect of which subsidies have been granted and the quantities in respect of which applications for subsidies have been received.

Article 7

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

However :

- the provisions of Article 4 (2) shall apply only in respect of products for which customs formalities on consignment are completed on or after the seventh day following the entry into force of this Regulation,
- the provisions of Article 5 (1) shall apply only in respect of products for which customs formalities on reconsignment or export are completed following the entry into force of this Regulation.

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

Done at Brussels, 25 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 136/78

of 24 January 1978

re-establishing the levying of customs duties on other made up textile articles (including dress patterns) other than of jute, other than textile bast fibres of heading No 57.03 or coir, falling within heading No ex 62.05 and originating in South Korea, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2706/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2706/77 of 28 November 1977 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 (1) and (3) of that Regulation provides that customs duties may, for each category of products listed in Annex C to that Regulation, be suspended up to a Community ceiling equal to 87 % of the sum arrived at by adding together the value of the products in question, in tonnes, imported into the Community in 1968 and coming from countries listed in Annex D thereto, but not including products coming from countries already covered by various preferential tariff arrangements established by the Community, and 5 % of the 1970 tonnage of such imports coming from other countries and from countries already covered by such arrangements; whereas, having regard to that ceiling, the amounts for products originating in any one of the countries listed in Annex D should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex C to the abovementioned Regulation;

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

Whereas, in respect of other made up textile articles (including dress patterns) other than of jute, other

than textile bast fibres of heading No 57.03 or coir, the ceiling, calculated as indicated above, should be 166 tonnes and therefore the maximum amount is 83 tonnes; whereas, on 18 January 1978, the amounts of imports into the Community of other made up textile articles (including dress patterns) other than of jute, other than textile bast fibres of heading No 57.03 or coir, originating in South Korea, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 2706/77 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 South Korea,

HAS ADOPTED THIS REGULATION:

Article 1

As from 29 January 1978, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2706/77, shall be re-established in respect of the following products, imported into the Community and originating in South Korea:

CCT heading No	Description
ex 62.05	Other made up textile articles (including dress patterns) other than of jute, other than textile bast fibres of heading No 57.03 or coir

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 324, 19. 12. 1977, p. 67.

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

Done at Brussels, 24 January 1978.

For the Commission

Antonio GIOLITTI

Member of the Commission

COMMISSION REGULATION (EEC) No 137/78
of 25 January 1978
correcting the levies on pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat ⁽¹⁾, as amended by Regulation (EEC) No 367/76 ⁽²⁾, and in particular Articles 8 and 12 (1) thereof,

Whereas the sluice-gate prices and levies on pigmeat were fixed by Commission Regulation (EEC) No 84/78 ⁽³⁾;

Whereas a check has revealed an error in the Annex to that Regulation; whereas the Regulation in question must therefore be corrected;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 84/78 the amount '173.68' under subheading 16.02 B III a) 1 in the column 'amount of levies' is replaced by the amount '170.58'.

Article 2

This Regulation shall enter into force on 1 February 1978.

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

Done at Brussels, 25 January 1978.

For the Council

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 45, 21. 2. 1976, p. 1.

⁽³⁾ OJ No L 14, 18. 1. 1978, p. 9.

COMMISSION REGULATION (EEC) No 138/78
of 25 January 1978
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
2560/77⁽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 94/78⁽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
Regulation,

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 26 January
1978.

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

Done at Brussels, 25 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 161, 1. 7. 1977, p. 31.

⁽⁴⁾ OJ No L 15, 19. 1. 1978, p. 20.

*ANNEX***to the Commission Regulation of 25 January 1978 fixing the amount of the subsidy on oil seeds**

Subsidy applicable from 26 January 1978 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	10·516	13·898
Subsidy in the case of advance fixing :		
— for the month of January 1978	10·516	13·898
— for the month of February 1978	11·092	14·384
— for the month of March 1978	11·565	14·856
— for the month of April 1978	11·565	14·829
— for the month of May 1978	11·565	—
— for the month of June 1978	11·565	—

COMMISSION REGULATION (EEC) No 139/78
of 25 January 1978
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 2560/77⁽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 138/78⁽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 26 January 1978.

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

Done at Brussels, 25 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽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 17 of this Official Journal.

ANNEX

World market price applicable from 26 January 1978 for colza and rape seed (CCT heading No ex 12.01)

	<i>u.a./100 kg⁽¹⁾</i>
World market price	19.534
World market price where the subsidy is fixed in advance :	
— for the month of January 1978	19.534
— for the month of February 1978	19.262
— for the month of March 1978	19.093
— for the month of April 1978	19.093
— for the month of May 1978	19.093
— for the month of June 1978	19.093

⁽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	6.98602
1 u.a. = Dkr	8.56656
1 u.a. = £	0.766536
1 u.a. = I £	0.766536
1 u.a. = Lit	1 296.51

COMMISSION REGULATION (EEC) No 140/78

of 25 January 1978

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 2560/77⁽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 127/78⁽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 January
1978.

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

Done at Brussels, 25 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

(¹) OJ No L 359, 31. 12. 1974, p. 1.

(²) OJ No L 303, 28. 11. 1977, p. 1.

(³) OJ No L 161, 1. 7. 1977, p. 9.

(⁴) OJ No L 20, 25. 1. 1978, p. 13.

ANNEX

to the Commission Regulation of 25 January 1978 fixing the import levies on white sugar
and raw sugar

(n.a. / 100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar ; flavoured or coloured sugar	24.21
	B. Raw sugar	19.32 (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.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 17 January 1978

amending the Council Decision of 16 February 1976 on the granting of daily subsistence allowances and refunds of travel expenses to Members of the Consultative Committee of the European Coal and Steel Community

(78/65/ECSC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 18 thereof,

Having regard to the Treaty establishing a single Council and a single Commission of the European Communities, and in particular Article 6 thereof,

Whereas the rates for the daily subsistence allowance payable to Members of the Consultative Committee of the European Coal and Steel Community should be adjusted to take account of the increased subsistence expenses of the Committee's Members,

HAS DECIDED AS FOLLOWS:

Article 1

The Council Decision of 16 February 1976 on the granting of daily subsistence allowances and refunds of travel expenses to Members of the Consultative Committee of the European Coal and Steel Community is hereby thus amended:

Article 2 (1): 'Bfrs 2 500' to read 'Bfrs 3 000'.

Article 2

This Decision shall take effect on 1 January 1978.

Done at Brussels, 17 January 1978.

For the Council

The President

K. B. ANDERSEN

COMMISSION

COMMISSION DECISION

of 2 December 1977

relating to a proceeding under Article 85 of the EEC Treaty

(IV/28.948 — Cauliflowers)

(Only the French text is authentic)

(78/66/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 85 thereof,

Having regard to Council Regulation No 17 of 6 February 1962⁽¹⁾, and in particular Article 3 thereof,

Having regard to Council Regulation No 26 of 4 April 1962⁽²⁾, and in particular Article 1 thereof,

Having regard to the application made on 14 October 1974 pursuant to Article 3 (2) (b) of Regulation No 17 by the Groupement d'Exportation du Léon, Saint-Pol-de-Léon, France,

Having heard the undertakings and associations of undertakings concerned in accordance with Article 19 (1) of Regulation No 17 and with Regulation No 99/63/EEC of 25 July 1963⁽³⁾,

Having regard to the opinion delivered on 27 July 1977 by the Advisory Committee on Restrictive Practices and Dominant Positions in accordance with Article 19 of Regulation No 17,

Whereas :

I. THE FACTS

The application for a finding that Article 85 of the Treaty has been infringed made by the Groupement d'Exportation du Léon (hereinafter referred to as 'GreX') relates to the behaviour of a number of Breton vegetable growers and dealers in respect of their trade in certain vegetables by means of auction sales. The main features of the relevant market should, however,

be described briefly before the conduct of these groups of growers and dealers is considered.

A. Description of the relevant markets

1. Vegetable production in Brittany is geographically concentrated on the narrow band of coastal land roughly 150 kilometres long in the north of the French Departments of Finistère, Côtes-du-Nord and Ille-et-Vilaine. The main crops grown in this area, which enjoys a mild, humid climate, are cauliflowers, artichokes and early potatoes. Some 70 % of French cauliflowers and artichokes and 25 % of early potatoes come from this area.

Aggregate cauliflower production in all the Community countries is nearly 1 500 000 tonnes. Most of this is grown in three Community countries, Italy, France and the United Kingdom, which together account for about 90 % of Community cauliflower output. Figures for 1976 show that 570 000 tonnes were produced in Italy, 443 000 tonnes in France and 254 000 tonnes in the United Kingdom. France alone accounts for some 30 % of Community cauliflower output, chiefly in the vegetable-growing area in northern Brittany. This area produces more than 300 000 tonnes of cauliflowers, representing some 70 % of all French production. There are two varieties of cauliflower cultivated in Brittany, winter cauliflowers, harvested from December to the end of May, and autumn cauliflowers, harvested from October to December. Production of winter cauliflowers, varying from between 240 000 and 280 000 tonnes, is concentrated chiefly around Saint-Pol-de-Léon in northern Finistère and Paimpol in Côtes-du-Nord, whereas autumn cauliflowers, with production ranging from 35 000 to 50 000 tonnes depending on the season, are grown almost exclusively around Saint-Malo in Ille-et-Vilaine.

⁽¹⁾ OJ No 13, 21. 2. 1962, p. 204/62.

⁽²⁾ OJ No 30, 20. 4. 1962, p. 993/62.

⁽³⁾ OJ No 127, 20. 6. 1963, p. 2268/63.

Only two Community countries produce artichokes: Italy, with more than 600 000 tonnes annually, and France, with roughly 100 000 tonnes annually. Some 70 % of French production comes from Brittany, mostly around Saint-Pol-de-Léon.

Community production of early potatoes is in excess of two million tonnes, the main producer countries being Germany with 800 000 tonnes, France with 500 000 tonnes and the United Kingdom with 450 000 tonnes. Brittany accounts for approximately 25 % of the French output of early potatoes, most of them coming from the area around Saint-Malo.

2. Production of and trade in vegetables in the Community are governed by Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾. This Regulation establishes standards for a number of vegetables, including cauliflowers and artichokes, with regard to their quality, size, packing and labelling.

When there is a standard for a given product, that product may be marketed within the EEC only if it conforms to that standard. The Regulation further recognizes that the formation of producers' organizations, the members of which are required to comply with certain rules affecting matters such as marketing, is likely to further the attainment of the objectives of the common agricultural policy. Producers' organizations and associations of such organizations are permitted to set withdrawal prices, any withdrawal measures being financed by the member producers. The Member States may grant aids to producers' organizations during the five years following their formation. The Regulation also provides for a system of Community intervention prices so that vegetables may be withdrawn from the Community market where prices fall below a level set each year by the Council. So far only cauliflowers and tomatoes are subject to an intervention system, and the cost of such withdrawals is borne by the EAGGF. Lastly, Regulation (EEC) No 1035/72 provides for protective measures where low-price imports from non-Community countries threaten to disrupt the Community market.

3. The current situation regarding the supply of vegetables from Brittany is the result of profound changes which began to take place around 1960. At that time the vegetable-growing areas around Saint-Pol-de-Léon, Paimpol and Saint-Malo were producing an average of 150 000 tonnes of cauliflowers and 70 000 tonnes of artichokes.

Roughly 20 % of this was marketed by production and sales cooperatives and 80 % by dealers and shippers, against whom the growers were virtually unable to defend themselves. Several thousand individual growers were each day forced to negotiate with a hundred or so dealers, who were able to impose whatever terms they liked. Each morning the growers delivered a large proportion of their produce to the packing centres operated by the dealers and shippers, no price being agreed in advance. All other sales were transacted by private contract under the total domination of the dealers and shippers and when production outstripped consumer demand, prices tended to fall catastrophically. As a result, a group of young farmers decided to form a producers' organization, the members of which were to agree to market their output in accordance with a number of common rules based on the following principles:

- the establishment of a system of 'dial' auction sales, at which the member growers undertook to sell all their produce,
- common rules on sorting, size-grading and weighing,
- agreed minimum sale prices in order to contain the fall in prices at times of overproduction.

In December 1960, about 3 000 farmers agreed to form an organization on this basis and, on 31 March 1961, they formed an agricultural cooperative (Société d'intérêt Collectif Agricole) called the 'SICA-Marché de Vente aux Enchères du Nord-Finistère'⁽²⁾ ('SICA de Saint-Pol-de-Léon') at Saint-Pol-de-Léon. On 22 November 1961 the SICA de Saint-Pol-de-Léon and the Union des Expéditeurs et Exportateurs en Fruits et Légumes du Finistère signed an agreement requiring shippers belonging to the latter association to obtain supplies only from the auction sales held by the SICA de Saint-Pol-de-Léon. Between 1964 and 1966 agreements were entered into by the SICA with three major agricultural cooperatives — the Société de Commercialisation des Primeuristes (SOCOPRIM), the Syndicat spécialisé des Producteurs de l'Armor (SYPA) and the Coopérative des Agriculteurs de Bretagne — which led to the formation of an association of marketing groups where the member producer groups undertook to sell all their produce through the auction sales held by the SICA de Saint-Pol-de-Léon. In the Ille-et-Vilaine a similar process of organization

(1) OJ No L 118, 20. 5. 1972, p. 1.

(2) In April 1975 the 'SICA-Marché de Vente aux enchères du Nord-Finistère' was renamed 'Société d'Investissements et de Coopération Agricoles'.

led to the introduction in 1965 of auction sales at Saint-Méloir-des-Ondes, managed by an agricultural cooperative which included not only the growers that took part in the auction sales but also, unlike the system at the auction sales at Saint-Pol-de-Léon, all the shippers admitted to the auction sales as buyers. This cooperative, called 'Société Interprofessionnelle des Producteurs et Expéditeurs de Fruits, Légumes, Bulbes et Fleurs d'Ille-et-Vilaine — SICA — SIPEFEL' (SIPEFEL), has also entered into agreements with two other producers' organizations (APPRM and Coopérative des Agriculteurs de Bretagne) for the formation of the Association de Mise en Marché de Saint-Méloir-des-Ondes, whose member producers are required to sell solely through the auction sales.

In March 1967 a third system of auction sales, the SICA du Goëlo Trégor, was set up at Paimpol; following amalgamation with a major cooperative in the Côtes-du-Nord, this became 'l'Union des coopératives de Paimpol et Tréguier' in 1974.

Meanwhile, in 1965 the amalgamation of all the producers' organizations in Brittany had led to the formation of the 'Comité Economique Agricole Régional Fruits et Légumes de la région Bretagne'. This Committee ('CERAFEL') is an association of producers' organizations which, under the French Law No 62-933 of 8 August 1962, may extend the rules applied by its members to production and marketing, with the exception of sales contracts themselves, to the whole region.

As a result of this organization of growers into particularly well structured and coordinated groups, the bargaining strength of growers and buyers on the Brittany cauliflower and artichoke markets is now quite different from what it was in 1960. The marketing of more than 90 % of all cauliflowers, artichokes and early potatoes grown in Brittany is handled by three associations of producers' organizations, which sell their produce by auction at Saint-Pol-de-Léon, Paimpol and Saint-Méloir-des-Ondes. These associations are :

- Association des Groupements de Mise en Marché du Nord-Finistère, formed by the SICA de Saint-Pol-de-Léon, SOCOPRIM, SYPA and the

producers in the Saint-Pol-de-Léon vegetable-growing area belonging to the Coopérative des Agriculteurs de Bretagne ;

- Union des Coopératives de Paimpol et Tréguier, consisting of the Coopérative de Goëlo Trégor, the Coopérative La Presqu'île and the Côtes-du-Nord producers belonging to the Coopérative des Agriculteurs de Bretagne ;
- Association de Mise en Marché de Saint-Méloir-des-Ondes, consisting of the SIPEFEL member producers, the APPRM and the producers in the Saint-Malo vegetable-growing area belonging to the Coopérative des Agriculteurs de Bretagne.

The remainder of the cauliflowers, artichokes and early potatoes grown in Brittany (less than 10 %) is marketed by four cooperatives : l'Union des Coopératives Agricoles du Nord-Finistère, la Paimpolaise, la Perrosienne and the GAARM (Groupement des Associations Agricoles pour l'Organisation de la Production et de la Commercialisation des Pommes de Terre et Légumes de la Région Malouine). All these producer groupings, including the four independent cooperatives, belong to CERAFEL.

On the distribution side the organization of dealers and shippers (hereinafter referred to as 'dealers') varies according to where they do their business. The 60 dealers who buy at the Saint-Pol-de-Léon auction sales belong to one or other of the two associations of dealers on that market.

The Union des Expéditeurs et Exportateurs en Fruits et Légumes du Finistère ('Union des Expéditeurs'), the more powerful of the two, consists of 44 dealers, including the largest in business on that market, the remainder belonging to the GEEP (Groupement des Expéditeurs et Exportateurs Primeuristes du Nord-Finistère). At Paimpol only 14 dealers regularly buy at the auctions held by the Union des Coopératives de Paimpol et Tréguier. Unlike the dealers at Saint-Pol-de-Léon and Saint-Méloir-des-Ondes, they belong to no association. Lastly, the 46 dealers who buy at the Saint-Méloir-des-Ondes auctions are members of SIPEFEL and are also affiliated to the 'Syndicat des Expéditeurs et Exportateurs en Légumes et Pommes de Terre Primeurs de la Région Malouine' (Syndicat des Expéditeurs de Saint-Malo).

4. The auctions at Saint-Pol-de-Léon, Paimpol and Saint-Méloir-des-Ondes are held in a large hall using the system of a display dial against which bids are made as the price indicated falls. Each buyer admitted to the auction has his own button, which he presses when he wishes to make a bid; the needle on the dial then stops at the price indicated. The three 'dial' auction centres at Saint-Pol-de-Léon, Paimpol and Saint-Méloir-des-Ondes can be linked up electronically, so that goods offered for sale at Centre A may also be purchased by buyers at Centres B or C. Such link-ups are used as follows:

- between Saint-Pol-de-Léon and Paimpol for the winter cauliflowers and artichokes sold on those markets;
- between Paimpol and Saint-Méloir-des-Ondes, but only for winter cauliflowers for sale at Paimpol; and
- between all three centres, but only for early potatoes.

Payment for all transactions between growers and dealers is carried out through the agency of the particular organization holding the relevant auction (SICA de Saint-Pol-de-Léon, SIPEFEL, or Union des Coopératives de Paimpol et Tréguier). Under the current terms of payment, to be made within two or three weeks depending on the product, the dealer makes payment for his purchase to the organizer at the price shown on the auction dial for the quantities taken. The organizer then transmits the amount due to each grower in accordance with the quantities sold by him, less three centimes per kilogram of produce or per head of cauliflower to cover the costs of running the auction.

Each year the Council of the European Communities, under the common agricultural policy, sets intervention prices for cauliflowers below which producers' organizations may not offer their members' produce for sale. For each quantity thus withdrawn from the market producers are paid the intervention price. These operations are entirely financed by the EAGGF, which pays the sums to be repaid to the various regional bodies. In Brittany CERAFEL is responsible for the receipt, apportionment and payment of these sums on behalf of the local producers' organizations. For other vegetables CERAFEL may itself set a withdrawal price, but financing of withdrawal operations is then handled through an equalization system extending to all the participating growers.

Vegetables offered for sale at the auctions are either packed or in bulk. At Saint-Pol-de-Léon and Paimpol 45 % of artichokes, more than 60 % of cauliflowers and all early potatoes are already packed before being put up for auction. This is done by packers with specially equipped facilities who are under contract to the SICA. The remainder, sold in bulk, is packed by the dealers in their own facilities. Virtually all vegetables sold at the Saint-Méloir-des-Ondes auctions, except early potatoes, are prepacked.

5. The main sales outlets for cauliflowers grown in Brittany are the export markets, as 50 to 60 % are exported, giving an approximate volume of 100 000 tonnes. The main export markets are Germany (40 to 50 000 tonnes), the United Kingdom (15 to 30 000 tonnes) and the Benelux (20 to 25 000 tonnes). From external trade statistics for the past 10 years it can be seen that the volume of sales to these three markets has remained fairly stable, apart from a slight increase in sales to Germany. Virtually all the other vegetables grown in Brittany are for French domestic consumption, only 10 % of the early potatoes and less than 6 % of the artichokes being exported.

B. The conduct of the organizations concerned

With regard to the organization of the three vegetable auctions, it is specifically the terms for admission thereto which have been contested and which require examination.

The producers or producers' organizations which sell at the auctions have undertaken to sell their entire crop of cauliflowers, artichokes and early potatoes through these auctions only. This exclusive commitment is consistent with Regulation (EEC) No 1035/72, on the common organization of the market in fruit and vegetables, Article 13 of which provides that the members shall have an 'obligation to sell through the organization' their total output of the product or products in respect of which they have become members.

In return for this exclusive commitment the producers' organizations responsible for the Saint-Pol-de-Léon and Saint-Méloir-des-Ondes auctions impose an exclusive purchasing obligation on dealers who buy at such auctions. Article 5 of the agreement made on 22 November 1961 by the SICA de Saint-Pol-de-Léon and the Union des Expéditeurs provides

that 'buyers undertake to make all their purchases at markets operated by the Marché de Vente aux Enchères du Nord-Finistère and to make no direct purchases elsewhere'. This originally applied only to cauliflowers and artichokes but was extended to early potatoes on 27 July 1966. Similarly Article 5 of the Standing Rules of SIPEFEL, dating from December 1974, requires dealers, when entering into individual agreements with SIPEFEL, to undertake to buy solely on the SIPEFEL auction markets and to refrain from purchasing elsewhere or from non-member growers. In practice, however, the organizations responsible for the auctions tolerate purchases made at the other auction centres and in other regions. The exclusive buying obligation, therefore, has so far been enforced only in the form of a ban on purchases from other growers in Brittany.

The producers' organizations and associations of dealers which are involved in organizing auctions at Saint-Pol-de-Léon and Saint-Méloir-des-Ondes make it a condition of admission to the auctions that dealers shall have a packing facility employing paid staff and situated in the catchment area of the auction centre to which they have sought admission. This requirement to have such a packing facility is expressly provided for in the agreement dated 22 November 1961 and made between the SICA de Saint-Pol-de-Léon and the Union des Expéditeurs. Article 18 of the agreement states that 'to be accepted as a buyer ... a dealer must be a licensed shipper and have a packing facility and staff in the vegetable-growing region, and to be established in business on the market in question'. For admission to auctions at Saint-Méloir-des-Ondes, Article 18 of the Statutes of the Syndicat des Expéditeurs de Saint-Malo of 5 November 1973 also provides that membership of the Syndicat is open only to dealers established in the Saint-Malo area who 'supply evidence of ownership of a business facility having suitable premises and staff'. The new version of the Statutes, dating from 19 March 1975, imposes the same obligation. These Statutes provide that a dealer seeking admission to membership of the Syndicat des Expéditeurs de Saint-Malo must, among other things, do business in the Saint-Malo area and have the facilities and staff usual in the trade. Individual agreements between dealers and SIPEFEL also require SIPEFEL to admit to the auctions only such dealers as belong to a federation and are licensed to trade in the geographical catchment area of the organization or of the Association de Mise en Marché. As the Syndicat des Expéditeurs de Saint-Malo is the only such federation in the Saint-Malo area, dealers seeking access to the Saint-Méloir-des-Ondes auction sales must meet the

conditions imposed by the Syndicat des Expéditeurs de Saint-Malo, which include having a packing centre employing paid staff in the Saint-Malo area.

Under the earlier version of the Statutes of the Syndicat des Expéditeurs de Saint-Malo, new members could be admitted only after a resolution to that effect had been passed by a majority of two-thirds of those present in the general meeting. In the new Statutes the provision has been amended so that new members may now be admitted only on a favourable decision of a majority of the members of the Board of Directors, which consists of 12 members of the Syndicat appointed by the general meeting.

By virtue of the standing regulations of the Syndicat des Expéditeurs de Saint-Malo, each member dealer is 'obliged to purchase, work, dispatch or export goods only for his own account'. This rule was laid down on 5 November 1973 by the general meeting to ensure that dealers not admitted to the Saint-Méloir-des-Ondes auction sales would not be supplied by member dealers. The reason was that on 17 September 1973 a major Saint-Pol-de-Léon dealer, GREX, having been refused admission to the Saint-Méloir-des-Ondes auction sales, entered into a supply agreement with a dealer who was admitted, under which the admitted dealer undertook to make purchases for delivery to GREX. In spite of this contract, however, the dealer concerned remained wholly liable for payment in respect of all purchases made at the auctions. When the amended standing regulations came into operation, this dealer, after being excluded from the auctions for several days, was obliged to comply with the new standing regulations and to repudiate his contract with GREX.

On 24 October 1974 the SICA de Saint-Pol-de-Léon decided to impose more stringent terms of payment on GREX than on other dealers. In a statement of objections dated 3 September 1975, the Commission informed the SICA de Saint-Pol-de-Léon that it regarded these terms of payment as discriminatory and that it was proposing to find that the rules on competition in the EEC Treaty were thereby infringed. The SICA de Saint-Pol-de-Léon responded by amending its terms of payment to remove all discrimination between the various dealers who obtain supplies at its auction sales.

II. APPLICABILITY OF ARTICLE 85 (1)

By virtue of Article 1 of Council Regulation No 26, the provisions of Article 85 (1) of the EEC Treaty apply, subject to Article 85 (2), to agreements between undertakings and to decisions by associations of undertakings in respect of the production of or trade in the products listed in Annex II to the Treaty ⁽¹⁾.

Article 85 (1) of the EEC Treaty prohibits as incompatible with the common market all agreements between undertakings, decisions by associations of undertakings and concerted practices which may affect trade between Member States and which have as their object or effect the prevention, restriction or distortion of competition within the common market.

The agreements and decisions concerning the organization and operation of vegetable auction sales at Saint-Pol-de-Léon and Saint-Méloir-des-Ondes, which are agreements between undertakings or decisions by associations of undertakings as the case may be for the purpose of Article 85 of the Treaty, impose on the parties thereto obligations and rules, some of which restrict competition.

1. The agreements between the producers' organizations participating in the Saint-Pol-de-Léon and Saint-Méloir-des-Ondes auctions and the dealers which obtain supplies there require those dealers to make all their purchases at those auctions. In practice, although this obligation is imposed by the agreements, the producers' organizations do not prevent dealers from purchasing from the other auction centres or in other regional markets. At present such purchases in other regions or at other auction centres are small. However, it is quite possible that if such purchases became more common, for example because access to other markets became freer, the exclusivity obligations could be enforced by those in charge of the auction sales. In any event the fact that this obligation is an integral part of the agreements entered into by the dealers and the producers' organizations participating in the auction sales enables the producers at any time to require compliance with the obligation. If they were to do so, the three Breton auction centres would then be segregated from each other, substantially

restricting competition between dealers on the various local submarkets. The exclusive buying obligation in those agreements therefore has the object of restricting competition within the common market.

2. The obligation to have a packing centre in the catchment area of the relevant auction centre is contained in Article 18 of the agreement between the SICA de Saint-Pol-de-Léon and the Union des Expéditeurs. It is also imposed by the agreements between the dealers and SIPEFEL, since these agreements confine access to the auctions to dealers that are members of the Syndicat des Expéditeurs de Saint-Malo and the Statutes of the Syndicat require dealers to have a packing centre in the Saint-Malo area. This requirement for admission has the effect of making entry to the market more difficult for new dealers, especially as the investment entailed in complying with such a requirement is often unnecessary, as a large proportion of the vegetables offered at the auction sales are prepacked. Accordingly this requirement constitutes a substantial restriction of competition.

3. The Statutes of the Syndicat des Expéditeurs de Saint-Malo require a majority of the Board of Directors to be in favour before a new member can be admitted. This condition, imposed by the general meeting on 19 March 1975 in place of a clause originally adopted on 5 November 1973, requiring the approval of two-thirds of the members of the Syndicat, constitutes a decision by an association of undertakings for the purpose of Article 85 (1) of the Treaty. By virtue of the agreements between SIPEFEL and the Syndicat des Expéditeurs de Saint-Malo, only those dealers who are members of the Syndicat have access to the auctions at Saint-Méloir-des-Ondes. The decision of the Syndicat des Expéditeurs therefore has the effect of preventing new dealers from having access to the auctions at Saint-Méloir-des-Ondes. Since the Board of Directors of the Syndicat is composed of 12 dealers appointed by the general meeting, it may be assumed that the majority of the dealers buying at the Saint-Méloir-des-Ondes auctions are most unlikely to vote for the admission of a major new competitor, since the result of a new admission is likely to be a decline in the market shares held by the existing dealers, with a possible rise in the prices at which lots are sold at auction. It is by virtue of this condition that the application by GREX for admission to the Saint-Méloir-des-Ondes auctions has so far been refused. The resulting restriction of competition is particularly serious in that virtually all the autumn

⁽¹⁾ Cauliflowers, artichokes and potatoes are among the products listed in Annex II to the Treaty.

cauliflowers grown in Brittany come from the Saint-Malo area, so that only dealers who are members of the Syndicat des Expéditeurs de Saint-Malo may purchase them.

4. The rule that dealers must purchase, work and dispatch goods only on their own account, imposed by the Syndicat des Expéditeurs de Saint-Malo, is also a decision by an association of undertakings for the purposes of Article 85 of the Treaty. Financial security cannot be invoked as a justification for placing the responsibility of paying for purchases solely on dealers possessing a bidding button, as is the case with the three auctions concerned. The aim of this rule must therefore be to ensure that dealers not admitted to the Saint-Méloir-des-Ondes auctions cannot otherwise obtain autumn cauliflowers through admitted dealers. This is what happened in 1973 when a Saint-Malo dealer was obliged to stop supplying GREX under a supply contract. The consequence is that the application of this rule completes the restrictive effect of the other terms for access to the Saint-Méloir-des-Ondes auctions, since the marketing of autumn cauliflowers is strictly confined to members of the Syndicat des Expéditeurs de Saint Malo.

5. The obligations considered above at paragraphs 1 to 4 constitute restrictions of competition enabling access of new dealers to Breton auction sales to be prevented, limited or controlled. Since these restrictions concern the marketing of products most of which are exported to other Community countries and since they also affect the terms of admission of wholesalers from other Member States to the auctions, they are likely to affect trade between Member States. Not only do they limit or prevent access of new dealers, notably those in other Member States, to the Breton auction sales, but they also prevent a dealer admitted to one of the auction centres from obtaining supplies from the two others except in the limited case of simultaneous auctions.

Restrictions of this type on the access to sources of supply have the result of reducing competition between dealers on markets where Breton vegetables are sold, which include not only the French market but also those export markets which account for more than 50 % of sales of Breton cauliflowers and are situated for the most part in other Community countries. For the other vegetables the quantities exported are considerably smaller, but the fact that cauliflowers make up 60 to 65 % of the output of the three vegetables taken together means that one-third of this

output is exported to other Community countries. It follows that the abovementioned requirements, imposed by agreements between undertakings or decisions by associations of undertakings, which appreciably restrict access to the auctions, may affect trade between Member States, and are accordingly within the prohibition in Article 85 (1) of the EEC Treaty.

III. INAPPLICABILITY OF ARTICLE 2 OF COUNCIL REGULATION No 26

Article 2 (1) of Council Regulation No 26 of 4 April 1962 provides that Article 85 (1) of the Treaty shall not apply to such of the agreements, decisions and practices referred to in the preceding Article as form an integral part of a national market organization or are necessary for attainment of the objectives set out in Article 39 of the Treaty. In particular, it shall not apply to agreements, decisions and practices of farmers, farmers' associations, or associations of such associations belonging to a single Member State which concern the production or sale of agricultural products or the use of joint facilities for the storage, treatment or processing of agricultural products, and under which there is no obligation to charge identical prices, unless the Commission finds that competition is thereby excluded or that the objectives of Article 39 of the Treaty are jeopardized.

The conditions for admission of buyers at these auctions do not qualify for exemption under Article 2 (1) of Regulation No 26, for the following reasons.

1. They do not form an integral part of a national market organization, and in any event a national organization may no longer exist for fruit and vegetables in France since there is a common organization of the market governed by Regulation (EEC) No 1035/72.

2. Furthermore they are not essential to the attainment of the objectives of Article 39 of the Treaty. It is clear from the third paragraph of the opening recitals to Regulation No 26 that the second exemption applies only where the application of Article 85 (1) would jeopardize the attainment of the objectives of the common agricultural policy in relation to the relevant products, and in any event the means for implementing the objectives of the common agricultural policy as set out in Article 39 of the Treaty are determined, as far as fruit and vegetables are concerned, by Regulation (EEC) No 1035/72. Although this Regulation made provision for certain rules being imposed

on member producers' organizations, it did not make provision for rules applying to persons with whom the producers do business, notably dealers. As the conditions for admission were imposed only on dealers they do not come within Regulation (EEC) No 1035/72. Accordingly the obligations at issue, being imposed only on dealers, cannot be regarded as necessary for the attainment of the objectives of Article 39, nor are they necessary for the proper application of the measures provided for by Regulation (EEC) No 1035/72 in respect of producers' organizations, and the removal of these conditions in their present form would in no way affect the smooth operation of the auctions held by these organizations. The withdrawal of these obligations, at least in their present form, would in no way impede the smooth functioning of the auction sales. This is abundantly clear at least as regards the requirement for a majority vote in the Board of Directors of the Syndicat des Expéditeurs de Saint-Malo and the obligation to purchase and dispatch only on the dealers' own account, since the sole effect of these two restrictions is to reserve the Saint-Malo autumn cauliflower market for dealers already established in the area. The same considerations apply to the exclusive buying obligation and the obligation to have a packing centre in the catchment area of the auctions. These two obligations produce not only the geographical segregation of the three Breton auction centres, which is not necessary for the smooth operation of the auctions themselves, but they also exclude access to other sources of supply outside the area covered by the auctions, which is similarly unnecessary.

3. The conditions for the admission of dealers are imposed either by agreements between growers and dealers, such as the exclusive buying obligation and obligation to have a packing centre, or by decisions of the Syndicat des Expéditeurs de Saint Malo, in respect of the requirement for a majority vote on the Board of Directors and the obligation on dealers only to buy and dispatch on their own account. They do not form part of agreements between farmers or decisions of farmers' associations within the meaning of the second sentence of Article 2 (1) of Regulation No 26, so that the exemption provided for therein does not apply in this case.

IV. INAPPLICABILITY OF ARTICLE 85 (3)

Under Article 85 (3) of the Treaty the provisions of Article 85 (1) may be declared inapplicable in the case

of any agreement or category of agreements between undertakings, any decisions or category of decisions by associations of undertakings and any concerted practice or category of concerted practices which contributes to improving the production or distribution of goods or to promoting technical or economic progress, while allowing consumers a fair share of the resulting benefit, and which does not impose on the undertakings concerned restrictions which are not indispensable to the attainment of these objectives or afford such undertakings the possibility of eliminating competition in respect of a substantial part of the products in question.

The agreements and decisions setting the conditions for admission to auction sales, considered above, do not qualify for exemption under Article 85 (3), for the following reasons.

As regards the exclusive buying obligation for dealers, it should be noted that, even in the absence of such an obligation, these dealers would have no sources of supply in the region other than from offers made at the auctions. Because of the exclusive supply rule all growers taking part must bring all their produce to the auctions, all other Breton produce being marketed direct by agricultural marketing cooperatives. The operation of the exclusive buying obligation therefore can have the effect only of preventing dealers at one of the auction centres from obtaining supplies from the two others. This segregation of sources of supply in itself makes no improvement to distribution but rather limits competition and is therefore damaging to distribution. Since the first test of Article 85 (3) is thus not satisfied, there is no need to consider the others.

Furthermore, the obligation to have a packing centre cannot be regarded as a means of improving distribution. The bulk of the vegetables sold at auction are already packed, so that the obligation to have packing facilities entails unnecessary investment. Even where a dealer prefers to buy unpacked produce, there is no need to require him to have a packing centre since his desire to meet his customers' requirements will inevitably lead him to equip himself with the necessary facilities. If sellers wished to ensure that bulk buying was gradually abandoned in favour of prepacked

goods, it would be sufficient if they required of dealers the capacity to have part of their vegetable purchases packed, this part not to exceed the proportion of unpacked vegetables offered at auction. Evidence of the necessary packing capacity might then consist of a contract for the hire of a packing centre or simply of a contract with a packer. The obligation in its current form is therefore not indispensable to the attainment of the objective sought.

The decision of the Syndicat des Expéditeurs de Saint-Malo requiring a majority decision of the Board of Directors of the Syndicat for the admission of a new member to the auctions makes no improvement in distribution; the only effect which it can have is to bar the access of new dealers to the auctions. The same applies to the decision of the Syndicat requiring dealers to buy and dispatch only on their own account; if those who buy at the auctions at Saint-Méloir-des-Ondes have been admitted by the organizers in accordance with objective criteria, and have therefore become directly liable for all the purchases they make there, financial security cannot be invoked as justification for any limitation on their freedom to dispose of their purchases as they see fit,

HAS ADOPTED THIS DECISION:

Article 1

(a) The clauses in the agreements between SICA de Saint-Pol-de-Léon and the Union des Expéditeurs de Saint-Pol-de-Léon and between SIPEFEL and the Syndicat des Expéditeurs de Saint-Malo, whereby dealers who obtain supplies at auction sales held at Saint-Pol-de-Léon and Saint-Méloir-des-Ondes are required to accept the obligations:

- to buy exclusively at the auction sales to which they have been admitted,
 - and
 - to be in possession of a packing centre,
- constitute infringements of Article 85 (1) of the EEC Treaty.

(b) The decisions taken by the Syndicat des Expéditeurs de Saint-Malo:

- subjecting admission of new buyers to the Saint-Méloir-des-Ondes auctions to a favourable decision by the management bodies set up by the Statutes of the Syndicat, without any reference to fixed and objective conditions of admission,
- and
- obliging members to buy, pack and dispatch vegetables only on their own account,

constitute infringements of Article 85 (1) of the EEC Treaty.

Article 2

SICA de Saint-Pol-de-Léon, the Union des Expéditeurs, SIPEFEL and the Syndicat des Expéditeurs de Saint-Malo shall forthwith bring to an end the infringements referred to in Article 1.

Article 3

This Decision is addressed to the following associations of undertakings:

- Société d'Investissements et de Coopération Agricoles, of Saint-Pol-de-Léon,
- Union des Expéditeurs et Exportateurs en Fruits et Légumes du Finistère, of Saint-Pol-de-Léon,
- Société Interprofessionnelle des Producteurs et Expéditeurs de Fruits, Légumes, Bulbes et Fleurs d'Ille et Vilaine 'SICA-SIPEFEL', of Saint-Méloir-des-Ondes,
- Syndicat des Expéditeurs et Exportateurs en Légumes et Pommes de terre primeurs de la région Malouine, of Saint-Méloir-des-Ondes.

Done at Brussels, 2 December 1977.

For the Commission

Raymond VOUEL

Member of the Commission

CORRIGENDA**Corrigendum to Council Regulation (EEC) No 2133/74 of 8 August 1974 laying down general rules for the description and presentation of wines and grape musts**

(Official Journal of the European Communities No L 227 of 17 August 1974)

Page 8, Article 14 (1):

for: '... Article 12 (2) (m) ...',

read: '... Article 12 (2) (l) ...'.

Corrigendum to Commission Regulation (EEC) No 109/78 of 20 January 1978 fixing the export refunds on fishery products

(Official Journal of the European Communities No L 17 of 21 January 1978)

Page 19, Annex, CCT heading No 03.02:

for: 'For exports to Brazil, Puerto Rico, Congo-Brazzaville, Zaire and Venezuela',

read: 'For exports to Brazil, Puerto Rico, the People's Republic of the Congo, Zaire, Cameroon, Angola and Venezuela'.
