

Official Journal

of the European Communities

ISSN 0378-6978

L 104

Volume 21

18 April 1978

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 769/78**of 17 April 1978****fixing the import levies on cereals and on wheat or rye flour groats and meal**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 2560/77⁽²⁾, and in particular
Article 13(5) thereof,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 1729/77⁽³⁾ and subsequent amending
Regulations ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 18 April
1978.

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

Done at Brussels, 17 April 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 April 1978 fixing the import levies on cereals and on wheat or rye flour groats and meal

CCT heading No	Description	(u.a./tonne)
		Levies
10.01 A	Common wheat, and meslin	86.72
10.01 B	Durum wheat	130.32 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	80.73 ⁽⁶⁾
10.03	Barley	75.89
10.04	Oats	76.77
10.05 B	Maize, other than hybrid maize for sowing	69.75 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	77.40 ⁽⁴⁾
10.07 C	Grain sorghum	78.04 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	133.34
11.01 B	Rye flour	124.94
11.02 A I a)	Durum wheat groats and meal	213.09
11.02 A I b)	Common wheat groats and meal	142.61

⁽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 770/78**of 17 April 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 April
1978.

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

Done at Brussels, 17 April 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 April 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 4	1st period 5	2nd period 6	3rd period 7
10.01 A	Common wheat, and meslin	0	0.16	0.16	0.48
10.01 B	Durum wheat	0	0	0	0.23
10.02	Rye	0	0	0	0.64
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	1.29	1.29	3.22
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	1.29	1.29	0.64
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0.22	0.22	0.68

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0.28	0.28	0.85	0.85
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0.21	0.21	0.64	0.64
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 771/78

of 17 April 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 international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

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

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

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

— the economic aspect of the proposed exports;

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

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

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

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

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 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 April 1978.

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

Done at Brussels, 17 April 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 April 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

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01 (cont'd)	II. Exceeding 21 % but not exceeding 45 % : (a) Of a fat content, by weight, not exceeding 39 % (b) Of a fat content, by weight, exceeding 39 % III. More than 45 % : (a) Of a fat content, by weight, not exceeding 68 % (b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 % (c) Of a fat content, by weight, exceeding 80 %	0300 10 0300 20 0400 11 0400 22 0400 30	42.47 73.41 83.72 123.24 143.87
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 % 2. Exceeding 1.5 % but not exceeding 27 % : (aa) Of a fat content, by weight, not exceeding 11 % (bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (dd) Of a fat content, by weight, exceeding 25 % 3. Exceeding 27 % but not exceeding 29 % 4. Exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 41 % (bb) Of a fat content, by weight, exceeding 41 % 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 % 2. Exceeding 1.5 % but not exceeding 27 % : (aa) Of a fat content, by weight, not exceeding 11 % (bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (dd) Of a fat content, by weight, exceeding 25 % 3. Exceeding 27 % but not exceeding 29 % 4. Exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 41 % (bb) Of a fat content, by weight, exceeding 41 %	 0620 00 0720 00 0720 20 0720 30 0720 40 0820 00 0920 10 0920 20 1020 00 1120 10 1120 20 1120 30 1120 40 1220 00 1320 10 1320 20	 64.85 64.85 76.80 82.77 90.67 92.66 94.62 106.49 64.85 64.85 76.80 82.77 90.67 92.66 94.62 106.49

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 % : 1. Of a fat content, by weight, not exceeding 8.9 % and of a lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight 1420 12 — (22) Exceeding 3 %, by weight 1420 22 For exports to : — Countries near the Community 5.71 — Other destinations 7.32 (bb) Of 15 % or more and of a fat content : (11) Not exceeding 3 %, by weight 1420 50 — (22) Exceeding 3 %, by weight, but not exceeding 7.4 % 1420 60 14.44 (33) Exceeding 7.4 % 1420 70 19.39 2. Other, of a lactic dry matter content : (aa) Of less than 15 %, by weight 1520 10 15.14 (bb) Of 15 % or more, by weight 1520 20 23.00 b) Other, of a fat content, by weight : 1. Not exceeding 45 % and of a lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight 1620 70 — (22) Exceeding 3 %, by weight, but not exceeding 8.9 % 1630 00 5.71 (33) Exceeding 8.9 %, by weight, but not exceeding 11 % 1630 10 15.14 (44) Exceeding 11 %, by weight, but not exceeding 21 % 1630 20 23.56 (55) Exceeding 21 %, by weight, but not exceeding 39 % 1630 30 42.47 (66) Exceeding 39 % 1630 40 73.41 (bb) Of 15 % or more and of a fat content : (11) Not exceeding 3 %, by weight 1630 50 — (22) Exceeding 3 %, by weight, but not exceeding 7.4 % 1630 60 14.44 (33) Exceeding 7.4 %, by weight, but not exceeding 8.9 % 1630 70 19.39 (44) Exceeding 8.9 % 1630 80 23.00 2. Exceeding 45 % 1720 00 83.72 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 % 2220 00 0.6485 (1) per kg		

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2320 10	0.6485 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2320 20	0.7680 ⁽¹⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2320 30	0.8277 ⁽¹⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2320 40	0.9067 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2420 10	0.9266 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2420 20	1.0649 ⁽¹⁾ per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2520 00	0.6485 ⁽¹⁾ per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2620 10	0.6485 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0.7680 ⁽¹⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	0.8277 ⁽¹⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2620 40	0.9067 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2720 10	0.9266 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2720 20	1.0649 ⁽¹⁾ per kg
	ex II. Milk and cream, excluding whey other than in powder or granules :		
	ex a) In hermetically sealed cans of a net capacity of 454 grams or less and of a fat content, by weight, not exceeding 9.5 % :		
	(1) Of a fat content, by weight, not exceeding 6.9 % and of a lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	2810 11	— ⁽¹⁾ per kg
	(22) Exceeding 3 %, by weight	2810 12	
	for exports to :		
	— Countries near the Community		0.0571 ⁽¹⁾ per kg
	— Other destinations		0.0732 ⁽¹⁾ per kg
	(bb) Of 15 % or more	2810 15	13.96 ⁽²⁾
	(2) Of a fat content, by weight, exceeding 6.9 % and of a lactic dry matter content, by weight, of 15 % or more	2810 20	23.80 ⁽²⁾

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	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 %	2910 70 2910 76 2910 80 2910 85 2910 90 3010 00	13.96 (*) 23.80 (*) 0.2356 (1) per kg 0.4247 (1) per kg 0.7341 (1) per kg 0.8372 (1) per kg
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 % (II) Of a fat content, by weight, of 78 % or more but less than 80 % (III) Of a fat content, by weight, of 80 % or more but less than 82 % (IV) Of a fat content, by weight, of 82 % or more B. Other, of a fat content, by weight : (I) Not exceeding 99.5 % (II) Exceeding 99.5 %	3110 05 3110 16 3110 22 3110 32 3210 10 3210 20	120.79 151.96 155.85 159.75 159.75 206.90
04.04	Cheese and curd (5) : ex A. Emmentaler and Gruyère, not grated or powdered : II. Other for exports to : — Zone D — Zone E — Canada — Liechtenstein and Switzerland — Austria — Other destinations ex C. Blue-veined cheese, not grated or powdered, other than Roquefort for exports to : — Austria — Zone D — Zone E — Canada — Other destinations	3800 00 4000 00	60.00 — 53.00 — 46.46 90.71 26.91 85.80 34.38 46.40 74.86

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	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 % for exports to : — Austria 9.97 — Zone D 17.97 — Zone E 17.89 — Canada 16.28 — Switzerland 5.30 — Other destinations 30.63 (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 : — 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 : — 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 : — Austria 9.97 — Zone D 17.97 — Zone E 17.89 — Canada 16.28 — Switzerland 5.30 — Other destinations 30.63	4410 10 4410 20 4410 30 4410 40	

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Of 20 % or more but less than 40 %	4410 50	
	for exports to :		
	— 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	4410 60	
	for exports to :		
	— 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 %	4510 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
	(bb) Of 38 % or more but less than 43 %	4510 20	
	for exports to :		
	— 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 but less than 46 %	4510 30	
	for exports to :		
	— Austria		21.52
	— Zone D		38.80
	— Zone E		38.46
	— Canada		35.13
	— Switzerland		11.44
	— Other destinations		66.37

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(dd) Of 46 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 55 % for exports to :	4510 40	
	— Austria		21.52
	— Zone D		38.80
	— Zone E		38.46
	— Canada		35.13
	— Switzerland		11.44
	— Other destinations		66.37
	(22) Of 55 % or more for exports to :	4510 50	
	— Austria		25.52
	— Zone D		46.03
	— Zone E		45.64
	— Canada		41.81
	— Switzerland		13.58
	— Other destinations		78.79
	b) Exceeding 36 % for exports to :	4610 00	
	— Austria		25.52
	— Zone D		46.03
	— Zone E		45.64
	— Canada		41.81
	— Switzerland		13.58
	— Other destinations		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 :	4710 11	
	— Zone D		116.64
	— Zone E		81.50
	— Canada		98.00
	— Switzerland		91.64
	— Other destinations		116.64
	(2) Fiore Sardo, Pecorino for exports to :	4710 16	
	— Zone D		125.27
	— Zone E		92.50
	— Canada		99.50
	— Switzerland		100.27
	— Other destinations		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 :	4710 22	
	— Zone D		116.64
	— Zone E		81.50
	— Canada		98.00
	— Switzerland		91.64
	— Other destinations		116.64

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	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 30.07 — Zone D 59.61 — Zone E — — Canada 33.00 — Switzerland 16.00 — Other destinations 84.50 ex 5. Other, of a fat content, by weight, in the dry matter : (aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey) for exports to : — Austria 17.48 — Zone D 18.93 — Zone E — — Canada 15.40 — Switzerland 3.99 — Other destinations 32.43 (bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey) for exports to : — Austria 20.09 — Zone D 21.76 — Zone E — — Canada 33.14 — Switzerland 4.40 — Other destinations 54.54 (cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % (excluding cheeses produced from whey) for exports to : — Austria 23.95 — Zone D 25.93 — Zone E — — Canada 39.30 — Switzerland 4.73 — Other destinations 66.12 (dd) Of 39 % or more : (11) Asiago, Caciocavallo, Provolone, Ragusano for exports to : — Zone D 99.28 — Zone E 87.00 — Canada 92.50 — Switzerland 35.29 — Other destinations 116.23	4850 00 5120 12 5120 16 5120 22 5120 31	

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 'cont'd)	(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 — Switzerland — Zone E — Canada — Other destinations (bbb) Exceeding 52 % but not exceeding 62 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations 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 — Canada — Other destinations (2) Of 85 % or more but less than 95 % for exports to : — Zone E — Canada — Other destinations (3) Of 95 % or more for exports to : — Zone E — Canada — Other destinations	5120 87 5120 92 5310 11 5310 22 5310 31	59.61 15.00 53.08 67.50 85.00 37.01 63.93 35.60 52.90 16.96 77.12 . 25.00 37.50 56.25 30.00 43.50 70.59 35.00 49.00 82.26
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : ex B. Other, containing starch, glucose or glucose syrup falling within sub-headings 17.02 B and 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 772/78

of 17 April 1978

amending Regulation (EEC) No 2793/76 as regards certain arrangements concerning the taking over by the buyers of frozen beef made available to the Italian intervention agency

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⁾,

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 the intervention agencies of other Member States⁽³⁾, as last amended by Regulation (EEC) No 2584/77⁽⁴⁾, and in particular Article 1 (2) thereof,

Whereas Article 3 (1) (b) 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⁽⁵⁾, as last amended by Regulation (EEC) No 338/78⁽⁶⁾, provides that no security is required on the lodging of applications to purchase the meat in question; whereas in the absence of additional provisions the fact that a security is not lodged risks giving rise to abuses; whereas consequently arrangements should be made to prevent such abuses and to ensure that all

purchases can get supplies as far as the quantities available permit;

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

The following subparagraph is hereby added to Article 4 of Regulation (EEC) No 2793/76:

'If the purchaser has not taken over the goods on the expiry of the time limit fixed by Article 5 (1) of Regulation (EEC) No 216/69, he may introduce no further demands under this Regulation. In that case, if, before the time limit referred to above, applications to purchase have been made by other purchasers for the same goods, these applications shall be considered as being lodged at the same time and may be accepted as far as the quantity available permits.'

Article 2

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 April 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 279, 9. 10. 1976, p. 3.

⁽⁴⁾ OJ No L 301, 25. 11. 1977, p. 6.

⁽⁵⁾ OJ No L 319, 19. 11. 1976, p. 24.

⁽⁶⁾ OJ No L 47, 18. 2. 1978, p. 33.

COMMISSION REGULATION (EEC) No 773/78

of 17 April 1978

amending for the second time Regulation (EEC) No 2788/77 fixing the free-at-frontier reference prices applicable to wine imports from 16 December 1977

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2506/75 of 29 September 1975 laying down special rules for the importation of products in the wine-growing sector originating in certain third countries⁽¹⁾, as amended by Regulation (EEC) No 1166/76⁽²⁾, and in particular Article 5 (2) thereof,

Whereas Regulation (EEC) No 2506/75 lays down special rules relating to the importation of certain wine products; whereas Commission Regulation (EEC) No 1393/76 of 17 June 1976⁽³⁾, as last amended by Regulation (EEC) No 688/78⁽⁴⁾, lays down detailed rules to this end; whereas, in accordance with Article 5 (2) of Regulation (EEC) No 2506/75, the Commission fixes the free-at-frontier reference prices;

Whereas the free-at-frontier reference prices for certain products were fixed by Commission Regulation (EEC) No 2788/77 of 13 December 1977⁽⁵⁾, as amended by Regulation (EEC) No 2915/77⁽⁶⁾; whereas, following the revision of the reference prices for liqueur wines, this Regulation should be amended

by an Annex fixing the free-at-frontier reference prices for those products,

HAS ADOPTED THIS REGULATION:

Article 1

1. In the Annex to Regulation (EEC) No 2788/77, the following subheadings and the free-at-frontier reference prices relating thereto are hereby deleted:

- 22.05 C II a) (3),
- 22.05 C II b) (3) (aa) and (bb),
- 22.05 C III a) 2 (aa) (11) and (22),
- 22.05 C III b) 3 (aa) (11) and (22),
- 22.05 C IV a) 2 (aa) (11) and (22),
- 22.05 C IV b) 3 (aa) (11) and (22),
- 22.05 C V a) (3), and
- 22.05 C V b) (2) (aa) and (bb).

2. The Annex hereto is hereby added to the Annex to Regulation (EEC) No 2788/77.

Article 2

This Regulation shall enter into force on 1 May 1978.

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

Done at Brussels, 17 April 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 256, 2. 10. 1975, p. 2.

⁽²⁾ OJ No L 135, 24. 5. 1976, p. 41.

⁽³⁾ OJ No L 157, 18. 6. 1976, p. 20.

⁽⁴⁾ OJ No L 93, 7. 4. 1978, p. 14.

⁽⁵⁾ OJ No L 321, 16. 12. 1977, p. 7.

⁽⁶⁾ OJ No L 340, 29. 12. 1977, p. 20.

ANNEX

Free-at-frontier reference price for liqueur wines together with liqueur wines for processing into products other than those falling within heading No 22.05

Note: In the case of imported wines not enjoying preferential tariff concessions, the amounts shown in the column 'other third countries' are applicable.

CCT heading No	Description	Free-at-frontier reference price (u.a./hl)							
		Algeria	Morocco and Tunisia	Spain	Malta	Turkey	Portugal	Hungary	Other third countries
22.05 C II a)	Liqueur wine	60.20	60.20		59.50	54.60			49.00
22.05 C II b)	Liqueur wine :								
	(aa) Intended for processing into products other than those falling within heading No 22.05		34.80			30.40			26.00
	(bb) Other	42.80	42.80			38.40			34.00
22.05 C III a) 1	Liqueur wine :								
	(aa) Port, Madeira and Setubal muscatel ⁽¹⁾ ⁽²⁾						60.60		52.50
	(bb) Sherry ⁽¹⁾ ⁽²⁾			60.60					52.50
	(cc) Tokay (Aszu and Szamorodni) ⁽²⁾							52.50	
22.05 C III a) 2	Liqueur wine :								
	(aa) Wine from Malaga ⁽¹⁾			57.50					49.00
	(bb) Other ⁽²⁾		62.60		61.70	55.80			49.00
22.05 C III b) 1	Liqueur wine :								
	(aa) Port, Madeira and Setubal muscatel ⁽¹⁾ ⁽²⁾						42.50		37.00
	(bb) Sherry ⁽¹⁾ ⁽²⁾			42.50					37.00
22.05 C III b) 2	Liqueur wine :								
	— Tokay (Aszu and Szamorodni) ⁽²⁾							36.00	
22.05 C III b) 3	Liqueur wine :								
	(aa) Intended for processing into products other than those falling within heading No 22.05 ⁽²⁾		37.20			31.60			26.00
	(bb) Other ⁽²⁾		45.20			39.60			34.00
22.05 C IV a) 1	Liqueur wine :								
	(aa) Port, Madeira and Setubal muscatel ⁽¹⁾ ⁽³⁾						72.20		63.50
	(bb) Sherry ⁽¹⁾ ⁽³⁾			72.20					63.50
	(cc) Tokay (Aszu and Szamorodni) ⁽³⁾							63.50	
22.05 C IV a) 2	Liqueur wine :								
	(aa) Wine from Malaga ⁽¹⁾ ⁽³⁾			68.50					59.00
	(bb) Other ⁽³⁾		74.20		73.20	66.60			59.00
22.05 C IV b) 1	Liqueur wine :								
	(aa) Port, Madeira and Setubal muscatel ⁽¹⁾ ⁽³⁾						54.00		48.00
	(bb) Sherry ⁽¹⁾ ⁽³⁾			54.00					48.00
22.05 C IV b) 2	Liqueur wine :								
	— Tokay (Aszu and Szamorodni) ⁽³⁾							47.00	
22.05 C IV b) 3	Liqueur wine :								
	(aa) Intended for processing into products other than those falling within heading No 22.05 ⁽³⁾		46.20			38.60			31.00
	(bb) Other ⁽³⁾		56.20			48.60			41.00
22.05 C V a)	Liqueur wine ⁽⁴⁾		75.00			56.90			38.80
22.05 C V b)	Liqueur wine ⁽⁴⁾ :								
	(aa) Intended for processing into products other than those falling within heading No 22.05		49.00			34.90			20.80
	(bb) Other		59.00			44.90			30.80

¹⁾ Within a Community tariff quota.

²⁾ Including liqueur wines of an actual alcoholic strength of 15° and with a total dry extract exceeding 130 g but not exceeding 330 g per litre.

³⁾ Including wines of an actual alcoholic strength exceeding 15° but not exceeding 18° and with a total dry extract exceeding 130 g but not exceeding 330 g per litre.

⁴⁾ Including wines of an actual alcoholic strength not exceeding 22° and with a total dry extract exceeding 330 g per litre.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 February 1978

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to trousers for men, boys, women, girls and infants, of wool, cotton or man-made textile fibres, falling within heading No ex 61.01 or subheading ex 61.02 B of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(78/362/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 22 February 1978 by the Governments of the Benelux countries to the Commission of the European Communities for authorization not to apply Community treatment to trousers for men, boys, women, girls and infants, of wool, cotton or man-made textile fibres, falling within heading No ex 61.01 or subheading ex 61.02 B 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 covered by an Agreement negotiated between the Community and that country;

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

Whereas it was not possible on that occasion to allocate these ceilings on the basis of the needs of the

individual markets; whereas for that reason disparities persist between the import conditions in the various Member States; whereas uniformity can be achieved only progressively;

Whereas according to the application submitted there are serious difficulties in the industrial sector concerned, involving a considerable drop in production and employment and a progressive decline in its market share;

Whereas these economic difficulties are caused largely by unequal conditions of competition, whereby exports can be effected at prices appreciably lower than those of the Community products in question;

Whereas further indirect imports, in addition to those already effected, would be likely to aggravate these difficulties;

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

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

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

HAS ADOPTED THIS DECISION :

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are hereby authorized not to apply Community treatment to the products indicated below, 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 were lodged after the date of this Decision :

CCT heading No	Description
ex 61.01 or ex 61.02 B	Trousers for men, boys, women, girls and infants, of wool, cotton or man-made textile fibres

Article 2

This Decision shall apply until new opportunities arise for the importation of these products from Hong Kong or until 31 December 1978 whichever is the earlier.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 28 February 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION DECISION

of 15 March 1978

authorizing the Italian Republic not to apply Community treatment to new tyre cases and tubeless tyres, falling within heading No ex 40.11 of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States

(Only the Italian text is authentic)

(78/363/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 8 March 1978 by the Italian Government to the Commission of the European Communities for authorization not to apply Community treatment to new tyre cases and tubeless tyres, falling within heading No ex 40.11 of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States,

Whereas in Italy the imports of the products in question originating in Japan is subject to an annual quota of \$ 250 000 ;

Whereas disparities in the commercial policy measures applied in connection with these products by the Member States are giving rise to deflection of trade, thus preventing the execution of those commercial policy measures which are in force because of the difficult economic situation in the sector concerned ;

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

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

HAS ADOPTED THIS DECISION :

Article 1

The Italian Republic is hereby authorized not to apply Community treatment to the products indicated below, where they originate in Japan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after the date of this Decision :

CCT heading No	Description
ex 40.11	New tyre cases and tubeless tyres

Article 2

This Decision shall apply until new opportunities arise for the importation of these products from Japan or until 30 September 1978 whichever is the earlier.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 15 March 1978.

For the Commission

Henk VREDELING

Vice-President

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 20 March 1978

authorizing the French Republic not to apply Community treatment to receivers, whether or not combined with a sound recorder or reproducer, falling within subheading ex 85.15 A III of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States

(Only the French text is authentic)

(78/364/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 17 March 1978 by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to receivers, whether or not combined with a sound recorder or reproducer, falling within subheading ex 85.15 A III of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States,

Whereas in France the imports of the products in question originating in Japan is subject to an annual quota which is currently being distributed ;

Whereas disparities in the commercial policy measures applied in connection with these products by the Member States are giving rise to deflection of trade, thus preventing the execution of those commercial policy measures which are in force because of the difficult economic situation in the sector concerned ;

Whereas according to the application submitted there are serious difficulties in the industrial sector concerned, involving a considerable drop in production and employment and a progressive decline in its market share ;

Whereas further indirect imports, in addition to those already effected, would be likely to aggravate these difficulties ;

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

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the condi-

tions specified in the Commission Decision of 12 May 1971 ⁽¹⁾ and in particular Article 1 thereof ;

Whereas, however, the request for a licence which gave rise to the application in question does not need to be covered by such an authorization in view of the small amount involved,

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is hereby authorized not to apply Community treatment to the products indicated below, where they originate in Japan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after the date of this Decision :

CCT heading No	Description
ex 85.15 A III	Receivers, whether or not combined with a sound recorder or reproducer

Article 2

This Decision shall apply until 30 June 1978.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 20 March 1978.

For the Commission

Antonio GIOLITTI

Member of the Commission

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DIRECTIVE

of 31 March 1978

adapting to technical progress for the second time Council Directive 71/318/EEC on the approximation of the laws of the Member States relating to gas volume meters

(78/365/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 71/316/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control⁽¹⁾, as amended by the Act of Accession, and in particular Articles 17, 18 and 19 thereof,

Having regard to Council Directive 71/318/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to gas volume meters⁽²⁾, as amended by Commission Directive 74/331/EEC⁽³⁾,

Whereas, in view of technical developments in the field in question, it is necessary to amend Directive 71/318/EEC ;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of Directives Concerning the Elimination of Technical Barriers to Trade in Measuring Instruments,

HAS ADOPTED THIS DIRECTIVE :

Article 1

In the Annex to Directive 71/318/EEC, Items I.B.3, I.B.4.1, I.B.8.2.3, I.B.9, II.6.3, III.2, III.4 and III.5 are

hereby amended in accordance with the corresponding Sections in the Annex hereto.

Items II.5.2, II.7.2.7 and III.6.2.3 contained in the Annex hereto are hereby added to the Annex to Directive 71/318/EEC.

Article 2

1. Member States shall adopt the laws, regulations and administrative provisions needed in order to comply with this Directive in such a manner that these provisions shall take effect one year after the date of notification of this Directive, and shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 31 March 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 202, 6. 9. 1971, p. 1.

⁽²⁾ OJ No L 202, 6. 9. 1971, p. 21.

⁽³⁾ OJ No L 189, 12. 7. 1974, p. 9.

ANNEX

CHAPTER I.B

3. Additional devices

3.1. Gas volume meters may be fitted with :

- (a) prepayment devices ;
- (b) integral pulse generators the outlets of which must bear an indication of the value of one pulse in the form :

'1 imp. $\hat{=}$... m³ (or dm³)' or
 '1 m³ $\hat{=}$... imp.'

These additional devices, where fitted, are regarded as forming an integral part of the meter ; they should be connected to the gas volume meter at the time of EEC initial verification. There are no separate requirements regarding their effects on the measuring properties of the meters.

3.2. Gas meters may be fitted with output drive shafts which should be taken to include drive shafts or other facilities for operating detachable additional devices. The torque which the gas meters are required to produce in order to drive the additional devices fitted must not bring about any changes in the meter indication greater than the values specified in Sections II.5.2.1 and III.5.2.1.

3.2.1. If there is only one drive shaft, it must be characterized by an indication of its constant in the form '1 tr $\hat{=}$... m³ (or dm³)', of the maximum permissible torque in the form 'M_{max} = ... N.mm' and of the direction of rotation.

3.2.2. If there are several drive shafts, each shaft must be characterized by the letter M with subscript in the form 'M₁ ; M₂ ; ... M_n', as well as by an indication of its constant in the form '1 tr $\hat{=}$... m³ (or dm³)' and of the direction of rotation.

The following formula must appear on the meter, preferably on the data plate :

$$k_1 M_1 + k_2 M_2 + \dots + k_n M_n \leq A \text{ N.mm,}$$

in which :

A represents the numerical value of the maximum permissible torque applied to the drive shaft with the highest constant, where the torque is applied only to this shaft ; this shaft must be characterized by the symbol M₁ ;

k_i (i = 1 ; 2 ; ... n) represents a numerical value determined as follows : $k_i = \frac{C_1}{C_i}$;

M_i (i = 1 ; 2 ; ... n) represents the torque applied to the drive shaft characterized by the symbol M_i ;

C_i (i = 1 ; 2 ; ... n) represents the constant for the drive shaft characterized by the symbol M_i.

3.2.3. The extremity of the drive shafts must be protected by means of a sealed cap or by means of a sealed connection between any additional device and the meter.

3.2.4. The connection between the measuring device and the intermediate gearing must not be broken or altered if a torque equal to three times the permissible torque as laid down in Sections I.B.3.2.1 and I.B.3.2.2 is applied.

4. Inscriptions

4.1. Each meter must bear the following inscriptions, either on the dial plate or on a special data plate or divided between the two :

- (a) the EEC type-approval mark ;
- (b) the identification mark or name of the manufacturer ;

- (c) the number and year of manufacture of the meter;
- (d) the size designation of the meter: this has the form of a capital G followed by a number which is laid down in Chapter II or III;
- (e) the maximum flow expressed as: $Q_{\max} \dots \text{m}^3/\text{h}$;
- (f) the minimum flow expressed as: $Q_{\min} \dots \text{m}^3/\text{h}$ (or dm^3/h);
- (g) the maximum operating pressure expressed as: $p_{\max} \dots \text{MPa}$ (or kPa or Pa or bar or mbar);
- (h) for volumetric meters, the nominal value of the cyclic volume expressed as: $V \dots \text{m}^3$ (or dm^3);
- (i) where appropriate, the inscriptions mentioned in Sections I.B.3.1 and I.B.3.2; these inscriptions may, however, be made on other plates or on the meter itself.

These inscriptions must be clearly visible, easily legible and indelible under the normal conditions of use of the meter.

8.2.3. Locations should be provided for verification marks or seals:

- (a) on all plates bearing an inscription required by this Annex;
- (b) on all parts of the meter which cannot otherwise be protected against interference liable to:
 - affect or alter the indication on the indicating device of the meter,
 - alter or break the connection between the measuring device and the indicating device,
 - remove or displace metrologically important parts of the meter.

9. **EEC type-approval and EEC initial verification**

EEC type-approval and EEC initial verification of gas volume meters shall be carried out in accordance with the requirements of the Council Directive of 26 July 1971 on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control.

9.1. *EEC type-approval*

9.1.1. Applications for EEC type-approval for gas meters must be accompanied by the following documents:

- a description of the meter giving the technical characteristics and the principle of its operation,
- a perspective drawing or photograph of the meter,
- a nomenclature of parts with a description of the constituent materials of such parts,
- an assembly drawing with identification of the component parts listed in the nomenclature,
- a dimensioned drawing,
- a plan showing the location of verification marks and seals,
- a plan of the indicating device, with adjustment mechanisms,
- a dimensioned drawing of metrologically important components,
- a plan of the dial plate and of the inscriptions arrangements,
- where appropriate, a plan of the additional devices referred to in Section I.B.3.1,
- where appropriate, a table setting out the characteristics of the drive shafts (Section I.B.3.2),
- a list of the documents submitted,
- a declaration specifying that the meters manufactured in conformity with the type meet the requirements for safety, particularly those concerning the maximum operating pressure as indicated on the data plates.

9.1.2. The following particulars shall appear on the EEC type-approval certificate :

- the name and address of the person to whom the EEC type-approval certificate is issued,
- the type and/or commercial designation,
- the principal technical and metrological characteristics, such as the minimum flow, maximum operating pressure, nominal internal diameter of the connecting pieces and, in the case of volumetric gas meters, the nominal value of the cyclic volume,
- the EEC type-approval mark,
- the period of validity of the EEC type-approval,
- in the case of meters equipped with drive shafts :
 - (a) the characteristics of the shaft as set out in Section I.B.3.2.1 (where there is only one drive shaft),
 - (b) the characteristics of each shaft and the formula given in Section I.B.3.2.2 (where there are two or more drive shafts),
- information on the location of EEC type-approval marks, EEC initial verification marks and seals (where appropriate, in the form of photographs or drawings),
- a list of the documents accompanying the EEC type-approval certificate,
- any special comments.

9.2. *EEC initial verification*

9.2.1. Gas meters submitted for EEC initial verification shall be in working order.

EEC initial verification is no guarantee of the proper functioning or accuracy of reading of any additional devices as referred to in Sections I.B.3.1 and I.B.3.2 which may be connected to the meter.

No EEC verification marks or EEC seals shall be affixed to such additional devices.

CHAPTER II

5.2. *Special provisions*

5.2.1. When the maximum torques indicated on the gas meter pursuant to Sections I.B.3.2.1 and I.B.3.2.2 are applied to the drive shafts, the indication of the gas meter at Q_{min} must not vary by more than 0.5 %.

6.3. *Special provisions*

6.3.1. For meters for which the operating pressure exceeds 0.1 MPa (1 bar) the provisions of Section II.6.2 regarding mechanical pressure absorption shall apply, but the total pressure absorption of these meters as referred to in Section II.6.1 shall not be taken into consideration.

6.3.2. The fitting of additional devices must not cause the mechanical pressure absorption of the gas meters to increase by more than 20 Pa (0.2 mbar).

7.2.7. In the case of meters with one or more drive shafts, at least three meters of each G size must be tested with air at a density of 1.2 kg/m³ (see Section I.B.6.2) for compliance with the requirements of Section I.B.3.2.4 and of Sections II.5.2.1 and II.6.3.2.

In the case of meters with several drive shafts, the test must be carried out on the shaft which gives the most unfavourable result.

For meters of the same G size, the lowest torque value obtained in the tests shall be used as the maximum permissible torque value.

Where a type embraces meters of various G sizes, the torque test need only be carried out on meters of the smallest G size, provided that the same torque is specified for the larger meters and that the drive shaft of the latter has the same or a greater constant.

CHAPTER III

2. Range of capacities

2.1. Gas volume meters shall have only the ranges shown in the following

G designation	$Q_{\max}$ (m ³ /h)	Range		
		Small	Medium	Large
		$Q_{\min}$ (m ³ /h)		
16	25	5	2.5	1.3
25	40	8	4	2
40	65	13	6	3
65	100	20	10	5
100	160	32	16	8
160	250	50	25	13
250	400	80	40	20
400	650	130	65	32
650	1 000	200	100	50
1 000	1 600	320	160	80

and decimal multiples of the last five lines.

4. Test element

4.1. In accordance with the provisions of Section I.B.5.2.2 (a) and (b) the scale unit of the test element must not exceed the following values :

for G 16 to G 65 inclusive	0.002 m ³
for G 100 to G 650 inclusive	0.02 m ³
for G 1 000 to G 6 500 inclusive	0.2 m ³
for G 10 000 and over	2.0 m ³

4.2. The interval between numbers on the scale of the test element must not exceed :

for G 16 to G 65 inclusive	0.01 m ³
for G 100 to G 650 inclusive	0.1 m ³
for G 1 000 to G 6 500 inclusive	1.0 m ³
for G 10 000 and over	10.0 m ³

5. Maximum permissible errors

5.1. General provisions

5.1.1. The maximum permissible errors, positive and negative, are given in the following table :

Flow Q	Maximum permissible error in EEC initial verification
$Q_{\min} \leq Q < 0.2 Q_{\max}$	2 %
$0.2 Q_{\max} \leq Q \leq Q_{\max}$	1 %

5.1.2. The errors must not all exceed half the maximum permissible error if they are all of the same sign.

5.2. *Special provisions*

- 5.2.1. When the maximum torques indicated on the gas volume meter pursuant to Sections I.B.3.2.1 and I.B.3.2.2 are applied to the drive shafts, the indication of the gas volume meter at $Q_{\min}$ must not vary by more than the values given in the following table :

$Q_{\min}$	Variations in indication at $Q_{\min}$
$0.05 Q_{\max}$	1 %
$0.1 Q_{\max}$	0.5 %
$0.2 Q_{\max}$	0.25 %

6.2.3. Meters with drive shafts

- 6.2.3.1. In the case of meters with one or more drive shafts, at least three meters of each G size must be tested with air at a density of 1.2 kg/m^3 (see Section I.B.6.2) for compliance with the requirements of Sections I.B.3.2.4 and III.5.2.1.

In the case of meters with several drive shafts, the test must be carried out on the shaft which gives the most unfavourable result.

For meters of the same G size, the lowest torque value obtained in the tests shall be used as the maximum permissible torque value.

Where a type embraces meters of various G sizes, the torque test need only be carried out on meters of the smallest G size, provided that the same torque is specified for the larger meters and that the output shaft of the latter has the same or a greater constant.

- 6.2.3.2. In the case of meters with several values for $Q_{\min}$, only the test described in Section III.6.2.3.1 for the smallest $Q_{\min}$ value need be carried out. The permissible torques for the other flow ranges may be calculated from this test result.

Conversion to other $Q_{\min}$ values is governed by the following rules :

- (a) where the flow is constant, the variation in the error is proportional to the torque ;
- (b) where the torque is constant, the variation in the error for rotary-piston meters is inversely proportional to the flow and for turbine meters it is inversely proportional to the square of the flow.