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Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 329/78 of 17 February 1978 fixing the import levies on cereals and on wheat or rye flour groats and meal	1
Commission Regulation (EEC) No 330/78 of 17 February 1978 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 331/78 of 17 February 1978 altering the components used to calculate the differential amounts for colza and rape seed	5
Commission Regulation (EEC) No 332/78 of 17 February 1978 fixing the world market price for colza and rape seed	8
Commission Regulation (EEC) No 333/78 of 17 February 1978 fixing the refunds on milk and milk products exported in the natural state	10
Commission Regulation (EEC) No 334/78 of 17 February 1978 opening an invitation to tender for the mobilization of round grain milled rice as food aid for the United Nations High Commission for Refugees	23
Commission Regulation (EEC) No 335/78 of 17 February 1978 opening a new invitation to tender for the mobilization of common wheat as food aid for the Republic of Pakistan	26
Commission Regulation (EEC) No 336/78 of 17 February 1978 opening an invitation to tender for the mobilization of long grain milled rice as food aid for the Republic of Chad	29
★ Commission Regulation (EEC) No 337/78 of 17 February 1978 amending Regulation (EEC) No 2035/74 on the sale at reduced prices of certain beef and veal and preserves thereof held by intervention agencies to certain institutions and bodies of a social character	32

Contents (continued)

★ Commission Regulation (EEC) No 338/78 of 17 February 1978 amending Regulations (EEC) No 2793/76, (EEC) No 560/77 and (EEC) No 2633/77 on detailed arrangements for the disposal on the Italian market of frozen beef made available to the Italian intervention agency and altering the prices of such meat	33
★ Commission Regulation (EEC) No 339/78 of 17 February 1978 on the sale at prices fixed in advance of certain boned beef held by the intervention agencies	37
Commission Regulation (EEC) No 340/78 of 17 February 1978 fixing the import levies on white sugar and raw sugar	41

II *Acts whose publication is not obligatory*

Commission

78/156/EEC :

★ Commission Decision of 20 December 1977 relating to a proceeding under Article 85 of the EEC Treaty (IV/29.151 — video cassette recorders)	42
--	----

78/157/EEC :

★ Commission Decision of 13 January 1978 authorizing the Italian Republic to permit temporarily the marketing of seed not complying with requirements of Council Directive 66/401/EEC	48
---	----

78/158/EEC :

★ Commission Decision of 13 January 1978 authorizing the Italian Republic to permit temporarily the marketing of seed not complying with requirements of Council Directive 66/402/EEC	49
---	----

78/159/EEC :

★ Commission Decision of 13 January 1978 authorizing the Federal Republic of Germany to permit temporarily the marketing of seed not complying with requirements of Council Directive 66/401/EEC	50
--	----

78/160/EEC :

★ Commission Decision of 13 January 1978 amending Commission Decision 77/783/EEC authorizing the Italian Republic to permit temporarily the marketing of seed not complying with requirements of Council Directive 66/402/EEC	51
---	----

78/161/EEC :

★ Commission Decision of 16 January 1978 authorizing the French Republic not to apply Community treatment to toys of wood and other (except motors and movement mechanisms for toys and working models used for recreational purposes, and parts thereof) falling within subheadings 97.03 A and ex B of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States	52
---	----

78/162/EEC :

★ Commission Decision of 16 January 1978 authorizing the French Republic not to apply Community treatment to raincoats for men and women, falling within heading Nos ex 61.01 and ex 61.02 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States	53
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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 329/78

of 17 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 organization 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 Regulation (EEC) No 1729/77⁽³⁾ and subsequent amending Regulations;

Whereas it follows from applying the provisions contained in Regulation (EEC) No 1729/77 to the

offer prices and today's quotations known to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 are hereby fixed as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 18 February 1978.

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

Done at Brussels, 17 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 17 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	87.05
10.01 B	Durum wheat	115.20 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	75.72 ⁽⁶⁾
10.03	Barley	79.66
10.04	Oats	73.59
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	133.51
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	143.14

⁽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 330/78

of 17 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 18 February
1978.

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

Done at Brussels, 17 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 17 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	2.16
10.01 B	Durum wheat	0	0	0	12.52
10.02	Rye	0	0	0	2.18
10.03	Barley	0	0	0	0.67
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	0.17	0.17	0
10.07 C	Grain sorghum	0	2.68	2.68	3.35
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	3.02

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	3.84	3.84
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	2.87	2.87
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	1.19	1.19
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0.89	0.89
11.07 B	Roasted malt	0	0	0	1.04	1.04

COMMISSION REGULATION (EEC) No 331/78

of 17 February 1978

altering the components used to calculate the differential amounts 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 market 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⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EEC) No 2300/73 of 23 August 1973⁽⁵⁾, as last amended by Regulation (EEC) No 1234/77⁽⁶⁾, laid down detailed rules of application for Regulation (EEC) No 1569/72; whereas the components used to calculate the differential amounts were fixed by Regulation (EEC) No 1423/77⁽⁷⁾, as last amended by Regulation (EEC) No

216/78⁽⁸⁾; whereas, in the case of the pound sterling, the Irish pound and the French franc, the difference referred to in Article 2 (1) of Regulation (EEC) No 1569/72 for the period 8 to 14 February 1978 has changed, by reference to the representative rate valid on 20 February 1978, by at least one point from the percentage used for the previous fixing; whereas this fact should be taken into account when fixing the components used to calculate the differential amounts for colza and rape seed where those components are already applied in respect of the Member State concerned,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to amended Regulation (EEC) No 1423/77 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 20 February 1978.

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

Done at Brussels, 17 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 160, 30. 6. 1977, p. 33.

⁽⁸⁾ OJ No L 31, 2. 2. 1978, p. 14.

ANNEX

to the Commission Regulation of 17 February 1978 altering the components used to calculate the differential amounts for colza and rape seed

	Target price corrective (coefficient to be applied)	Subsidy or refund corrective (coefficient to be applied)	Differential component (coefficient to be applied to the target price)	
1. Colza and rape seed, processed for oil production in Germany or exported from that country :	+ 0.0750	— 0.0750	+	—
— harvested in Germany			—	—
— harvested in the BLEU or in the Netherlands			—	0.0619
— harvested in France			—	0.2477
— harvested in Denmark			—	0.0750
— harvested in Ireland			—	0.1148
— harvested in the United Kingdom			—	0.2979
— harvested in Italy			—	0.2630
2. Colza and rape seed, processed for oil production in the BLEU and in the Netherlands or re-exported from that country :	+ 0.0140	— 0.0140	+	—
-- harvested in Germany			0.0659	—
— harvested in the BLEU or in the Netherlands			—	—
— harvested in France			—	0.1981
— harvested in Denmark			—	0.0140
— harvested in Ireland			—	0.0564
— harvested in the United Kingdom			—	0.2516
— harvested in Italy			—	0.2144
3. Colza and rape seed, processed for oil production in Denmark or exported from that country :	Nil	Nil	+	—
— harvested in Germany			0.0811	—
— harvested in the BLEU or in the Netherlands			0.0142	—
— harvested in France			—	0.1867
— harvested in Denmark			—	—
— harvested in Ireland			—	0.0430
— harvested in the United Kingdom			—	0.2410
-- harvested in Italy			—	0.2033
4. Colza and rape seed, processed for oil production in France or exported from that country :	— 0.2296	+ 0.2296	+	—
— harvested in Germany			0.3293	—
-- harvested in the BLEU or in the Netherlands			0.2471	—
-- harvested in France			—	—
— harvested in Denmark			0.2296	—
— harvested in Ireland			0.1758	—
— harvested in the United Kingdom			—	0.0667
— harvested in Italy			—	0.0203

	Target price corrective (coefficient to be applied)	Subsidy or refund corrective (coefficient to be applied)	Differential component (coefficient to be applied to the target price)	
5. Colza and rape seed, processed for oil production in the United Kingdom or exported from that country :	— 0.3176 (a) — 0.2187 (b)	+ 0.3176 (a) + 0.2187 (b)	+	—
— harvested in Germany			0.4244	—
— harvested in the BLEU or in the Netherlands			0.3363	—
— harvested in France			0.0715	—
— harvested in Denmark			0.3176	—
— harvested in Ireland			0.2609	—
— harvested in the United Kingdom			—	—
— harvested in Italy			0.0497	—
6. Colza and rape seed, processed for oil production in Ireland or exported from that country :	— 0.0449	+ 0.0449	+	—
— harvested in Germany			0.1296	—
— harvested in the BLEU or in the Netherlands			0.0598	—
— harvested in France			—	0.1502
— harvested in Denmark			0.0449	—
— harvested in Ireland			—	—
— harvested in the United Kingdom			—	0.2069
— harvested in Italy			—	0.1675
7. Colza and rape seed, processed for oil production in Italy or exported from that country :	— 0.2552 (a) — 0.1796 (b)	+ 0.2552 (a) + 0.1796 (b)	+	—
— harvested in Germany			0.3569	—
— harvested in the BLEU or in the Netherlands			0.2730	—
— harvested in France			0.0208	—
— harvested in Denmark			0.2552	—
— harvested in Ireland			0.2012	—
— harvested in the United Kingdom			—	0.0474
— harvested in Italy			—	—

(a) For a subsidy or an export refund prefixed from the date on which this Regulation enters into force and for putting under control or for export up to 30 June 1978.

(b) For a subsidy or an export refund prefixed from the date on which this Regulation enters into force and for putting under control or for export from 1 July 1978.

COMMISSION REGULATION (EEC) No 332/78
of 17 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 321/78⁽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 20 February 1978.

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

Done at Brussels, 17 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⁾ OJ No L 46, 17. 2. 1978, p. 21.

ANNEX

World market price applicable from 20 February 1978 for colza and rape seed (CCT heading No ex 12.01)

	<i>u.a./100 kg ⁽¹⁾</i>
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	18.839
— for the month of April 1978	19.099
— for the month of May 1978	19.099
— for the month of June 1978	19.166
— for the month of July 1978	19.166

⁽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	7.29012
1 u.a. = Dkr	8.56656
1 u.a. = £	0.772929
1 u.a. = I £	0.772929
1 u.a. = Lit	1 292.81

COMMISSION REGULATION (EEC) No 333/78

of 17 February 1978

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

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 2560/77⁽²⁾, and in
particular Article 17 (4) thereof,

Having regard to the opinion of the Monetary
Committee,

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

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

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

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

— the economic aspect of the proposed exports;

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

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

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

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

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 5, 9. 1. 1975, p. 7.

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

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

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 2560/77;

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

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

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

use as feed in the country of destination were laid down in Regulation (EEC) No 2054/76⁽²⁾, as last amended by Regulation (EEC) No 1724/77⁽³⁾;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 18 February 1978.

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

Done at Brussels, 17 February 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 228, 20. 8. 1976, p. 17.

⁽³⁾ OJ No L 189, 29. 7. 1977, p. 41.

ANNEX

to the Commission Regulation of 17 February 1978 fixing the refunds on milk and milk products exported in the natural state

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

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

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

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

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.03	Butter :		
	ex A. Of a fat content, by weight, not exceeding 85 % :		
	(I) Of a fat content, by weight, of 62 % or more, but less than 78 %	3110 05	120.79
	(II) Of a fat content, by weight, of 78 % or more but less than 80 %	3110 16	151.96
	(III) Of a fat content, by weight, of 80 % or more but less than 82 %	3110 22	155.85
	(IV) Of a fat content, by weight, of 82 % or more	3110 32	159.75
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99.5 %	3210 10	159.75
	(II) Exceeding 99.5 %	3210 20	206.90
04.04	Cheese and curd ⁽⁵⁾ :		
	ex A. Emmentaler and Gruyère, not grated or powdered :		
	II. Other	3800 00	
	for exports to :		
	— Zone D		60.00
	— Zone E		—
	— Canada		53.00
	— Liechtenstein and Switzerland		—
	— Austria		46.46
	— Other destinations		90.71
	ex C. Blue-veined cheese, not grated or powdered, other than Roquefort	4000 00	
	for exports to :		
	— Austria		26.91
	— Zone D		85.80
	— Zone E		34.38
	— Canada		46.40
	— Other destinations		74.86
	D. Processed cheese, not grated or powdered :		
	II. Other, of a fat content, by weight :		
	a) Not exceeding 36 % and of a fat content, by weight, in the dry matter :		
	ex 1. Not exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 %	4410 10	
	for exports to :		
	— Austria		9.97
	— Zone D		17.97
	— Zone E		17.89
	— Canada		16.28
	— Switzerland		5.30
	— Other destinations		30.63

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(bb) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 % for exports to :	4410 20	
	— Austria		9.97
	— Zone D		17.97
	— Zone E		17.89
	— Canada		16.28
	— Switzerland		5.30
	— Other destinations		30.63
	(22) Of 20 % or more for exports to :	4410 30	
	— Austria		14.73
	— Zone D		26.57
	— Zone E		26.39
	— Canada		24.05
	— Switzerland		7.84
	— Other destinations		45.37
	(cc) Of 43 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 % for exports to :	4410 40	
	— Austria		9.97
	— Zone D		17.97
	— Zone E		17.89
	— Canada		16.28
	— Switzerland		5.30
	— Other destinations		30.63
	(22) Of 20 % or more but less than 40 % for exports to :	4410 50	
	— Austria		14.73
	— Zone D		26.57
	— Zone E		26.39
	— Canada		24.05
	— Switzerland		7.84
	— Other destinations		45.37
	(33) Of 40 % or more for exports to :	4410 60	
	— Austria		21.52
	— Zone D		38.80
	— Zone E		38.46
	— Canada		35.13
	— Switzerland		11.44
	— Other destinations		66.37
	ex 2. Exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 % for exports to :	4510 10	
	— Austria		9.97
	— Zone D		17.97
	— Zone E		17.89
	— Canada		16.28
	— Switzerland		5.30
	— Other destinations		30.63

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(bb) Of 38 % or more but less than 43 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4510 20	14.73 26.57 26.39 24.05 7.84 45.37
	(cc) Of 43 % or more but less than 46 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4510 30	21.52 38.80 38.46 35.13 11.44 66.37
	(dd) Of 46 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 55 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4510 40	21.52 38.80 38.46 35.13 11.44 66.37
	(22) Of 55 % or more for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4510 50	25.52 46.03 45.64 41.81 13.58 78.79
	b) Exceeding 36 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4610 00	25.52 46.03 45.64 41.81 13.58 78.79
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :		
	ex a) Not exceeding 47 % :		
	(1) Grana, Parmigiano Reggiano for exports to : — Zone D — Zone E — Canada — Switzerland — Other destinations	4710 11	116.64 81.50 98.00 91.64 116.64

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(2) Fiore Sardo, Pecorino for exports to : — Zone D — Zone E — Canada — Switzerland — Other destinations	4710 16	125.27 92.50 99.50 100.27 125.27
	(3) Other (excluding cheeses produced from whey), of a fat content, by weight, in the dry matter of 30 % or more for exports to : — Zone D — Zone E — Canada — Switzerland — Other destinations	4710 22	116.64 81.50 98.00 91.64 116.64
	b) Exceeding 47 % but not exceeding 72 % :		
	1. Cheddar :		
	ex bb) Other, of a fat content, by weight, in the dry matter of 48 % or more for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	4850 00	30.07 59.61 — 33.00 16.00 84.50
	ex 5. Other, of a fat content, by weight, in the dry matter :		
	(aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey) for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	5120 12	17.48 18.93 — 15.40 3.99 32.43
	(bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey) for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	5120 16	20.09 21.76 — 33.14 4.40 54.54
	(cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % (excluding cheeses produced from whey) for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations	5120 22	23.95 25.93 — 39.30 4.73 66.12

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(dd) Of 39 % or more :		
	(11) Asiago, Caciocavallo, Provolone, Ragusano	5120 31	
	for exports to :		
	— Zone D		99.28
	— Zone E		87.00
	— Canada		92.50
	— Switzerland		35.29
	— Other destinations		116.23
	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit	5120 44	
	for exports to :		
	— Austria		37.01
	— Zone D		63.93
	— Zone E		35.60
	— Canada		52.90
	— Switzerland		16.96
	— Other destinations		77.12
	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	5120 54	
	for exports to :		
	— Austria		34.00
	— Zone D		63.93
	— Zone E		33.10
	— Canada		47.35
	— Switzerland		16.96
	— Other destinations		66.74
	(44) Cantal, Cheshire, Wensleydale, Lancashire, double Gloucester	5120 58	
	for exports to :		
	— Austria		30.07
	— Zone D		59.61
	— Zone E		33.11
	— Canada		46.70
	— Switzerland		16.00
	— Other destinations		79.13
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more	5120 59	
	for exports to :		
	— Zone E		20.00
	— Canada		24.00
	— Other destinations		35.03
	(66) Feta	5120 82	
	for exports to :		
	— Zone D		41.54 ⁽⁴⁾
	— Zone E		7.15 ⁽⁴⁾
	— Canada		38.00 ⁽⁴⁾
	— Switzerland		12.00 ⁽⁴⁾
	-- Jordan, Iraq, Iran, the Arabian Peninsula and Mediterranean countries except Zone D		76.28 ⁽⁴⁾
	— Other destinations		63.42 ⁽⁴⁾
	(77) Colby, Monterey	5120 83	
	for exports to :		
	-- Austria		30.07
	— Zone D		59.61
	— Zone E		—
	— Canada		46.70
	— Switzerland		16.00
	— Other destinations		79.13

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(88) Other (excluding cheeses produced from whey), of a water content, calculated by weight, of the non-fatty matter : (aaa) Exceeding 47 % but not exceeding 52 % for exports to : — Zone D 59.61 — Switzerland 15.00 — Zone E 53.08 — Canada 67.50 — Other destinations 85.00 (bbb) Exceeding 52 % but not exceeding 62 % for exports to : — Austria 37.01 — Zone D 63.93 — Zone E 35.60 — Canada 52.90 — Switzerland 16.96 — Other destinations 77.12 ex II. Other (excluding cheeses produced from whey) : ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight : (1) Of 80 % or more but less than 85 % for exports to : — Zone E 25.00 — Canada 37.50 — Other destinations 56.25 (2) Of 85 % or more but less than 95 % for exports to : — Zone E 30.00 — Canada 43.50 — Other destinations 70.59 (3) Of 95 % or more for exports to : — Zone E 35.00 — Canada 49.00 — Other destinations 82.26	5120 87 5120 92 5310 11 5310 22 5310 31	
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : ex B. Other, containing starch, glucose or glucose syrup falling within sub-headings 17.02 B and 21.07 F II, or milk products, excluding special compound feedingstuffs ⁽³⁾ : I. Containing starch, or glucose or glucose syrup : a) Containing no starch or containing 10 % or less, by weight, of starch : (3) Containing 50 % or more but less than 75 %, by weight, of milk products of which content of milk in powder or granules (excluding whey), by weight, is :		

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
23.07 (cont'd)	(aa) Less than 30 %	5700 13	—
	(bb) 30 % or more but less than 40 %	5700 23	20.75
	(cc) 40 % or more but less than 50 %	5700 33	27.24
	(dd) 50 % or more but less than 60 %	5700 42	33.72
	(ee) 60 % or more but less than 70 %	5700 52	40.21
	(ff) 70 % or more	5700 62	46.69
	(4) Containing 75 % or more, by weight, of milk products, of which content of milk in powder or granules (excluding whey), by weight, is :		
	(aa) Less than 30 %	5800 13	—
	(bb) 30 % or more but less than 40 %	5800 23	20.75
	(cc) 40 % or more but less than 50 %	5800 32	27.24
	(dd) 50 % or more but less than 60 %	5800 42	33.72
	(ee) 60 % or more but less than 70 %	5800 52	40.21
	(ff) 70 % or more but less than 75 %	5800 62	46.69
	(gg) 75 % or more but less than 80 %	5800 72	49.93
	(hh) 80 % or more	5800 82	53.18
	(II) Containing no starch, glucose or glucose syrup, but containing milk products of which content of milk in powder or granules (excluding whey), by weight, is :		
	(a) 50 % or more but less than 60 %	5900 12	33.72
	(b) 60 % or more but less than 70 %	5900 22	40.21
	(c) 70 % or more but less than 80 %	5900 32	46.69
	(d) 80 % or more	5900 42	53.18

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

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

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

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

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 334/78

of 17 February 1978

opening an invitation to tender for the mobilization of round grain milled rice
as food aid for the United Nations High Commission for Refugees

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 27 July 1976 the Council of the Euro-
pean Communities declared that it proposed, by way
of Community action, to grant the equivalent of 576
tonnes of husked rice (in other words 446 tonnes of
round grain milled rice) to the United Nations High
Commission for Refugees under its 1974/75 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 Limassol, that is
at the moment when the goods are actually placed on
the dock or in the lighter where applicable ;

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 in the framework of the common agri-
cultural 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 in the best
terms ;

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 for supplies to the United Nations
High Commission for Refugees will be fulfilled ;

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

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

Whereas the Monetary Committee will be consulted ;
whereas in view of the urgency, the measures envis-
aged should be adopted in accordance with the condi-
tions laid down in Article 3 (2) of Council Regulation
No 129 on the value of the unit of account and the
exchange rates to be applied for the 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
United Nations High Commission for Refugees by
way of Community action of 446 tonnes of round
grain milled rice.

2. The tendering procedure shall take place in Italy
in one lot. 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 Limassol,
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.

⁽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 L 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

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

'Milled rice — Gift of the European Economic Community to the people of Cyprus.'

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 6 March 1978.

2. The closing date for the submission of tenders shall be 6 March 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 closing date for the submission of tenders.

Article 4

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

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

Article 5

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 United Nations High Commission for Refugees 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 United Nations High Commission for Refugees 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 (3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

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

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging ;
- (b) the date of the departure of the ships; 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, 17 February 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 335/78

of 17 February 1978

opening a new invitation to tender for the mobilization of common wheat as food aid for the Republic of Pakistan

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 Pakistan 25 000 tonnes of common wheat 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 invitation to tender opened in the Community under Commission Regulation (EEC) No 110/78 of 20 January 1978 opening an invitation to tender for the mobilization of common wheat as aid for Pakistan⁽⁴⁾ was not allocated; whereas a new invitation to tender should therefore be opened;

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

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

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

Whereas, should *force majeure* make it impossible to complete the operation in question within the set time 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 obligations 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⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the 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 Pakistan, of 25 000 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.

⁽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 L 17, 21. 1. 1978, p. 20.

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

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

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

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 3 March 1978.

2. The closing date for submission of tenders shall be 3 March 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

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

Article 6

1. The tenderer shall give security 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 7

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 8

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 shipment, a certificate showing the quantities dispatched and the quality of the products ;

- (b) the date of departure of the ship ;

- (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 9

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

Article 10

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

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

Done at Brussels, 17 February 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 336/78

of 17 February 1978

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

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 25 March 1976 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 1 500 tonnes of husked rice (in other words 1 164 tonnes of long grain milled rice) to the Republic of Chad under its 1975/76 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 to N'Djamena;

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 awards 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 obligations arising by virtue of participation in the invitation to tender for supplies to the Republic of Chad 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 Chad, by way of Community food-aid action, of 1 164 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 product shall be loaded for departure from any Community port.

3. The invitation to tender provided for in paragraph 1 is for supply of the products delivered to N'Djamena.

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 / Don de la Communauté économique européenne à la République du Tchad'.

⁽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.

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 6 March 1978.
2. The closing date for the submission of tenders shall be 6 March 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 Chad must meet the following requirements :

- moisture : 15 %,
- broken rice : 20 % 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 Chad of the long grain milled rice referred to in Article 1 must relate to a product with the following characteristics :

- moisture : 15 %,
- broken rice : 20 % 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 request the successful tenderer to supply 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 vessels ; the expected date of arrival of the products at their destination ;
- (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 interven-

tion 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, 17 February 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 337/78**of 17 February 1978****amending Regulation (EEC) No 2035/74 on the sale at reduced prices of certain beef and veal and preserves thereof held by intervention agencies to certain institutions and bodies of a social character**

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 2035/74 of 31 July 1974 ⁽³⁾, as last amended by Regulation (EEC) No 2333/76 ⁽⁴⁾, laid down rules for the sale at reduced prices of certain beef and veal and preserves thereof held by the intervention agencies to certain institutions and bodies of a social character;

Whereas in view of the special nature of this sale and in particular the type of buyer who does not always possess the facilities available to commercial operators, provision should be made to enable requests to purchase to be submitted to the intervention agencies by registered post, and for the rules governing the constitution of the security to be amended accordingly;

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

An Article 4a as follows is inserted in Regulation (EEC) No 2035/74:

Article 4a

By way of derogation from Article 4 (1) of Regulation (EEC) No 216/69, requests to purchase may be submitted by registered letter. In such cases, the security shall be constituted within 96 hours after dispatch of the registered letter.'

Article 2

This Regulation shall enter into force on 20 February 1978.

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

Done at Brussels, 17 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 210, 1. 8. 1974, p. 53.

⁽⁴⁾ OJ No L 264, 28. 9. 1976, p. 11.

COMMISSION REGULATION (EEC) No 338/78

of 17 February 1978

amending Regulations (EEC) No 2793/76, (EEC) No 560/77 and (EEC) No 2633/77 on detailed arrangements for the disposal on the Italian market of frozen beef made available to the Italian intervention agency and altering the prices of such meat

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 Articles 7 (3) and 25 thereof,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2788/72⁽⁴⁾,

Having regard to Council Regulation (EEC) No 2453/76 of 5 October 1976 on the transfer to the Italian intervention agency of frozen beef held by intervention agencies of other Member States⁽⁵⁾, as last amended by Regulation (EEC) No 2584/77⁽⁶⁾, and in particular Article 1 (2) thereof,

Whereas, following the alteration by Regulation (EEC) No 2584/77 of the date fixed in Article 1 of Regulation (EEC) No 2453/76, Article 1 of Commission Regulation (EEC) No 2793/76 of 18 November 1976 on detailed arrangements for the disposal on the Italian market of frozen beef made available to the Italian intervention agency under Regulation (EEC) No 2453/76⁽⁷⁾, as last amended by Regulation (EEC) No 2310/77⁽⁸⁾, should be amended;

Whereas, so as to facilitate the sale of the meat in question to consumers, provision should be made to enable applications to purchase to be submitted also by the authorized representatives of consumer organizations such as consumer cooperatives or groups thereof, to hospitals, to schools, to canteens and work canteens, to convalescent or nursing homes and to social institutions;

Whereas the selling prices for beef transferred to the Italian intervention agency were fixed by Commission

Regulations (EEC) No 2793/76 of 18 November 1976, (EEC) No 560/77 of 17 March 1977⁽⁹⁾, as amended by Regulation (EEC) No 809/77⁽¹⁰⁾, and (EEC) No 2633/77 of 29 November 1977⁽¹¹⁾;

Whereas this frozen beef is designated for direct consumption mainly through retail outlets in Italy; whereas, in order to avoid the possibility of speculative or fraudulent practice, retail selling prices have been fixed for each category of frozen beef concerned on the basis of selling prices previously fixed by the Commission;

Whereas the existing relation between these selling prices and the retail selling prices fixed in Italian lire should be maintained; the prices initially fixed should therefore be altered;

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

In Article 1 (1) of Regulation (EEC) No 2793/76, the date '30 November 1977' is replaced by '30 June 1978'.

Article 2

In Article 2 (2) of Regulation (EEC) No 2793/76, the words 'five tonnes' are replaced by '10 tonnes'.

Article 3

1. Article 3 (1) of Regulation (EEC) No 2793/76 is amended to read as follows:

'1. By way of derogation from Article 4 (1) of Regulation (EEC) No 216/69:

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁴⁾ OJ No L 295, 30. 12. 1972, p. 1.

⁽⁵⁾ OJ No L 279, 9. 10. 1976, p. 3.

⁽⁶⁾ OJ No L 301, 25. 11. 1977, p. 6.

⁽⁷⁾ OJ No L 319, 19. 11. 1976, p. 24.

⁽⁸⁾ OJ No L 269, 21. 10. 1977, p. 25.

⁽⁹⁾ OJ No L 71, 18. 3. 1977, p. 27.

⁽¹⁰⁾ OJ No L 98, 22. 4. 1977, p. 10.

⁽¹¹⁾ OJ No L 306, 30. 11. 1977, p. 22.

- (a) applications to purchase shall be for a maximum quantity of 30 tonnes of beef bone-in per buyer and may be submitted by registered letter or be delivered directly to the Italian intervention agency. In the latter case, confirmation by registered letter shall not be required;
- (b) no security shall be required;
- (c) no application to purchase shall be valid unless submitted by an authorized retailer of beef or by an authorized representative of a consumer organization and accompanied by:
 - particulars indicating the precise address of the place or places where the products purchased in accordance with this Regulation are to be put up for retail sale or to be consumed,
 - a written undertaking by the purchaser to put the products up for sale for direct consumption in Italy, or, as appropriate, a written undertaking by the purchaser to use the products only for the benefit of the organization which he represents.

2. In Article 3 (2) and (3) of Regulation (EEC) No 2793/76 the word 'retailers' is replaced by 'purchasers'.

Article 4

1. Annex II to Regulation (EEC) No 2793/76 is replaced by Annex I to this Regulation.
2. The Annex to Regulation (EEC) No 560/77 is replaced by Annex II to this Regulation.
3. Annex I to Regulation (EEC) No 2633/77 is replaced by Annex III to this Regulation.

Article 5

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

However, Article 4 shall have effect from 1 February 1978.

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

Done at Brussels, 17 February 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE I — ANNEX I — ANHANG I — BILAG I — ALLEGATO I — BIJLAGE I

Produits Products Erzeugnisse Produkter Prodotti Produkten	Prix de vente (UC/100 kg) Selling prices (u.a./100 kg) Verkaufspreise (RE/100 kg) Salgspris (RE/100 kg) Prezzi di vendita (UC/100 kg) Verkoopprijzen (RE/100 kg)
— Quartiers avant Forequarters Vorderviertel Forfjerdinger Quarti anteriori Voorvoeten	101,045
— Quartiers arrière Hindquarters Hinterviertel Bagfjerdinger Quarti posteriori Achtersvoeten	161,672
— Fileter	211,755
— Udbenede bagfjerdinger uden fileter og mørbrad	182,759
— Striploins and cube rolls	266,231
— Insides, outsides, knuckles and rumps	227,570
— Boned forequarters excluding the cube rolls, plates and flanks, briskets and shins	172,215

ANNEXE II — ANNEX II — ANHANG II — BILAG II — ALLEGATO II — BIJLAGE II

Produits Products Erzeugnisse Produkter Prodotti Produkten	Prix de vente (UC/100 kg) Selling prices (u.a./100 kg) Verkaufspreise (RE/100 kg) Salgspris (RE/100 kg) Prezzi di vendita (UC/100 kg) Verkoopprijzen (RE/100 kg)
— Quartiers avant Forequarters Vorderviertel Forfjerdinger Quarti anteriori Voorvoeten	101,045
— Quartiers arrière Hindquarters Hinterviertel Bagfjerdinger Quarti posteriori Achtersvoeten	161,672
— Udbenede bagfjerdinger uden fileter og mørbrad	182,759
— Striploins and cube rolls	266,231
— Insides, outsides, knuckles and rumps	227,570
— Boned forequarters excluding the cube rolls, plates and flanks, briskets and shins	172,215

ANNEXE III — ANHANG III — ALLEGATO III — BILAG III — ANNEX III — BIJLAGE III

Produits Erzeugnisse Prodotti Produkten Products Produkter	Prix de vente (UC/100 kg) Verkaufspreise (RE/100 kg) Prezzi di vendita (UC/100 kg) Verkoopprijzen (RE/100 kg) Selling prices (u.a./100 kg) Salgspris (RE/100 kg)
— Quartiers avant Forequarters Vorderviertel Forfjerdinger Quarti anteriori Voorvoeten	101,045
— Quartiers arrière Hindquarters Hinterviertel Bagfjerdinger Quarti posteriori Achtervoeten	161,672
— Udbenede bagfjerdinger uden fileter og mørbrad	182,759
— Striploins	266,231
— Insides, outsides, knuckles and rumps	227,570
— Boned forequarters excluding the cube rolls, plates and flanks, briskets and shins	172,215

COMMISSION REGULATION (EEC) No 339/78

of 17 February 1978

on the sale at prices fixed in advance of certain boned beef held by the intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 425/77⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 79/75 of 14 January 1975⁽³⁾, as last amended by Regulation (EEC) No 2770/77⁽⁴⁾, provides for the sale by monthly tender of boned beef held by the intervention agencies; whereas not all the meat offered for tender has been allocated;

Whereas certain quantities of meat, boned in accordance with Commission Regulation (EEC) No 2630/75 of 16 October 1975 on the boning of beef bought in by the intervention agencies⁽⁵⁾, should be put up for sale;

Whereas, having regard to developments on the market and in intervention stocks, the cuts and prices set out in Annex I to Commission Regulation (EEC) No 2765/76⁽⁶⁾ should be adapted and Commission Regulation (EEC) No 2057/77⁽⁷⁾ should be repealed;

Whereas certain boned beef should be put up for sale at prices fixed in advance in accordance with Articles 2 to 5 of Commission Regulation (EEC) No 216/69 of 4 February 1969 on detailed rules of application for the disposal of frozen beef and veal bought in by intervention agencies⁽⁸⁾, and at the same time certain necessary derogations should be provided for, particularly as regards payment for the goods;

Whereas removal from storage may be interrupted by *force majeure*; whereas the intervention agencies should therefore be permitted to take the necessary action in such cases;

Whereas Council Regulation (EEC) No 1055/77 of 17 May 1977 on the storage and movement of products bought in by an intervention agency⁽⁹⁾ provides that

for the products held by an intervention agency, stored outside the territory of the Member State where that agency is situated, a different selling price from that for products stored on that territory may be fixed;

Whereas Commission Regulation (EEC) No 1805/77 of 4 August 1977 laying down in respect of the beef and veal sector special rules for the application of Regulation (EEC) No 1055/77 on the storage and movement of products bought in by an intervention agency⁽¹⁰⁾ fixed the method of calculating the sale prices for these products; whereas to avoid all confusion it should be expressly stated that the prices fixed by the present Regulation are subject to adjustment in the case of those products;

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. During the period 20 February to 3 March 1978, the German intervention agency shall offer for sale up to 250 tonnes, the Danish intervention agency up to 3 000 tonnes, the Irish intervention agency up to 3 500 tonnes and the United Kingdom intervention agency up to 500 tonnes of beef boned in accordance with Regulation (EEC) No 2630/75.

2. The cuts and prices of such meat shall be as set out in Annex I hereto.

3. Annex I to Regulation (EEC) No 2765/76 is hereby replaced by Annex II to this Regulation.

4. The sales shall be conducted in accordance with Articles 2 to 5 of Regulation (EEC) No 216/69 and with the provisions of this Regulation.

5. Information concerning the quantities available and the places where the products are stored may be obtained by prospective purchasers from the addresses listed in Annex III thereto.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 10, 15. 1. 1975, p. 9.

⁽⁴⁾ OJ No L 320, 15. 12. 1977, p. 16.

⁽⁵⁾ OJ No L 268, 17. 10. 1975, p. 16.

⁽⁶⁾ OJ No L 316, 16. 11. 1976, p. 5.

⁽⁷⁾ OJ No L 239, 17. 9. 1977, p. 12.

⁽⁸⁾ OJ No L 28, 5. 2. 1969, p. 10.

⁽⁹⁾ OJ No L 128, 24. 5. 1977, p. 1.

⁽¹⁰⁾ OJ No L 198, 5. 8. 1977, p. 19.

Article 2

By way of derogation from Article 5 (1) of Regulation (EEC) No 216/69, the prices shall be paid as and when the goods are removed from store, in proportion to the quantities removed and not later than the day preceding each removal.

Article 3

By way of derogation from Article 4 (5) of Regulation (EEC) No 216/69, if the quantities available from an intervention agency are less than those for which offers are received on the first day of the period referred to in Article 1 (1), all such offers shall be considered to have been made at the same time.

Article 4

If by reason of *force majeure* the purchaser is unable to comply with the time limit set for delivery, the intervention agency shall take such action as it considers necessary in the circumstances.

Article 5

Regulation (EEC) No 2057/77 is hereby repealed.

Article 6

This Regulation shall enter into force on 20 February 1978.

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

Done at Brussels, 17 February 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE I — ANHANG I — ALLEGATO I — BIJLAGE I — ANNEX I — BILAG I

Prix de vente exprimés en unités de compte par tonne ⁽¹⁾ — Verkaufspreise, ausgedrückt in RE/Tonne ⁽¹⁾ — Prezzi di vendita espressi in unità di conto per tonnellata ⁽¹⁾ — Verkoopprijzen, uitgedrukt in rekeneenheden per ton ⁽¹⁾ — Selling prices, expressed in units of account per tonne ⁽¹⁾ — Salgspriser udtrykt i RE/ton ⁽¹⁾

1. BUNDESREPUBLIK
DEUTSCHLAND*Ochsen A*

Dünnungen 1 231

2. DANMARK

	<i>Ungtyre</i>	<i>Tyre prima</i>	<i>Stude</i>	<i>Kvæer</i>	<i>Køer</i>	<i>Køer med kalvetænder</i>
	<i>1. kvalitet</i>	<i>1. kvalitet</i>	<i>1. kvalitet</i>	<i>1. kvalitet</i>	<i>1. kvalitet</i>	<i>1. kvalitet</i>

Møbbrad	4 822		4 452		4 400	
Fileter	2 800		2 525		2 325	
Kød af bagfjerdinge (med undtagelse af fileter og mørbrad)	2 107		2 000		1 918	
Udbenede forfjerdinge	1 763		1 650		1 600	
Slag og bryst	1 405		1 405		1 305	

3. IRELAND

*Cows**Steers 1, 2 and Heifers 2*

Fillets	—		6 550
Striploins	—		3 267
Insides	—	—	2 522
Outsides	—	—	2 490
Knuckles	—	—	2 374
Rumps	—		2 512
Hindquarters (excluding fillets and striploins)	1 600		—
Cube rolls	—		3 051
Forequarters (excluding cube rolls)	—		1 730
Plates and flanks	1 000		1 200
Brisket	—		1 400
Shins and shanks	—		1 640

4. UNITED KINGDOM

Steers and Heifers

Fillets	7 229
Striploins	3 399
Topsides	2 674
Silversides	2 510
Thick flanks	2 500
Rumps	2 543
Clod and sticking	1 507
Forerib	1 800
Pony	1 700
Shins and shanks	1 607
Thin flanks	988
Flank (plate)	988
Briskets	1 466

⁽¹⁾ Au cas où les produits sont stockés en dehors de l'État membre, dont relève l'organisme d'intervention détenteur, ces prix sont ajustés conformément aux dispositions du règlement (CEE) n° 1805/77.

⁽¹⁾ Falls die Lagerung der Erzeugnisse außerhalb des für die betreffende Interventionsstelle zuständigen Mitgliedstaats erfolgt, werden diese Preise gemäß den Vorschriften der Verordnung (EWG) Nr. 1805/77 angepaßt.

⁽¹⁾ Qualora i prodotti siano immagazzinati fuori dello Stato membro da cui dipende l'organismo d'intervento detentore, detti prezzi vengono ritoccati in conformità del disposto del regolamento (CEE) n. 1805/77.

⁽¹⁾ In geval dat de produkten zijn opgeslagen buiten de Lid-Staat waaronder het interventiebureau dat deze produkten onder zich heeft ressorteert, worden deze prijzen aangepast overeenkomstig de bepalingen van Verordening (EEG) nr. 1805/77.

⁽¹⁾ In the case of products stored outside the Member State where the intervention agency responsible for them is situated, these prices shall be adjusted in accordance with the provisions of Regulation (EEC) No 1805/77.

⁽¹⁾ I tilfælde hvor varer er oplagrede uden for den medlemsstat, hvor interventionsorganet er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.

ANNEXE II — ANHANG II — ALLEGATO II — BIJLAGE II — ANNEX II — BILAG II

Prix de vente exprimés en unités de compte par tonne ⁽¹⁾ — Verkaufspreise, ausgedrückt in RE/Tonne ⁽¹⁾ — Prezzi di vendita espressi in unità di conto per tonnellata ⁽¹⁾ — Verkoopprijzen, uitgedrukt in rekeneenheden per ton ⁽¹⁾ — Selling prices, expressed in units of account per tonne ⁽¹⁾ — Salgspriser udtrykt i RE/ton ⁽¹⁾

IRELAND	Cows	Steers 1, 2 and Heifers 2
Fillets	3 825	—
Plates and flanks	1 000	1 000

⁽¹⁾ Au cas où les produits sont stockés en dehors de l'État membre dont relève l'organisme d'intervention détenteur, ces prix sont ajustés conformément aux dispositions du règlement (CEE) n° 1805/77.

⁽¹⁾ Falls die Lagerung der Erzeugnisse außerhalb des für die betreffende Interventionsstelle zuständigen Mitgliedstaats erfolgt, werden diese Preise gemäß den Vorschriften der Verordnung (EWG) Nr. 1805/77 angepaßt.

⁽¹⁾ Qualora i prodotti siano immagazzinati fuori dello Stato membro da cui dipende l'organismo d'intervento detentore, detti prezzi vengono ritoccati in conformità del disposto del regolamento (CEE) n. 1805/77.

⁽¹⁾ In geval dat de produkten zijn opgeslagen buiten de Lid-Staat waaronder het interventiebureau dat deze produkten onder zich heeft ressorteert, worden deze prijzen aangepast overeenkomstig de bepalingen van Verordening (EEG) nr. 1805/77.

⁽¹⁾ In the case of products stored outside the Member State where the intervention agency responsible for them is situated, these prices shall be adjusted in accordance with the provisions of Regulation (EEC) No 1805/77.

⁽¹⁾ I tilfælde hvor varer er oplagrede uden for den medlemsstat, hvor interventionsorganet er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.

ANNEXE III — ANHANG III — ALLEGATO III — BIJLAGE III — ANNEX III — BILAG III

Adresses des organismes d'intervention — Anschriften der Interventionsstellen — Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus — Addresses of the intervention agencies — Interventionsorganernes adresser

BUNDESREPUBLIK
DEUTSCHLAND : Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)
Postfach 180107 — Adickesallee 40
D 6000 Frankfurt am Main 18
Tel. (06 11) 55 04 61/55 05 41, Telex : 04 11 156

DANMARK : Direktoratet for markedsordningerne,
EF-Direktoratet,
Frederiksborggade 18,
1360 København K,
Tlf. (01) 15 41 30, Telex 15 137 DK.

IRELAND : Department of Agriculture, Agriculture House,
Kildare Street,
Dublin 2,
Tel. (01) 78 90 11, ext. 23 24, Telex 4280 and 5118.

UNITED KINGDOM : Intervention Board for Agricultural Produce, Fountain House,
2 West Mall, Reading RG1 7QW, Berks.
Telex : 848 302.
Tel. : 07 34 — 58 36 26.

COMMISSION REGULATION (EEC) No 340/78

of 17 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 324/78⁽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 18 February
1978.

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

Done at Brussels, 17 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 46, 17. 2. 1978, p. 26.

ANNEX

to the Commission Regulation of 17 February 1978 fixing the import levies on white sugar
and raw sugar

(u.a. / 100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar ; flavoured or coloured sugar	24.44
	B. Raw sugar	20.60 ⁽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 20 December 1977

relating to a proceeding under Article 85 of the EEC Treaty

(IV/29.151 — video cassette recorders)

(Only the Dutch and German texts are authentic)

(78/156/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

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

Having regard to Council Regulation No 17 of 6
February 1962⁽¹⁾, and in particular Articles 3 and 4
thereof,

Having regard to the notification made pursuant to
Article 4 of Regulation No 17 on 8 December 1975
by Philips GmbH, Hamburg and five other German
undertakings concerning agreements on uniform
application of technical standards for the VCR system,

Having regard to the Commission Decision of 3 June
1977 to initiate a proceeding,

Having heard the undertakings and associations of
undertakings concerned in accordance with Article 19
(1) of Regulation No 17 and with Regulation No
99/63/EEC of 25 July 1963⁽²⁾,

Having regard to the opinion delivered on 8
November 1977 pursuant to Article 10 of Regulation
No 17 by the Advisory Committee on Restrictive Prac-
tices and Dominant Positions,

Whereas :

⁽¹⁾ OJ No 13, 21. 2. 1962, p. 204/62.

⁽²⁾ OJ No 127, 20. 8. 1963, p. 2268/63.

I

The facts

1. *The undertakings involved — market struc-
ture*

- 1 The following undertakings were party to the
agreements notified :

(a) in the Netherlands :

— NV Philips' Gloeilampenfabrieken,
Eindhoven ;

(b) in Germany :

- (i) Blaupunktwerke GmbH, Hildesheim ;
- (ii) Bosch-Siemens Hausgeräte GmbH,
Munich ;
- (iii) Grundig AG, Fürth, Bavaria ;
- (iv) Loewe Opta GmbH, Kronach ;
- (v) Norddeutsche Mende Rundfunk KG,
Bremen ;
- (vi) Philips GmbH, Hamburg ;
- (vii) Schwarzwälder Apparate-Bau-Anstalt
SABA-Werke, Villingen.

The agreements were notified on behalf of
undertakings (b) (i) and (b) (iii) to (vii).

- 2 All these undertakings are active in the consumer electronics industry and are interested in the developing market for video cassettes and video cassette recorders.
- 3 These are designed to record and replay visual material on a magnetic tape housed in a cassette; they can be used to record both black-and-white and colour television programmes, provided that these are transmitted by the PAL or SECAM systems.
- 4 As well as the parties here concerned there are other manufacturers in the consumer electronics field who are interested in this market, above all the Sony group. On the European market the following undertakings or groups of undertakings should be mentioned: AEG-Telefunken, Hitachi, Matsushita, Thorn, Toshiba, Sanyo and Zanussi.
- 5 So far only Philips and Sony have developed marketable video cassette systems for sale in Europe, the VCR system and the U-MATIC system respectively. The Sanyo Electric Co. of Japan has also recently tried to gain a foothold in the European market with a system that meets European television standards. In addition AEG Telefunken is preparing to introduce the TED videodisc system, which enables video material to be replayed on the television screen in the same way as a videotape system (but which, unlike the cassette system, does not allow the individual to record his own programmes). Philips, too, is developing a videodisc system, known as the VLP system.
- 6 Philips has a pre-eminent position in the European market for video cassette recorders. Its market share is considerably larger than that of Sony, its nearest competitor. The two together account for more than 70 % of total sales in the common market. Since this is a relatively new product, there are no official production and sales statistics available for the European Communities. Estimated sales of video cassette recorders in the EEC totalled 34 500 in 1974, 41 000 in 1975, and the upward trend continued in 1976.
- 7 Both Philips and Sony license a number of other firms to exploit their patents in the field of magnetic video recording and replay. The

two companies' systems are technically different, which means that the cassettes can only be played on compatible equipment.

2. *The notified agreements*

- 8 The agreements at issue, which were operated with effect from 16 May 1975 and have since been discontinued (see paragraph 20 below), consisted of a basic 'agreement on uniform application of technical standards for the VCR system' together with a 'supplementary letter'.
 - 9 The preamble to the basic agreement first states that Philips markets video cassette recorders and video cassettes using the VCR system, which it developed. It points out that the other parties to the agreement also have an interest in marketing the equipment and have decided to use Philips' VCR system. It also provides, unlike the usual type of agreements on standards, for the adoption of the complete system of one of the parties (Philips) by the other parties.
 - 10 The preamble also claims that it is in the interest of the parties that the consumer should be able to use and play back the VCR video cassette on the equipment of as many manufacturers as possible without loss of quality. For this reason, as is set out below, the parties agreed to uniform application of the same technical standards, which are needed to ensure compatibility.
 - 11 The most important provisions of the basic agreement are found in paragraph 2, which provides for the exclusive use of VCR standards.
- The parties undertake to observe the technical standards laid down in Annex I to the agreement for the manufacture and/or distribution of video cassette recorders and video cassettes (see paragraph 2, read in conjunction with paragraph 1 (a) and (b) of the basic agreement). In 16 pages with 10 illustrations Annex I contains a description of the technical manufacturing standards for VCR magnetic videotape cassettes and videotape recorders. No change to these technical standards may be made without the consent of all the parties (paragraph 3).

- 12 The parties grant each other royalty-free, non-exclusive and non-transferable licences under their patents and patent applications affecting compatibility, where this is needed to ensure compatibility (paragraph 4).
- 13 Other manufacturers of VCR machines and companies associated with the original parties — including those outside Germany — are free to become parties to the agreement (paragraph 5). The parties accept that their obligations are not to be circumvented by the intervention of companies associated with them (paragraph 7).
- 14 The agreement entered into force upon notification to the Bundeskartellamt, Berlin, on 16 May 1975 and was to have effect in the first instance until 31 December 1975. Thereafter the agreement was to be extended by two-year periods unless any of the parties terminated it, giving not less than six months' notice before expiry. In the event of termination by one party the agreement would continue between the remaining parties. Within three months of such termination any other party could give notice that it wished to withdraw (paragraph 9 (1)).
- 15 Any party terminating the agreement forfeited licences under the patents of the other parties granted pursuant to paragraph 4. For the duration of the licences, the remaining parties retained their licences pursuant to paragraph 4 under the patents and patent applications of the terminating party, provided the first application (establishing priority) was filed before termination (paragraph 9 (3)).
- 16 In the 'supplementary letter to the agreement on uniform application of technical standards for the VCR system', which was signed at the same time as the agreement itself, the parties agreed to ensure that their associated companies outside Germany would likewise observe the obligations contained in paragraph 2 (observance of VCR standards) and paragraph 3 (allowing only agreed changes in the standards) when manufacturing and distributing video cassette recorders and video cassettes outside Germany (paragraph 1).
- 17 Any associated company outside Germany which observed the abovementioned obligations also benefited from the licences granted pursuant to paragraph 4, provided it granted equivalent licences under its own patents to the parties and their associated companies (paragraph 2).
3. *Other findings of fact; the undertakings' arguments*
- 18 (a) Philips has from time to time licensed other European and non-European undertakings to use its industrial property rights in VCR video cassettes and video cassette recorders. These licensing agreements were not notified to the Commission, and they are not at issue in this proceeding. None of these agreements contains an obligation on the part of the licensee to use only the VCR system when manufacturing video cassettes and video cassette recorders.
- 19 (b) Philips asserts that the obligation on the contracting parties contained in paragraph 2 of the basic agreement to manufacture and distribute only VCR cassettes and recorders can be justified as the *quid pro quo* for the royalty-free licences. The only way the VCR system could be assured of a firm foothold on the market was to make it impossible for licensees to change over to another manufacturer's system while the agreement was in force.
- The same justification is advanced for the termination clause (paragraph 9 (3) of the basic agreement), whereby the terminating party forfeited all its licences while the remaining parties retained their licences under the patents of the terminating party.
- 20 (c) At a meeting on 23 March 1976, representatives of NV Philips' Gloeilampenfabrieken, Eindhoven, and of Philips GmbH, Hamburg, were informed by the Commission's representative that there were serious legal objections to the restrictive practices contained in the agreements. This was confirmed by letter dated 13 May 1976 from the competent Director in the Directorate-General for Competition to NV Philips' Gloeilampenfabrieken. After receiving the Commission's statement of objections dated 16 June 1977, the under-

takings concerned negotiated the immediate cancellation of the notified agreements. They informed the Commission by letter of 5 September 1977 that the agreements had been terminated with immediate effect, but that they did not thereby admit the factual and legal arguments advanced by the Commission. The parties requested a termination of the proceedings, arguing that they had become groundless and refused the invitation to a hearing. The parties had, however, been warned that they were still to expect a Commission decision establishing infringements of Article 85 (1), even if only in respect of infringements which had now ceased.

II

Applicability of Article 85 (1)

- 21 It is accepted that the agreements notified to the Commission were cancelled with immediate effect, as stated by the parties in their letter dated 5 September 1977. However, in view in particular of the legal arguments advanced by the parties, there is still a clear interest in establishing whether the restrictive practices in issue did in fact fall within Article 85 (1).
- 22 Article 85 (1) prohibits as incompatible with the common market all agreements between undertakings which may affect trade between Member States and which have as their object or effect the prevention, restriction or distortion of competition within the common market, in particular those which, in the words of Article 85 (1) (b), limit or control production, markets, technical development, or investment.
- 23 The 'agreement on uniform application of technical standards for the VCR system' (basic agreement), together with the 'supplementary letter', constituted agreements between undertakings for the purpose of Article 85 (1).

The agreements contained clauses which had as their object the restriction of competition within the common market, and that in a rather unusual but relatively restrictive form.

1. Paragraph 2 of the basic agreement required the parties to observe the technical standards laid down in Annex I for the manufacture and distribution of video cassette recorders and video cassettes. As these standards were for the manufacture of VCR equipment, the parties were obliged to manufacture and distribute only cassettes and recorders conforming to the VCR system licensed by Philips. They were prohibited from changing to manufacturing and distributing other video cassette systems, Sony's U-MATIC for example, as long as these obligations continued. They were not even allowed to use other systems at the same time. This constituted a restriction of competition under Article 85 (1) (b), which was designed to limit the technical development, production and sale of other video cassette systems.

- 24 2. Of particular importance were the licensing provisions contained in the agreements, which in fact amounted to a horizontal complex of licensing agreements which should otherwise have been bilateral.

According to paragraph 9 (3) of the basic agreement a party terminating the agreement would forfeit immediately its licences (acquired by virtue of paragraph 4) under the patents of the other parties. On the other hand the remaining parties kept their licences under the patents of the terminating party. This constituted an additional restriction of competition, reinforcing the restriction arising from paragraph 2. In the first place, if a party was contemplating manufacturing another system after withdrawing from the agreement, its decision was rendered more difficult by the knowledge that it would no longer be able to use investments it had already made for the manufacture of the VCR system. Secondly, an undertaking contemplating such action must also have had to bear in mind that its own patents (e.g. patents for new applications and improvements), which might well be of use in the manufacture of another system, would still be exploited free of royalties by its former partners.

- 25 3. In view of the pre-eminent market position held by Philips, the leading licensor at the time, these restrictions of competition were particularly marked. The existing restriction on the freedom of action of Philips' partners

arising from the termination requirements would have been enough, given the relative strength of the companies, to dissuade them from any attempt to adopt another system.

- 26 The agreement was also likely to affect trade between Member States appreciably. All Philips' partners in the agreement are vigorous undertakings in the electronics industry with effective sales organizations in most Member States. The fact that their present market shares are low in comparison with that of Philips does not reduce the appreciable effect on trade. As this is a relatively new product, which has not by any means reached all potential customers, the firms' sales organization will be increasingly important in the further development of the market. It could justifiably be feared that the tying of these undertakings to the VCR systems would have substantial effects on inter-State trade.

III

Applicability of Article 85 (3)

- 27 The parties' request for termination of the proceedings also indicated that their request for an exemption under Article 85 (3) had thereby lapsed. In any event the conditions for an exemption under this provision were not satisfied.
- 28 1. Apart from its licensing provisions the 'agreement on the uniform application of technical standards for the VCR system' also contains provisions concerning the manufacture of products by means of the uniform application of a range of different technical standards necessary to manufacture a certain type of product.
- 29 The main provision concerning the uniform application of standards was to be found in paragraph 2 of the basic agreement (the observance of VCR standards). On the positive side, this requirement entirely achieved its main purpose: the use of VCR video-cassettes on the

machines of other manufacturers. To this extent it may have been assumed that there were advances in manufacture which led to an improvement in the distribution to the benefit of the consumer in that suitable video cassettes were made more readily available. In fact no significant improvement in production or distribution was achieved since compliance with the VCR standards led to the exclusion of other, perhaps better, systems. Such an exclusion was particularly serious in view of the pre-eminent market position enjoyed by Philips.

- 30 Moreover consumers were not allowed a fair share of the resulting benefits. For the agreement denied them the opportunity to buy video cassettes or video cassette recorders of a different system from any of the parties. The parties were not even in a position to offer the consumer cassettes or machines of another system which had been manufactured by firms outside the agreement. For the mere distribution of products which did not meet VCR standards was also forbidden them under paragraph 2 of the basic agreement.

- 31 At the same time restrictions were imposed upon the parties which were not indispensable to the attainment of these improvements. The compatibility of VCR video cassettes with the machines made by other manufacturers would have been ensured even if the latter had to accept no more than an obligation to observe the VCR standards when manufacturing VCR equipment. As much is evident from the less restrictive obligation which is all that is required by the separate licensing agreements that Philips has entered into with other European and non-European manufacturers.

- 32 2. In view of the foregoing it is not necessary to evaluate the licensing provisions in the basic agreement by reference to Article 85 (3). These restrictions would also have disqualified the agreement from exemption under Article 85 (3). Admittedly the agreement may have contributed to technical progress — as may often be the case with licensing agreements. And the combined technical efforts of the parties could be expected to lead to further rationalization, particularly with regard to the exchange of licences for patents for improvements and new

applications of inventions pursuant to paragraph 4 of the basic agreement. But the effective restriction of the parties' freedom of action arising out of the licensing arrangements in the event of termination (paragraph 9 (3) of the basic agreement) was not indispensable to the attainment of these objectives, so that Article 85 (3) was not applicable even if the negative effects of the exclusion of other systems were to be disregarded (see paragraphs 29 and 30 above),

HAS ADOPTED THIS DECISION :

Article 1

The provisions of paragraph 2, read in conjunction with paragraph 1 (a) and (b), and of paragraph 9 (3), of the 'agreements on uniform application of technical standards for the VCR system', which were notified to the Commission on 8 December 1975, constituted during the time they were in force (16 May 1975 to 5 September 1977) infringements of Article 85 (1) of the Treaty establishing the European Economic Community.

Article 2

This Decision is addressed to :

1. Blaupunkt Werke GmbH, Hildesheim, Federal Republic of Germany ;

2. Bosch-Siemens Hausgeräte, GmbH, Munich, Federal Republic of Germany ;
3. Grundig AG, Fürth, Bavaria, Federal Republic of Germany ;
4. Loewe Opta GmbH, Kronach, Federal Republic of Germany ;
5. Norddeutsche Mende Rundfunk KG, Bremen, Federal Republic of Germany ;
6. Schwarzwälder Apparate-Bau-Anstalt SABA-Werke, Villingen-Schwenningen, Federal Republic of Germany ;
7. Philips GmbH, Hamburg, Federal Republic of Germany ;
8. NV Philips' Gloeilampenfabrieken, Eindhoven, Netherlands.

Done at Brussels, 20 December 1977.

For the Commission

Raymond VOUEL

Member of the Commission

COMMISSION DECISION

of 13 January 1978

authorizing the Italian Republic to permit temporarily the marketing of seed
not complying with requirements of Council Directive 66/401/EEC

(78/157/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 66/401/EEC of 14
June 1966 on the marketing of fodder plant seed ⁽¹⁾,
as last amended by Council Directive 75/444/EEC of
26 June 1975 ⁽²⁾, and in particular Article 17 thereof,

Having regard to the request made by the Italian
Republic,

Whereas in Italy the production of tall fescue seed
and red clover seed complying with requirements of
the said Directive has been insufficient in 1977 and is
not adequate to supply the needs of that country;

Whereas it has not been possible to cover these needs
sufficiently with seed from other Member States or
even from third countries, meeting all the require-
ments laid down in the said Directive;

Whereas the Italian Republic should therefore be auth-
orized to permit, for a period expiring on 31 July
1978, the marketing of seed of the abovementioned
species of varieties not included in the common cata-
logue of varieties of agricultural plant species or
included in the national catalogues of varieties of the
Italian Republic, or of a category subject to less strin-
gent requirements;

Whereas it appears also desirable to authorize other
Member States which are able to supply the Italian
Republic with this seed not complying with require-
ments of the Directive to permit the marketing of
such seed provided that it is intended exclusively for
Italy;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Seed and Propagating Material for Agri-
culture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is authorized to permit for a
period expiring on 31 July 1978 the marketing in its
territory of a maximum of 300 tonnes of tall fescue
seed (*Festuca arundinacea* Schreb.) and of 800 tonnes
of red clover seed (*Trifolium pratense* L.) of the cate-
gory 'certified seed of the first generation' of varieties
not included in the common catalogue of varieties of
agricultural plant species or in its national catalogues
of varieties or of the category 'commercial seed'. The
official label shall state: 'intended exclusively for
Italy'.

Article 2

The other Member States are authorized to permit,
subject to the conditions laid down in Article 1, the
marketing in their territories of a maximum of 300
tonnes of tall fescue seed and of 800 tonnes of red
clover seed provided that such seed is intended exclu-
sively for Italy. The official label shall state: 'intended
exclusively for Italy'.

Article 3

The Member States shall notify the Commission
before 1 December 1978 of the quantities of seed
marketed in their territories pursuant to this Decision.
The Commission shall inform the other Member
States thereof.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 13 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2298/66.

⁽²⁾ OJ No L 196, 26. 7. 1975, p. 6.

COMMISSION DECISION

of 13 January 1978

authorizing the Italian Republic to permit temporarily the marketing of seed
not complying with requirements of Council Directive 66/402/EEC

(Only the Italian text is authentic)

(78/158/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 66/402/EEC of 14
June 1966 on the marketing of cereal seed ⁽¹⁾, as last
amended by Directive 75/444/EEC ⁽²⁾, and in parti-
cular Article 17 thereof,

Having regard to the request made by the Italian
Republic,

Whereas in the Italian Republic the production of
rice seed complying with the requirements of the said
Directive has been insufficient in 1977 and therefore
will not be adequate to meet that country's needs;

Whereas it is not possible sufficiently to cover this
demand with seed from other Member States or from
third countries, meeting all the requirements laid
down in the said Directive;

Whereas the Italian Republic should therefore be auth-
orized to permit, for a period expiring on 30 June
1978, the marketing of seed of the abovementioned
species of a category subject to less stringent require-
ments;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Seed and Propagating Material for Agri-
culture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is hereby authorized to permit,
for a period expiring on 30 June 1978, the marketing

in its territory of a maximum of 4 000 tonnes of rice
seed (*Oryza sativa* L.) of the categories 'certified seed
of the first generation' and 'certified seed of the
second generation' subject to less stringent require-
ments with regard to minimum germination capacity
laid down in Annex II to Directive 66/402/EEC,
under the following conditions:

- (a) the germination capacity is at least 75 % of pure
seed;
- (b) the official label shall be marked as follows:
 - 'minimum germination capacity 75 %',
 - 'intended exclusively for Italy'.

Article 2

The Italian Republic shall notify the Commission
before 1 November 1978 of the quantities of seed
marketed in its territory pursuant to this Decision.
The Commission shall inform the other Member
States thereof.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 13 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽²⁾ OJ No L 196, 26. 7. 1975, p. 6.

COMMISSION DECISION

of 13 January 1978

authorizing the Federal Republic of Germany to permit temporarily the marketing of seed not complying with requirements of Council Directive 66/401/EEC

(78/159/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed⁽¹⁾, as last amended by Council Directive 75/444/EEC of 26 June 1975⁽²⁾, and in particular Article 17 thereof,

Having regard to the request made by the Federal Republic of Germany,

Whereas in Germany the production of red clover seed complying with requirements of the said Directive has been insufficient in 1977 and therefore will not be adequate to meet that country's needs;

Whereas it has not been possible to cover these needs sufficiently with seed from other Member States or even from third countries, meeting all the requirements with regard to variety;

Whereas the Federal Republic of Germany should therefore be authorized to permit, for a period expiring on 31 July 1978, the marketing of seed of the abovementioned species of varieties not included either in the common catalogue of varieties of agricultural plant species or in the national catalogues of varieties of the Federal Republic of Germany;

Whereas it appears also desirable to authorize other Member States which are able to supply the Federal Republic of Germany with this seed not complying with requirements of the Directive to permit the marketing of such seed provided that it is intended for Germany;

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

HAS ADOPTED THIS DECISION:

Article 1

The Federal Republic of Germany is hereby authorized to permit for a period expiring on 31 July 1978 the marketing in its territory of a maximum of 300 tonnes of red clover seed (*Trifolium pratense* L.) of the category 'certified seed of the first generation' of varieties not included either in the common catalogue of varieties of agricultural plant species or in its national catalogues of varieties. The official label shall state: 'intended exclusively for Germany'.

Article 2

The other Member States are authorized to permit, subject to the conditions laid down in Article 1, the marketing in their territories of a maximum of 300 tonnes of red clover seed, provided that it is intended exclusively for Germany. The official label shall state: 'intended exclusively for Germany'.

Article 3

The Member States shall notify the Commission before 31 December 1978 of the quantities of seed marketed in their territories pursuant to this Decision. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 13 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2298/66.

⁽²⁾ OJ No L 196, 26. 7. 1975, p. 6.

COMMISSION DECISION

of 13 January 1978

amending Commission Decision 77/783/EEC authorizing the Italian Republic to permit temporarily the marketing of seed not complying with requirements of Council Directive 66/402/EEC

(Only the Italian text is authentic)

(78/160/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽¹⁾, as last amended by Directive 75/444/EEC⁽²⁾, and in particular Article 17 thereof,

Having regard to the request made by the Italian Republic,

Whereas the Commission has authorized, by Decision 77/783/EEC of 24 November 1977⁽³⁾, the Italian Republic to permit the marketing of 8 000 tonnes of rice seed of a category subject to less stringent requirements with regard to the maximum number of red grains;

Whereas it has turned out that this country's seed needs can only be assured if the requirements of germination capacity are also relaxed for a part of the abovementioned quantity;

Whereas the abovementioned Decision should be amended accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

1. In Article 1 of Commission Decision 77/783/EEC the figure '8 000' shall be replaced by the figure '4 000'.

2. The following Article 1a shall be added after Article 1:

Article 1a

The Italian Republic is hereby authorized to permit for a period expiring on 30 June 1978 the marketing in its territory of a maximum of 4 000 tonnes of rice seed (*Oryza sativa* L.) of the category "certified seed of the second generation" subject to less stringent requirements with regard to minimum germination capacity and with regard to the maximum number of red grains laid down in Annex II to Directive 66/402/EEC, under the following conditions:

- (a) the number of red grains per 500 grams shall not exceed 10;
- (b) the germination capacity shall be at least 75 % of pure seed;
- (c) the official label shall be marked as follows:
 - "maximum number of red grains: 10 per 500 grams",
 - "minimum germination capacity 75 %",
 - "intended exclusively for Italy".

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 13 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 125, 11. 7. 1966, p. 2309/66.

⁽²⁾ OJ No L 196, 26. 7. 1975, p. 6.

⁽³⁾ OJ No L 327, 20. 12. 1977, p. 39.

COMMISSION DECISION

of 16 January 1978

authorizing the French Republic not to apply Community treatment to toys of wood and other (except motors and movement mechanisms for toys and working models used for recreational purposes, and parts thereof) falling within subheadings 97.03 A and ex B of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States

(Only the French text is authentic)

(78/161/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 10 January 1978 by the French Government to the Commission by telex from the office of its Permanent Representative to the European Communities, for authorization not to apply Community treatment to toys of wood and other (except motors and movement mechanisms for toys and working models used for recreational purposes, and parts thereof) falling within subheadings 97.03 A and ex B of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States,

Whereas since the application of Article 115, the importation into France of the product in question originating in Japan is subject to an annual quota;

Whereas differences in the measures of commercial policy taken in connection with these products by France and by the other Member States as regards Japan are giving rise to deflection of trade;

Whereas this deflection of trade is preventing the execution of the abovementioned measures of commercial policy currently being taken by France as regards Japan, in particular to protect the industry concerned where reconstruction is currently in progress;

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

Whereas authorization should be given, for a limited period, 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 ⁽¹⁾, and in particular Article 1 thereof;

Whereas a uniform system of imports could be adopted for the products in question as part of a common commercial policy as regards Japan;

Whereas the period of validity of the protective measures should expire upon the introduction of such a system,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to imports of toys of wood and other (except motors and movement mechanisms for toys and working models used for recreational purposes, and parts thereof) falling within subheadings 97.03 A and ex B of the Common Customs Tariff, where they originate in Japan and are in free circulation in the other Member States, and in respect of which applications for import licences lodged after 1 January 1978 are, on the date of this Decision, pending with the French authorities.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 16 January 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 16 January 1978

authorizing the French Republic not to apply Community treatment to raincoats for men and women, falling within heading Nos ex 61.01 and ex 61.02 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States

(Only the French text is authentic)

(78/162/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 5 January 1978 by the French Government to the Commission 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 raincoats for men and women, falling within heading Nos ex 61.01 and ex 61.02 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in Hong Kong is the subject of an Agreement negotiated between the Community and Hong Kong;

Whereas, under the Agreement, Hong Kong has undertaken to take all necessary steps to limit its exports of certain textile products, including the products in question, to the Community to certain ceilings allocated among the Member States;

Whereas there are serious economic difficulties in the sector producing raincoats, resulting in a progressive decline of production and serious unemployment;

Whereas the indirect imports of the products in question would be likely to implicate the aims pursued by the abovementioned Agreement;

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

Whereas authorization should accordingly be given for a limited period 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 ⁽¹⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to imports of raincoats for men and women, falling within heading Nos ex 61.01 and ex 61.02 of the Common Customs Tariff, where they originate in Hong Kong and are in free circulation in the other Member States, and in respect of which applications for import licences lodged after 1 January 1978 are, on the date of this Decision, pending with the French authorities.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 16 January 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

EURONORMS

The Commission of the European Communities (ECSC) has published the following new EURONORMS in German, English, French, Italian and Dutch. The EURONORMS which are available up to the present in English are indicated by an asterisk (*).

Sales prices valid from 1 July 1976.

			Price in £
	Circulaire d'information n° 1	Échantillons types pour les analyses chimiques des produits sidérurgiques, 2 ^e édition (1974)	1.45
EURONORM	20-74	Définitions et classification des nuances d'aciers, 2 ^e édition	0.85
EURONORM	27-74	Désignation conventionnelle des aciers, 3 ^e édition	1.20
(*) EURONORM	92-75	Hot-rolled flats for spring leaves	0.60
EURONORM	94-73	Aciers pour roulements — Prescriptions de qualité	0.60
(*) EURONORM	107-75	Grain oriented magnetic sheet and strip	2.20
(*) EURONORM	117-75	Calibration of reference blocks for use with Rockwell hardness testing machines (B, C, N and T scales)	1.70
EURONORM	118-75	Méthodes de détermination des caractéristiques magnétiques des tôles magnétiques à l'aide du cadre Epstein de 25 cm	1.70
EURONORM	119-74	Aciers pour frappe à froid et extrusion à froid — Prescriptions de qualité — fasc. 1 à fasc. 5	4.40
(*) EURONORM	122-75	Verification of Rockwell hardness testing machines (B, C, N and T scales)	1.70
(*) EURONORM	123-75	High temperature tests — Creep test for steel	1.10

The following is a list of all the EURONORMS so far published :

EURONORM	1-55	Fontes et ferro-alliages	1.35
EURONORM	2-57	Essai de traction pour l'acier	0.85
EURONORM	3-55	Essai de dureté Brinell pour l'acier	0.60
EURONORM	4-55	Essai de dureté Rockwell échelles B et C pour l'acier	0.60
EURONORM	5-55	Essai de dureté Vickers pour l'acier	0.60
EURONORM	6-55	Essai de pliage pour l'acier	0.60
EURONORM	7-55	Essai de résilience Charpy pour l'acier	0.60
EURONORM	8-55	Valeurs de conversion approximatives de la durée et de la résistance à la traction de l'acier	0.60
EURONORM	9-55	Valeurs de conversion approximatives des allongements après rupture de l'acier	0.60
EURONORM	10-55	Valeurs de conversion approximatives des résiliences de l'acier	0.60
EURONORM	11-55	Essai de traction sur tôles et feuillards en acier d'une épaisseur de 0,5 mm inclus à 3 mm exclu	0.75
EURONORM	12-55	Essai de pliage des tôles et feuillards en acier d'épaisseur inférieure à 3 mm	0.60
EURONORM	13-55	Essai de pliage alterné des tôles et feuillards en acier d'épaisseur inférieure à 3 mm	0.60
EURONORM	14-67	Essai d'emboutissage à flans bloqués	0.60
EURONORM	15-70	Fil machine en acier non allié d'usage général, destiné au tréfilage ou à l'étirage — Examen de la surface	0.60
EURONORM	16-70	Fil machine en acier non allié d'usage général, destiné au tréfilage ou à l'étirage — Nuances et qualités	0.75
EURONORM	17-70	Fil machine en acier non allié d'usage général, destiné au tréfilage ou à l'étirage — Dimensions et tolérances	1.60
EURONORM	18-57	Prélèvements et préparation des échantillons et des éprouvettes	0.60
EURONORM	19-57	Poutrelles IPE — Poutrelles à ailes parallèles	0.60
EURONORM	21-62	Conditions générales techniques de livraison pour les produits en acier	0.60
EURONORM	22-70	Détermination ou vérification de la limite d'élasticité de l'acier à température élevée	0.75
EURONORM	23-71	Essai de trempabilité par trempe en bout de l'acier — Essai Jominy	1.35
EURONORM	24-62	Poutrelles normales et profilés en U normaux — Tolérances de laminage	0.60
EURONORM	25-72	Aciers de construction d'usage général	1.85
EURONORM	26-63	Essais conventionnels de dureté Rockwell pour tôles et feuillards minces en acier	0.60
EURONORM	28-69	Tôles et bandes en aciers non alliés pour chaudières et appareils soumis à pression — Nuances et qualités	1.20

EURONORM	29-69	Tôles en acier laminées à chaud d'épaisseur égale ou supérieure à 3 mm — Tolérances sur les dimensions, la forme et le poids	0-85
EURONORM	30-69	Demi-produits pour forges en aciers de construction d'usage général — Nuances et qualités	1-00
EURONORM	31-69	Demi-produits pour forges — Tolérances sur les dimensions, la forme et le poids	0-60
EURONORM	32-66	Tôles minces en acier doux non allié pour emboutissage ou pliage à froid — Norme de qualité	1-10
EURONORM	33-70	Tôles et larges bandes d'épaisseur inférieure à 3 mm, en acier doux non allié pour emboutissage ou pliage à froid — Tolérances sur les dimensions et sur la forme	0-75
EURONORM	34-62	Poutrelles à larges ailes à faces parallèles — Tolérances de laminage	0-60
EURONORM	35-62	Barres et laminés marchands d'usage courant — Tolérances de laminage	0-60
EURONORM	36-62	Analyse chimique des matériaux sidérurgiques — Dosage du carbone total dans les aciers et les fontes — Méthode gravimétrique après combustion dans un courant d'oxygène	0-60
EURONORM	37-62	Analyse chimique des matériaux sidérurgiques — Dosage du carbone total dans les aciers et les fontes — Méthode gazométrique après combustion dans un courant d'oxygène	0-75
EURONORM	38-62	Analyse chimique des matériaux sidérurgiques — Dosage du carbone de trempe et du graphite dans les aciers et les fontes — Méthode gravimétrique et volumétrique après combustion dans un courant d'oxygène	0-60
EURONORM	39-62	Analyse chimique des matériaux sidérurgiques — Dosage du manganèse dans les aciers et les fontes — Méthode titrimétrique après oxydation au persulfate	0-60
EURONORM	40-62	Analyse chimique des matériaux sidérurgiques — Dosage du silicium total dans les aciers et les fontes — Méthode gravimétrique	0-60
EURONORM	41-65	Analyse chimique des matériaux sidérurgiques — Dosage du phosphore dans les aciers et les fontes — Méthode alcalimétrique	0-60
EURONORM	42-66	Analyse chimique des matériaux sidérurgiques — Dosage du soufre dans les aciers et les fontes — Méthode après combustion dans un courant d'oxygène	0-75
EURONORM	43-72	Tôles et bandes en aciers alliés pour chaudières et appareils soumis à pression — Nuances et qualités	1-10
EURONORM	44-63	Poutrelles IPE laminées à chaud — Tolérances de laminage	0-60
EURONORM	45-63	Essai de choc sur éprouvette bi-appuyée à entaille en V	0-60
EURONORM	46-68	Feuillards à chaud en aciers doux non alliés — Norme de qualité, prescriptions générales	1-10
EURONORM	47-68	Feuillards à chaud en aciers de construction d'usage général — Norme de qualité	1-10
EURONORM	48-65	Feuillards laminés à chaud en aciers non alliés — Tolérances sur les dimensions, la forme et le poids	0-60
EURONORM	49-72	Mesure de la rugosité des produits minces en acier laminés à froid et non revêtus	0-60
EURONORM	50-72	Analyse chimique des matériaux sidérurgiques — Dosage de l'azote dans les aciers — Méthode spectrophotométrique	0-85
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Tour Europe, Cedex 7, 92 080 Paris - La Défense

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Ente nazionale italiano di unificazione — UNI —
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Nederlands Normalisatie-Instituut — NNI —
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