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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 272/78**of 10 February 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 11 February
1978.

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

Done at Brussels, 10 February 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 10 February 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	89.07
10.01 B	Durum wheat	115.20 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	75.72 ⁽⁶⁾
10.03	Barley	79.66
10.04	Oats	72.92
10.05 B	Maize, other than hybrid maize for sowing	77.65 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	77.79 ⁽⁴⁾
10.07 C	Grain sorghum	81.48 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	136.33
11.01 B	Rye flour	117.63
11.02 A I a)	Durum wheat groats and meal	189.57
11.02 A I b)	Common wheat groats and meal	146.19

⁽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 273/78**of 10 February 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 11 February
1978.

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

Done at Brussels, 10 February 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 10 February 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 2	1st period 3	2nd period 4	3rd period 5
10.01 A	Common wheat, and meslin	0	0	0	0.15
10.01 B	Durum wheat	0	0	0	13.19
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	1.34
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	0.67	0.67	2.85
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0.20

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0.27	0.27
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0.20	0.20
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	2.39	2.39
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	1.78	1.78
11.07 B	Roasted malt	0	0	0	2.08	2.08

COMMISSION REGULATION (EEC) 274/78

of 10 February 1978

opening an invitation to tender for the mobilization of durum wheat as food aid
for the League of Red Cross Societies

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⁾,

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

Whereas on 8 February 1977 the Council of the Euro-
pean Communities declared that by way of Commu-
nity action it proposed to grant the League of Red
Cross Societies 500 tonnes of durum wheat under its
1976/77 food-aid programme ;

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

Whereas the proposed invitation to tender should be
for supply of the products delivered La Goulette that
is at the moment when the goods are actually placed
on the dock or in the lighter where applicable ;

Whereas tenders may be submitted by tenderers esta-
blished 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 to guarantee fulfilment of the obligations arising
by virtue of participation in the invitation to tender ;

Whereas the French intervention agency should be
made responsible for the tendering procedure in ques-
tion ;

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

Whereas the Monetary Committee will be consulted ;
whereas, in view of the urgency, the measures envis-
aged should be adopted in accordance with the condi-
tions laid down in Article 3 (2) of Council Regulation
No 129 on the value of the unit of account and the
exchange rates to be applied for the 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 Manage-
ment Committee for Cereals,

HAS ADOPTED THIS REGULATION :

Article 1

1. Tenders are hereby invited for the supply, by
way of Community food-aid action, to the League of
Red Cross Societies, of 500 tonnes of durum wheat.
2. The tendering procedure shall take place in
France in one lot. The product shall be mobilized on
the Community market. The product shall be loaded
for departure from any Community port.
3. The invitation to tender provided for in para-
graph 1 is for supply of products delivered La
Goulette, that is at the moment when the goods are
actually placed on the dock or in the lighter where
applicable.
4. The successful tenderer shall deliver the product
specified in paragraph 1 in new jute sacks of a net
capacity of 50 kilograms.

Minimum weight of the sacks shall be 600 grams.

On the sacks shall be printed a red crescent 15 cm
high with the points facing to the left as well as the
following :

⁽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.

'Blé dur — Don de la Communauté économique européenne — Action de la Ligue des Sociétés de la Croix Rouge — À distribuer gratuitement'.

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 24 February 1978.
2. The closing date for submission of tenders shall be 24 February 1978 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.
3. For the purpose of rendering the tenders comparable, the prices shall, where appropriate, be corrected by the monetary compensatory amount and the accession compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2.

Such correction shall be made by :

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

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

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

to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

Article 4

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

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

Article 5

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

It shall be released :

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

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

Article 6

The product referred to in Article 1 must be of fair and sound merchantable quality, be free from odour, and correspond at least to the standard quality for which the intervention price is fixed.

Article 7

1. The French intervention agency shall be responsible for organizing 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 8

As regards this tender, the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment.

Article 9

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, 10 February 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 275/78

of 10 February 1978

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as amended by Regulation (EEC) No 1158/77 ⁽²⁾,

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

Whereas on 8 February 1977 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 2 899 tonnes of husked rice (in other words, 2 000 tonnes of long grain milled rice) to the Republic of Lebanon 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 the proposed invitation to tender should be for supply of the products delivered in the ship's hold at the port of unloading;

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

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

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

Whereas provision should be made for security to be given for the purpose of guaranteeing that the obliga-

tions arising by virtue of participation in the invitation to tender will be fulfilled;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the Republic of Lebanon, by way of Community food-aid action, of 2 000 tonnes of long grain milled rice.

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

3. The invitation to tender provided for in paragraph 1 is for supply of products delivered in the ship's hold at the port of unloading (Beirut).

The recipient country shall bear all costs subsequent to delivery of the goods, including unloading costs (such as unstowing, hoisting and reception) and any lighterage costs.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 136, 2. 6. 1977, p. 13.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks of a net capacity of 50 kilograms.

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

'Riz blanchi long / Don de la CEE au Liban / Distribution gratuite'.

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 27 February 1978.

2. The closing date for the submission of tenders shall be 27 February 1978 at 12 noon.

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

Article 3

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

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

3. The rates used for converting into units of account those offers made in national currencies shall be :

- the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
- in other cases, the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of tenders.

Article 4

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

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

Article 5

1. The successful tenderer shall give security of a value of 10 units of account per tonne ; the security is

intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

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

Article 6

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

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

Rice not meeting these requirements shall be refused.

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

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

Article 7

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

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

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

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

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3(2) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

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

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

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

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

Article 8

As regards this tender the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment.

Article 9

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, 10 February 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 276/78

of 10 February 1978

opening an invitation to tender for the mobilization of round grain milled rice
as food aid for the Republic of Lebanon

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⁾,

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

Whereas on 8 February 1977 the Council of the Euro-
pean Communities declared that it proposed, by way
of Community action, to grant the equivalent of 5 161
tonnes of husked rice (in other words, 4 000 tonnes of
round grain milled rice) to the Republic of Lebanon
under its 1976/77 food-aid programme;

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

Whereas proposed invitation to tender should be for
supply of the products delivered in the ship's hold at
the port of unloading;

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

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

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

Whereas provision should be made for security to be
given for the purpose of guaranteeing that the obliga-

tions arising by virtue of participation in the invita-
tion to tender will be fulfilled;

Whereas the Italian intervention agency should be
made responsible for the tendering procedure in ques-
tion;

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

Whereas the Monetary Committee will be consulted;
whereas, in view of the urgency, the measures envis-
aged should be adopted in accordance with the condi-
tions laid down in Article 3 (2) of Council Regulation
No 129 on the value of the unit of account and the
exchange rates to be applied for the 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 Manage-
ment Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the
Republic of Lebanon, by way of Community food-aid
action, of 4 000 tonnes of round grain milled rice.

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

3. The invitation to tender provided for in para-
graph 1 is for supply of products delivered in the
ship's hold at the port of unloading (Beirut).

The recipient country shall bear all costs subsequent
to delivery of the goods, including unloading costs
(such as unstowing, hoisting and reception) and any
lighterage costs.

⁽¹⁾ QJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 136, 2. 6. 1977, p. 13.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks of a net capacity of 50 kilograms.

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

'Riz blanchi rond — Don de la CEE au Liban — Distribution gratuite'.

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 27 February 1978.

2. The closing date for the submission of tenders shall be 27 February 1978, at 12 noon.

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

Article 3

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

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

3. The rates used for converting into units of account those offers made in national currencies shall be:

- the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
- in other cases, the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of tenders.

Article 4

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

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

Article 5

1. The successful tenderer shall give security of a value of 10 units of account per tonne; the security is

intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

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

Article 6

1. The round grain milled rice referred to in Article 1 to be supplied to the Republic of Lebanon must meet the following requirements:

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

Rice not meeting these requirements shall be refused.

2. Tenders for supply to the Republic of Lebanon of the round grain milled rice referred to in Article 1 must relate to a product with the following characteristics:

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

Article 7

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

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

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

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

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (2) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

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

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

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

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

Article 8

As regards this tender the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment.

Article 9

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, 10 February 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 277/78

of 10 February 1978

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

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 by way of Community action it proposed to grant the Republic of Lebanon, 8 880 tonnes of common wheat under the 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 the proposed invitation to tender should be for supply of the products delivered in the ship's hold at the port of unloading ;

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

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

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

Whereas provisions should be made for security to be given for the purpose of guaranteeing that the obliga-

tions arising by virtue of participation in the invitation to tender will be fulfilled ;

Whereas the French intervention agency should be made responsible for the tendering procedure in question ;

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Tenders are hereby invited for the supply, by way of Community food-aid action to the Republic of Lebanon, of 8 880 tonnes of common wheat.

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

3. The invitation to tender provided for in paragraph 1 is for supply of products removed from the ship's hold at the port of Beirut.

The recipient country shall bear all costs subsequent to delivery of the goods, including unloading costs (such as unstowing, hoisting and reception) and any lighterage costs.

4. The product shall be delivered in bulk.

⁽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.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 24 February 1978.
2. The closing date for submission of tenders shall be 24 February 1978 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.
3. For the purpose of tendering 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 contract rate,
- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

Article 4

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

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

Article 5

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

It shall be released :

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

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

Article 6

The common wheat referred to in Article 1 must be of fair and sound merchantable quality and correspond at least to the standard quality for which the intervention price is fixed, except that the moisture content shall not exceed 15.5 % and that a maximum of 3 % of sprouted grains and 1.5 % of miscellaneous impurities shall be allowed.

Article 7

1. The French intervention agency shall be responsible for organizing the invitation to tender provided for by this Regulation.

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

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

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

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

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

- (a) after each shipment a certificate showing the quantities dispatched and the quality of the products ;
- (b) the date of departure of the ships ;
- (c) all possible contingencies which might occur during transportation of the products.

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 8

As regards this tender the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment.

Article 9

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, 10 February 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 278/78
of 10 February 1978
on the delivery of butteroil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 2560/77⁽²⁾, and in particular Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 1768/77 of 25 July 1977 laying down general rules for the supply of milk fats under the 1977 food-aid programme to certain developing countries and to certain international organizations⁽³⁾, and in particular Article 7 thereof,

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

Whereas, therefore, delivery should be effected in accordance with the rules laid down in Commission Regulation (EEC) No 303/77 of 14 February 1977

laying down general rules for the supply of skimmed-milk powder and butteroil as food aid⁽⁴⁾; whereas in particular the periods and terms for delivery and the procedure to be followed by the intervention agencies to establish the costs arising therefrom should be laid down;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 10 February 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 192, 30. 7. 1977, p. 5.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

ANNEX⁽¹⁾

- | | |
|--|---|
| 1. Application of Council Regulations : | |
| (a) legal basis | (EEC) No 1768/77 (1977 programme) |
| (b) affectation | (EEC) No 1769/77 |
| 2. Beneficiary | Caritas |
| 3. Country of destination | Uganda |
| 4. Total quantity of the consignment | 200 tonnes |
| 5. Intervention agency responsible for delivery | German |
| 6. Origin of the butteroil | To manufacture from intervention butter ⁽²⁾ |
| 7. Special characteristics and/or packaging ⁽³⁾ | In 5 kg canisters, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees |
| 8. Markings on the packaging | 'Butteroil / Gift of the European Economic Community / Action of Caritas / For free distribution in Uganda / Kampala via Mombasa' |
| 9. Delivery period | Loading as soon as possible and at the latest 15 April 1978 |
| 10. Stage and place of delivery | Delivered to Kampala (Uganda) via Mombasa (Kenya) |
| 11. Representative of the beneficiary responsible for reception ⁽⁴⁾ | Uganda Catholic Secretariat, Social Services Department, PO Box 2886, Kampala, Uganda |
| 12. Procedure to be applied to determine the costs of supply | Tender |
| 13. Expiry of the time limit for submission of tenders | 12 noon on 27 February 1978 |

Notes :

- (1) This Annex, together with the notice published in *Official Journal of the European Communities* No C 95 of 19 April 1977, page 7, takes the place of an invitation to tender from the intervention agencies concerned.
- (2) In cases where the goods come from intervention stocks, an additional notice stating the warehouses where the product is stored will be published in the *Official Journal of the European Communities*, 'C' edition.
- (3) Other than those set out in Annex II to Regulation (EEC) No 303/77.
- (4) Only in the case of delivery 'to the port of unloading' and 'free at destination'; see Article 5 and the last indent of Article 13 (1) of Regulation (EEC) No 303/77.

COMMISSION REGULATION (EEC) No 279/78

of 10 February 1978

amending Regulation (EEC) No 1570/77 on price increases and reductions applicable to intervention in cereals

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⁾, and in particular Article 7 (5) thereof,

Whereas Commission Regulation (EEC) No 1570/77 of 11 July 1977 on price increases and reductions applicable to intervention in cereals⁽³⁾, provides that a reduction shall be applied when the Durtal, Rikita and Tomclair varieties of durum wheat are bought in as their technical qualities do not always meet the requirements of the food processing industry; whereas the exceptional drought caused the yield in these varieties in 1977 to be less than in previous years while the quality was superior; whereas, with the return to normal climatic conditions, the reduction to be applied when these three varieties of durum wheat are taken into intervention should be increased to 40 units of account per tonne;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 4 (6) of Regulation (EEC) No 1570/77 is hereby amended to read as follows:

'For the varieties of durum wheat listed below, the following reduction shall be applied:

- Grifoni: four units of account per tonne,
- Marzuoli, Timilie and Neri di Sicilia: 20 units of account per tonne,
- Durtal, Rikita and Tomclair: 40 units of account per tonne.'

Article 2

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

It shall apply with effect from 1 August 1978.

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

Done at Brussels, 10 February 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 174, 14. 7. 1977, p. 18.

COMMISSION REGULATION (EEC) No 280/78**of 10 February 1978****postponing the qualifying date for the sale of beef held by the intervention agencies under Regulations (EEC) No 2073/74 and (EEC) No 2320/74**

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 Commission Regulation (EEC) No 2073/74 of 5 August 1974 concerning the sale at prices fixed in advance at a standard rate of beef and veal held by intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 172/78⁽⁴⁾, and Commission Regulation (EEC) No 2320/74 of 10 September 1974 on the sale at prices fixed at a standard rate in advance of beef and veal held by the intervention agencies and intended for export⁽⁵⁾, as last amended by Regulation (EEC) No 2836/77⁽⁶⁾, fix certain sale prices for beef taken over by the intervention agencies before 1 December 1976 and 1 February 1977 respectively; whereas the situation regarding stocks is such that these dates should be postponed to 1 February and 1 April 1977 respectively in order to facilitate the sale of meat bought in by the intervention agencies before those dates;

Whereas provision should be made for the fairer apportionment of the meat concerned where the quan-

ties available are limited, thus avoiding discouraging prospective purchasers who are unable to submit their applications in time;

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

1. In Article 1 (1) of Regulation (EEC) No 2073/74, the date '1 December 1976' is hereby replaced by '1 February 1977'.
2. In Article 1 (1) of Regulation (EEC) No 2320/74, the date '1 February 1977' is hereby replaced by '1 April 1977'.

Article 2

If the quantities available from an intervention agency are not sufficient to satisfy all the applications submitted on the day on which this Regulation enters into force, all such applications shall be deemed to have been submitted at the same time.

Article 3

This Regulation shall enter into force on 15 February 1978.

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

Done at Brussels, 10 February 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 216, 7. 8. 1974, p. 11.

(4) OJ No L 25, 31. 1. 1978, p. 26.

(5) OJ No L 248, 11. 9. 1974, p. 8.

(6) OJ No L 327, 20. 12. 1977, p. 11.

COMMISSION REGULATION (EEC) No 281/78

of 10 February 1978

altering the monetary compensatory amounts applicable to products falling within heading No 19.04 of the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas 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⁽³⁾ amends, with effect from 1 March 1978, the quantity of maize considered as having been used in the manufacture of goods falling within heading No 19.04;

Whereas the necessary amendments must therefore be made to Commission Regulation (EEC) No 938/77 of 29 April 1977 fixing the monetary compensatory

amounts⁽⁴⁾, as last amended by Regulation (EEC) No 217/78⁽⁵⁾, with effect from the same date;

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

In Part 8 of Annex I to Regulation (EEC) No 938/77, the amounts set out for heading No 19.04 shall, subject to an alteration on the basis of the development of the exchange rates referred to in Article 2 (1) of Regulation (EEC) No 974/71, be replaced by the amounts set out in the Annex to this Regulation.

Article 2

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

It shall apply with effect from 1 March 1978.

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

Done at Brussels, 10 February 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 1.

⁽³⁾ OJ No L 23, 28. 1. 1978, p. 1.

⁽⁴⁾ OJ No L 110, 30. 4. 1977, p. 6.

⁽⁵⁾ OJ No L 31, 2. 2. 1978, p. 17.

ANNEX

CCT heading No	Deutschland DM/100 kg	Belgique/ Luxembourg FB/Flux/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg	Ireland £/100 kg	Italia Lit/100 kg	France FF/100 kg
19.04	4,86	13,00	0,90	3,255	0,295	4 697	19,15

COMMISSION REGULATION (EEC) No 282/78

of 10 February 1978

fixing, for certain products processed from fruit and vegetables, the export refunds provided for in Article 6 of Regulation (EEC) No 516/77

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, and in particular the fourth subparagraph of Article 6 (2) thereof,

Whereas Article 6 of Regulation (EEC) No 516/77 provides that, where required in order to permit the exportation on the basis of prices ruling in international trade of economically important products not containing added sugar being products listed in Article 1, the difference between the aforesaid prices and Community prices may be covered by an export refund ;

Whereas Article 2 of Council Regulation (EEC) No 519/77 of 14 March 1977 laying down general rules for granting export refunds on products processed from fruit and vegetables and criteria for fixing the amount of such refunds⁽²⁾ provides that refunds are to be fixed taking into account the existing situation and future trends with regard, on the one hand, to prices and availabilities on the Community market of products processed from fruit and vegetables and, on the other hand, to prices ruling in international trade ; whereas account also has to be taken of the costs referred to in (b) of the said Article and of the economic aspect of the proposed exports ;

Whereas Article 3 of Regulation (EEC) No 519/77 provides that when prices on the Community market are being determined account shall be taken of the ruling prices which are most favourable from the point of view of exportation ; whereas when prices in

international trade are being determined account is to be taken of the prices referred to in paragraph 2 of the said Article ;

Whereas peeled tomatoes, tomato concentrate and tomato and orange juice are economically important products not containing added sugar ;

Whereas it follows from applying these rules and criteria to the present situation on the market, and in particular to prices within the Community and on the world market for products processed from fruit and vegetables, that the refund should be fixed as indicated below ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION :

Article 1

1. The export refunds provided for in Article 6 of Regulation (EEC) No 516/77 shall be as specified in the Annex hereto.
2. The provisions of Article 6 (1) (b) of Commission Regulation (EEC) No 192/75 of 17 January 1975 laying down detailed rules for the application of export refunds in respect of agricultural products⁽³⁾, as last amended by Regulation (EEC) No 2838/77⁽⁴⁾, shall apply to exports of tomato concentrate of the kinds specified in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 February 1978.

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

Done at Brussels, 10 February 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.
⁽²⁾ OJ No L 73, 21. 3. 1977, p. 24.

⁽³⁾ OJ No L 25, 31. 1. 1975, p. 1.
⁽⁴⁾ OJ No L 327, 20. 11. 1977, p. 23.

ANNEX

to the Commission Regulation of 10 February 1978 fixing, for certain products processed from fruit and vegetables, the export refunds provided for in Article 6 of Regulation (EEC) No 516/77

CCT heading No	Description	Amount in u.a./100 kg of product (including immediate packings)
ex 20.02 C	Peeled tomatoes	10.00 ⁽¹⁾
ex 20.02 C	Tomato concentrate :	
	— Dry extract content :	
	— 12 % and over, but less than 18 %	11.26 ⁽¹⁾
	— 18 % and over, but less than 28 %	17.25 ⁽¹⁾
	— 28 % and over, but less than 36 %	21.00 ⁽¹⁾
	— 36 % and over, but less than 95 %	27.02 ⁽¹⁾
	— 95 % and over	71.40 ⁽¹⁾
ex 20.07	Tomato juice	5.00
ex 20.07	Pure orange juice, with no other substances added :	
	— Not concentrated (between 10 and 12 degrees Brix value)	1.74
	— Concentrated :	
	— Per unit of concentration (11 degrees Brix value)	1.74

⁽¹⁾ For exports to all third countries, with the exception of North America.

COMMISSION REGULATION (EEC) No 283/78

of 10 February 1978

on the monetary compensatory amounts and the differential amounts applicable in respect of movements in the French franc

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1707/73⁽²⁾,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States⁽³⁾, as last amended by Regulation (EEC) No 557/76⁽⁴⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza and rape seed⁽⁵⁾, as last amended by Regulation (EEC) No 3477/73⁽⁶⁾, and in particular Articles 2 (2) and 7 thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 974/71 were fixed by Commission Regulation (EEC) No 938/77 of 29 April 1977⁽⁷⁾, as last amended by Regulation (EEC) No 281/78⁽⁸⁾; whereas the components used to calculate the differential amounts were fixed by Commission Regulation (EEC) No 1423/77 of 29 June 1977⁽⁹⁾, as last amended by Regulation (EEC) No 216/78⁽¹⁰⁾;

Whereas during the reference period laid down in Article 2 of Commission Regulation (EEC) No 1380/75 of 29 May 1975 laying down detailed rules for the application of monetary compensatory amounts⁽¹¹⁾, as last amended by Regulation (EEC) No

2505/77⁽¹²⁾, and in Article 3 of Commission Regulation (EEC) No 2300/73 of 23 August 1973 on detailed rules for applying the differential amounts for colza and rape seed⁽¹³⁾, as last amended by Regulation (EEC) No 632/75⁽¹⁴⁾, namely the period which began on 1 February 1978, the French franc underwent speculative movements; whereas, for that reason, the rates recorded during the period in question cannot be considered as representative; whereas, furthermore a recovery of the rates may be expected following measures taken by the French Government; whereas it is therefore appropriate to take no account of the rates recorded and to make no amendment for the present to the monetary compensatory amounts and the differential amounts relating to the currency in question;

Whereas the relevant management committees have not delivered in opinion within the time limit set by their chairmen,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 3 of Regulation (EEC) No 2300/73 and from Article 2 of Regulation (EEC) No 1380/75, the components used to calculate the differential amounts and the monetary compensatory amounts relating to movements in the French franc and applicable with effect from 1 February 1978 shall continue to apply during the period beginning 13 February 1978.

Article 2

This Regulation shall enter into force on 13 February 1978.

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

Done at Brussels, 10 February 1978.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁴⁾ OJ No L 67, 15. 3. 1976, p. 1.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 357, 28. 12. 1973, p. 6.

⁽⁷⁾ OJ No L 110, 30. 4. 1977, p. 6.

⁽⁸⁾ See page 21 of this Official Journal.

⁽⁹⁾ OJ No L 160, 30. 6. 1977, p. 33.

⁽¹⁰⁾ OJ No L 31, 2. 2. 1978, p. 14.

⁽¹¹⁾ OJ No L 139, 30. 5. 1975, p. 37.

⁽¹²⁾ OJ No L 291, 15. 11. 1977, p. 15.

⁽¹³⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽¹⁴⁾ OJ No L 66, 13. 3. 1975, p. 11.

COMMISSION REGULATION (EEC) No 284/78**of 10 February 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 190/78⁽³⁾, as amended by Regulation (EEC) No 238/78⁽⁴⁾;

Whereas, in the absence of the indicative price for the 1978/79 marketing year for colza and rape seed in case of pre-fixation for the month of July 1978, the amount of subsidy on these products has been obtainable only on the basis of the indicative price for the month of July 1977; whereas, therefore, this amount may be applied on a temporary basis and should be confirmed or replaced when the indicative price for the 1978/79 marketing year is known;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 190/78 to the information at present available to the Commission, 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

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.

2. The amount of the subsidy for the month of July 1978 will, however, for colza and rape seed, be confirmed or replaced as from 13 February 1978 to take into account the indicative price which is fixed for these products for the 1978/79 marketing year.

Article 2

This Regulation shall enter into force on 13 February 1978.

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

Done at Brussels, 10 February 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 27, 1. 2. 1978, p. 24.

⁽⁴⁾ OJ No L 34, 4. 2. 1978, p. 14.

*ANNEX***to the Commission Regulation of 10 February 1978 fixing the amount of the subsidy on oil seeds**

Subsidy applicable from 13 February 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	11·442	13·770
Subsidy in the case of advance fixing :		
— for the month of February 1978	11·442	13·770
— for the month of March 1978	11·796	14·240
— for the month of April 1978	11·827	14·155
— for the month of May 1978	11·827	14·155
— for the month of June 1978	11·827	—
— for the month of July 1978	9·699 ⁽¹⁾	—

⁽¹⁾ Subject to confirmation.

COMMISSION REGULATION (EEC) No 285/78
of 10 February 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 190/78 of 31 January 1978 fixing the amount of the subsidy

on oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 284/78⁽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 13 February 1978.

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

Done at Brussels, 10 February 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 27, 1. 2. 1978, p. 24.

⁽⁸⁾ See page 26 of this Official Journal.

ANNEX

World market price applicable from 13 February 1978 for colza and rape seed (CCT heading No ex 12.01)

	u.a./100 kg ⁽¹⁾
World market price	18.912
World market price where the subsidy is fixed in advance :	
— for the month of February 1978	18.912
— for the month of March 1978	18.862
— for the month of April 1978	18.831
— for the month of May 1978	18.831
— for the month of June 1978	18.831
— for the month of July 1978	18.831

⁽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	7.02326
1 u.a. = Dkr	8.56656
1 u.a. = £	0.766536
1 u.a. = I £	0.766536
1 u.a. = Lit	1 292.81

COMMISSION REGULATION (EEC) No 286/78

of 10 February 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 271/78⁽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 11 February
1978.

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

Done at Brussels, 10 February 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 40, 10. 2. 1978, p. 9.

ANNEX

to the Commission Regulation of 10 February 1978 fixing the import levies on white sugar
and raw sugar

CCT heading No	Description	Levy (u.a. / 100 kg)
17.01	Beet sugar and cane sugar, in solid form : A. White sugar ; flavoured or coloured sugar B. Raw sugar	23.68 19.97 ⁽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)

COMMISSION

COMMISSION DECISION

of 29 November 1977

concerning the application made by the United Kingdom under Article 115 of the Treaty for authorization to apply protective measures in respect of men's suits of synthetic textile fibres, falling within heading No ex 61.01 of the Common Customs Tariff, originating in Poland and in free circulation in the other Member States

(Only the English text is authentic)

(78/120/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 23 November 1977 by the United Kingdom Government by telex from the office of its Permanent Representative to the European Communities, for authorization to apply protective measures in respect of the importation of men's suits of synthetic textile fibres, falling within heading No ex 61.01 of the Common Customs Tariff, originating in Poland and in free circulation in the other Member States,

Whereas, with regard to men's suits of synthetic textile fibres of CCT heading No ex 61.01, the United Kingdom, in accordance with the Council Decision of 13 December 1976⁽¹⁾, opened an annual quota of £ 2 438 550 for Poland, which is taken up completely;

Whereas, according to information supplied by the United Kingdom Government, there are serious economic difficulties in the sector in question;

Whereas the realization of the abovementioned indirect operation, even though it appears to be an isolated operation, would be likely to aggravate this difficult situation;

Whereas it is not possible to set in motion the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures, under the first paragraph of Article 115, subject to the conditions laid down by the Commission Decision of 12 May 1971⁽²⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is authorized not to apply Community treatment to imports of men's suits of synthetic textile fibres, falling within heading No ex 61.01 of the Common Customs Tariff, where they originate in Poland, are in free circulation in the other Member States and in respect of which applications for import licences lodged after 13 November 1977 are, on the date of this Decision, pending with the British authorities.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 29 November 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 365, 31. 12. 1976.

⁽²⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 28 December 1977

prolonging the duty-free importation of goods for free distribution to the earthquake victims in the Friuli region

(Only the Italian text is authentic)

(78/121/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 1410/74 of 4 June 1974 on the tariff treatment applicable to goods imported for free circulation in the event of disasters occurring in the territory of one or more Member States⁽¹⁾, and in particular Article 2 thereof,

Having regard to the request made by the Government of the Italian Republic dated 12 May 1976,

Whereas, by the Decision of 14 May 1976⁽²⁾ in response to this request, the Commission authorized the duty-free importation of goods for free distribution to the earthquake victims in the Friuli region; whereas this duty-free admission was extended until 31 December 1977 by the Commission Decision of 29 June 1977⁽³⁾;

Whereas the Commission's consultation with the Italian Government under Article 3 of the said Decision has revealed that because of the necessary delay in implementing the plan for rehousing those affected by the disaster it is appropriate to extend until 30 June 1978 the duty-free admission for all goods imported for free circulation under the conditions laid down in Article 1 of Regulation (EEC) No 1410/74;

Whereas in order to allow the Commission to follow the development of the situation, there is reason for providing for the transmission to the Commission by the Italian Government, in accordance with a suitable timetable, all information on the scope and nature of importations carried out with the benefit of duty-free admission;

Whereas the other Member States have been consulted in accordance with Article 2 of Regulation (EEC) No 1410/74,

1. The provision for admission free of import duties, under Article 1 (1) of the Commission Decision of 14 May 1976, shall be extended until 30 June 1978 for all goods imported for free circulation by State organizations or by organizations approved by the competent Italian authorities for the purpose of being distributed by them free to the earthquake victims in the Friuli region, or made available free of charge whilst remaining the property of the organizations in question.

2. The provision for admission free of import duties, under Article 1 (2) of the Commission Decision of 14 May 1976 for goods imported for free circulation by the relief units to cover their own requirements during the period of their operations, shall also be extended until 30 June 1978.

Article 2

1. The Government of the Italian Republic shall communicate to the Commission all information regarding the nature and quantities of the various goods admitted free of duty under Article 1.

2. The communication required under paragraph 1 must reach the Commission on the following dates:

- (a) for the period 13 December 1977 to 13 March 1978, 22 March 1978 at the latest;
- (b) for the period 14 March to 14 June 1978, 22 June 1978 at the latest.

Article 3

After consultation with the Government of the Italian Republic, the Commission shall consider within six months from the date of the notification of this Decision, whether this Decision should be maintained, modified or repealed.

⁽¹⁾ OJ No L 150, 7. 6. 1974, p. 4.

⁽²⁾ OJ No L 131, 20. 5. 1976, p. 19.

⁽³⁾ OJ No L 179, 19. 7. 1977, p. 33.

Article 4

Done at Brussels, 28 December 1977.

This Decision shall come into effect from 1 January 1978.

Article 5

This Decision is addressed to the Italian Republic.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION DECISION
of 28 December 1977
amending Decisions 75/576/EEC, 76/216/EEC and 77/146/EEC
(Only the German text is authentic)
(78/122/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species⁽¹⁾, as last amended by Directive 78/55/EEC of 19 December 1977⁽²⁾, and in particular Article 7 thereof,

Having regard to Commission Decision 75/576/EEC of 30 June 1975 authorizing the Federal Republic of Germany to restrict the marketing of seed or propagating material of certain varieties of agricultural plant species⁽³⁾, and in particular Article 2 thereof,

Having regard to Commission Decision 76/216/EEC of 30 December 1975 authorizing the Federal Republic of Germany to restrict the marketing of seed or propagating material of certain varieties of agricultural plant species⁽⁴⁾, and in particular Article 2 thereof,

Whereas, in accordance with the provisions of Article 15 (1) of the abovementioned Directive, seed or propagating material of these varieties of agricultural plant species which have been officially approved in at least one of the Member States and which also fulfil the conditions laid down in the said Directive are, after the expiry of a given period, no longer subject to any marketing restrictions relating to variety within the Community;

Whereas, however, Article 15 (2) of the abovementioned Directive provides that a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas, with both the abovementioned Decisions, the Commission has authorized the Federal Republic of Germany to prohibit the marketing of seed of durum wheat because it had been well known that the varieties of durum wheat have not yet been suitable for cultivation in the Federal Republic of Germany (Article 15 (3) (c), second case thereof);

Whereas, by Decision 77/146/EEC of 29 December 1976⁽⁵⁾, the Commission has extended for the Federal Republic of Germany in respect of further varieties of durum wheat the period provided for in Article 15 (1) of the said Directive until 31 December 1977;

Whereas, meanwhile, varieties of durum wheat have been under test for a possible cultivation of this species in that country;

Whereas because of the results of this possible cultivation it can no longer be maintained that varieties of this species are not suitable for cultivation in any part of the territory of the Federal Republic of Germany;

Whereas, therefore, the conditions of Article 15 (3) (c), second case thereof, of the abovementioned Directive are no longer satisfied in the case of varieties of durum wheat;

Whereas, therefore, the authorizations based on these conditions should be withdrawn;

Whereas for the varieties of durum wheat listed in Decision 77/146/EEC, the Federal Republic of Germany no longer follows its application; whereas, therefore, these varieties are, with the expiry of the provided period, no longer subject to any marketing restrictions;

Whereas it should be possible for the Federal Republic of Germany to request at a later date, if necessary, a new authorization for any of the varieties concerned, where official growing trials show that these varieties, because of their qualities, do not produce results, in any part of its territory, which correspond to those obtained from other comparable varieties (Article 15 (3) (c), first case thereof);

Whereas, therefore, the period for granting an authorization should be extended appropriately for all varieties concerned;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 16, 20. 1. 1978, p. 23.

⁽³⁾ OJ No L 253, 30. 9. 1975, p. 36.

⁽⁴⁾ OJ No L 46, 21. 2. 1976, p. 23.

⁽⁵⁾ OJ No L 47, 18. 2. 1977, p. 64.

HAS ADOPTED THIS DECISION :

Article 1

The authorization for the Federal Republic of Germany granted in Decision 75/576/EEC shall be withdrawn with effect from 31 December 1977 as far as the varieties of durum wheat are concerned.

Article 2

The authorization for the Federal Republic of Germany granted in Decision 76/216/EEC shall be withdrawn with effect from 31 December 1977 as far as the varieties of durum wheat are concerned.

Article 3

The period provided for in Article 15 (1) of Directive 70/457/EEC shall be extended until 31 December

1983 for the Federal Republic of Germany in respect of the varieties of durum wheat covered by Decisions 75/576/EEC, 76/216/EEC and 77/146/EEC as far as in accordance with Article 15 (2) of the said Directive the granting of an authorization is concerned.

Article 4

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 28 December 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 28 December 1977

extending for the French Republic in respect of a certain number of varieties
the period provided for in Article 15 (1) of Directive 70/457/EEC

(Only the French text is authentic)

(78/123/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 70/457/EEC of 29
September 1970 on the common catalogue of varieties
of agricultural plant species⁽¹⁾, as last amended by
Directive 78/55/EEC of 19 December 1977⁽²⁾, and in
particular Article 15 (7) thereof,

Whereas, in accordance with the provisions of Article
15 (1) of the abovementioned Directive, seed or propa-
gating material of these varieties of agricultural plant
species which have been officially accepted during the
year 1975 in at least one of the Member States and
which also fulfil the conditions laid down in the
abovementioned Directive are, with effect from 31
December 1977, no longer subject to any marketing
restrictions relating to variety within the Community;

Whereas, however, Article 15 (2) of the abovementioned
Directive provides that a Member State may be
authorized upon application to prohibit the marketing
of seed and propagating material of certain varieties;

Whereas the French Republic has requested such
authorization for a certain number of varieties;

Whereas this request is now being carefully examined
by the Commission;

Whereas in respect of the variety Redman (red clover),
the French Republic is not yet in a position for
reasons in part beyond its control to justify its applica-
tion;

Whereas, therefore, the period provided for in Article
15 (1) thereof should be extended in the case of the
French Republic by an appropriate period to permit
the necessary data concerning this variety to be
prepared (Article 15 (7) of the said Directive);

Whereas it is not possible to complete examination of
the varieties of cocksfoot, Italian westerwold ryegrass,

perennial ryegrass, timothy, turnip, rape and common
wheat which are the subject of the request before
expiry of the period in question; whereas this
concerns also the varieties of cocksfoot, perennial
ryegrass and timothy for which the said period has
been extended until 31 December 1977 by Commis-
sion Decision 75/577/EEC of 30 June 1975⁽³⁾;
whereas for these varieties the necessary data were
only available in December 1977;

Whereas it seems desirable to extend, for the French
Republic, the period in question for an appropriate
time to permit a full examination of the request;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Seeds and Propagating Material for
Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. The period provided for in Article 15 (1) of
Directive 70/457/EEC shall be extended for the
French Republic beyond 31 December 1977 until 31
March 1978 in respect of the following varieties:

I. Fodder plants**1. *Dactylis glomerata* L.**

Dagoma

Iris

Luna Roskilde

NFG

Nika

Unke Pajbjerg;

2. *Lolium multiflorum* Lam.:(a) ssp. *alternativum*

Bernburger

Lirasand,

(b) ssp. *non alternativum*

Motterwitzer

Mowester;

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 16, 20. 1. 1978, p. 23.

⁽³⁾ OJ No L 253, 30. 9. 1975, p. 41.

3. *Lolium perenne* L.
Combi
Naki ;

shall be extended for the French Republic from 31 December 1977 to 31 December 1979.

4. *Phleum pratense* L.
Eskimo
Para
Polka
SK 45 ;

Article 2

This Decision is addressed to the French Republic.

5. *Medicago sativa* L.
Felu ;

6. *Brassica napus* L. ssp. *oleifera* (Metzg.) Sinsk.
Kroko.

Done at Brussels, 28 December 1977.

II. Cereals

- Triticum aestivum* L.
Sania.

For the Commission

Finn GUNDELACH

Vice-President

2. In respect of the variety Redman (*Trifolium pratense* L.), the period referred to in paragraph 1
-

COMMISSION DECISION

of 28 December 1977

authorizing the Grand Duchy of Luxembourg to restrict the marketing of seed
of certain varieties of agricultural plant species

(Only the French text is authentic)

(78/124/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 70/457/EEC of 29
September 1970 on the common catalogue of varieties
of agricultural plant species⁽¹⁾, as last amended by
Directive 78/55/EEC of 19 December 1977⁽²⁾, and in
particular Article 15 (2) and (3) thereof,

Having regard to the application lodged by the Grand
Duchy of Luxembourg,

Whereas, under Article 15 (1) of the said Directive,
seed or propagating material of varieties of agricultural
plant species which have been officially accepted
during the year 1975 in one or more of the Member
States are, after 31 December 1977, no longer subject
to any marketing restrictions relating to variety in the
Community;

Whereas, however, Article 15 (2) of the said Directive
provides that a Member State may be authorized upon
application to prohibit the marketing of seed and
propagating material of certain varieties;

Whereas the Grand Duchy of Luxembourg has
applied for such authorization in respect of varieties of
cereals;

Whereas the varieties of oats concerned are of the
winter type; whereas the varieties of maize concerned
have an FAO maturity class index of 300 or over;
whereas it is well known that the varieties of winter
oats, the varieties of durum wheat and varieties of
maize which have an FAO maturity class index of 300
or over at present are not yet suitable for cultivation in
the Grand Duchy of Luxembourg (Article 15 (3) (c),
second case thereof);

Whereas, therefore, the application of the Grand
Duchy of Luxembourg in respect of all these varieties
should be granted in full;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Seeds and Propagating Material for
Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The Grand Duchy of Luxembourg shall be authorized
to prohibit the marketing in all of its territory of seed
or propagating material of the following varieties
listed in the 1978 common catalogue of varieties of
agricultural plant species:

Cereals1. *Avena sativa* L.

Marros
Trevine;

2. *Triticum durum* L.

Isa
Mida
Polesine
Riente
Sabato Visco
Tomclair
Valgerardo
Valnova;

3. *Zea mais* L.

Alfa
Arx
Athos
Avala
Axia
Azur 602
Banat
Beograd
Boran
Bosna
Drop 588
Faktor
Flare
Granit
Hawk
Iris
Jadran

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 16, 20. 1. 1978, p. 23.

Kirk
Kombinat
Light
Lucal
Luck
Manor
Mentor
Oromais
Panter
Petrovaradin
Quadrant
Ruma
Siloverde
Sirmium
Zemun.

Article 2

The authorization given in Article 1 shall be withdrawn once it is established that the conditions thereof are no longer being satisfied.

Article 3

The Grand Duchy of Luxembourg shall notify the Commission of the date from which it is making use of the authorization given under Article 1 and the detailed methods to be followed. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 28 December 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 28 December 1977

extending for the Federal Republic of Germany in respect of a certain number of varieties the period provided for in Article 15 (1) of Directive 70/457/EEC

(Only the German text is authentic)

(78/125/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species⁽¹⁾, as last amended by Directive 78/55/EEC of 19 December 1977⁽²⁾, and in particular Article 15 (7) thereof,

Whereas, in accordance with the provisions of Article 15 (1) of the abovementioned Directive, seeds or propagating material of these varieties of agricultural plant species which have been officially approved during the year 1975 in at least one of the Member States and which also fulfil the conditions laid down in the said Directive are, with effect from 31 December 1977, no longer subject to any marketing restrictions relating to variety within the Community;

Whereas, however, Article 15 (2) of the abovementioned Directive provides that a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas the Federal Republic of Germany has requested such authorization for certain varieties;

Whereas this request is now being carefully examined by the Commission;

Whereas it is not possible to complete examination of the varieties of sugar and fodder beet, perennial ryegrass and red clover which are the subject of the request before expiry of the period provided for in Article 15 (1) of the said Directive;

Whereas it consequently seems desirable to extend, for the Federal Republic of Germany, the period in question for an appropriate time to permit a full examination of the request for those varieties;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The period provided for in Article 15 (1) of Directive 70/457/EEC, shall be extended for the Federal Republic of Germany beyond 31 December 1977 until 31 March 1978 in respect of the following varieties:

I. Beet

1. Sugar beet
Duramon,
2. Fodder beet
Grovas;

II. Fodder plants

1. *Lolium perenne* L.
Amado
Uri,
2. *Trifolium pratense* L.
Marino.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 28 December 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 16, 20. 1. 1978, p. 23.

COMMISSION DECISION

of 28 December 1977

authorizing the Federal Republic of Germany to restrict the marketing of seed
of certain varieties of agricultural plant species

(Only the German text is authentic)

(78/126/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 70/457/EEC of 29
September 1970 on the common catalogue of varieties
of agricultural plant species ⁽¹⁾, as last amended by
Directive 78/55/EEC of 19 December 1977 ⁽²⁾, and in
particular Article 15 (2) and (3) thereof,

Having regard to the application lodged by the
Federal Republic of Germany,

Whereas, under Article 15 (1) of the said Directive,
seed or propagating material of varieties of agricultural
plant species which have been officially accepted
during the year 1975 in one or more of the Member
States and which fulfil the conditions provided for in
this Directive are, after 31 December 1977, no longer
subject to any marketing restrictions relating to variety
within the Community;

Whereas, however, Article 15 (2) of the said Directive
provides that a Member State may be authorized upon
application to prohibit the marketing of seed and
propagating material of certain varieties;

Whereas the Federal Republic of Germany has
applied for such authorization in respect of varieties of
cereals;

Whereas the varieties of oats concerned are of the
winter type; whereas the varieties of maize concerned
have an FAO maturity class index of 350 or over;
whereas it is well known that the varieties of winter
oats and the varieties of maize which have an FAO
maturity class index of 350 or over at present are not
yet suitable for cultivation in the Federal Republic of
Germany (Article 15 (3) (c), second case thereof);

Whereas, therefore, the application of the Federal
Republic of Germany in respect of all these varieties
should be granted in full;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Seeds and Propagating Material for
Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The Federal Republic of Germany shall be authorized
to prohibit the marketing in all of its territory of seed
of the following varieties listed in the 1978 common
catalogue of varieties of agricultural plant species:

Cereals1. *Avena sativa* L.

Marros
Trevine;

2. *Zea mais* L.

Alfa
Arx
Athos
Avala
Axia
Azur 602
Banat
Beograd
Boran
Drop 588
Faktor
Flare
Granit
Hawk
Jadran
Kombinat
Light
Lucal
Luck
Manor
Mentor
Oromais
Panter
Petrovaradin
Quadrant
Ruma
Siloverde
Sirmium
Zemun.

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 16, 20. 1. 1978, p. 23.

Article 2

The authorization given in Article 1 shall be withdrawn once it is established that the conditions thereof are no longer being satisfied.

Article 3

The Federal Republic of Germany shall notify the Commission of the date from which it is making use of the authorization given under Article 1 and the detailed methods to be followed. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 28 December 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 28 December 1977

authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species

(Only the French text is authentic)

(78/127/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species⁽¹⁾, as last amended by Directive 78/55/EEC of 19 December 1977⁽²⁾, and in particular Article 15 (2) and (3) thereof,

Having regard to the request made by the French Republic,

Whereas, under Article 15 (1) of the said Directive, seed or propagating material of varieties of agricultural plant species which have been officially accepted during the year 1975 in one or more of the Member States and which fulfil the conditions provided for in that Directive are, after 31 December 1977, no longer subject to any marketing restrictions relating to variety in the Community;

Whereas, however, Article 15 (2) thereof provides that a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas the French Republic has applied for such authorization in respect of some varieties of maize;

Whereas the varieties of maize concerned have an FAO maturity class index of 700 or over; whereas it is well known that the varieties of maize which have an FAO maturity class index of 700 or over at present are not yet suitable for cultivation in the French Republic (Article 15 (3) (c), second case thereof);

Whereas, therefore, the application of the French Republic in respect of these varieties should be granted in full;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic shall be authorized to prohibit the marketing in all of its territory of seed or propa-

gating material of the following varieties listed in the 1978 common catalogue of varieties of agricultural plant species:

Cereals*Zea mais L.*

Alfa
Banat
Beograd
Flare
Jadran
Kombinat
Light
Luck
Petrovaradin
Quadrant
Zemun.

Article 2

The authorization given in Article 1 shall be withdrawn once it is established that the conditions thereof are no longer being satisfied.

Article 3

The French Republic shall notify the Commission of the date from which it makes use of the authorization under Article 1 and the detailed methods to be followed. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the French Republic.

Done at Brussels, 28 December 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 16, 20. 1. 1978, p. 23.

COMMISSION DECISION**of 28 December 1977****extending for the United Kingdom in respect of a certain number of varieties
the period provided for in Article 15 (1) of Directive 70/457/EEC****(Only the English text is authentic)****(78/128/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 70/457/EEC of 29
September 1970 on the common catalogue of varieties
of agricultural plant species ⁽¹⁾, as last amended by
Council Directive 78/55/EEC of 19 December
1977 ⁽²⁾, and in particular Article 15 (7) thereof,

Whereas, in accordance with the provisions of Article
15 (1) of the abovementioned Directive, seeds and
propagating material of varieties of agricultural plant
species which have been officially accepted during the
year 1975 in at least one of the Member States and
which also fulfil the conditions laid down in the
abovementioned Directive are, with effect from 31
December 1977, no longer subject to any marketing
restrictions relating to variety within the Community;

Whereas, however, Article 15 (2) of the abovementioned
Directive provides that a Member State may be
authorized upon application to prohibit the marketing
of seeds and propagating material of certain varieties;

Whereas the United Kingdom has requested such
authorization for certain varieties;

Whereas this request is now being carefully examined
by the Commission; whereas it is not possible to
complete examination of all the varieties which are
the subject of the request before expiry of the period
provided for in Article 15 (1) of the abovementioned
Directive;

Whereas it consequently seems desirable to extend,
for the United Kingdom, the period in question for
an appropriate time to permit a full examination of
the request;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Seeds and Propagating Material for
Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The period provided for in Article 15 (1) of Directive
70/457/EEC shall be extended for the United
Kingdom from 31 December 1977 until 31 March
1978 in respect of the following varieties:

Fodder plants

Lolium perenne L.

Amado

Marathon.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 28 December 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 16, 20. 1. 1978, p. 23.