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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 152/78

of 23 January 1978

amending Regulations (EEC) No 1059/69, (EEC) No 1060/69 and (EEC) No 2682/72 on the trade arrangements for processed agricultural products not covered by Annex II to the Treaty

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 28 and 235 thereof,

Article 1

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas experience has shown that certain amendments should be made to Council Regulation (EEC) No 1060/69 of 28 May 1969 fixing the quantities of basic products considered to have been used in the manufacture of the goods covered by Regulation (EEC) No 1059/69 ⁽²⁾, as last amended by Regulation (EEC) No 3058/75 ⁽³⁾, with regard both to certain notional quantities and to the wording of certain headings of the Common Customs Tariff;

Whereas certain amendments to the Common Customs Tariff necessitate at the same time amendments to Regulation (EEC) No 1060/69 and Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽⁴⁾ as last amended by Regulation (EEC) No 2670/76 ⁽⁵⁾, and to Council Regulation (EEC) No 2682/72 of 12 December 1972 laying down the general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty and the criteria for fixing the amount of such refunds ⁽⁶⁾, as last amended by Regulation (EEC) No 3138/76 ⁽⁷⁾,

Regulation (EEC) No 1059/69 is hereby amended as follows:

1. In the table in Article 2:

- (a) in the English text, delete CCT heading No 17.01 and substitute:

‘17.01 Beet sugar and cane sugar, in solid form’;

- (b) delete CCT heading No 17.03 and substitute:

‘17.03 Molasses’.

2. In Article 3 (a), for ‘11.06’ read ‘11.04 C’.

3. In the Annex:

- (a) in the English, Dutch, French, German and Italian texts of CCT heading No ex 17.04, for ‘weight of sugar’ read ‘weight of sucrose’;

- (b) delete CCT heading No ‘19.01 Malt extract’;

- (c) for CCT heading No ex 19.02 substitute:

‘19.02 Malt extract; preparations of flour, meal, starch or malt extract, of a kind used in infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa’;

⁽¹⁾ Opinion delivered on 20 January 1978 (not yet published in the Official Journal).

⁽²⁾ OJ No L 141, 12. 6. 1969, p. 7.

⁽³⁾ OJ No L 306, 26. 11. 1975, p. 3.

⁽⁴⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽⁵⁾ OJ No L 302 25. 10. 1976, p. 1.

⁽⁶⁾ OJ No L 289, 27. 12. 1972, p. 13.

⁽⁷⁾ OJ No L 354, 24. 12. 1976, p. 1.

- (d) delete CCT heading No 19.06 ;
- (e) for CCT heading No 19.07 substitute :
 '19.07 Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit ; communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products' ;
- (f) amend CCT heading No 'ex 21.01' to read 'ex 21.02'.

Article 2

The Annex to Regulation (EEC) No 1060/69 is hereby replaced by the Annex hereto.

Article 3

Regulation (EEC) No 2682/72 is hereby amended as follows :

1. In the third indent of Article 1 (2) (a), for '11.06' read '11.04 C'.
2. In Annex A :
 - (a) in the English text, delete CCT heading No 17.01 and substitute :
 '17.01 Beet sugar and cane sugar, in solid form' ;
 - (b) amend subheading 'ex 17.02 D' to read 'ex 17.02 D II' ;
 - (c) delete CCT heading No 17.03 and substitute ;
 '17.03 Molasses'.
3. In Annex B :
 - (a) delete CCT heading No '19.01 Malt extract' ;
 - (b) for CCT heading No 19.02 substitute :
 '19.02 Malt extract ; preparations of flour, meal, starch or malt extract, of a kind used in infant food or for dietetic or

culinary purposes, containing less than 50 % by weight of cocoa' ;

- (c) delete CCT heading No 19.06 ;
 - (d) for CCT heading No 19.07 substitute :
 '19.07 Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit ; communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products' ;
 - (e) delete CCT heading No 21.01 and substitute :
 '21.02 Extracts, essences or concentrates, of coffee, tea or maté and preparations with a basis of those extracts, essences or concentrates ; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof :
 - C. Roasted chicory and other roasted coffee substitutes :
 - II. Other (than roasted chicory)
 - D. Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes :
 - II. Other (than extracts of roasted chicory) ;
 - (f) amend subheading '21.07 ex F' to read '21.07 ex G'.
4. In Annex D :
 - (a) for CCT heading No 19.02 substitute :
 '19.02 Malt extract ; preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa :
 - B. Other' ;
 - (b) delete CCT heading No 19.06 ;

(c) for CCT heading No 19.07 substitute :

1	2	3	4	5
19.07	Bread, ships' biscuits and other ordinary bakers' wares not containing added sugar, honey, eggs, fats, cheese or fruit; communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products :			
	A. Crispbread	Starch(ordextrin)	Rye	2.09 kg per 1 % by weight of anhydrous starch (or dextrin)
	C. Communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	Starch(ordextrin)	Maize (for starch-making)	1.83 kg per 1 % by weight of anhydrous starch (or dextrin)
	D. Other	Starch(ordextrin)	Common wheat (other than for starch-making)	1.75 kg per 1 % by weight of anhydrous starch (or dextrin)

(d) amend subheading '21.07 F' to read '21.07 G'.

Article 4

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

It shall be applicable from 1 February 1978.

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

Done at Brussels, 23 January 1978.

For the Council

The President

P. DALSAGER

(per 100 kg of goods)

CCT heading No	Description	Common wheat	Durum wheat	Rye	Barley	Maize	Rice	Sugar	Molasses	Skimmed-milk powder (PG 2)	Whole milk powder (PG 3)	Butter (PG 6)
		kg	kg	kg	kg	kg	kg	kg	kg	kg	kg	kg
17.04	Sugar confectionery, not containing cocoa : B. Chewing gum containing by weight of sucrose (including invert sugar expressed as sucrose): I. Less than 60 % II. 60 % or more C. White chocolate D. Other : I. Containing no milkfats or containing less than 1.5 % by weight of such fats : a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose) b) Containing by weight of sucrose (including invert sugar expressed as sucrose): 1. 5 % or more but less than 30 % 2. 30 % or more but less than 40 % 3. 40 % or more but less than 50 % : aa) Containing no starch bb) Other 4. 50 % or more but less than 60 % 5. 60 % or more but less than 70 % 6. 70 % or more but less than 80 % 7. 80 % or more but less than 90 % 8. 90 % or more II. Other : a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose) b) Containing by weight of sucrose (including invert sugar expressed as sucrose):	49				30 16 199 32 48 64 16 72 56 40 16		58 70 45 25 35 45 45 55 65 75 85 95			20	

(per 100 kg of goods)

CCT heading No	Description	Common wheat	Durum wheat	Rye	Barley	Maize	Rice	Sugar	Molasses	Skimmed-milk powder (PG 2)	Whole milk powder (PG 3)	Butter (PG 6)
		kg	kg	kg	kg	kg	kg	kg	kg	kg	kg	kg
17.04 (cont'd)	D. II. b) 1. 5 % or more but less than 30 %					32		25			20	
	2. 30 % or more but less than 50 %					48		40			20	
	3. 50 % or more but less than 70 %					32		60			15	
	4. 70 % or more							80			8	
18.06	Chocolate and other food preparations containing cocoa :											
	A. Cocoa powder, not otherwise sweetened than by the addition of sucrose, containing by weight of sucrose :											
	I. Less than 65 %											
	II. 65 % or more but less than 80 %											
	III. 80 % or more											
	B. Ice-cream (not including ice-cream powder) and other ices :											
	I. Containing no milkfats or containing less than 3 % by weight of such fats											
	II. Containing by weight of milkfats :											
	a) 3 % or more but less than 7 %											
	b) 7 % or more											
	C. Chocolate and chocolate goods, whether or not filled ; sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa :											
	I. Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)											
	II. Other :											
	a) Containing no milkfats or containing less than 1.5 % by weight of such fats and containing by weight of sucrose (including invert sugar expressed as sucrose) :											
1. Less than 50 %												
2. 50 % or more												
b) Containing by weight of milkfats :												

(per 100 kg of goods)

CCT heading No	Description	Common wheat	Durum wheat	Rye	Barley	Maize	Rice	Sugar	Molasses	Skimmed-milk powder (PG 2)	Whole milk powder (PG 3)	Butter (PG 6)
		kg	kg	kg	kg	kg	kg	kg	kg	kg	kg	kg
18.06 (cont'd)	C. II. b) 1. 1.5 % or more but less than 3 %							55			11	
	2. 3 % or more but less than 4.5 %							55			16	
	3. 4.5 % or more but less than 6 %							50			22	
	4. 6 % or more							50			28	
	D. Other :											
	I. Containing no milkfats or containing less than 1.5 % by weight of such fats :											
	a) In immediate packings of a net capacity of 500 g or less							10		70		
	b) Other							10		70		
	II. Containing by weight of milkfats :											
	a) 1.5 % or more but less than 6.5 % :											
	1. In immediate packings of a net capacity of 500 g or less							50			16	
	2. Other							50			16	
	b) More than 6.5 % but less than 26 % :											
	1. In immediate packings of a net capacity of 500 g or less							10			85	
	2. Other :											
	aa) Chocolate milk crumb, containing more than 6.5 % but less than 11 % by weight of milkfats, more than 6.5 % but less than 15 % by weight of cocoa and more than 50 % but less than 60 % by weight of sucrose (including invert sugar expressed as sucrose)							55			34	
	bb) Other							10			85	
	c) 26 % or more :											
	1. In immediate packings of a net capacity of 500 g or less											
	2. Other											

(as for subheadings 21.07 G VI to IX)

(as for subheadings 21.07 G VI to IX)

CCT heading No	Description	(per 100 kg of goods)										
		Common wheat	Durum wheat	Rye	Barley	Maize	Rice	Sugar	Molasses	Skimmed-milk powder (PG 2)	Whole milk powder (PG 3)	Butter (PG 6)
		kg	kg	kg	kg	kg	kg	kg	kg	kg	kg	kg
19.02	Malt extract ; preparations of flour, meal starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa :											
	A. Malt extract :											
	I. With a dry extract content of 90 % or more by weight				195							
	II. Other				159							
	B. Other :											
	I. Containing malt extract and not less than 30 % by weight of reducing sugars (expressed as maltose) ..				127			5			6	
	II. Other :											
	a) Containing no milkfats or containing less than 1.5 % by weight of such fats :											
	1. Containing less than 14 % by weight of starch :											
	aa) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)	25										
	bb) Containing by weight of sucrose (including invert sugar expressed as sucrose) :											
	11. 5 % or more but less than 60 % ...	25						45				
	22. 60 % or more	25						80				
	2. Containing 14 % or more but less than 32 % by weight of starch :											
	aa) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)	50										
	bb) Other	17	17		12			50				
	3. Containing 32 % or more but less than 45 % by weight of starch :											
	aa) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)	25			32		13					
	bb) Other	22			16	16	12	20				

(per 100 kg of goods)												
CCT heading No	Description	Common wheat	Durum wheat	Rye	Barley	Maize	Rice	Sugar	Molasses	Skimmed-milk powder (PG 2)	Whole milk powder (PG 3)	Butter (PG 6)
		kg	kg	kg	kg	kg	kg	kg	kg	kg	kg	kg
19.02 (cont'd)	B. II. a) 4. Containing 45 % or more but less than 65 % by weight of starch :											
	aa) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)	95			15							
	bb) Other					95		34				
	5. Containing 65 % or more but less than 80 % by weight of starch :											
	aa) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)	165										
	bb) Other	150						15				
	6. Containing 80 % or more but less than 85 % by weight of starch :											
	aa) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)					137						
	bb) Other	150						15				
	7. Containing 85 % or more by weight of starch					189						
	b) Containing by weight of milkfats :											
	1. 1.5 % or more but less than 5 %	14						55			12	
	2. 5 % or more	90						25			25	
19.03	Macaroni, spaghetti and similar products :											
	A. Containing eggs		167									
	B. Other :											
	I. Containing no common wheat flour or meal		167									
	II. Other	67	100									
19.04	Tapioca and sago ; tapioca and sago substitutes obtained from potato or other starches					161 (¹)						
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products) :											
	A. Obtained from maize					213						
	B. Obtained from rice						174					
	C. Other		53		53	53	53					

(¹) 189 until 28 February 1978

CCT heading No	Description	(per 100 kg of goods)										
		Common wheat	Durum wheat	Rye	Barley	Maize	Rice	Sugar	Molasses	Skimmed-milk powder (PG 2)	Whole milk powder (PG 3)	Butter (PG 6)
		kg	kg	kg	kg	kg	kg	kg	kg	kg	kg	kg
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit; communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:											
	A. Crispbread			140								
	B. Matzos	168										
	C. Communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products					644						
	D. Other, containing by weight of starch:											
	I. Less than 50 %	75										
	II. 50 % or more	133										
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion:											
	A. Gingerbread and the like, containing by weight of sucrose (including invert sugar expressed as sucrose):											
	I. Less than 30 %	44		40				25				
	II. 30 % or more but less than 50 %	33		30				45				
	III. 50 % or more	22		20				65				
	B. Other:											
	I. Containing no starch or containing less than 5 % by weight of starch, and containing by weight of sucrose (including invert sugar expressed as sucrose):											
	a) Less than 70 %							50				
	b) 70 % or more							90				
	II. Containing 5 % or more but less than 32 % by weight of starch:											
	a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)	56										
	b) Containing 5 % or more but less than 30 % by weight of sucrose (including invert sugar expressed as sucrose):											
	1. Containing no milkfats or containing less than 1.5 % by weight of such fats	56						25				
	2. Other	56						25				12

[illegible]

(per 100 kg of goods)

CCT heading No	Description	Common wheat kg	Durum wheat kg	Rye kg	Barley kg	Maize kg	Rice kg	Sugar kg	Molasses kg	Skimmed-milk powder (PG 2) kg	Whole milk powder (PG 3) kg	Butter (PG 6) kg
19.08 <i>(cont'd)</i>	B. IV. b) Containing 5 % or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no milkfats or containing less than 1·5 % by weight of such fats 2. Other V. Containing 65 % or more by weight of starch : a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose) b) Other	126 117 168 154						15 10 10				12
21.02	Extracts, essences or concentrates of coffee, tea or maté and preparations with a basis of those extracts, essences or concentrates ; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof : C. Roasted chicory and other roasted coffee substitutes : II. Other D. Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes : II. Other				137 245							
21.06	Natural yeasts (active or inactive) ; prepared baking powders : A. Active natural yeasts : II. Bakers' yeast : a) Dried b) Other								425 125			
21.07	Food preparations not elsewhere specified or included : A. Cereals in grain or in ear form, pre-cooked or otherwise prepared : I. Maize II. Rice III. Other		174			100	174					

(per 100 kg of goods)

[illegible]

(per 100 kg of goods)

CCT heading No	Description	Common wheat	Durum wheat	Rye	Barley	Maize	Rice	Sugar	Molasses	Skimmed-milk powder (PG 2)	Whole milk powder (PG 3)	Butter (PG 6)
		kg	kg	kg	kg	kg	kg	kg	kg	kg	kg	kg
21.07 (cont'd)	G. Other :											
	I. Containing no milkfats or containing less than 1.5 % by weight of such fats :											
	a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose) :											
	2. Containing by weight of starch :											
	aa) 5 % or more but less than 32 %	56										
	bb) 32 % or more but less than 45 % ...	84										
	cc) 45 % or more	112										
	b) Containing 5 % or more but less than 15 % by weight of sucrose (including invert sugar expressed as sucrose) :											
	1. Containing no starch or containing less than 5 % by weight of starch							14				
	2. Containing by weight of starch :											
	aa) 5 % or more but less than 32 %	56						10				
	bb) 32 % or more but less than 45 % ...	84						10				
	cc) 45 % or more	112						10				
	c) Containing 15 % or more but less than 30 % by weight of sucrose (including invert sugar expressed as sucrose) :											
	1. Containing no starch or containing less than 5 % by weight of starch							25				
	2. Containing by weight of starch :											
	aa) 5 % or more but less than 32 %	56						25				
	bb) 32 % or more but less than 45 % ...	84						25				
	cc) 45 % or more	105						25				
	d) Containing 30 % or more but less than 50 % by weight of sucrose (including invert sugar expressed as sucrose) :											
	1. Containing no starch or containing less than 5 % by weight of starch							45				
	2. Containing by weight of starch :											
	aa) 5 % or more but less than 32 %	56						45				
	bb) 32 % or more	77						45				

(per 100 kg of goods)

CCT heading No	Description	Common wheat	Durum wheat	Rye	Barley	Maize	Rice	Sugar	Molasses	Skimmed-milk powder (PG 2)	Whole milk powder (PG 3)	Butter (PG 6)
		kg	kg	kg	kg	kg	kg	kg	kg	kg	kg	kg
21.07 (cont'd)	G. I. e) Containing 50 % or more but less than 85 % by weight of sucrose (including invert sugar expressed as sucrose):											
	1. Containing no starch or containing less than 5 % by weight of starch							80				
	2. Other	28						80				
	f) Containing 85 % or more by weight of sucrose (including invert sugar expressed as sucrose)							95				
	II. Containing 1.5 % or more but less than 6 % by weight of milkfats:											
	a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):											
	1. Containing no starch or containing less than 5 % by weight of starch										20	
	2. Containing by weight of starch:											
	aa) 5 % or more but less than 32 %	56									20	
	bb) 32 % or more but less than 45 % ...	84									20	
	cc) 45 % or more	112									20	
	b) Containing 5 % or more but less than 15 % by weight of sucrose (including invert sugar expressed as sucrose):											
	1. Containing no starch or containing less than 5 % by weight of starch							14			20	
	2. Containing by weight of starch:											
	aa) 5 % or more but less than 32 %	56						10			20	
	bb) 32 % or more	84						10			20	
	c) Containing 15 % or more but less than 30 % (including invert sugar expressed as sucrose):											
	1. Containing no starch or containing less than 5 % by weight of starch							25			20	
	2. Containing by weight of starch:											
	aa) 5 % or more but less than 32 %	56						25			20	
	bb) 32 % or more	77						25			20	

(per 100 kg of goods)

CCT heading No	Description	Common wheat	Durum wheat	Rye	Barley	Maize	Rice	Sugar	Molasses	Skimmed-milk powder (PG 2)	Whole milk powder (PG 3)	Butter (PG 6)
		kg	kg	kg	kg	kg	kg	kg	kg	kg	kg	kg
21.07 (cont'd)	G. II. d) Containing 30 % or more but less than 50 % by weight of sucrose (including invert sugar expressed as sucrose):											
	1. Containing no starch or containing less than 5 % by weight of starch							45			20	
	2. Other	49						45			20	
	e) Containing 50 % or more by weight of sucrose (including invert sugar expressed as sucrose)							75			20	
	III. Containing 6 % or more but less than 12 % by weight of milkfats:											
	a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):											
	1. Containing no starch or containing less than 5 % by weight of starch										40	
	2. Containing by weight of starch:											
	aa) 5 % or more but less than 32 %	56									40	
	bb) 32 % or more	84									40	
	b) Containing 5 % or more but less than 15 % by weight of sucrose (including invert sugar expressed as sucrose):											
	1. Containing no starch or containing less than 5 % by weight of starch							14			40	
	2. Other	56						10			40	
	c) Containing 15 % or more but less than 30 % by weight of sucrose (including invert sugar expressed as sucrose):											
	1. Containing no starch or containing less than 5 % by weight of starch							25			40	
	2. Other	49						25			40	
	d) Containing 30 % or more but less than 50 % by weight of sucrose (including invert sugar expressed as sucrose):											
	1. Containing no starch or containing less than 5 % by weight of starch							45			40	
	2. Other	21						45			40	

[illegible]

[illegible]

(per 100 kg of goods)

[illegible]

(per 100 kg of goods)												
CCT heading No	Description	Common wheat	Durum wheat	Rye	Barley	Maize	Rice	Sugar	Molasses	Skimmed-milk powder (PG 2)	Whole milk powder (PG 3)	Butter (PG 6)
		kg	kg	kg	kg	kg	kg	kg	kg	kg	kg	kg
38.12 (cont'd)	A. I. a) Less than 55 %					95						
	b) 55 % or more but less than 70 %					132						
	c) 70 % or more but less than 83 %					161						
	d) 83 % or more					189						
38.19	Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included ; residual products of the chemical or allied industries, not elsewhere specified or included :											
	T. Sorbitol, other than that falling within subheading 29.04 C III :											
	I. In aqueous solution :											
	a) Containing 2 % or less by weight of mannitol, calculated on the sorbitol content					172						
	b) Other							90				
	II. Other :											
	a) Containing 2 % or less by weight of mannitol, calculated on the sorbitol content					245						
	b) Other							128				

COMMISSION REGULATION (EEC) No 153/78

of 27 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 28 January
1978.

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

Done at Brussels, 27 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 27 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	78.55 ⁽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 154/78**of 27 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 28 January
1978.

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

Done at Brussels, 27 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 27 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
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 155/78

of 27 January 1978

opening an invitation to tender for the mobilization of common wheat flour as aid for the Arab Republic of Syria

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2560/77⁽²⁾,

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

Whereas on 8 February 1977 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 5 000 tonnes of common wheat (in other words, 3 311 tonnes of common wheat flour) to the Arab Republic of Syria under its 1976/77 food-aid programme;

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

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

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

Whereas the contract should be awarded to the tenderer offering the best terms;

Whereas in case it should be impossible for reasons of *force majeure* to complete the operation in question within the set time limits, it must be made clear who is to bear any costs resulting therefrom;

Whereas provision should be made for security to be given for the purpose of guaranteeing that the obligations arising by virtue of participation in the invitation to tender for supplies to the Arab Republic of Syria will be fulfilled;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender shall be issued in respect of the supply of 3 311 tonnes of common wheat flour to the Arab Republic of Syria by way of Community food-aid action.

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

Minimum weight of the sacks shall be 180 grams.

4. The following shall be printed on the sacks :

'Wheat flour / Gift of the European Economic Community to Syria.'

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

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 10 February 1978.

2. The closing date for submission of tenders shall be 10 February 1978 at noon.

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

Article 3

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

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

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

Such correction shall be made by :

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

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

- in the case when the currencies concerned are kept at any given moment within a band of 2.25 % a conversion rate resulting from their central rate,
- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued

during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

Article 4

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

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

Article 5

If the tenderer is unable to deliver the goods in compliance with Article 1 (3) on the date given in the notice of invitation to tender as a result of the late availability of the vessels to be used for sea transportation, the resulting costs shall be borne by the intervention agency.

Article 6

1. The tenderer shall give security of a value of 10 units of account per tonne of goods.

It shall be released :

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

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

Article 7

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

- moisture : 14 % maximum,
- protein content : 10.5 % minimum (N × 6.25 on dry matter),
- ash content : 0.52 % maximum referred to dry matter.

If the goods referred to in Article 1 do not meet the foregoing requirements they shall be rejected and the successful tenderer shall be owner thereof.

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

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

Article 8

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

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

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

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

Furthermore, the amount of the successful tender shall be paid after it has been converted using the

average of the spot rates referred to in the second subparagraph of Article 3 (3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

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

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

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

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

Article 9

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

Article 10

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

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

Done at Brussels, 27 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 156/78**of 27 January 1978****supplementing Regulation (EEC) No 1204/72 laying down detailed rules for the application of the subsidy system for 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 markets in oils and
fats⁽¹⁾, as last amended by Regulation (EEC) No
2560/77⁽²⁾, and in particular Article 27 (5) thereof,

Whereas Articles 22 and 23 of Commission Regula-
tion (EEC) No 1204/72 of 7 June 1972 laying down
detailed rules for the application of the subsidy system
for oil seeds⁽³⁾, as last amended by Regulation (EEC)
No 2036/77⁽⁴⁾, lay down the conditions for the
release of the security lodged in the case of the
subsidy being fixed in advance ; whereas Article 25 of
the said Regulation specifies the conditions for the
payment of such subsidy ;

Whereas, in order to ensure that the subsidy system is
applied in a uniform manner, deadlines for the release
of the security and for the payment of the subsidy
should be fixed ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The following paragraph is added to Article 22 of
Regulation (EEC) No 1204/72 :

‘Release of the security shall take place immedi-
ately following production of the proof referred to
above.’

Article 2

The following paragraph 3 is added to Article 25 :

‘3. Payment of the subsidy shall take place
within 120 days of the certification referred to in
paragraph 2.’

Article 3

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

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

Done at Brussels, 27 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 133, 10. 6. 1972, p. 1.

⁽⁴⁾ OJ No L 236, 15. 9. 1977, p. 12.

COMMISSION REGULATION (EEC) No 157/78

of 27 January 1978

amending for the second time Regulation (EEC) No 2311/77 on the sale, at a price fixed in advance, of preserved beef held by intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 7 (3) thereof,

Whereas Annex I to Commission Regulation (EEC) No 2311/77 of 20 October 1977 on the sale, at a price fixed in advance, of preserved beef held by intervention agencies and amending Regulation (EEC) No 1687/76 ⁽³⁾, as amended by Regulation (EEC) No 2743/77 ⁽⁴⁾, laid down the quantities of preserved beef to be sold and their selling prices ;

Whereas certain of these quantities have already been sold particularly in Denmark and the Federal Republic of Germany ; whereas, therefore, the quantities offered for sale in Denmark should be increased by 575 tonnes in the case of preserved beef in cans of a net weight of between 340 and 350 grams and the quantity offered for sale in the Federal Republic of Germany should be increased by 2 500 tonnes ;

Whereas certain quantities of preserved beef available at the intervention agency are exclusively for sale

within the Community ; whereas in view of the market situation it should also be possible, to export this preserved beef ; whereas, therefore, the sale prices for exporting this preserved beef should be fixed ;

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

HAS ADOPTED THIS REGULATION :

Article 1

Annex I to Regulation (EEC) No 2311/77 is hereby replaced by the Annex hereto.

Article 2

If the quantities covered by the amendments in the Annex and available at an intervention agency are less than those for which offers to purchase are submitted on 30 January 1978, the said offers shall be deemed to have been submitted at the same time.

Article 3

This Regulation shall enter into force on 30 January 1978.

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

Done at Brussels, 27 January 1978.

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 269, 21. 10. 1977, p. 26.

⁽⁴⁾ OJ No L 316, 10. 12. 1977, p. 40.

ANNEXE — ANHANG — ANNEX — ALLEGATO — BIJLAGE — BILAG

État membre Mitgliedstaat Member State Stato membro Lid-Staat Medlemsstat	Produits Erzeugnisse Products Prodotti Produkten Produkter	Quantités (tonnes) Mengen (Tonnen) Quantities (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Mængde (tons)	Prix de vente (UC/100 kg) poids net Verkaufspreise (RE/100 kg) Nettogewicht Selling price (u.a./100 kg) net weight Prezzi di vendita (UC/100 kg) peso netto Verkoopprijzen (RE/100 kg) nettogewicht Salgspris (RE/100 kg) nettovægt		
A	B	C	D ⁽¹⁾		
			a)	b)	c)
BELGIQUE/ BELGIË	<i>Corned beef</i> en boîtes de 340 grammes net par boîte / <i>Corned beef</i> in dozen van 340 gram nettogewicht per doos	± 50	129,0	129,0	85,0
DANMARK	•Oksekød i egen saft• — kartoner med 36 firkantede dåser, hver med en nettovægt på 340 — 350 g — kartoner med 12 runde dåser, hver med en nettovægt på 1 815 g — kartoner med 12 firkantede dåser, hver med en nettovægt på 1 815 g	± 2 575 ± 3 000 ± 1 000	123,4 116,7 116,7	123,4 100,0 100,0	— 65,0 65,0
DEUTSCHLAND	Rindfleischkonserven in Dosen von 400 Gramm netto je Dose	± 7 500	124,9	124,9	—
IRELAND	Canned stewed steak with net weight of 425 grams per can	± 2 000	124,9	124,9	—

(¹) D a) — Conserves destinées au marché intérieur de la Communauté.
— Für den Binnenmarkt der Gemeinschaft bestimmte Konserven.
— Canned beef for sale within the Community.
— Conserve destinata al mercato comunitario.
— Conserven bestemd voor de markt van de Gemeenschap.
— Konserves bestemt for det interne marked i Fællesskabet.

b) — Conserves destinées à être exportées.
— Für den Export bestimmte Konserven.
— Canned beef for export.
— Conserve destinata all'esportazione.
— Conserven bestemd voor export.
— Konserves bestemt for eksport.

c) — Conserves destinées à certaines institutions et collectivités à caractère social.
— Für gewisse Einrichtungen bestimmte Konserven.
— Canned beef for sale to certain institutions and bodies of a social character.
— Conserve destinata a determinate istituzioni ed enti di carattere sociale.
— Conserven bestemd voor bepaalde sociale instellingen en gemeenschappen.
— Konserves bestemt til visse institutioner og organer med socialt formål.

COMMISSION REGULATION (EEC) No 158/78
of 27 January 1978
amending Regulation (EEC) No 3423/73 on detailed rules for granting subsidies
for olive oil

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 136/66/EEC
of 22 September 1966 on the establishment of a
common organization of the market in oils and
fats⁽¹⁾, as last amended by Regulation (EEC) No
2560/77⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Article 4 of Commission Regulation (EEC)
No 3423/73 of 18 December 1973 on detailed rules
for granting subsidies for olive oil⁽³⁾, as last amended
by Regulation (EEC) No 2491/77⁽⁴⁾, provides that for
the 1977/78 marketing year, cultivation declarations
shall be submitted by a date fixed by the Member
State which may not, however, extend beyond 31
January 1978; whereas this time limit cannot be met

in one Member State because of administrative diffi-
culties; whereas the time limit should therefore be
extended;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 4 of Regulation (EEC) No 3423/73, for '31
January 1978' read '31 March 1978'.

Article 2

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

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

Done at Brussels, 27 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 351, 20. 12. 1973, p. 16.

⁽⁴⁾ OJ No L 288, 22. 11. 1977, p. 9.

COMMISSION RECOMMENDATION No 159/78/ECSC

of 27 January 1978

imposing a provisional anti-dumping duty on certain angles, shapes and sections, of iron and steel, not further worked than hot-rolled or extruded, originating in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 74 and 86 thereof,

Having regard to Commission recommendation 77/329/ECSC on protection against dumping or the granting of bounties or subsidies by countries which are not members of the European Coal and Steel Community⁽¹⁾, as amended by recommendation No 3004/77/ECSC⁽²⁾, and in particular Articles 15 and 19 thereof,

Having heard the opinions expressed within the Advisory Committee provided for by recommendation 77/329/EEC,

Whereas the Commission has received a complaint, submitted in the name of the relevant Community industry, setting out evidence as to the existence of dumping or the granting of bounties or subsidies on certain angles, shapes and sections, of iron and steel, not further worked than hot-rolled or extruded, originating in Spain, and of material injury resulting therefrom ;

Whereas the Commission has published basis prices⁽³⁾ based on the lowest normal prices or costs of production in the supplying countries where normal conditions of competition prevail, including the costs of transport, insurance and customs duties ;

Whereas the prices of imports into the Community of the products which are the subject of the complaint have been compared with these basis prices ;

Whereas a preliminary examination of the matter based on this comparison shows that these products, originating in Spain, are offered for import within the Community (the French market) at prices lower than the basis prices and that dumping has taken place, the margin of which is constituted by this undercutting ;

Whereas, with regard to injury to the industry concerned, the evidence submitted to the Commission shows that, on the one hand, imports into the Community of the products increased globally from

347 000 tonnes in 1974 to 240 000 tonnes during the first six months of 1977, imports originating in Spain having risen from 32 000 tonnes to 117 000 tonnes in the same period, and that, as a result, they have been able to acquire a market share of 10.6 % in total and 5 % for imports originating in Spain in the Community and that, on the other hand, the Community steel industry is in a crisis situation characterized by a reduction of about 21 % in the deliveries of the products concerned between 1974 and 1977 in the Community and by a reduction in the number employed from 780 000 to 720 000 between 1974 and 1977 and by short-time working and that, as a result, the Community steel industry recorded a reduction in profits or serious losses in most of the firms concerned ;

Whereas, in order to remedy this situation, the Commission has introduced *inter alia* a system of guidance prices⁽⁴⁾ for sales within the Community of certain steel products produced by the European steel industry ;

Whereas the imports into the Community of products originating in Spain are considerably lower than these guidance prices and that such undercutting prevents the European producers from achieving the guidance prices and jeopardizes the equilibrium of the entire pricing system and threatens to cause material injury to the Community industry or to a major part of it ;

Whereas immediate action has been requested by a Member State ;

Whereas, in the serious conditions being experienced by the Community steel industry, the interests of the Community require immediate action ;

Whereas it is for the Commission, without prejudice to the results of the investigation opened in accordance with Article 11 of recommendation 77/329/ECSC, to decide promptly apply provisional measures consisting of the imposition of a provisional anti-dumping duty on imports of the products concerned, originating in Spain, the rate of which corresponds to the difference between the basis price published by the Commission for this product and its price on importation into the Community,

⁽¹⁾ OJ No L 114, 5. 5. 1977, p. 6.

⁽²⁾ OJ No L 352, 31. 12. 1977, p. 13.

⁽³⁾ Communication from the Commission of 31 December 1977 concerning the basis prices of certain steel products (OJ No L 353, 31. 12. 1977, p. 1).

⁽⁴⁾ OJ No L 114, 5. 5. 1977, p. 1 ; OJ No C 174, 22. 7. 1977 and OJ No L 352, 31. 12. 1977, p. 17.

HAS ADOPTED THIS RECOMMENDATION :

Article 1

1. A provisional anti-dumping duty is hereby imposed on the following products originating in Spain :

- certain angles, shapes and U, I or H sections, of iron and steel, not further worked than hot-rolled or extruded,
- Common Customs Tariff subheading ex 73.11 A I,
- NIMEXE codes 73.11-11, 12, 14 and 16.

2. The amount of this duty shall be the amount by which the effective price (basic price plus extras) established by contract, free frontier duty-paid, is lower than the effective price (basic price plus extras) published by the Commission for this product.

3. The provisions in force for the collection of customs duty shall apply to the collection of this duty.

Article 2

The entry of the products described in Article 1 for consumption within the Community shall be conditional upon the deposit of a security for the amount of the provisional duty.

Article 3

This recommendation is addressed to the Member States.

They shall take all necessary measures to ensure that the provisions apply with effect from 28 January 1978 for a maximum period of three months.

Done at Brussels, 27 January 1978.

For the Commission

Wilhelm HAUSERKAMP

Vice-President

COMMISSION RECOMMENDATION No 160/78/ECSC

of 27 January 1978

imposing a provisional anti-dumping duty on certain sheets and plates, of iron or steel, originating in the German Democratic Republic, Romania and Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 74 and 86 thereof,

Having regard to Commission recommendation 77/329/ECSC on protection against dumping or the granting of bounties or subsidies by countries which are not members of the European Coal and Steel Community⁽¹⁾, as amended by recommendation No 3004/77/ECSC⁽²⁾, and in particular Articles 15 and 19 thereof,

Having heard the opinions expressed within the Advisory Committee provided for by recommendation 77/329/ECSC,

Whereas the Commission has received a complaint, submitted in the name of the relevant Community industry, setting out evidence as to the existence of dumping of certain sheets and plates, of iron or steel, originating in the German Democratic Republic, Romania, Spain and certain other countries, and of material injury resulting therefrom;

Whereas the Commission has published basis prices⁽³⁾ based on the lowest normal prices or costs of production in the supplying countries where normal conditions of competition prevail, including the costs of transport, insurance and customs duties;

Whereas the prices of imports into the Community of the products which are the subject of the complaint have been compared with these basis prices;

Whereas a preliminary examination of the matter based on this comparison shows that these products, originating in the German Democratic Republic, Romania and Spain, are offered for import within the Community (the French market) at prices lower than the basis prices and that dumping has taken place, the margin of which is constituted by this undercutting;

Whereas, with regard to injury to the industry concerned, the evidence submitted to the Commission shows that, on the one hand, imports into the Community of the products increased globally from 1 242 000 tonnes in 1974 to 903 000 tonnes during

the first six months of 1977, imports originating in the German Democratic Republic, Romania and Spain having risen from 193 000 tonnes in 1974 to 124 000 tonnes during the first six months of 1977, and that, as a result, they have been able to acquire a market share in the Community of 20 % in total and 11 % for imports originating in the German Democratic Republic, Romania and Spain, together with those from Bulgaria, Czechoslovakia and Japan which are already subject to a provisional anti-dumping duty, and that, on the other hand, the Community steel industry is in a crisis situation characterized by a reduction of about 40 % in the production of the sheets and plates concerned between 1974 and 1977 in the Community and by a reduction in the number employed from 780 000 to 720 000 between 1974 and 1977 and by short-time working and that, as a result, the Community steel industry recorded serious losses in most of the firms concerned;

Whereas, in order to remedy this situation, the Commission has introduced *inter alia* a system of guidance prices⁽⁴⁾ for sales within the Community of certain steel products produced by the European steel industry;

Whereas the import prices into the Community of products originating in the German Democratic Republic, Romania and Spain are considerably lower than these guidance prices and that such undercutting prevents the European producers from achieving the guidance prices and jeopardizes the equilibrium of the entire pricing system and threatens to cause material injury to the Community industry or to a major part of it;

Whereas immediate action has been requested by a Member State;

Whereas, in the serious conditions being experienced by the Community steel industry, the interests of the Community require immediate action;

Whereas it is for the Commission, without prejudice to the results of the investigation opened in accordance with Article 11 of recommendation 77/329/ECSC, to decide promptly to apply provisional measures consisting of the imposition of a provisional

⁽¹⁾ OJ No L 114, 5. 5. 1977, p. 6.

⁽²⁾ OJ No L 352, 31. 12. 1977, p. 13.

⁽³⁾ Communication from the Commission of 31 December 1977 concerning the basis prices of certain steel products (OJ No L 353, 31. 12. 1977, p. 1).

⁽⁴⁾ OJ No L 114, 5. 5. 1977, p. 1; OJ No C 174, 22. 7. 1977 and OJ No L 352, 31. 12. 1977, p. 17.

anti-dumping duty on imports of the products concerned, originating in the German Democratic Republic, Romania and Spain, the rate of which corresponds to the difference between the basis price published by the Commission for this product and its price on importation into the Community,

HAS ADOPTED THIS RECOMMENDATION :

Article 1

1. A provisional anti-dumping duty is hereby imposed on the following products originating in the German Democratic Republic, Romania and Spain :

- sheets and plates, of iron or steel, other than electrical, not further worked than hot-rolled, of a thickness of 2 mm or more,
- Common Customs Tariff subheading 73.13 B I a),
- NIMEXE codes 73.13-17, 19, 21, 23 and 26.

2. The amount of this duty shall be the amount by which the effective price (basic price plus extras) established by contract, free frontier duty-paid, is lower than the effective price (basic price plus extras) published by the Commission for this product.

3. The provisions in force for the collection of customs duty shall apply to the collection of this duty.

Article 2

The entry of the products described in Article 1 for consumption within the Community shall be conditional upon the deposit of a security for the amount of the provisional duty.

Article 3

This recommendation is addressed to the Member States.

They shall take all necessary measures to ensure that the provisions apply with effect from 28 January 1978 for a maximum period of three months.

Done at Brussels, 27 January 1978.

For the Commission

Wilhelm HAFFERKAMP

Vice-President

COMMISSION RECOMMENDATION No 161/78/ECSC

of 27 January 1978

imposing a provisional anti-dumping duty on certain sheets and plates, of iron or steel, originating in Japan

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 74 and 86 thereof,

Having regard to Commission recommendation 77/329/ECSC on protection against dumping or the granting of bounties or subsidies by countries which are not members of the European Coal and Steel Community⁽¹⁾, as amended by recommendation No 3004/77/ECSC⁽²⁾, and in particular Articles 15 and 19 thereof,

Having heard the opinions expressed within the Advisory Committee provided for by recommendation 77/329/ECSC,

Whereas the Commission has received a complaint, submitted in the name of the relevant Community industry, setting out evidence as to the existence of dumping of certain sheets and plates, of iron or steel, originating in Japan and certain other countries, and of material injury resulting therefrom;

Whereas the Commission has published basis prices⁽³⁾ based on the lowest normal prices or costs of production in the supplying countries where normal conditions of competition prevail, including the costs of transport, insurance and customs duties;

Whereas the prices of imports into the Community of the products which are the subject of the complaint have been compared with these basis prices;

Whereas a preliminary examination of the matter based on this comparison shows that these products, originating in Japan, are offered for import within the Community (the French market) at prices lower than the basis prices and that dumping has taken place, the margin of which is constituted by this undercutting;

Whereas, with regard to injury to the industry concerned, the evidence submitted to the Commission shows that, on the one hand, annual imports into the Community of the products increased globally from 560 000 tonnes to 1 350 000 tonnes between 1974 and 1977, imports originating in Japan having

risen from 61 600 tonnes in 1974 to about 247 000 tonnes during the first nine months of 1977 and that, as a result, these imports together represent a market share of more than 10 % in total and 3.4 % for imports originating in Japan and Czechoslovakia, the latter being already subject to a provisional anti-dumping duty in the Community and that, on the other hand, the Community steel industry is in a crisis situation characterized by a reduction of about 11 % in the production of the products concerned between 1974 and 1977 in the Community and by a reduction in the number employed from 780 000 to 720 000 between 1974 and 1977 and by widespread short-time working and that, as a result, the Community steel industry recorded serious losses in most of the firms concerned;

Whereas, in order to remedy this situation, the Commission has introduced *inter alia* a system of guidance prices⁽⁴⁾ for sales within the Community of certain steel products produced by the European steel industry;

Whereas, the import prices into the Community of products originating in Japan are considerably lower than these guidance prices and such undercutting prevents the European producers from achieving the guidance prices and jeopardizes the equilibrium of the entire pricing system and causes material injury to the Community industry or to a major part of it;

Whereas immediate action has been requested by a Member State;

Whereas, in the serious conditions being experienced by the Community steel industry, the interests of the Community require immediate action;

Whereas it is for the Commission, without prejudice to the results of the investigation opened in accordance with Article 11 of recommendation 77/329/ECSC, to decide promptly to apply provisional measures consisting of the imposition of a provisional anti-dumping duty on imports of the products concerned, originating in Japan, the rate of which corresponds to the difference between the basis price published by the Commission for this product and its price on importation into the Community,

⁽¹⁾ OJ No L 114, 5. 5. 1977, p. 6.

⁽²⁾ OJ No L 352, 31. 12. 1977, p. 13.

⁽³⁾ Communication from the Commission of 31 December 1977 concerning the basis prices of certain steel products (OJ No L 353, 31. 12. 1977, p. 1).

⁽⁴⁾ OJ No L 114, 5. 5. 1977, p. 1; OJ No C 174, 22. 7. 1977 and OJ No L 352, 31. 12. 1977, p. 17.

HAS ADOPTED THIS RECOMMENDATION :

Article 1

1. A provisional anti-dumping duty is hereby imposed on the following products originating in Japan :

- sheets and plates, of iron or steel, other than electrical, not further worked than cold-rolled, of a thickness of less than 3 mm,
- Common Customs Tariff subheadings 73.13 B II b) and c),
- NIMEXE codes 73.13-43, 45, 47 and 49.

2. The amount of this duty shall be the amount by which the effective price (basic price plus extras) established by contract, free frontier duty-paid, is lower than the effective price (basic price plus extras) published by the Commission for this product.

3. The provisions in force for the collection of customs duty shall apply to the collection of this duty.

Article 2

The entry of the products described in Article 1 for consumption within the Community shall be conditional upon the deposit of a security for the amount of the provisional duty.

Article 3

This recommendation is addressed to the Member States.

They shall take all necessary measures to ensure that the provisions apply with effect from 28 January 1978 for a maximum period of three months.

Done at Brussels, 27 January 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION REGULATION (EEC) No 162/78

of 27 January 1978

introducing a countervailing charge on certain varieties of sweet oranges originating in Algeria

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0.50 unit of account below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 2591/77 of 24 November 1977 fixing the reference prices for sweet oranges for the 1977/78 marketing year⁽³⁾ fixed the reference price for Class I products of Group II at 16.28 units of account per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available, less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as amended by Regulation (EEC) No 385/75⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices

with the coefficients fixed in Article 1 (4) third indent of Regulation (EEC) No 2591/77;

Whereas, for oranges from Algeria of the varieties listed in Article 1 (3) (c) of Regulation (EEC) No 2591/77, the entry price calculated in this way has remained at least 0.50 unit of account below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for certain varieties of sweet oranges originating in Algeria;

Whereas if the system is to operate normally the entry prices should be calculated:

- 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,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 1.82 units of account per 100 kilograms net is applied to fresh sweet oranges (subheading 08.02 A I of the Common Customs Tariff) originating in Algeria other than the varieties Moro, Tarocco, Biondo comune (Blanca comune, Blonde commune), Grano de Oro (Imperial, Sucrena), Baladi, Pera, Macetera, Pineapple, Blood oval (Doblefina, Double fine), Portuguese sanguine, Sanguina redonda (Entrefina), Surinam varieties and the ordinary Sanguina variety, with the exception of Navel sanguines (improved Double fine, Washington sanguina, Sanguina grande) and Maltese sanguines.

Article 2

This Regulation shall enter into force on 31 January 1978.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 125, 19. 5. 1977, p. 1.

⁽³⁾ OJ No L 301, 25. 11. 1977, p. 18.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 44, 18. 2. 1975, p. 8.

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

Done at Brussels, 27 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 163/78
of 27 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 organization 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 150/78⁽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 28 January 1978.

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

Done at Brussels, 27 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 22, 27. 1. 1978, p. 20.

ANNEX

to the Commission Regulation of 27 January 1978 fixing the import levies on white sugar and raw sugar

<i>(u.a. / 100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar ; flavoured or coloured sugar	24.01
	B. Raw sugar	19.71 ⁽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 23 January 1978

extending Decision 76/402/EEC on the level of the interest rate subsidy, provided for in Directive 72/159/EEC on the modernization of farms, to be applied in Italy

(78/69/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms⁽¹⁾, and in particular the second subparagraph of Article 8 (2) thereof,

Having regard to the proposal from the Commission,

Whereas the Italian Government has requested the extension of Council Decision 76/402/EEC of 6 April 1976 on the level of the interest rate subsidy, provided for by Directive 72/159/EEC on the modernization of farms, to be applied in Italy⁽²⁾, as last amended by Decision 77/681/EEC⁽³⁾;

Whereas the current rate of interest in Italy for long-term agricultural loans is 15.45 %, which is 2 % more than the rate which served as a basis for the abovementioned Decision;

Whereas application of an interest rate of 15.45 % and of interest rate subsidies of 9, 11 and 12 % respec-

tively would mean that the beneficiary must bear a rate of interest in excess of the minimum prescribed by Directive 72/159/EEC,

HAS ADOPTED THIS DECISION :

Article 1

With effect from 1 January 1978, the date '31 December 1977' in Article 4 of Decision 76/402/EEC is hereby replaced by '31 December 1979'.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 23 January 1978.

For the Council

The President

P. DALSAGER

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 108, 26. 4. 1976, p. 39.

⁽³⁾ OJ No L 281, 4. 11. 1977, p. 19.

COUNCIL DECISION
of 23 January 1978
appointing a member of the Economic and Social Committee
(78/70/Euratom, EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 193 to 195 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Articles 165 to 167 thereof,

Having regard to the Convention on certain institutions common to the European Communities, and in particular Article 5 thereof,

Having regard to the Council Decision of 17 September 1974 appointing members of the Economic and Social Committee for the period 17 September 1974 to 16 September 1978,

Whereas a seat has become vacant on the Economic and Social Committee following the resignation of Mr Militello, and the Council was notified on 3 October 1977,

Having regard to the candidatures submitted to the Council by the Italian Government on 5 January 1978,

Having obtained the opinion of the Commission of the European Communities,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Aldo Bonaccini is hereby appointed a member of the Economic and Social Committee in place of Mr Militello for the remainder of the latter's term of office, which runs until 16 September 1978.

Done at Brussels, 23 January 1978.

For the Council

The President

P. DALSAGER

COUNCIL DECISION**of 23 January 1978****appointing a member of the Consultative Committee of the European Coal and Steel Community****(78/71/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 Council Decision of 1 June 1976 and 10 July 1976 designating the representative organizations responsible for drawing up lists of candidates for the Consultative Committee of the European Coal and Steel Community,

Having regard to the Council Decision of 10 July 1976 appointing the members of the Consultative Committee of the European Coal and Steel Community for the period ending 9 July 1978,

Whereas the Council was informed on 20 December 1977 that a seat as member of the above Committee in the workers' representatives category has become vacant as a result of the resignation of Mr Guttadauro ;

Having regard to the nominations submitted by the Unione Italiana Lavoratori Metallmeccanici on 10 January 1978,

HAS DECIDED AS FOLLOWS :

Sole Article

Mr Francesco Lotito is hereby appointed a member of the Consultative Committee of the European Coal and Steel Community in place of Mr Guttadauro for the remainder of the latter's term of office, which runs until 9 July 1978.

Done at Brussels, 23 January 1978.

*For the Council**The President*

P. DALSAGER