

Official Journal

of the European Communities

ISSN 0378-6978

L 132

Volume 21

20 May 1978

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 1013/78 of 19 May 1978 fixing the import levies on cereals and on wheat or rye flour groats and meal	1
Commission Regulation (EEC) No 1014/78 of 19 May 1978 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 1015/78 of 19 May 1978 fixing the import levies on live cattle and beef and veal other than frozen meat	5
Commission Regulation (EEC) No 1016/78 of 19 May 1978 fixing the import levies on frozen beef and veal	9
Commission Regulation (EEC) No 1017/78 of 19 May 1978 fixing the import levies on milk and milk products	13
Commission Regulation (EEC) No 1018/78 of 19 May 1978 fixing the refunds on milk and milk products exported in the natural state	18
Commission Regulation (EEC) No 1019/78 of 19 May 1978 altering the components used to calculate the differential amounts for colza and rape seed	34
Commission Regulation (EEC) No 1020/78 of 19 May 1978 fixing the world market price for colza and rape seed	38
Commission Regulation (EEC) No 1021/78 of 19 May 1978 fixing, for certain products processed from fruit and vegetables, the export refunds provided for in Article 6 of Regulation (EEC) No 516/77	40
Commission Regulation (EEC) No 1022/78 of 19 May 1978 opening an invitation to tender for the mobilization of common wheat as food aid for the People's Republic of Bangladesh	42

Price : £ 1.65

(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Contents (continued)

Commission Regulation (EEC) No 1023/78 of 19 May 1978 opening an invitation to tender for the mobilization of common wheat as food aid for the Republic of Lebanon	45
★ Commission Regulation (EEC) No 1024/78 of 19 May 1978 concerning measures to expand the market in Community milk products outside the Community . . .	48
★ Commission Regulation (EEC) No 1025/78 of 19 May 1978 amending Regulation (EEC) No 685/69 on detailed rules of application for intervention on the market in butter and cream	51
★ Commission Regulation (EEC) No 1026/78 of 19 May 1978 amending Regulation (EEC) No 2182/77 as regards certain detailed rules for the sale of frozen beef from intervention stocks for processing in the Community	52
★ Commission Regulation (EEC) No 1027/78 of 19 May 1978 concerning the sale for export at prices fixed at a standard rate in advance of beef held by the intervention agencies and repealing Regulation (EEC) No 2320/74 and amending Regulations (EEC) No 1687/76 and (EEC) No 571/78	53
Commission Regulation (EEC) No 1028/78 of 19 May 1978 on the sale at prices fixed at a standard rate in advance of certain boned beef held by the intervention agencies	59
★ Commission Regulation (EEC) No 1029/78 of 19 May 1978 amending Regulation (EEC) No 610/77 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community	63
Commission Regulation (EEC) No 1030/78 of 19 May 1978 amending Regulation (EEC) No 938/77 fixing the monetary compensatory amounts and certain rates for their application	71
★ Commission Regulation (EEC) No 1031/78 of 19 May 1978 laying down detailed rules for imports of rice to Réunion	72
Commission Regulation (EEC) No 1032/78 of 19 May 1978 introducing a countervailing charge on cucumbers originating in Bulgaria	77
Commission Regulation (EEC) No 1033/78 of 19 May 1978 altering the basic amount of the import levy on syrups and certain other sugar products	79
Commission Regulation (EEC) No 1034/78 of 19 May 1978 fixing the import levies on white sugar and raw sugar	80
Commission Regulation (EEC) No 1035/78 of 19 May 1978 fixing the import levies on isoglucose	81

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1013/78**of 19 May 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 709/78⁽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 20 May 1978.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 9.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 5.

ANNEX

to the Commission Regulation of 19 May 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	83.06
10.01 B	Durum wheat	127.24 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	79.61 ⁽⁶⁾
10.03	Barley	72.89
10.04	Oats	78.12
10.05 B	Maize, other than hybrid maize for sowing	68.96 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	79.98 ⁽⁴⁾
10.07 C	Grain sorghum	78.97 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	128.36
11.01 B	Rye flour	123.52
11.02 A I a)	Durum wheat groats and meal	208.35
11.02 A I b)	Common wheat groats and meal	137.05

⁽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 1014/78**of 19 May 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 709/78 ⁽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 20 May
1978.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 9.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 7.

ANNEX

to the Commission Regulation of 19 May 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 5	1st period 6	2nd period 7	3rd period 8
10.01 A	Common wheat, and meslin	0	0.67	0.67	0.84
10.01 B	Durum wheat	0	0	0	1.00
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0.33	0.33	2.18
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0.94	0.94	1.16

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	1.19	1.19	1.50	1.50
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0.89	0.89	1.12	1.12
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 1015/78**of 19 May 1978****fixing the import levies on live cattle and beef and veal other than frozen 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 Article 12(8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1(1)(a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas in respect of bovine animals the basic levy is determined on the basis of the difference between the guide price and the Community free-at-frontier offer price plus the amount of the customs duty; whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period for bovine animals and for the fresh or chilled meat specified in section (a) of the Annex to the said Regulation under subheadings 02.01 A II a) 1 to 3, account being taken in particular of the position with respect to supply and demand, of world market prices for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas pursuant to Article 10(4) of Regulation (EEC) No 805/68 the basic levy on the meat specified in sections (a), (c) and (d) of the Annex thereto is equal to the basic levy determined for bovine animals, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed by Regulation (EEC) No 586/77⁽³⁾;

Whereas the guide prices for adult bovine animals to be applied from 22 May 1978 were fixed by Council Regulation (EEC) No 995/78 of 12 May 1978⁽⁴⁾;

Whereas Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down the rules for the application of levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff, stipulates that the basic levy is to be calculated according to the method set out in its Article 3 and on the basis of all the representative free-at-frontier offer prices of the Community determined for the products of each of the categories and cuts specified in Article 2 and established principally by reference to the prices specified in the customs documents accompanying products imported from third countries or from other information concerning export prices obtaining in those third countries;

Whereas, however, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; whereas offer prices should also be excluded

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 130, 18. 5. 1978, p. 1.

when the movement of prices in general or the information available suggests that they are unrepresentative of the true trend of prices in the country of origin ;

Whereas in cases where for one or more categories of bovine animals or cuts of meat a free-at-frontier offer price cannot be established, the most recent available price should be used for the calculation ;

Whereas if the free-at-frontier offer price differs by less than 0.50 unit of account per 100 kilograms of live weight from that previously listed for the calculation of the levy, the latter price should be retained ;

Whereas pursuant to Article 10(3) of Regulation (EEC) No 805/68 a special basic levy is determined for certain third countries on the basis of the difference between the guide price and the average price recorded over a certain period plus the amount of the customs duty ;

Whereas Commission Regulation (EEC) No 611/77 of 18 March 1977⁽¹⁾, as amended by Regulation (EEC) No 925/77⁽²⁾, provides that the special levy on products originating in and coming from Austria, Sweden and Switzerland should be determined on the basis of the weighted average of the prices of adult bovine animals recorded on the representative markets of those third countries ; whereas the weighting coefficients and representative markets are specified in the Annexes to Regulation (EEC) No 611/77 ;

Whereas the average price is not to be used for calculating the special levy unless it is at least one unit of account per 100 kilograms of live weight more than the free-at-frontier offer price determined in accordance with Article 10(2) of Regulation (EEC) No 805/68 ;

Whereas if the average price differs by less than 0.50 unit of account per 100 kilograms of live weight from that previously used to calculate the levy, the latter may be retained ;

Whereas in cases where one or more of the abovementioned third countries adopt, for reasons of health for example, measures affecting the prices recorded on their markets, the Commission may use the latest prices recorded before the entry into force of such measures ;

Whereas pursuant to Article 12(6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or

markets of each Member State in respect of the various categories of adult bovine animals or of meat from such animals, after taking into account the size of each of these categories and the relative size of the bovine herd of each Member State ;

Whereas the prices of adult bovine animals recorded on the representative market or markets of each Member State are equal to the average, weighted by the appropriate coefficients, of the prices for the various qualities of adult bovine animals or meat of such animals over a period of seven days in that Member State at a particular wholesale marketing stage ; whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community⁽³⁾, as last amended by Regulation (EEC) No 1029/78⁽⁴⁾ ;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets ; whereas, for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day ; whereas in respect of Italy the price of each category and quantity is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones ; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone ; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II ;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax' are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex ;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets the Commission may disregard the prices

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 14.

⁽²⁾ OJ No L 109, 30. 4. 1977, p. 1.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽⁴⁾ See page 63 of this Official Journal.

recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures ;

Whereas in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices ;

Whereas for such period as the price of adult bovine animals recorded on representative Community markets differs by less than 0.20 unit of account per 100 kilograms of live weight from the price previously used the latter is retained ;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled ; whereas, moreover, account should be taken of Regulation (EEC) No 2170/73 of 31 July 1973 on the conclusion of the Trade Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia ⁽¹⁾, as amended by Regulation (EEC) No 2862/77 ⁽²⁾ ;

Whereas the various cuts of beef and veal are defined in Regulation (EEC) No 586/77 ;

Whereas, pursuant to Article 33(2) of Regulation (EEC) No 805/68, the nomenclature used in this Regulation is incorporated in the Common Customs Tariff ;

Whereas the levies and special levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month ; whereas these levies may be altered in the period between two

fixings where the basic levy or special basic levy is altered, or in the case of changes in the prices recorded on Community representative markets ;

Whereas, to enable the levy system to function normally, the following should be used to calculate the levies ;

- for currencies whose spot rates are maintained at any given moment within a spread of 2.25 %, a conversion rate based on their actual par values ;
- for other currencies, a conversion rate based on the arithmetic mean of the spot exchange rates of each of these currencies, recorded over a given period, in relation to the Community currencies referred to in the previous indent ;

Whereas, having regard to the provisions of the aforementioned Regulations, and in particular to the data and quotations available to the Commission, the levies on adult bovine animals and beef and veal other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on live cattle and beef and veal other than frozen meat shall be as specified in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 22 May 1978.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 224, 13. 8. 1973, p. 1.

⁽²⁾ OJ No L 330, 23. 12. 1977, p. 9.

ANNEX

to the Commission Regulation of 19 May 1978 fixing the import levies on live cattle and on beef and veal other than frozen meat ⁽¹⁾ for the period beginning 22 May 1978

(u.a./100 kg)

CCT heading No	Austria/Sweden/Switzerland	Other third countries
	— Live weight —	
01.02 A II a) (a)	—	53.356
01.02 A II b) (b)	31.546	59.633
	— Net weight —	
02.01 A II a) 1 aa) (a)	—	101.377
02.01 A II a) 1 bb)	59.938	113.303
02.01 A II a) 2 aa) (a)	—	81.101
02.01 A II a) 2 bb)	47.950	90.643
02.01 A II a) 3 aa) (a)	—	121.652
02.01 A II a) 3 bb)	71.925	135.964
02.01 A II a) 4 aa)	89.906	169.956
02.01 A II a) 4 bb)	102.841	194.405
02.06 C I a) 1	89.906	169.956
02.06 C I a) 2	102.841	194.405
16.02 B III b) 1 aa)	102.841	194.405

⁽¹⁾ In accordance with Regulation (EEC) No 706/76, levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

(a) The levy shall be established in accordance with the provisions set out in Annex I to the Trade Agreement between the EEC and the Socialist Federal Republic of Yugoslavia.

(b) The levy which is to be applied to young male bovine animals, intended for fattening, of a live weight of 300 kg or less, imported under the conditions set out in Article 13 of Council Regulation (EEC) No 805/68 of 27 June 1968, and in the provisions adopted for its application, is totally or partially suspended in accordance with those provisions.

COMMISSION REGULATION (EEC) No 1016/78

of 19 May 1978

fixing the import levies on frozen beef and veal

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 12 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas, in respect of the types of frozen meat listed in section (b) of the Annex to the said Regulation under subheading 02.01 A II b) 1, the basic levy is determined by reference to the difference between:

- the guide price multiplied by a coefficient representing the ratio existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of adult bovine animals, and
- the Community free-at-frontier offer price for frozen meat, plus the amount of the customs duty and a standard amount representing the specific costs of the import operations;

Whereas, by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of the levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, the abovementioned coefficient, calculated in accordance with the rules laid down in Article 11 (2) (a) of Regulation (EEC) No 805/68, has been fixed at 1.69 units of account and the standard amount referred to in Article 11 (2) (b) of the said Regulation has been fixed at 5.5 units of account;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas the guide prices for adult bovine animals to be applied from 22 May 1978 have been fixed by Council Regulation (EEC) No 995/78 of 12 May 1978⁽⁴⁾;

Whereas the Community free-at-frontier offer price for frozen meat is determined by reference to the world market price based on the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period preceding the fixing of the basic levy, taking into account in particular:

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 130, 18. 5. 1978, p. 1.

- foreseeable developments on the market in frozen meat,
- the most representative prices on third country markets for fresh and chilled meat of a category which is competitive with frozen meat,
- past experience ;

Whereas the basic levy on the types of frozen meat listed in section (b) of the Annex to Regulation (EEC) No 805/68 under subheadings 02.01 A II b) 2 to 4 is equal to the basic levy fixed for the product falling within subheading 02.01 A II b) 1, multiplied by a standard coefficient fixed for each of the products in question ; whereas these coefficients were fixed in Annex II to Regulation (EEC) No 586/77 ;

Whereas, for the purpose of fixing the free-at-frontier offer prices, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities may not be taken into account ; whereas offer prices are also excluded when the movement of prices in general or the information available gives reason to believe that they are unrepresentative of the true trend of prices in the country of origin ;

Whereas, where the free-at-frontier offer price for frozen meat differs by less than one unit of account per 100 kilograms from that previously used for the calculation of the levy, the latter price is retained ;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State for the various categories of adult bovine animals or of meat from such animals, taking into account the size of each of these categories and the relative size of the bovine herd of each Member State ;

Whereas the prices of adult bovine animals recorded on the representative market or markets of each Member State are equal to the average, weighted by the relevant coefficients, of the prices for the various qualities of adult bovine animals or meat of such animals over a period of seven days in that Member State at a particular wholesale marketing stage ; whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of

certain other cattle in the Community⁽¹⁾, as last amended by Regulation (EEC) No 1029/78⁽²⁾ ;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets ; for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day ; whereas in respect of Italy the price of each category and quality is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones ; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone ; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II ;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax', are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex ;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets, the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures ;

Whereas in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices ;

Whereas, for such period as the price of adult bovine animals recorded on representative Community markets differs by less than 0.20 unit of account per 100 kilograms of live weight from the price previously used, the latter is retained ;

Whereas the levies must be so fixed that obligations arising from international agreements concluded by the Community continue to be fulfilled.

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽²⁾ See page 63 of this Official Journal.

Whereas the various cuts of frozen meat are defined in Regulation (EEC) No 586/77 ;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature used in this Regulation is incorporated in the Common Customs Tariff ;

Whereas the levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month ; whereas these levies may be altered in the period between two fixings where the basic levy is altered, or in the case of changes in the prices recorded on Community representative markets ;

Whereas, to enable the levy system to function normally, the following should be used to calculate the levies :

- for currencies whose spot rates are maintained at any given moment within a spread of 2.25 %, a conversion rate based on their actual par values ;
- for other currencies, a conversion rate based on the arithmetic mean of the spot exchange rates of

each of these currencies, recorded over a given period, against the Community currencies referred to in the previous indent ;

Whereas, having regard to the provisions of the aforementioned Regulations, and in particular to the data and quotations available to the Commission, the levies on frozen beef and veal should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on frozen beef and veal shall be as specified in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 22 May 1978.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 19 May 1978 fixing the import levies on frozen beef and veal ⁽¹⁾ for the period beginning 22 May 1978

(u.d./100 kg)

CCT heading No	Levy
	— Net weight —
02.01 A II b) 1	126.983
02.01 A II b) 2	101.587 (a)
02.01 A II b) 3	158.729
02.01 A II b) 4 aa)	190.476
02.01 A II b) 4 bb) 11	158.729 (a)
02.01 A II b) 4 bb) 22 (b)	158.729 (a)
02.01 A II b) 4 bb) 33	218.411 (a)

(¹) In accordance with Regulation (EEC) No 706/76, levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

(a) Where products are imported under the conditions set out in Article 14 of Council Regulation (EEC) No 805/68 of 27 June 1968 and in provisions adopted for its application, the levy is totally or partially suspended in accordance with those provisions.

(b) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

COMMISSION REGULATION (EEC) No 1017/78

of 19 May 1978

fixing the import levies on milk and milk products

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 14(8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 14 of Regulation (EEC) No 804/68 provides for charging a levy on imports of the products listed in Article 1 of that Regulation; whereas these products may be divided into groups; whereas the product groups and the pilot groups and the pilot product for each of these groups are set out in Annex I to Council Regulation (EEC) No 823/68 of 28 June 1968 determining the groups of products and the special provisions for calculating levies on milk and milk products⁽³⁾, as last amended by Regulation (EEC) No 1000/78⁽⁴⁾;

Whereas the levy on the products in any one group must be equal to the threshold price for the pilot product less the free-at-frontier price; whereas these threshold prices were fixed for the 1978/79 milk year by Council Regulation (EEC) No 999/78 of 12 May 1978⁽⁵⁾;

Whereas, however, Regulation (EEC) No 823/68 lays down special provisions for calculating the levy on certain assimilated products; whereas these products are listed and the method of calculating the levy on them described in Annex II and in Articles 2 to 7 of that Regulation respectively; whereas this method consists in adding together the various components defined in those Articles;

Whereas Commission Regulation (EEC) No 1073/68 of 24 July 1968 laying down detailed rules for determining free-at-frontier prices and for fixing levies in respect of milk and milk products⁽⁶⁾, provides that the component of the levy fixed by means of a coefficient expressing the weight ratio between the milk powder contained in the product and the product itself is, for the products falling within subheading 04.02 B I b) listed in Annex II to Regulation (EEC)

No 823/68, calculated by multiplying the basic amount by the quantity of milk powder contained in the product; whereas the same applies to products falling within subheading 04.02 B II b) as regards the component of the levy fixed by means of a coefficient expressing the weight ratio between the milk components contained in the product and the product itself;

Whereas the basic amount must be equal to one hundredth part of the levy set out for each product in the second subparagraph of Article 9(1) and the second subparagraph of Article 9(2) of Regulation (EEC) No 1073/68;

Whereas for products belonging to Group No 11, originating in and exported from third countries, for which it is found on importation into the Community that the ruling price is not less than 150 units of account per 100 kg in respect of the products falling within subheading 04.04 E I b) 2, or not less than 130 units of account per 100 kg in respect of the products falling within subheading 04.04 E I b) 3, or not less than 115 units of account for products falling within subheading 04.04 E I b) 4, the levy per 100 kg is defined in Article 8 of Regulation (EEC) No 823/68;

Whereas, for as long as it is found that on importation into the Community the price of an assimilated product for which the levy is not equal to the levy on its pilot product is considerably lower than the price which would obtain if the ratio to the price of the pilot product were normal, the levy must be equal to the sum of two components:

- one component equal to the amount resulting from the provisions of Articles 2 to 7 of Regulation (EEC) No 823/68 applicable to the assimilated product in question;
- an additional component fixed at a level which, the composition and quality of the assimilated product being taken into account, makes it possible to re-establish normal price ratios for imports into the Community;

Whereas Article 14(3) of Regulation (EEC) No 804/68 provides that the levy on products in respect of which the customs duty has been bound within GATT must be limited to the amount resulting from that binding;

Whereas Regulation (EEC) No 1073/68 provides that a free-at-frontier price must be established for each of the pilot products defined in Annex I to Regulation

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 3.

⁽⁴⁾ OJ No L 130, 18. 5. 1978, p. 7.

⁽⁵⁾ OJ No L 130, 18. 5. 1978, p. 6.

⁽⁶⁾ OJ No L 180, 26. 7. 1968, p. 25.

(EEC) No 823/68 ; whereas these prices must be determined for products of good marketable quality ;

Whereas the free-at-frontier prices must be established on the basis of the most favourable purchasing opportunities in international trade for the products listed in Article 1 (a) 2 and (b) to (g) of Regulation (EEC) No 804/68 other than assimilated products for which the levy is not equal to the levy on the related pilot products ; whereas, when recording these purchasing opportunities, the Commission must take account of all information obtained direct or through the Member States concerning prices for delivery of third-country products free-at-Community frontier and prices on third-country markets ;

Whereas, however, no account should be taken of information relating to small quantities which are not representative of trade in the product in question and quantities in respect of which price trends in general or other information available to it lead the Commission to believe that the price in question is unrepresentative of the real trend of the market ;

Whereas the prices used must be adjusted where they are not quoted free-at-Community-frontier or where they do not apply to products of good marketable quality ; whereas the adjustment in respect of an assimilated product the levy on which is equal to the levy on its pilot product must be effected in such a way as to allow, in particular, for differences in composition, maturity, quality and presentation between the assimilated product and the related pilot product ; whereas adjustments relating to composition must be calculated by multiplying the difference between the milk component content of the pilot product and that of the assimilated product in question by the value attributed in international trade to one unit of weight of the milk component in question ; whereas the difference between the value attributed on the Community market to each of the relevant characteristics of the pilot product and the value attributed on that market to the corresponding characteristics of the assimilated product in question must be taken into account when the other adjustments are being effected ;

Whereas, if no information on prices is available, the free-at-frontier price may, by way of exception, be established on the basis of the value of the raw materials contained in the pilot product in question (calculated on the basis of the prices of milk products for which prices are available), average processing costs and average yields ;

Whereas, in exceptional circumstances, a free-at-frontier price may remain unchanged for a limited period where the new level of the price for a given quality or a specific origin, used as a basis for establishing the previous free-at-frontier price, has not reached the Commission to enable it to establish the next free-at-frontier price and if the Commission considers that the prices which are available could lead to sudden and considerable changes in the free-at-frontier price because they are not sufficiently representative of real market trends ;

Whereas, in accordance with Article 19 (1) of Regulation (EEC) No 804/68, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff ;

Whereas Article 8 of Regulation (EEC) No 1073/68 provides that the levies are fixed every fortnight ; whereas they may be altered in the intervening period if necessary ; whereas the levy remains valid until another becomes applicable ;

Whereas, if the levy 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 %, at 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 it follows from applying all these provisions that the levies on milk and milk products must be fixed as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The levies referred to in Article 14 (1) of Regulation (EEC) No 804/68 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 22 May 1978.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 19 May 1978 fixing the import levies on milk and milk products

(u.a./100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.01 A I a)	0110	21.67
04.01 A I b)	0120	19.67
04.01 A II a) 1	0130	19.67
04.01 A II a) 2	0140	24.22
04.01 A II b) 1	0150	18.67
04.01 A II b) 2	0160	23.22
04.01 B I	0200	49.62
04.01 B II	0300	104.97
04.01 B III	0400	166.22
04.02 A I	0500	15.30
04.02 A II a) 1	0620	94.09
04.02 A II a) 2	0720	125.88
04.02 A II a) 3	0820	127.88
04.02 A II a) 4	0920	138.63
04.02 A II b) 1	1020	88.09
04.02 A II b) 2	1120	119.88
04.02 A II b) 3	1220	121.88
04.02 A II b) 4	1320	132.63
04.02 A III a) 1	1420	21.51
04.02 A III a) 2	1520	29.04
04.02 A III b) 1	1620	104.97
04.02 A III b) 2	1720	166.22
04.02 B I a)	1820	30.00
04.02 B I b) 1 aa)	2220	per kg 0.8809 ⁽⁹⁾
04.02 B I b) 1 bb)	2320	per kg 1.1988 ⁽⁹⁾
04.02 B I b) 1 cc)	2420	per kg 1.3263 ⁽⁹⁾
04.02 B I b) 2 aa)	2520	per kg 0.8809 ⁽¹⁰⁾
04.02 B I b) 2 bb)	2620	per kg 1.1988 ⁽¹⁰⁾
04.02 B I b) 2 cc)	2720	per kg 1.3263 ⁽¹⁰⁾
04.02 B II a)	2820	34.18
04.02 B II b) 1	2910	per kg 1.0497 ⁽¹⁰⁾
04.02 B II b) 2	3010	per kg 1.6622 ⁽¹⁰⁾
04.03 A	3110	190.85
04.03 B	3210	232.84
04.04 A I a) 1	3321	15.00
04.04 A I a) 2	3420	130.26 ⁽¹¹⁾
04.04 A I b) 1 aa)	3521	15.00
04.04 A I b) 1 bb)	3619	130.26 ⁽¹¹⁾
04.04 A I b) 2	3719	130.26 ⁽¹¹⁾
04.04 A II	3800	130.26
04.04 B	3900	165.10 ⁽¹²⁾
04.04 C	4000	131.07
04.04 D I	4120	30.00
04.04 D II a) 1	4410	121.54
04.04 D II a) 2	4510	132.30
04.04 D II b)	4610	212.30
04.04 E I a)	4710	165.10
04.04 E I b) 1 aa)	4834	15.00
04.04 E I b) 1 bb)	4850	170.64

CCT heading No	Code	Import levy
04.04 E I b) 2 aa)	4922	127.50 ⁽¹³⁾
04.04 E I b) 2 bb)	5022	127.50 ⁽¹⁴⁾
04.04 E I b) 3	5030	127.50 ⁽¹⁵⁾
04.04 E I b) 4	5060	127.50 ⁽¹⁵⁾
04.04 E I b) 5	5120	127.50
04.04 E I c) 1	5210	95.63
04.04 E I c) 2	5250	207.50
04.04 E II a)	5310	165.10
04.04 E II b)	5410	207.50
17.02 A II ⁽¹⁶⁾	5500	18.95
21.07 F I	5600	18.95
23.07 B I a) 3	5700	68.07
23.07 B I a) 4	5800	88.33
23.07 B I b) 3	5900	82.44
23.07 B I c) 3	6000	67.27
23.07 B II	6100	88.33

For notes ⁽¹⁾ to ⁽⁸⁾, see notes ⁽¹⁾ to ⁽⁸⁾ of Council Regulation (EEC) No 823/68 (OJ No L 151, 30. 6. 1968).

⁽⁹⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
b) 6 u.a. ; and
c) 13.76 u.a.

⁽¹⁰⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
and
b) 13.76 u.a.

⁽¹¹⁾ The levy is limited to 7.50 u.a. per 100 kg net weight.

⁽¹²⁾ The levy is limited to 6% of the value for customs purposes.

⁽¹³⁾ The levy is limited to 53.16 u.a. per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁴⁾ The levy is limited to 73.16 u.a. per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁵⁾ The levy is limited to 73.16 u.a. per 100 kg net weight for imports from Bulgaria, Hungary, Romania and Turkey (Regulation (EEC) No 1054/68 as amended).

⁽¹⁶⁾ Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.

NB : For the purposes of heading No 04.04, the exchange rate to be applied in converting into national currencies the unit of account referred to in the subdivisions of this heading shall, notwithstanding general rule C 3 contained in Part I, Section I of the Common Customs Tariff be the representative rate, if such a rate is fixed pursuant to 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 (OJ No 106, 30.10.1962, p. 2553/62).

COMMISSION REGULATION (EEC) No 1018/78

of 19 May 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 705/78⁽²⁾;

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⁽³⁾, as last amended by Regulation (EEC) No 1724/77⁽⁴⁾;

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 22 May 1978.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 1.

⁽³⁾ OJ No L 228, 20. 8. 1976, p. 17.

⁽⁴⁾ OJ No L 189, 29. 7. 1977, p. 41.

ANNEX

to the Commission Regulation of 19 May 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	4.93
	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	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		1.47
	— Other destinations		1.29
	(bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0130 22	
	for exports to :		
	— Countries near the Community		4.26
	— Other destinations		5.28
	(cc) Of a fat content, by weight, exceeding 3 %	0130 31	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		6.94
	— Countries near the Community		6.03
	— Other destinations		7.64
	2. Exceeding 4 %	0140 00	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		7.00
	— Countries near the Community		6.51
	— Other destinations		8.89

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01 (cont'd)	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	1.29
	(bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0150 21	4.40
	(cc) Of a fat content, by weight, exceeding 3 %	0150 31	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		6.94
	— Other destinations		5.34
	2. Exceeding 4 %	0160 00	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		7.00
	— Other destinations		5.79
	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	15.62
	(b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 %	0200 11	24.32
	(c) Of a fat content, by weight, exceeding 17 %	0200 21	36.73
	II. Exceeding 21 % but not exceeding 45 % :		
	(a) Of a fat content, by weight, not exceeding 35 %	0300 12	43.82
	(b) Of a fat content, by weight, exceeding 35 % but not exceeding 39 %	0300 13	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		68.11
	— Other destinations		44.59
	(c) Of a fat content, by weight, exceeding 39 %	0300 20	75.74
	III. More than 45 % :		
	(a) Of a fat content, by weight, not exceeding 68 %	0400 11	86.38
	(b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 %	0400 22	127.16
	(c) Of a fat content, by weight, exceeding 80 %	0400 30	148.44

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
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	66.54
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	0720 00	66.54
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	0720 20	79.09
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	0720 30	85.32
	(dd) Of a fat content, by weight, exceeding 25 %	0720 40	93.55
	3. Exceeding 27 % but not exceeding 29 %	0820 00	95.62
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	0920 10	97.65
	(bb) Of a fat content, by weight, exceeding 41 %	0920 20	110.01
	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	66.54
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	1120 10	66.54
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	1120 20	79.09
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	1120 30	85.32
	(dd) Of a fat content, by weight, exceeding 25 %	1120 40	93.55
	3. Exceeding 27 % but not exceeding 29 %	1220 00	95.62
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	1320 10	97.65
	(bb) Of a fat content, by weight, exceeding 41 %	1320 20	110.01

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 immediate packings of a net content of 2.5 kg 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 6.03 — Other destinations 7.64 (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 15.01 (33) Exceeding 7.4 % 1420 70 20.16 2. Other, of a lactic dry matter content : (aa) Of less than 15 %, by weight 1520 10 15.62 (bb) Of 15 % or more, by weight 1520 20 23.91 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 6.03 (33) Exceeding 8.9 %, by weight, but not exceeding 11 % 1630 10 15.62 (44) Exceeding 11 %, by weight, but not exceeding 21 % 1630 20 24.32 (55) Exceeding 21 %, by weight, but not exceeding 39 % 1630 30 43.82 (66) Exceeding 39 % 1630 40 75.74 (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 15.01 (33) Exceeding 7.4 %, by weight, but not exceeding 8.9 % 1630 70 20.16 (44) Exceeding 8.9 % 1630 80 23.91 2. Exceeding 45 % 1720 00 86.38 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 0.6654 ⁽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	0.6654 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2320 20	0.7909 ⁽¹⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2320 30	0.8532 ⁽¹⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2320 40	0.9355 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2420 10	0.9562 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2420 20	1.1001 ⁽¹⁾ per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2520 00	0.6654 ⁽¹⁾ per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2620 10	0.6654 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0.7909 ⁽¹⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	0.8532 ⁽¹⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2620 40	0.9355 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2720 10	0.9562 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2720 20	1.1001 ⁽¹⁾ per kg
	ex II. Milk and cream, excluding whey other than in powder or granules :		
	ex a) In immediate packings of a net capacity of 2.5 kg 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		0.0603 ⁽¹⁾ per kg
	— Other destinations		0.0764 ⁽¹⁾ per kg
	(bb) Of 15 % or more	2810 15	14.42 ⁽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	24.75 ⁽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	14.42 ⁽²⁾ 24.75 ⁽²⁾ 0.2432 ⁽¹⁾ per kg 0.4382 ⁽¹⁾ per kg 0.7574 ⁽¹⁾ per kg 0.8638 ⁽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	124.38 156.45 160.45 164.52 164.52 212.65
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	73.19 — 57.03 — 55.75 94.74 26.91 81.77 37.71 49.73 78.19

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 %	4410 10	
	for exports to :		
	— Austria		8.84
	— Zone D		17.81
	— Zone E		19.13
	— Canada		17.52
	— Switzerland		5.30
	— Other destinations		31.87
	(bb) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 %	4410 20	
	for exports to :		
	— Austria		8.84
	— Zone D		17.81
	— Zone E		19.13
	— Canada		17.52
	— Switzerland		5.30
	— Other destinations		31.87
	(22) Of 20 % or more	4410 30	
	for exports to :		
	— Austria		13.06
	— Zone D		26.33
	— Zone E		28.23
	— Canada		25.89
	— Switzerland		7.84
	— Other destinations		47.21
	(cc) Of 43 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 %	4410 40	
	for exports to :		
	— Austria		8.84
	— Zone D		17.81
	— Zone E		19.13
	— Canada		17.52
	— Switzerland		5.30
	— Other destinations		31.87

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		13.06
	— Zone D		26.33
	— Zone E		28.23
	— Canada		25.89
	— Switzerland		7.84
	— Other destinations		47.21
	(33) Of 40 % or more	4410 60	
	for exports to :		
	— Austria		19.08
	— Zone D		38.45
	— Zone E		41.15
	— Canada		37.82
	— Switzerland		11.44
	— Other destinations		69.06
	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		8.84
	— Zone D		17.81
	— Zone E		19.13
	— Canada		17.52
	— Switzerland		5.30
	— Other destinations		31.87
	(bb) Of 38 % or more but less than 43 %	4510 20	
	for exports to :		
	— Austria		13.06
	— Zone D		26.33
	— Zone E		28.23
	— Canada		25.89
	— Switzerland		7.84
	— Other destinations		47.21
	(cc) Of 43 % or more but less than 46 %	4510 30	
	for exports to :		
	— Austria		19.08
	— Zone D		38.45
	— Zone E		41.15
	— Canada		37.82
	— Switzerland		11.44
	— Other destinations		69.06

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 : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations (22) Of 55 % or more for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations b) Exceeding 36 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations 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 (2) Fiore Sardo, Pecorino for exports to : — Zone D — Zone E — Canada — Switzerland — Other destinations (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	4510 40 4510 50 4610 00 4710 11 4710 16 4710 22	19.08 38.45 41.15 37.82 11.44 69.06 22.64 45.62 48.83 45.00 13.58 81.98 22.64 45.62 48.83 45.00 13.58 81.98 121.16 86.02 102.52 91.64 121.16 129.79 97.02 104.02 100.27 129.79 121.16 86.02 102.52 91.64 121.16

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 26.66 — Zone D 53.77 — Zone E — — Canada 36.76 — Switzerland 16.00 — Other destinations 88.26 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 15.51 — Zone D 31.27 — Zone E — — Canada 17.47 — Switzerland 3.99 — Other destinations 34.50 (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 17.83 — Zone D 35.94 — Zone E — — Canada 35.56 — Switzerland 4.40 — Other destinations 56.96 (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 21.24 — Zone D 42.82 — Zone E — — Canada 42.23 — Switzerland 4.73 — Other destinations 69.05 (dd) Of 39 % or more : (11) Asiago, Caciocavallo, Provolone, Ragusano for exports to : — Zone D 110.00 — Zone E 90.89 — Canada 96.39 — Switzerland 35.29 — Other destinations 120.12	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		62.90
	— Zone E		39.03
	— Canada		56.33
	— Switzerland		16.96
	— Other destinations		80.55
	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	5120 54	
	for exports to :		
	— Austria		39.92
	— Zone D		62.90
	— Zone E		36.07
	— Canada		50.32
	— Switzerland		16.96
	— Other destinations		69.71
	(44) Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester	5120 58	
	for exports to :		
	— Austria		26.66
	— Zone D		53.77
	— Zone E		36.62
	— Canada		50.21
	— Switzerland		16.00
	— Other destinations		82.64
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more	5120 59	
	for exports to :		
	— Zone E		21.68
	— Canada		25.68
	— Other destinations		36.71
	(66) Feta	5120 82	
	for exports to :		
	— Zone D		41.17 ⁽⁴⁾
	— Zone E		9.08 ⁽⁴⁾
	— Canada		39.93 ⁽⁴⁾
	— Switzerland		12.00 ⁽⁴⁾
	-- Jordan, Iraq, Iran, the Arabian Peninsula and Mediterranean countries except Zone D		78.21 ⁽⁴⁾
	— Other destinations		65.35 ⁽⁴⁾
	(77) Colby, Monterey	5120 83	
	for exports to :		
	-- Austria		26.66
	— Zone D		53.77
	— Zone E		—
	— Canada		50.21
	— Switzerland		16.00
	— Other destinations		82.64

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 :	5120 87	
	— Zone D		53.77
	— Switzerland		15.00
	— Zone E		56.59
	— Canada		71.01
	— Other destinations		88.51
	(bbb) Exceeding 52 % but not exceeding 62 % for exports to :	5120 92	
	— Austria		37.01
	— Zone D		62.90
	— Zone E		39.03
	— Canada		56.33
	— Switzerland		16.96
	— Other destinations		80.55
	c) Exceeding 72 % :		
	1. In immediate packings of a net capacity not exceeding 500 grams :		
	(a) Cottage cheese for exports to :	5120 95	
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		18.66
	— Other destinations		—
	(b) Cream cheese of a fat content, by weight, in the dry matter, not exceeding 70 % for exports to :	5120 98	
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		52.45
	— 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 :	5310 11	
	— Zone E		29.52
	— Canada		42.02
	— Other destinations		60.77
	(2) Of 85 % or more but less than 95 % for exports to :	5310 22	
	— Zone E		35.88
	— Canada		49.38
	— Other destinations		76.47

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(3) Of 95 % or more for exports to : — Zone E — Canada — Other destinations	5310 31	41·60 55·60 88·86
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 : (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more (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 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more but less than 75 % (gg) 75 % or more but less than 80 % (hh) 80 % or more (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 % (b) 60 % or more but less than 70 % (c) 70 % or more but less than 80 % (d) 80 % or more	5700 13 5700 23 5700 33 5700 42 5700 52 5700 62 5800 13 5800 23 5800 32 5800 42 5800 52 5800 62 5800 72 5800 82 5900 12 5900 22 5900 32 5900 42	— 21·29 27·95 34·60 41·26 47·91 — 21·29 27·95 34·60 41·26 47·91 51·23 54·57 34·60 41·26 47·91 54·57

-
- (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, Umm al 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 1019/78

of 19 May 1978

fixing 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 852/78⁽⁴⁾, and in particular Article 2 (2) thereof,

Whereas Article 2 (1) (a) of Regulation (EEC) No 1569/72 provides that the differential amounts for those Member States which keep their exchange rates at any given moment within a band of 2.25 % must be determined by taking into account the incidence on prices of the percentage difference between :

- the conversion rate used for the purposes of the common agricultural policy, and
- the conversion rate resulting from the central rate ;

whereas this results in the fixing of differential amounts which remain constant as long as the components used to calculate them remain unchanged ;

Whereas, applying the method of calculating differential amounts to Denmark, no such amounts should be fixed for seeds harvested in that State and processed in or exported from there ;

Whereas under Article 2 (1) (b) of the aforementioned Regulation the differential amounts for France, Italy, Ireland and the United Kingdom are to be determined by taking into account the incidence on the price of the average percentage difference between :

- the ratio between the conversion rate used for purposes of the common agricultural policy for the currency of the relevant Member State and the

actual parity of each of the currencies of the Member States which keep their exchange rates at any given moment within a band of 2.25 %, and

- the spot market rate recorded over a given period for the currency of the relevant Member State against each of the currencies of the Member States specified above ;

Whereas Regulation (EEC) No 2300/73⁽⁵⁾, as last amended by Regulation (EEC) No 1234/77⁽⁶⁾, laid down detailed rules for the application of Regulation (EEC) No 1569/72 ;

Whereas for the French franc the differential amounts should be calculated from the spot market rates recorded during the reference period 10 to 16 May 1978 ;

Whereas under Council Regulation (EEC) No 878/77 of 26 April 1977⁽⁷⁾, as amended by Regulation (EEC) No 976/78⁽⁸⁾ new representative rates are applicable for the French franc, the Belgian franc, the Italian lira, the Irish pound, the pound sterling, the German mark and the Dutch guilder with effect from 1 July 1978 ; whereas it is necessary to take this fact into account in fixing the components used to calculate the differential amounts for colza and rape seed ; whereas, because of the technical operation of the system of differential amounts in its present form, the change in price at the beginning of the coming marketing year may lead to unfair advantages or unjustified disadvantages for those concerned ; whereas it is possible to avoid this by fixing for a transitional period components which vary according to the date on which the subsidy or export refund is fixed in advance and to the date on which the colza seed is placed under control or exported ;

Whereas, applying the rules and criteria set out above, the components used to calculate the differential amounts should be as set out in the table annexed to this Regulation ;

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

⁽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 116, 28. 4. 1978, 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 106, 29. 4. 1977, p. 27.

⁽⁸⁾ OJ No L 125, 13. 5. 1978, p. 32.

HAS ADOPTED THIS REGULATION :

Article 1

For seeds exported or placed under control on or after 1 July 1978, the components used to calculate the differential amounts shall, until the end of the marketing year 1977/78, be determined in accordance with the rules now applied for fixing the said amounts, but using the representative rates valid from 1 July 1978.

Article 2

The components used to calculate the differential amounts provided for in Article 1 of Regulation (EEC) No 1569/72 shall be as specified in the Annex hereto.

Article 3

This Regulation shall enter into force on 22 May 1978.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 19 May 1978 fixing 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 (a) + 0.0720 (b)	— 0.0750 (b) — 0.0720 (b)	+	—
— harvested in Germany			—	—
— harvested in the BLEU or in the Netherlands			—	0.0619
— harvested in France			—	0.2019
— harvested in Denmark			—	0.0750
— harvested in Ireland			—	0.1661
— harvested in the United Kingdom			—	0.3387
— harvested in Italy			—	0.2671
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			—	0.1493
— harvested in Denmark			—	0.0140
— harvested in Ireland			—	0.1111
— harvested in the United Kingdom			—	0.2950
— harvested in Italy			—	0.2188
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			—	0.1372
— harvested in Denmark			—	—
— harvested in Ireland			—	0.0985
— harvested in the United Kingdom			—	0.2850
— harvested in Italy			—	0.2077
4. Colza and rape seed, processed for oil production in France or exported from that country :	— 0.1590 (a) — 0.1173 (b)	+ 0.1590 (a) + 0.1173 (b)	+	—
— harvested in Germany			0.2530	—
-- harvested in the BLEU or in the Netherlands			0.1755	—
-- harvested in France			—	—
— harvested in Denmark			0.1590	—
— harvested in Ireland			0.0449	—
— harvested in the United Kingdom			—	0.1713
— harvested in Italy			—	0.0817

	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 :	— 0.3987 (a) — 0.2938 (b)	+ 0.3987 (a) + 0.2938 (b)	+	—
— harvested in Germany			0.5121	—
— harvested in the BLEU or in the Netherlands			0.4185	—
— harvested in France			0.2068	—
— harvested in Denmark			0.3987	—
— harvested in Ireland			0.2609	—
— harvested in the United Kingdom			—	—
— harvested in Italy			0.1082	—
6. Colza and rape seed, processed for oil production in Ireland or exported from that country :	— 0.1093 (a) — 0.0427 (b)	+ 0.1093 (a) + 0.0427 (b)	+	—
— harvested in Germany			0.1992	—
— harvested in the BLEU or in the Netherlands			0.1250	—
— harvested in France			—	0.0429
— harvested in Denmark			0.1093	—
— harvested in Ireland			—	—
— harvested in the United Kingdom			—	0.2069
— harvested in Italy			—	0.1211
7. Colza and rape seed, processed for oil production in Italy or exported from that country :	— 0.2621 (a) — 0.1265 (b)	+ 0.2621 (a) + 0.1265 (b)	+	—
— harvested in Germany			0.3644	—
— harvested in the BLEU or in the Netherlands			0.2800	—
— harvested in France			0.0890	—
— harvested in Denmark			0.2621	—
— harvested in Ireland			0.1378	—
— harvested in the United Kingdom			—	0.0976
— 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 1020/78

of 19 May 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 852/78⁽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 1007/78⁽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 22 May 1978.

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

Done at Brussels, 19 May 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 116, 28. 4. 1978, 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 131, 19. 5. 1978, p. 10.

ANNEX

World market price applicable from 22 May 1978 for colza and rape seed (CCT heading No ex 12.01)

	u.a./100 kg ⁽¹⁾
World market price	22.004
World market price where the subsidy is fixed in advance :	
— for the month of May 1978	22.004
— for the month of June 1978	22.004
— for the month of July 1978	22.004
— for the month of August 1978	21.736
— for the month of September 1978	21.736
— for the month of October 1978	19.059

⁽¹⁾ The conversion rates from units of account into national currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following :

1 u.a. = DM	3.15665
1 u.a. = Fl	3.35507
1 u.a. = Bfr/Lfr	48.6572
1 u.a. = FF	6.95531
1 u.a. = Dkr	8.56656
1 u.a. = £	0.820513
1 u.a. = l £	0.820513
1 u.a. = Lit	1 300.00

COMMISSION REGULATION (EEC) No 1021/78

of 19 May 1978

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

be taken of the prices referred to in paragraph 2 of the said Article;

Whereas peeled tomatoes, tomato concentrates, tomato juice, orange juice and stalked and stoned cherries preserved in a sulphurous solution are economically important products to which no sugar has been added;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds provided for in Article 6 of Regulation (EEC) No 516/77 shall be as specified in the Annex hereto.

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

Article 2

This Regulation shall enter into force on 20 May 1978.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽²⁾ OJ No L 73, 21. 3. 1977, p. 24.

⁽³⁾ OJ No L 25, 31. 1. 1975, p. 1.

⁽⁴⁾ OJ No L 327, 20. 11. 1977, p. 23.

ANNEX

to the Commission Regulation of 19 May 1978 fixing, for certain products processed from fruit and vegetables, the export refunds provided for in Article 6 of Regulation (EEC) No 516/77

CCT heading No	Description	Amount in u.a./100 kg of product (including immediate packings)
ex 08.11 E	Stalked and stoned cherries preserved in a sulphurous solution	4.00 ⁽¹⁾
ex 20.02 C	Peeled tomatoes	10.00 ⁽¹⁾
ex 20.02 C	Tomato concentrate :	
	— Dry extract content :	
	— 12 % and over, but less than 18 %	11.26 ⁽¹⁾
	— 18 % and over, but less than 28 %	17.25 ⁽¹⁾
	— 28 % and over, but less than 36 %	21.00 ⁽¹⁾
	— 36 % and over, but less than 95 %	27.02 ⁽¹⁾
	— 95 % and over	71.40 ⁽¹⁾
ex 20.07	Tomato juice	5.00
ex 20.07	Pure orange juice, with no other substances added :	
	— Not concentrated (between 10 and 12 degrees Brix value)	1.74
	— Concentrated :	
	— Per unit of concentration (11 degrees Brix value)	1.74

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

COMMISSION REGULATION (EEC) No 1022/78

of 19 May 1978

opening an invitation to tender for the mobilization of common wheat as food aid for the People's Republic of Bangladesh

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 709/78⁽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 30 January 1978 the Council of the European Communities declared that by way of Community action it proposed to grant the People's Republic of Bangladesh 25 000 tonnes of common wheat under the 1977/78 food-aid programme;

Whereas pursuant to Article 3 (1) of Council Regulation (EEC) No 2750/75 the goods may be purchased on the Belgian market;

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

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

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

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

Whereas provision should be made for security to be given to guarantee fulfilment of the obligations arising by virtue of participation in the invitation to tender;

Whereas the Belgian intervention agency should be made responsible for organizing the invitation to tender;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply, by way of Community food-aid action to the People's Republic of Bangladesh, of 25 000 tonnes of common wheat.
2. The tendering procedure shall take place in the Kingdom of Belgium and shall be in respect of a single lot.
3. The product shall be mobilized on the Belgian market.
4. Shipment shall be from Antwerp.
5. 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.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 9.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 2 June 1978,
2. The closing date for submission of tenders shall be 2 June 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 applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2.

Such correction shall be made by :

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

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

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

Article 4

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

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

Article 5

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

Article 6

1. The tenderer shall give security of a value of 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 Belgian intervention agency shall be responsible for operations relating to the invitations to tender provided for by this Regulation.

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

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

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

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

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

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

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

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

Article 9

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

Article 10

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

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1023/78

of 19 May 1978

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 709/78⁽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 30 January 1978 the Council of the European Communities declared that by way of Community action it proposed to grant the Republic of Lebanon 8 000 tonnes of common wheat under its 1977/78 food-aid programme;

Whereas pursuant to Article 3 (1) of Council Regulation (EEC) No 2750/75 the goods may be purchased on the Belgian market;

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

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

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

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

Whereas provision should be made for security to be given to guarantee fulfilment of the obligations arising by virtue of participation in the invitation to tender;

Whereas the Belgian intervention agency should be made responsible for organizing the invitation to tender;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply by way of Community food-aid action to the Republic of Lebanon of 8 000 tonnes of common wheat.
2. The tendering procedure shall take place in the Kingdom of Belgium and shall be in respect of a single lot.
3. The product shall be mobilized on the Belgian market.
4. Shipment shall be from Antwerp.
5. 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.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 9.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 2 June 1978.
2. The closing date for submission of tenders shall be 2 June 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 applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2.

Such correction shall be made by:

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

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

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

Article 4

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

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

Article 5

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

Article 6

1. The tenderer shall give security of a value of 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 to be supplied to the Republic of Lebanon 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 Belgian intervention agency shall be responsible for operations relating to the invitations to tender provided for by this Regulation.

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

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

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

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

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

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

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

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

Article 9

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

Article 10

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

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1024/78

of 19 May 1978

concerning measures to expand the market in Community milk products outside the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 4 of Regulation (EEC) No 1079/77 provides for measures to be taken to expand the markets in milk products; whereas in the annual programme of such measures communicated to the Council pursuant to paragraph 3 of the abovementioned Article the Commission, having consulted the Advisory Committee on Milk and Milk Products, stated its intention to adopt measures designed to increase the sale of Community milk products outside the Community by finding new markets and developing new products; whereas detailed rules for the application of these measures should therefore be laid down;

Whereas it would appear appropriate to invite research institutes, organizations and undertakings possessing the necessary qualifications and experience to submit detailed proposals; whereas Community financing of expenditure on such research work should be only partial;

Whereas rules should be laid down concerning the duration of the measures and the payment of Community funds to those parties whose proposals are accepted; whereas, in addition, the Commission should be kept informed of the results of the measures provided for in this Regulation; whereas in accordance with these measures Article 5 (1) of Regulation (EEC) No 1079/77, should be considered as intervention; whereas it appears necessary to make the intervention agencies responsible for supervising the implementation of proposals which are accepted and of making the relevant payments;

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

1. Under the conditions laid down in this Regulation encouragement shall be given to research work to expand the markets for Community milk and milk products outside the Community.

Such work shall include the followings :

- (a) the search for new markets or the possibility of extending existing markets;
- (b) the search for new or improved products for export;
- (c) the search for new or improved packagings to facilitate transport and preservation of the products exported;
- (d) scientific examination of the nutritional aspects of the consumption of milk and its constituents in the various non-member countries;
- (e) examination of the short-, medium- and long-term possibilities for export to certain non-member countries or groups of countries which are not traditional importers of Community milk products, in the light of :

- their economic situation,
- their requirements in milk products and goods containing milk products,
- their import arrangements,
- the competitive situation of other supplier countries.

2. The measures referred to in paragraph 1 shall be completed by 31 March 1979, without prejudice to the second subparagraph of Article 4 (2). However, in special cases, a longer period may be agreed in accordance with Article 5 (1), to ensure that the measure in question is as effective as possible.

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 6.

Article 2

1. The research work referred to in Article 1 (1) shall be proposed and carried out by research organizations, undertakings or institutes and/or other organizations or institutes which :

- (a) have the necessary qualifications and experience ;
- (b) give appropriate guarantees as to the successful completion of the work.

2. Community financing shall, as appropriate, be limited to the following percentage of the expenditure resulting from the work concerned :

- (a) 75 % if the work is proposed and carried out by a private undertaking or by an organization representing the milk sector in one or more Member States or in the Community ;
- (b) 90 % if the work is proposed by a specially constituted group representing the milk sector within the Community and made up of organizations or undertakings which entrust the carrying out of the work to one or more specialized research institutes satisfying the conditions laid down in paragraph 1.

Article 3

1. The parties specified in Article 2 (1) are invited to transmit to the competent authority designated by their Member State, hereinafter called 'intervention agency', detailed proposals concerning the measures referred to in Article 1 (1).

2. The proposals shall reach the intervention agency concerned before 1 August 1978.

3. The intervention agencies shall stipulate the other conditions for the submission of proposals in a notice which shall be published in the *Official Journal of the European Communities*.

4. Within 10 working days following expiry of the time limit laid down in paragraph 2 the intervention agency shall transmit the proposals received to the Commission.

The intervention agency may add its comments, if any, to such proposals.

Article 4

1. Each proposal shall contain :

- (a) the name and address of the party concerned ;
- (b) all details concerning the measures proposed, including the time required for execution, the results expected and any third parties which may be involved ;
- (c) the price asked for carrying out these measures, expressed in the currency of the Member State on whose territory the party concerned is established, with an itemized breakdown of this amount and the corresponding financing plan ;

(d) the desired arrangements for payment of the Community contribution (Article 7 (1) (a) or (b)).

2. The particulars specified in paragraph 1 (b) and (c) shall relate only to work to be completed by the date laid down in Article 1 (2).

However, a proposed measure may form part of a group of measures provided that the final date for the execution of these measures is expected to be no later than 31 March 1980. In that case the offer shall, by way of information, give the details specified in paragraph 1 (b) and (c) in respect of all the measures.

3. A proposal shall be valid only where :

- (a) it is presented by a party fulfilling the conditions laid down in Article 2 (1) ;
- (b) it is accompanied by an undertaking to comply with the provisions of this Regulation and with the terms and conditions referred to in Article 6.

Article 5

1. After examination of the proposals by the Management Committee for Milk and Milk Products in accordance with Article 31 of Regulation (EEC) No 804/68, the Commission shall conclude contracts in respect of the measures referred to in Article 1 (1) with those parties whose proposals have been accepted.

Prior to the conclusion of a contract the party concerned may be requested to supply additional information concerning its proposal.

2. The intervention agency shall inform each party concerned as soon as possible of the decision taken in respect of its proposal.

Article 6

1. On acceptance of a proposal in accordance with Article 5, a list of terms and conditions shall be drawn up by the Commission in at least three copies and signed by the party concerned.

2. The list of clauses and conditions shall form an integral part of the contract referred to in Article 5 (1) and :

- (a) shall include the details specified in Article 4 (1) or make reference thereto ; and
- (b) supplement these details as appropriate in accordance with such information as may be supplied pursuant to the second subparagraph of Article 5 (1).

3. The Commission shall forward a copy of the contract and of the schedule of terms and conditions to the intervention agency responsible for ensuring that the conditions agreed on are complied with.

Article 7

1. The intervention agency concerned shall pay the party in question, in accordance with the latter's choice expressed in its proposal, either :

- (a) within a period of six weeks from the date on which the contract and schedule of terms and conditions are signed, a single part payment amounting to 60 % of the Community contribution agreed on ; or
- (b) at two-monthly intervals, four equal part payments each amounting to 20 % of the Community contribution agreed on, the first of these instalments to be paid within a period of six weeks from the date on which the contract and schedule of terms and conditions are signed.

2. The payment of each instalment shall be subject to the lodging with the intervention agency of a security equal to the amount of the part payment plus 10 %.

3. The release of securities and payment of the balance by the intervention agency shall be subject to :

- (a) confirmation by the intervention agency that the party concerned has fulfilled his obligations as laid down in the schedule of terms and conditions ;
- (b) transmission to the Commission and to the intervention agency of the report referred to in Article

8 (1) and verification of the details contained in this report by the intervention agency ; and

- (c) provision of proof that the party concerned has spent its own contribution for the purpose laid down.

4. If the conditions set out in paragraph 3 are not fulfilled, the securities shall be forfeited. In this event, the amount in question shall be deducted from EAGGF, Guarantee Section, expenditure and more particularly from that in respect of the measure referred to in Article 4 of Regulation (EEC) No 1079/77.

Article 8

1. Each party responsible for a measure as referred to in Article 1 (1) shall before 1 June 1979 submit to the Commission and to the intervention agency concerned a report on the utilization of the Community funds allocated and on the results of the measure in question.

2. The results of the work provided for in this Regulation may be published only with the express authorization of the Commission.

Article 9

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

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1025/78

of 19 May 1978

amending Regulation (EEC) No 685/69 on detailed rules of application for intervention on the market in butter and cream

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 23 of Commission Regulation (EEC) No 685/69 of 14 April 1969 on detailed rules of application for intervention on the market in butter and cream⁽³⁾, as last amended by Regulation (EEC) No 624/78⁽⁴⁾, lays down the conditions applying to the conclusion of storage contracts; whereas Article 24 thereof specifies the various storage cost components; whereas Article 27 thereof deals with aid for the storage of cream; whereas, in order to ensure uniform application and prevent any practical administrative difficulties, these provisions should be supplemented as regards the conditions applying to the conclusion of storage contracts, the rate for conversion into national currency applying to the amounts in units of account of the storage costs, and the fat content of cream for storage;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 685/69 is hereby amended as follows;

1. Article 23 (6) shall read as follows:

'6. The storage contract:

- (a) shall be concluded in writing and shall indicate the day of commencement of the contracted storage, which shall fall within the storage period referred to in Article 28 (1);
- (b) shall be concluded after the entry into store of the butter and within one month after the day of commencement of the contracted storage.'

2. In Article 24 (1), point (c) of the first subparagraph shall read as follows:

'(c) an amount per day of contracted storage calculated on the basis of the purchase price in national currency of butter applied by the intervention agency of the Member State concerned on the day of conclusion of the contract and of an interest rate of 8.50 % per year;'

and the following subparagraph shall be added:

'The amounts referred to in (a), (b) and (d) shall be converted into national currency using the representative rate in force on the last day of the storage carrying the right to aid in accordance with the preceding subparagraph.'

3. The first sentence of Article 27 shall read as follows:

'Aid for the storage of cream may be granted only for pasteurized cream with a fat content not exceeding 80 % produced directly from milk.'

Article 2

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

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 90, 15. 4. 1969, p. 12.

⁽⁴⁾ OJ No L 84, 31. 3. 1978, p. 18.

COMMISSION REGULATION (EEC) No 1026/78

of 19 May 1978

amending Regulation (EEC) No 2182/77 as regards certain detailed rules for the sale of frozen beef from intervention stocks for processing in the Community

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 No 425/77⁽²⁾, and in particular Article 7 (3) thereof,

Whereas experience since the entry into force of Commission Regulation (EEC) No 2182/77 of 30 September 1977 laying down detailed rules for the sale of frozen beef from intervention stocks for processing in the Community and amending Regulation (EEC) No 1687/76⁽³⁾, as amended by Regulation (EEC) No 554/78⁽⁴⁾, has shown the need to amplify certain provisions concerning the exchange of information by intervention agencies;

Whereas, in order to facilitate the task of the intervention agencies in cases where processing is carried out by a person other than the purchaser of the meat and processing security is to be retained, it should be expressly provided that such security is to be lodged by the said purchaser;

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

Regulation (EEC) No 2182/77 is amended as follows:

1. Article 3 (3) is amended to read as follows:

'3. Where Article 13 (3) of Regulation (EEC) No 1687/76 is applied, the intervention agency holding the products shall immediately notify the competent authority of the Member State where processing is to take place of the lodging of an application or offer to purchase.'

2. A further paragraph as follows is added after Article 3 (3):

'4. On conclusion of the contract of sale the intervention agency holding the products shall immediately forward to the competent authority of the Member State where processing is to take place a certified copy of the contract of sale.'

3. The first subparagraph of Article 4 (1) is amended to read as follows:

'1. Before the contract of sale is concluded a security calculated to guarantee that the products will be processed shall be lodged by the purchaser as referred to in Article 3 with the competent authority of the Member State where processing is to take place. It shall be in the national currency of that Member State.'

4. In Article 5 (2), the words 'five months' are replaced by 'seven months'.

Article 2

This Regulation shall enter into force on 22 May 1978.

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

Done at Brussels, 19 May 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 251, 1. 10. 1977, p. 60.

⁽⁴⁾ OJ No L 76, 18. 3. 1978, p. 8.

COMMISSION REGULATION (EEC) No 1027/78**of 19 May 1978****concerning the sale for export at prices fixed at a standard rate in advance of beef held by the intervention agencies and repealing Regulation (EEC) No 2320/74 and amending Regulations (EEC) No 1687/76 and (EEC) No 571/78**

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), 15 (2) and 18 (6) thereof,

Whereas the arrangements for permanent intervention have led to the build-up of stocks of beef in the Community; whereas it is necessary for these stocks to be sold in order to provide space in the cold stores;

Whereas, since Community market prices are at present low, sales outlets should be sought on the markets of non-member countries;

Whereas Article 2 (1) of Council Regulation (EEC) No 98/69 of 16 January 1969 laying down general rules for the disposal of frozen beef and veal bought in by the intervention agencies⁽³⁾, as amended by Regulation (EEC) No 429/77⁽⁴⁾, provides that the selling prices of frozen beef bought in by the intervention agencies may be fixed in advance; whereas sales should be conducted on this basis to enable prospective exporters to assess export outlets;

Whereas sales at prices fixed in advance must comply with 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⁽⁵⁾, though provision should be made for certain derogations required by reason of the fact that the products are to be exported, in particular as regards the provision of security and the removal of the goods from storage and payment therefor;

Whereas the period allowed for export must be extended where exporters wish to avail themselves of

the possibilities provided for in Council Regulation (EEC) No 441/69 of 4 March 1969 laying down additional general rules for granting export refunds on products subject to a single price system, exported unprocessed or in the form of certain goods not covered by Annex II to the Treaty⁽⁶⁾, as last amended by Regulation (EEC) No 269/78⁽⁷⁾;

Whereas experience as regards the export of meat sold by the intervention agencies has shown that export outlets cannot be greatly expanded unless exporters are able to buy certain quantities of meat at a set price and to take delivery of them by instalments over an extended period, with a view to performing contracts with importers in non-member countries; whereas that period should not, however, exceed six months; whereas certain special conditions should be laid down, and in particular the prospective purchaser should be required to produce a copy of an export contract, so as to ensure that this extension of the take-over period is permitted only in the case of export contracts to be performed over a period longer than the take-over period as currently prescribed;

Whereas, where the quantities available are insufficient to satisfy all the purchase applications submitted, the intervention agencies should be authorized, so as not to discourage prospective purchasers, to sell certain quantities of meat which they have taken over after the date fixed in this Regulation; whereas such quantities should be limited to those required to fulfil export contracts;

Whereas, for purposes of sales under this Regulation, it is necessary to extend the period of validity for export licences laid down in Commission Regulation (EEC) No 571/78 of 21 March 1978 on the system of import and export licences for beef and veal and repealing Regulation (EEC) No 585/77⁽⁸⁾;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 14, 21. 1. 1969, p. 2.

⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 18.

⁽⁵⁾ OJ No L 28, 5. 2. 1969, p. 10.

⁽⁶⁾ OJ No L 59, 10. 3. 1969, p. 1.

⁽⁷⁾ OJ No L 40, 10. 2. 1978, p. 7.

⁽⁸⁾ OJ No L 78, 22. 3. 1978, p. 10.

Whereas, for reasons of legislative simplicity, Commission Regulation (EEC) No 2320/74 of 10 September 1974 on the sale at prices fixed at a standard rate in advance of beef and veal held by the intervention agencies and intended for export⁽¹⁾, as last amended by Regulation (EEC) No 623/78⁽²⁾, should be repealed; whereas it is necessary also to amend the Annex to Commission Regulation (EEC) No 1687/76 of 30 June 1976 laying down common detailed rules for verifying the use and/or destination of products from intervention⁽³⁾, as last amended by Regulation (EEC) No 732/78⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. These shall be put up for sale for export, at prices fixed in advance at standard rates, frozen beef taken over by the intervention agencies before 1 August 1977.
2. The products, cuts and selling prices shall be as specified in the Annex hereto.
3. Sales shall be conducted in accordance with Regulation (EEC) No 216/69, subject as otherwise provided in this Regulation.

Article 2

1. An application to purchase shall be valid only if it:
 - (a) relates to a minimum quantity of 20 tonnes;
 - (b) is accompanied by a written undertaking by the purchaser to withdraw and export the meat within eight weeks from the day on which his application is lodged; however, where the purchaser places the meat under the arrangements referred to in Article 3 of Regulation (EEC) No 441/69, it must be exported within six months from the day on which the application to purchase was lodged.
2. The meat shall be taken over by the purchaser within eight weeks from the day on which his application is lodged.

Article 3

1. By way of derogation from Article 2 (1) (b), the time allowed for taking over and exporting meat sold pursuant to this Regulation shall be extended to six months from the day on which the application to

purchase is lodged, provided that the following conditions are satisfied:

- (a) the application must be accompanied by a certified copy of a contract for the export of frozen beef, and by a written undertaking that an export licence application will be submitted for the quantity and destination specified in the contract;
- (b) the purchase must be of hindquarters only or of an equal tonnage of forequarters and hindquarters;
- (c) the applicant must give a written undertaking to withdraw and export the meat within six months from the day on which his application to purchase is lodged.

2. The meat referred to in paragraph 1 (b) may be purchased from the intervention agencies of different Member States. In that case, the purchaser shall submit his application or applications for an export licence to the competent authority of the Member State of his choice, and shall supply certified copies of the contract referred to in paragraph 1 (a) to all the intervention agencies concerned, together with particulars of all the purchase applications lodged by him with a view to obtaining the quantity covered by his contract.

Each intervention agency shall, on the first working day following that on which a purchase application is lodged with it, notify the Commission and the other intervention agencies of each such application, indicating the quantity of meat applied for by destination, category and quality.

3. If the quantities available at an intervention agency are less than those for which purchase applications are submitted, that agency may, to the extent strictly necessary to allow performance of the contracts referred to in paragraph 1 (a), sell meat taken over by it after the date specified in Article 1 (1) but before the end of the third month following that date.

Article 4

The price 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 5

1. The security required to guarantee fulfilment of the obligations laid down by this Regulation shall be:

22.00 units of account per 100 kilograms for forequarters, and

42.00 units of account per 100 kilograms for hindquarters.

⁽¹⁾ OJ No L 248, 11. 9. 1974, p. 8.

⁽²⁾ OJ No L 84, 31. 3. 1978, p. 17.

⁽³⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽⁴⁾ OJ No L 99, 12. 4. 1978, p. 14.

2. In the case of meat sold under Article 3, the security shall be released only when proof has been furnished that the total quantity of meat provided for by the export contract has reached the destination specified in that contract.

Article 6

A paragraph 3 as follows is added to Article 3 of Regulation (EEC) No 571/78 :

'3. The export licence for meat sold pursuant to Article 3 (1) of Regulation (EEC) No 1027/78 shall be valid from its day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75 until the end of the period provided for in the said Article 3 (1) for the take-over and export of such meat.

The licence application and the licence itself shall include :

(a) in Section 12, one of the following endorsements :

- "Intervention meat pursuant to Article 3 (1) of Regulation (EEC) No 1027/78",
- "Interventionskød — anvendelse af artikel 3, stk. 1, i forordning (EØF) nr. 1027/78",
- "Interventionsfleisch — Anwendung von Artikel 3 Absatz 1 der Verordnung (EWG) Nr. 1027/78",
- "Viande d'intervention — application de l'article 3 paragraphe 1 du règlement (CEE) n° 1027/78",
- "Carni d'intervento — applicazione dell'articolo 3, paragrafo 1 del regolamento (CEE) n. 1027/78",
- "Vlees uit interventievoorraden — toepassing van artikel 3, lid 1, van Verordening (EEG) nr. 1027/78";

(b) in Section 13, the destination.

The licence shall carry with it the obligation to export to that destination'.

Article 7

In the Annex to Regulation (EEC) No 1687/76, Part I, 'Products to be exported in the same state as that in which they were when removed from intervention stock' :

- (a) paragraph 5 and the relevant footnote are deleted, save in respect of those products to which Regulation (EEC) No 2320/74 continues to apply ;
- (b) there is added after paragraph 9 a further paragraph as follows, together with the footnote reference ⁽¹⁰⁾ :

'10. Commission Regulation (EEC) No 1027/78 of 19 May 1978 concerning the sale for export at prices fixed at a standard rate in advance of beef held by the intervention agencies and intended for export, repealing Regulation (EEC) No 2320/74 and amending Regulations (EEC) No 1687/76 and (EEC) No 571/78 ⁽¹⁰⁾.

⁽¹⁰⁾ OJ No L 132, 20. 5. 1978, p. 53.'

Article 8

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

Article 9

1. Regulation (EEC) No 2320/74 is hereby repealed. However it shall remain applicable in respect of applications submitted before the entry into force of this Regulation.

2. References in Community instruments to Regulation (EEC) No 2320/74 or to Articles of that Regulation shall be construed as references to this Regulation or to the corresponding Articles thereof.

Article 10

This Regulation shall enter into force on 22 May 1978.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANHANG — ALLEGATO — BIJLAGE — ANNEX — BILAG

Prix de vente en unités de compte par 100 kg de produits ⁽¹⁾
 Verkaufspreise in Rechnungseinheiten je 100 kg des Erzeugnisses ⁽¹⁾
 Prezzi di vendita in unità di conto per 100 kg di prodotti ⁽¹⁾
 Verkoopprijzen in rekeneenheden per 100 kg produkt ⁽¹⁾
 Selling price in units of account per 100 kg of product ⁽¹⁾
 Salgspris i regningsenheder pr. 100 kg af produkterne ⁽¹⁾

DEUTSCHLAND

— *Vorderviertel, auf 8 Rippen geschnitten, stammend von :*

Bullen A	120,529
Ochsen A	118,567

— *Hinterviertel, auf 5 Rippen geschnitten, stammend von :*

Bullen A	163,577
Ochsen A	160,801

BELGIQUE / BELGIË

— *Quartiers avant, découpe droite à 8 côtes, provenant des :*
Voorvoeten, recht afgesneden op 8 ribben, afkomstig van :

Bœufs 55 % / Ossen 55 %	117,869
Taureaux 55 % / Stieren 55 %	116,105
Vaches 55 % / Koeien 55 %	103,760

— *Quartiers arrière, découpe droite à 5 côtes, provenant des :*
Achtervoeten, recht afgesneden op 5 ribben, afkomstig van :

Bœufs 55 % / Ossen 55 %	159,490
Taureaux 55 % / Stieren 55 %	157,975
Vaches 55 % / Koeien 55 %	141,315

DANMARK

— *Forfjerdinger, udskåret med 5 ribben, idet slag og bryst bliver siddende på forfjerdingeren af :*

Kvier 1	95,177
Stude 1	96,340
Tyre P	101,576
Ungtyre 1	109,722
Køer med kalv 1	86,718
Køer 1	84,994

— *Bagfjerdinger, udskåret med 8 ribben, såkaldte »pistoler« af :*

Kvier 1	142,903
Stude 1	144,903
Tyre P	152,897
Ungtyre 1	165,389
Køer med kalv 1	130,094
Køer 1	127,455

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

⁽¹⁾ Såfremt produkterne er oplagrede uden for den medlemsstat, hvor det interventionsorgan, der ligger inde med produkterne, er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.

FRANCE

— *Quartiers avant, découpe à 5 côtes, les caparaçons faisant partie du quartier avant, provenant des :*

Bœufs R, A, N	112,706
Jeunes bovins, R, A, N	109,818
Vaches A, N	99,295

— *Quartiers arrière, découpe à 8 côtes, dite « pistola », provenant des :*

Bœufs R, A	175,435
Bœufs N	159,891
Jeunes bovins R, A	169,237
Jeunes bovins N	157,72
Vaches A	158,865
Vaches N	138,735

IRELAND

— *Forequarters, straight cut at tenth rib, from :*

Heifers 2	96,302
Steers 1	100,924
Steers 2	100,924
Cows 1	85,713

— *Hindquarters, straight cut at third rib, from :*

Heifers 2	130,393
Steers 1	136,711
Steers 2	136,711
Cows 1	115,851

ITALIA

— *Quarti anteriori, taglio a 8 costole, il pancettone fa parte del quarto anteriore, provenienti dai :*

Vitelloni 1	122,537
Vitelloni 2	116,182
Vacche 1	98,183
Vacche 2	83,357

— *Quarti posteriori, taglio a 5 costole, detto pistola, provenienti dai :*

Vitelloni 1	176,877
Vitelloni 2	167,782
Vacche 1	141,410
Vacche 2	118,675

NEDERLAND

— *Voorvoeten, recht afgesneden op 8 ribben, afkomstig van :*

Vaarzen, 1e kwaliteit	108,842
Stieren, 1e kwaliteit	116,042
Stieren, 2e kwaliteit	108,249
Koeien, 2e kwaliteit	87,884

— *Achtervoeten, recht afgesneden op 5 ribben, afkomstig van :*

Vaarzen, 1e kwaliteit	147,030
Stieren, 1e kwaliteit	157,225
Stieren, 2e kwaliteit	146,191
Koeien, 2e kwaliteit	122,027

UNITED KINGDOM

A. Great Britain

— *Forequarters, straight cut at tenth rib, from:*

Steers M	114,639
Steers H	113,555
Heifers M/H	112,472

— *Hindquarters, straight cut at third rib, from:*

Steers M	156,318
Steers H	154,822
Heifers M/H	153,325

B. Northern Ireland

— *Forequarters, straight cut at tenth rib, from:*

Steers L/M	112,507
Steers L/H	112,507
Steers T	112,507
Heifers T	108,850

— *Hindquarters, straight cut at third rib, from:*

Steers L/M	153,374
Steers L/H	153,374
Steers T	153,374
Heifers T	148,326

COMMISSION REGULATION (EEC) No 1028/78

of 19 May 1978

on the sale at prices fixed at a standard rate 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 interven-
tion agencies; whereas not all the meat offered for
tender has been allocated;

Whereas certain quantities of meat, boned in accor-
dance 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 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 inter-
vention agencies⁽⁶⁾, and at the same time certain
necessary derogations should be provided for, particu-
larly 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⁽⁷⁾ provides that,
in the case of products stored by an intervention
agency outside the territory of the Member State
within whose jurisdiction it falls, 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 applica-
tion of Regulation (EEC) No 1055/77 on the storage
and movement of products bought in by an interven-
tion agency⁽⁸⁾ fixed the method for calculating the
selling prices for such products; whereas to avoid all
confusion it should be expressly stated that the prices
fixed by this 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 Manage-
ment Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 22 May to 2 June 1978, the
German intervention agency shall offer for sale up to
1 000 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. 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.
4. 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 II hereto.

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.

⁽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 28, 5. 2. 1969, p. 10.

⁽⁷⁾ OJ No L 128, 24. 5. 1977, p. 1.

⁽⁸⁾ OJ No L 198, 5. 8. 1977, p. 19.

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 lodged at the same time.

intervention agency shall take such action as it considers necessary having regard to the circumstances invoked.

*Article 5**Article 4*

If by reason of *force majeure* the purchaser is unable to comply with the time limit set for delivery, the

This Regulation shall enter into force on 22 May 1978.

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

Done at Brussels, 19 May 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⁾ — Verkoop-prijzen, 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

	<i>Bullen A</i>	<i>Ochsen A</i>
Filets	6 950	6 950
Roastbeef	4 000	4 000
Oberschalen	2 750	2 575
Unterschalen	2 625	2 575
Kugeln	2 450	2 450
Hüften	2 360	2 270
Kniekehlfleisch	1 899	1 861
Hessen	1 680	1 680
Dünnungen	1 500	1 400

2. DANMARK

	<i>Ungtyre 1. kvalitet</i>	<i>Tyre prima</i>	<i>Stude 1. kvalitet</i>	<i>Kvier 1. kvalitet</i>
Mørbrad	4 875	4 775		4 452
Fileter	2 850	2 700		2 525
Kød af bagfjerdinger (med undtagelse af fileter og mørbrad)	2 031	2 031		2 031
Udbenede forfjerdinger	1 760	1 700		1 629
Slag og bryst	1 300	1 200		1 200

3. IRELAND

Steers 1, 2 and Heifers 2

Fillets	6 638
Striploins	3 604
Insides	2 656
Outsides	2 579
Knuckles	2 534
Rumps	2 909
Cube rolls	3 243
Forequarters (excluding cube rolls)	1 675
Plates and flanks	1 150
Brisket	1 451
Shins and shanks	1 600

4. UNITED KINGDOM

Steers and Heifers

Fillets	6 883
Striploins	3 627
Topsides	2 710
Silversides	2 551
Thick flanks	2 537
Rumps	2 761
Clod and sticking	1 531
Forerib	2 056
Pony	1 768
Shins and shanks	1 593
Thin flanks	995
Flank (plate)	995
Briskets	1 356

-
- (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

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 180 107 — 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 1029/78**of 19 May 1978****amending Regulation (EEC) No 610/77 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community**

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 12 (7) and 25 thereof,

Whereas the information available on the trend in cattle numbers indicates that the coefficients used in calculating the price of adult bovine animals on the representative markets of the Community should be adjusted;

Whereas the information available on the trend of the cattle population structure in each Member State indicates that the coefficients reflecting the relative quantity of each category and quality coming on to the market should be adjusted;

Whereas Annexes I and II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices on adult bovine animals on representa-

tive Community markets and the survey of prices of certain other cattle in the Community ⁽³⁾, as amended by Regulation (EEC) No 502/78 ⁽⁴⁾, should therefore be amended;

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

Annexes I and II to Regulation (EEC) No 610/77 are replaced by those to this Regulation.

Article 2

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

It shall apply for the first time for the calculation of the levies applicable from 22 May 1978.

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

Done at Brussels, 19 May 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 77, 25. 3. 1977, p. 1.

⁽⁴⁾ OJ No L 68, 10. 3. 1978, p. 16.

*ANNEX I***Coefficients to be used in calculating the price on the representative Community markets for adult bovine animals**

Germany	19.1
Belgium	3.6
Denmark	3.9
France	30.3
Ireland	8.1
Italy	11.1
Luxembourg	0.3
Netherlands	6.1
United Kingdom	17.5

*ANNEX II***Factors entering into the determination of prices of adult bovine animals on the representative markets of the Community****A. GERMANY****1. Representative markets :**

<i>Markets</i>	<i>Qualities</i>
Bochum	All qualities
Braunschweig	All qualities
Frankfurt am Main	All qualities
Freiburg im Breisgau	All qualities
Hamburg	All qualities
Hannover	All qualities
München	All qualities
Regensburg	All qualities
Augsburg	All qualities with the exception of 'Ochsen A' and 'Ochsen B'
Kassel	All qualities with the exception of 'Ochsen A' and 'Ochsen B'
Nürnberg	All qualities with the exception of 'Ochsen A' and 'Ochsen B'
Stuttgart	All qualities with the exception of 'Ochsen A' and 'Ochsen B'

2. Categories, qualities and coefficients :

<i>Categories and qualities</i>	<i>Weighting coefficients</i>
Bullen A	37.4
Bullen B	11.0
Bullen C	1.5
Ochsen A	1.5
Ochsen B	0.5
Färsen A	11.5
Färsen B	3.1
Färsen C	0.5
Kühe A	8.5
Kühe B	17.2
Kühe C	6.1
Kühe D	1.2

B. BELGIUM**1. Representative market : Anderlecht****2. Categories, qualities and coefficients :**

<i>Categories and qualities</i>	<i>Weighting coefficients</i>
Taureaux 60 % / Stieren 60 %	16
Taureaux 55 % / Stieren 55 %	17
Bœufs 60 % / Ossen 60 %	4
Bœufs 55 % / Ossen 55 %	5
Génisses 60 % / Vaarzen 60 %	11
Génisses 55 % / Vaarzen 55 %	12
Vaches 55 % / Koeien 55 %	14
Vaches 50 % / Koeien 50 %	16
Bétail de fabrication / Fabrikatievee	5

C. DENMARK**1. Representative market (quotation centre) : København****2. Categories, qualities and coefficients :**

<i>Categories and qualities</i>	<i>Weighting coefficients</i>
Ungtyre, < 500 kg, prima	32.9
Ungtyre, < 500 kg, 1. klasse	11.8
Ungtyre, < 500 kg, 2. klasse	2.3
Tyre, prima	2.2
Tyre, 1. klasse	0.4
Tyre, 2. klasse	0.1
Stude, prima	0.8
Stude, 1. klasse	0.1
Stude, 2. klasse	0.1
Kvier, prima	6.8
Kvier, 1. klasse	2.2
Kvier, 2. klasse	0.3
Køer med kalvetænder, prima	3.5
Køer med kalvetænder, 1. klasse	2.5
Køer, 1. klasse	17.0
Køer, 2. klasse	8.5
Køer, 3. klasse	5.1
Køer, 4. klasse	3.4

D. FRANCE**1. Representative markets (quotation centres) :****(a) Young bovine animals**

<i>Quotation centre</i>	<i>Qualities</i>
Paris	Jeunes bovins, E, U, R, O

(b) Animals other than young bovine animals

<i>Markets</i>	<i>Qualities</i>
Bordeaux	Bœufs U, R, O ; vaches U, R, O, P, A
Châteaubriant	Bœufs R, O ; génisses R, O ; vaches R, O, P, A
Chemillé	Bœufs E, U, R, O ; génisses E, U, R, O ; vaches U, R, O, P, A ; taureaux U, R
Cholet	Bœufs E, U, R, O ; génisses E, U, R, O ; vaches U, R, O, P, A ; taureaux U, R
Clisson	Bœufs E, U, R, O ; génisses E, U, R, O ; vaches U, R, O, P, A ; taureaux
Fougères	Bœufs R, O ; génisses R, O ; vaches R, O, P, A ; taureaux U, R
Lyon	Bœufs U, R, O ; génisses U, R, O ; vaches R, O, P, A

Metz	Bœufs R, O ; génisses R, O ; vaches O, P, A
Nancy	Bœufs R, O ; génisses R, O ; vaches O, P, A
Nîmes	Bœufs R ; génisses R, O ; vaches R, O, P
Parthenay	Bœufs U, R, O ; génisses E, U, R, O ; vaches U, R, O, P, A ; taureaux U, R
Rouen	Bœufs R, O ; génisses O ; vaches O, P, A ; taureaux R
Sancoins	Bœufs E, U, R ; génisses E, U, R, O ; vaches U, R, O, P, A ; taureaux U, R
St Christophe- en-Brionnais	Bœufs E, U, R ; génisses E, U, R, O ; vaches U, R, O, P, A ; taureaux U, R
Valenciennes	Bœufs E, U, R, O ; génisses E, U, R, O ; vaches R, O, P, A ; taureaux U, R

2. Categories, qualities and coefficients :

<i>Categories and qualities</i>	<i>Live-weight conversion coefficients</i>	<i>Weighting coefficients</i>
Jeunes bovins E	62	1
Jeunes bovins U	60	3
Jeunes bovins R	58	6
Jeunes bovins O	56	4
Taureaux U	60	1
Taureaux R	58	1
Bœufs E	60	3
Bœufs U	58	6
Bœufs R	56	8
Bœufs O	53	6
Génisses E	60	1
Génisses U	58	3
Génisses R	56	6
Génisses O	53	4
Vaches U	57	4
Vaches R	54	10
Vaches O	52	20
Vaches P	48	9
Vaches A	45	4

E. IRELAND

1. Representative markets :

<i>Markets</i>	<i>Qualities</i>
Ballymahon	All qualities
Bandon	All qualities
Athenry	All qualities
Kilkenny	All qualities
Maynooth	All qualities

2. Categories, qualities and coefficients :

<i>Categories and qualities</i>	<i>Weighting coefficients</i>
Steers I	18
Steers II	13
Steers III	12
Steers IV	3
Steers V	3
Heifers I	9
Heifers II	14
Heifers III	4
Cows I	9
Cows II	12
Cows III	3

F. ITALY

1. Representative markets :

Qualities	Surplus production zone		Deficit production zone	
	Markets	Special weighting coefficients	Markets	Special weighting coefficients
Vitelloni 1 ^a e 2 ^a qualità	Brescia Cremona Macerata Modena Padova	67	Roma	33
Buoi 1 ^a e 2 ^a qualità	Modena Padova Parma	67	Roma	33
Vacche 1 ^a e 2 ^a qualità	Cremona Macerata Modena Padova	67	Roma	33
Vacche 3 ^a qualità	Cremona Modena Padova	100	—	—

2. Categories, qualities and coefficients :

<i>Categories and qualities</i>	<i>Live-weight conversion coefficients ⁽¹⁾</i>	<i>Weighting coefficients</i>
Vitelloni 1 ^a qualità	58	34
Vitelloni 2 ^a qualità	54	30
Buoi 1 ^a qualità	55	2
Buoi 2 ^a qualità	50	4
Vacche 1 ^a qualità	55	8
Vacche 2 ^a qualità	50.5	15
Vacche 3 ^a qualità	—	7

3. Corrective amounts to be applied to the quotations recorded on the Rome market :

Categories and qualities	Amount to be added Lit/100 kg
Vitelloni 1 ^a qualità	1 500
Vitelloni 2 ^a qualità	1 500
Buoi 1 ^a qualità	1 500
Buoi 2 ^a qualità	1 500
Vacche 1 ^a qualità	1 700
Vacche 2 ^a qualità	1 700

⁽¹⁾ Rome market only.

G. LUXEMBOURG**1. Representative markets : Luxembourg and Esch-sur-Alzette****2. Categories, qualities and coefficients :**

<i>Categories and qualities</i>	<i>Live-weight conversion coefficients</i>	<i>Weighting coefficients</i>
Bœufs, génisses, taureaux extra	56	65
Bœufs, génisses, taureaux AA	54	11
Bœufs, génisses, taureaux A	52	1
Vaches extra	56	2
Vaches AA	54	5
Vaches A	52	12
Vaches B	50	4

H. NETHERLANDS**1. Representative markets : 's Hertogenbosch, Leiden, Zwolle****2. Categories, qualities and coefficients :**

<i>Categories and qualities</i>	<i>Live-weight conversion coefficients</i>	<i>Weighting coefficients</i>
Stieren, 1e kwaliteit	59	13
Stieren, 2e kwaliteit	56	9
Vaarzen, 1e kwaliteit	58	11
Vaarzen, 2e kwaliteit	55	7
Koeien, 1e kwaliteit	56	13
Koeien, 2e kwaliteit	53	32
Koeien, 3e kwaliteit	50	10
Worstkoeien	47	5

I. UNITED KINGDOM**1. Representative markets :**

<i>Markets</i>	<i>Qualities</i>
(a) Great Britain	
Aberdeen	Steers light, medium, heavy ; Heifers light, medium/heavy ; Cows I, II, III
Ashford	Heifers light, medium/heavy
Ayr	Heifers medium/heavy ; Cows I, II, III
Banbury	Steers light, medium, heavy ; Heifers light, medium/heavy
Boroughbridge	Steers light, medium
Bridgnorth	Steers medium ; Heifers light, medium/heavy
Bury	
St. Edmunds	Steers light, medium
Carlisle	Steers light, medium, heavy ; Heifers light, medium/heavy
Chelmsford	Cows I, II, III
Darlington	Heifers light, medium/heavy
Driffield	Steers light, medium
Edinburgh	Steers light, heavy ; Heifers light
Exeter	Steers medium, heavy ; Heifers light, medium/heavy

Gainsborough	Steers light, medium ; Heifers light
Gisburn	Cows I, II, III
Gloucester	Steers light, medium, heavy ; Heifers light, medium/heavy
Guildford	Cows I, II, III
Haywards Heath	Cows I, II, III
Hull	Steers heavy
Kettering	Steers heavy ; Heifers medium/heavy
Kidderminster	Heifers light, medium/heavy ; Cows I, II
Lanark	Steers light, medium ; Heifers light
Launceston	Steers heavy ; Heifers medium/heavy
Leicester	Steers light, medium, heavy ; Heifers light, medium/heavy ; Cows I, II
Llangefni ⁽¹⁾	Steers light, medium ; Heifers light, medium/heavy
Malton	Steers light, medium, heavy ; Heifers light ; Cows I, II
Maud	Steers medium
Northampton	Steers light, medium, heavy ; Heifers light, medium/heavy
Norwich	Steers light, medium, heavy
Oswestry	Steers light, medium ; Heifers light
Perth	Steers medium, heavy
Preston	Steers light, medium ; Heifers light ; Cows I, II, III
Rugby	Steers light, medium, heavy ; Heifers light, medium/heavy
St. Asaph	Steers light ; Heifers light ; Cows I, II, III
Stirling	Steers light ; Heifers light, medium/heavy ; Cows I, II
Sturminster	
Newton	Cows I, II, III
Truro	Cows I, II, III
Tyneside	Steers light, medium, heavy ; Heifers light, medium/heavy ; Cows I, II, III
Welshpool	Steers light ; Heifers light, medium/heavy
Wetherby	Steers medium, heavy
York	Steers light ; Heifers light

(b) Northern Ireland

Moy ⁽²⁾	Steers U, LM, LH, T ; Heifers U/L, T ; Steers and Heifers E
Newry ⁽²⁾	Steers U, LM, LH, T ; Heifers U/L, T ; Steers and Heifers E
Omagh ⁽²⁾	Steers U, LM, LH, T ; Heifers U/L, T ; Steers and Heifers E
Lurgan ⁽²⁾	Steers U, LM, LH, T ; Heifers U/L, T ; Steers and Heifers E
Belfast	Cows
Clogher	Cows
Markethill	Cows

2. Categories, qualities and coefficients :

<i>Categories and qualities</i>	<i>Live-weight conversion coefficients</i>	<i>Weighting coefficients</i>
(a) Great Britain		
Steers light (380-460 kg)	—	20
Steers medium (465-555 kg)	—	21
Steers heavy (560 kg and over)	—	10
Heifers light (330-395 kg)	—	13
Heifers medium/heavy (400 kg and over)	—	12
Cows I	—	11
Cows II	—	7
Cows III	—	6

⁽¹⁾ Only from July to December.⁽²⁾ Abattoirs.

(b) Northern Ireland

Steers U	55.5	1
Steers LM (medium 196-271 kg)	54.0	17
Steers LH (heavy, over 271 kg)	55.0	16
Steers T	53.5	34
Heifers U/L	53.5	4
Heifers T	52.5	8
Steers and Heifers E	51.5	6
Cows	—	14

3. Special weighting coefficients :

Great Britain	88.5
Northern Ireland	11.5

COMMISSION REGULATION (EEC) No 1030/78

of 19 May 1978

amending Regulation (EEC) No 938/77 fixing the monetary compensatory amounts and certain rates for their application

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the monetary compensatory amounts instituted by Regulation (EEC) No 974/71 were fixed by Commission Regulation (EEC) No 938/77⁽³⁾, as last amended by Regulation (EEC) No 985/78⁽⁴⁾;

Whereas in Part 5 of Annex 1 to Regulation (EEC) No 938/77 the calculation of the basic amount specified in Note (3) applies, under the present wording, to products falling within subheading 04.02 B II a), of a non-fatty lactic dry matter content of at least 15 % and to subheading 04.02 B II b) of a non-fatty lactic dry matter content of at least 15 % but less than 25 % by weight; whereas this method of calculation is based on two components: the milk and cream content of the product and its sugar content; whereas the first of these components does not correspond to the actual composition of the product and the calculation of the basic amount should therefore be changed;

Whereas the present practice has been in use since 30 January 1978, when the method of calculating the monetary compensatory amounts was modified; whereas the change introduced should be applicable with effect from that date at the request of any interested party;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Part 5 of Annex 1 to Regulation (EEC) No 938/77:

- (a) The reference '(3)' in the third column for the second indent of subheading 04.02 B II a) and for the second indent of subheading 04.02 B II b) is hereby replaced by '(8)';
- (b) the following Note (8) is hereby added to the list of notes:

'(8) the basic amount for 100 kg of product under this subheading equal to the sum of the following

- (a) the amount per 100 kg indicated;
- (b) an additional amount for each percentage saccharose content in 100 kg net of the product, equal to 1/100 of the amount indicated in Part 7 of Annex 1 to this Regulation under subheading 17.01 A (undena-tured) of the Common Customs Tariff.'

Article 2

This Regulation shall enter into force on 21 May 1978.

However, on request by any interested party, the method of calculation indicated in Article 1 shall apply with effect from 30 January 1978.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 1.

⁽³⁾ OJ No L 110, 30. 4. 1977, p. 6.

⁽⁴⁾ OJ No L 128, 17. 5. 1978, p. 15.

COMMISSION REGULATION (EEC) No 1031/78

of 19 May 1978

laying down detailed rules for imports of rice to Réunion

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 last amended by Regulation (EEC) No 709/78 ⁽²⁾, and in particular Articles 11a (6) and 27 thereof,

Having regard to 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 ⁽³⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁴⁾, and in particular Article 3 thereof,

Whereas the special arrangements laid down in Article 11a of Regulation (EEC) No 1418/76 for imports of rice to the French overseas department of Réunion include, to ensure equal treatment, a subsidy for rice coming from the Member States; whereas, in order to give Community exporters stability in the amount of this subsidy, provision should be made to fix it in advance;

Whereas the possibility of fixing the subsidy in advance requires steps to ensure that in every case the export is carried out in accordance with the application; whereas each applicant should therefore receive a subsidy document requiring the goods in question to be exported within a given period;

Whereas, in order to avoid abuse, the issue of such documents should be conditional upon the lodging of a security, which should be forfeited if the goods are not exported within the period of validity of the document;

Whereas it is necessary to lay down detailed rules of application for the subsidy document; whereas certain provisions of Commission Regulation (EEC) No 193/75 of 17 January 1975 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁵⁾, as last amended by Regulation (EEC) No 1470/77 ⁽⁶⁾, may be made applicable to the subsidy document;

Whereas the products to which Article 11a (4) of Regulation (EEC) No 1418/76 applies must be put to a specified end-use; whereas provision should therefore be made for these products to be accompanied as far as the competent customs office at Réunion by the Control Copy T No 5 provided for by Commission Regulation (EEC) No 223/77 of 22 December 1976 on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure ⁽⁷⁾;

Whereas it appears from Article 11a and its relevant recital that rice imported under the arrangements provided for in that Article is intended for human consumption;

Whereas any rice which is not intended for such use should not benefit from the subsidy;

Whereas, moreover, the competent national authorities should be empowered to take all necessary control measures to ensure that the rice, whether imported from third countries or from a Member State, is used for its prescribed purpose;

Whereas Commission Regulation (EEC) No 1535/77 of 4 July 1977 determining the conditions under which certain goods are eligible upon importation for a favourable tariff arrangement by reason of their end-use ⁽⁸⁾ contains certain provisions which are not suitable for the special case of the products referred to in Article 11a of Regulation (EEC) No 1418/76; whereas provisions adapted to the special situation of these products should therefore be included in this Regulation;

Whereas trade operations in progress at the moment make transitional arrangements necessary;

Whereas the Monetary Committee will be consulted; whereas the urgency of the situation makes it necessary to adopt the proposed measures in the manner provided for in Article 3 (2) of Regulation No 129;

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 9.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 25, 31. 1. 1975, p. 10.

⁽⁶⁾ OJ No L 162, 1. 7. 1977, p. 11.

⁽⁷⁾ OJ No L 38, 9. 2. 1977, p. 20.

⁽⁸⁾ OJ No L 171, 9. 7. 1977, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

This Regulation lays down detailed rules of application concerning :

- the subsidy referred to in Article 11a (4) of Regulation (EEC) No 1418/76,
- the measures to check the end-use referred to in Article 11a (1) thereof.

Article 2

1. The subsidy shall be equal to the levy applicable to the product concerned on the day on which the customs formalities for export to Réunion were completed.

2. The subsidy may however be fixed in advance. In this case it shall be equal to the levy applicable to the product concerned on the day on which the application for the subsidy document referred to in Article 3 was lodged.

3. For products falling within subheading 10.06 B of the Common Customs Tariff, the amount of the subsidy referred to in the above paragraphs shall be reduced by the amount for the protection of the industry referred to in Article 14 (3) of Regulation (EEC) No 1418/76.

Article 3

1. The subsidy document referred to in Article 2 (2) shall be valid throughout the Community. It shall be issued to all parties requesting it, whatever their place of establishment in the Community. The issue of this document shall be conditional upon the lodging of a security guaranteeing the undertaking to export to Réunion during the period of validity of the document, which shall be forfeited in whole or in part if the operation is not carried out or is carried out only partially within that period.

2. The following provisions of Regulation (EEC) No 193/75 shall apply by analogy to the subsidy document :

- Article 3,
- Article 5,
- Article 6,
- Article 7,
- Article 8,
- Article 9 (1),
- Article 10,
- Article 11,
- Article 12,
- Article 13,
- Article 15,
- Article 16,
- Article 20.

3. The subsidy document shall create the obligation to export to Réunion, under cover of the document,

and during the period of its validity, the specified net quantity of the product. When the quantity exported is less by not more than 7 % than the quantity indicated in the subsidy document, the obligation to export shall be deemed to have been fulfilled. When the quantity exported exceeds by not more than 5 % the quantity indicated in the document it shall be deemed to have been exported under cover of the document.

4. The subsidy documents shall be drawn up at least in duplicate. The first copy, called 'Holder's copy' and marked 'No 1' shall be issued without delay to the applicant and the second, called 'Issuing agency's copy' and marked 'No 2', shall be kept by the issuing agency.

Copy No 1 of the subsidy document shall be submitted to the office where the customs formalities for export to Réunion are completed. After attribution of the quantity and endorsement by the office referred to in the foregoing subparagraph, Copy No 1 of the subsidy document shall be returned to the party concerned. The date on which the customs formalities are completed shall be the day on which the customs authority accepts the document by which the declarant states his intention to export the products in question.

5. As regards the period of validity of the subsidy documents, the obligation to export shall be deemed to have been fulfilled on the day when customs formalities relating to the products in question are completed.

The security shall be released only on production of proof that the customs export formalities relating to the product in question have been completed.

The proof provided for in the preceding subparagraph shall be furnished by production of Copy No 1 of the subsidy document and where appropriate, of Copy No 1 of the extract or extracts from subsidy documents endorsed in accordance with paragraph 4.

6. The security shall be released as soon as the proof referred to in the third subparagraph of paragraph 5 has been furnished.

Without prejudice to Article 20 of Regulation (EEC) No 193/75, when the obligation to export has not been fulfilled, the security shall be forfeit in an amount equal to the difference between :

- (a) 93 % of the net quantity indicated in the subsidy document, and
- (b) the net quantity actually exported.

However, if the net quantity exported amounts to less than 7 % of the net quantity indicated in the subsidy document, the whole of the security shall be forfeit. Furthermore, if the total amount of the security which should be forfeit is less than two units of account for a subsidy document, the Member State may release the

whole of the security. On application by the holder of the document, Member States may release the security by instalments in *pro rata* to the quantities of products in respect of which the proof referred to in the third subparagraph of paragraph 5 has been furnished, subject to proof that a quantity equal to at least 7 % of the net quantity indicated in the subsidy document has been exported. When the proof referred to in paragraph 5 has not, except for reasons of *force majeure*, been furnished within six months of the last day of the subsidy document, the security shall be forfeit.

7. The application for a subsidy document and the document itself shall include in Section 12 one of the following endorsements written in red or underlined in red:

- 'Subsidy document for rice exported to Réunion (Article 11a of Regulation (EEC) No 1418/76)',
- 'Document de subvention riz Réunion (article 11 bis du règlement (CEE) n° 1418/76)',
- 'Tilskudsdokument ris Réunion (artikel 11a i forordning (EØF) nr. 1418/76)',
- 'Subventionsdokument Reis Réunion (Artikel 11a der Verordnung (EWG) Nr. 1418/76)',
- 'Documento di sovvenzione riso Riunione (articolo 11 bis del regolamento (CEE) n. 1418/76)',
- 'Subsidiebewijs rijst Réunion (artikel 11 bis van Verordening (EEG) nr. 1418/76)'.

Section 18 shall include one of the following endorsements:

- 'Subsidy for rice exported to Réunion fixed in advance on ... (date on which the application for the document was lodged)',
- 'Subvention riz Réunion préfixée le ... (date du dépôt de la demande du document)',
- 'Tilskud ris Réunion forudfastsat den ... (dato for indgivelsen af ansøgningen om dokumentet)',
- 'Subvention Reis Réunion im voraus festgesetzt am ... (Eingangsdatum des Antrags für das Dokument)',
- 'Sovvenzione riso Riunione prefissato il ... (giorno in cui è stato richiesto il documento)',
- 'Subsidie rijst Réunion vooraf vastgesteld op ... (datum waarop aanvraag van het bewijs is ingediend)'.

The title of the export licence or advance fixing certificate and Section 17 shall be crossed out in red.

8. The subsidy document shall be valid from the date of its issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75 until the end of the third month following such date.

9. The date of the security referred to in paragraph 1 shall be three units of account per tonne.

Article 4

1. In order to benefit from the subsidy, interested parties shall:

- state, at the time of completion of the customs formalities for export to Réunion, their intention to benefit from the subsidy,
- furnish proof that the product has been released for consumption in Réunion.

2. The proof referred to in the second indent of paragraph 1 shall be furnished by production of the control copy referred to in Article 10 of Regulation (EEC) No 223/77.

Among the special endorsements on the control copy, the following shall be completed:

(a) Sections 101 and 103;

(b) Section 104 deleting where inappropriate and adding one of the following endorsements:

- 'To be released for consumption in Réunion (Article 11a of Regulation (EEC) No 1418/76)',
- 'Bestemt til at overgå til fri omsætning på Réunion (artikel 11a i forordning (EØF) nr. 1418/76)',
- 'Bestimmt zur Überführung in den freien Verkehr in Reunion (Artikel 11a der Verordnung (EWG) Nr. 1418/76)',
- 'Destiné à être mis à la consommation à la Réunion (article 11 bis du règlement (CEE) n° 1418/76)',
- 'Destinato ad essere immesso in consumo nel dipartimento francese d'oltre-mare della Riunione (articolo 11 bis del regolamento (CEE) n. 1418/76)',
- 'Bestemd voor consumptie in Réunion (artikel 11 bis van Verordening (EEG) nr. 1418/76)';

(c) Section 106 completed with one of the following endorsements as appropriate:

- 'Réunion rice subsidy applicable on ... (date of customs export formalities)',
- 'Tilskud for ris Réunion gældende den ... (dato for toldbehandlingen ved udførselen)',
- 'Subvention Reis Réunion anwendbar am ... (Tag der Erfüllung der Ausfuhrzollförmlichkeiten)',
- 'Subvention riz Réunion applicable le ... (date d'accomplissement des formalités douanières d'exportation)',
- 'Sovvenzione riso Riunione applicabile il ... (giorno di espletamento delle formalità doganali di esportazione)',
- 'Subsidie rijst Réunion van toepassing op ... (datum van de vervulling van douaneformaliteiten bij uitvoer)';

or

- 'Réunion rice subsidy fixed in advance on ... (date of advance fixing)',
- 'Tilskud for ris Réunion forudfastsat den ... (datoen for forudfastsættelsen)',
- 'Subvention Reis Réunion vorausfestgesetzt am ... (Tag der Vorausfestsetzung)',
- 'Subvention riz Réunion préfixée le ... (date de préfixation)',
- 'Sovvenzione riso Riunione prefissata il ... (giorno della prefissazione)',
- 'Subsidie rijst Réunion vooraf vastgesteld op ... (datum van de vaststelling vooraf)'.

The competent customs office in Réunion shall complete the section 'Control as to use and/or destination' when completing the customs formalities for release for consumption.

Article 5

1. The subsidy shall be granted only to products of sound, genuine and merchantable quality and provided that their use for human consumption is not excluded or substantially impaired by their characteristics or condition. If these quality conditions are not met at the time of completion of the customs formalities for release for consumption in Réunion, one of the following endorsements shall be entered in the relevant section on the control copy referred to in Article 4:

- (Number of kilograms in letters and figures) not in accordance with specification. *Idem* in five languages.)

2. The subsidy shall only be paid at the written request of the party concerned by the Member State on whose territory the customs formalities for export to Réunion were completed. The Member States may provide a special form for this purpose.

3. Save in case of *force majeure*, entitlement to the subsidy shall be lost, unless the file for payment of the subsidy is lodged within six months following the day on which the customs export formalities were completed.

Article 6

1. Member States may advance to the exporter the whole or part of the subsidy on completion of the customs formalities for export to Réunion, provided that a security is lodged for the amount of the advance plus 15 %.

2. The advance, increased by 15 %, shall be repaid *pro rata* in respect of those quantities of products for which the proofs required by this Regulation to establish entitlement to the subsidy have not been

furnished within the required period. In this case, if an exporter, after being requested to repay the advance, fails to do so, the security shall be forfeit *pro rata* in respect of the quantities involved.

However, if by reason of *force majeure*, the abovementioned proofs cannot be furnished, the additional 15 % shall not be payable.

Article 7

1. For the purposes of application of Article 11a (1) of Regulation (EEC) No 1418/76, 'products intended for consumption' shall mean products intended for human consumption either unprocessed or after processing.

2. When products are released for consumption in Réunion:

- either with the benefit of Article 11a (2) or (3) of Regulation (EEC) No 1418/76,
- or accompanied by the control copy referred to in Article 4,

the competent authorities shall take all necessary control measures to ensure that the products are put to the end-use referred to in Article 11a (1) of Regulation (EEC) No 1418/76.

These measures shall, in particular, oblige the holders of the products in question to keep accounts enabling the competent authorities to make such checks as they consider necessary.

3. Where the products referred to in the first indent of the first subparagraph of paragraph 2 are not put to the prescribed end-use, except in case of *force majeure*, the amount of the levy not collected on importation of the products shall be paid without prejudice to any claim for interest on arrears.

Where the products referred to in the second indent of the first subparagraph of paragraph 2 are not put to the prescribed end-use, except in case of *force majeure*, the amount of the subsidy granted for these products shall be recovered, without prejudice to any claim for interest on arrears.

The sums referred to in the preceding sub-paragraphs shall be paid to the competent authorities of the Member State in which the end-use is checked.

When the subsidy has been paid in a currency other than the French franc, the sum to be recovered shall be converted into French francs using the last sale exchange rate recorded on the Paris exchange market on the date of the completion of the customs formalities for export to Réunion.

The products referred to in paragraph 1 may not be re-exported from Réunion either to third countries or to any other part of the Community.

Article 8

1. Member States shall inform the Commission each month :

- of the quantities of products for which the subsidy documents referred to in Article 3 were applied for during the preceding month, indicating these quantities by Common Customs Tariff subheading,
- of the quantities for which a request for payment of the subsidy referred to in Article 11a (4) of Regulation (EEC) No 1418/76 was lodged, indicating these quantities by Common Customs Tariff subheading.

2. France shall inform the Commission each month of the quantities of products released for

consumption during the previous month in Réunion with the benefit of Article 11a (2) or (3) of Regulation (EEC) No 1418/76, indicating these quantities by Common Customs Tariff subheading.

Article 9

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

However, on application by any interested party within seven days of the said entry into force, a date of advance fixing of the subsidy within the period from 11 May 1978 to the day preceding that of the said entry into force shall be entered on the subsidy document.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1032/78**of 19 May 1978****introducing a countervailing charge on cucumbers originating in Bulgaria**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas Commission Regulation (EEC) No 823/78 of
25 April 1978 fixing the reference price for cucum-
bers for the month of May 1978⁽³⁾ fixed the reference
price for products of Class I at 41.83 units of account
per 100 kilograms net;

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

Whereas, in accordance with Article 3 (1) of Regula-
tion (EEC) No 2118/74⁽⁴⁾, as last amended by Regula-
tion (EEC) No 668/78⁽⁵⁾, the prices to be taken into
consideration must be recorded on the representative

markets or, in certain circumstances, on other
markets; whereas it is necessary to multiply the prices
with the coefficients fixed in Article 1 (2) of Regula-
tion (EEC) No 823/78;

Whereas, for Bulgarian cucumbers, the entry price
calculated in this way has remained at least 0.50 unit
of account below the reference price for two consecu-
tive market days; whereas a countervailing charge
should therefore be introduced for these cucumbers;

Whereas if the system is to operate normally the entry
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,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 5.73 units of account per
100 kilograms net is applied to cucumbers
(subheading ex 07.01 P of the Common Customs
Tariff) originating in Bulgaria.

Article 2

This Regulation shall enter into force on 23 May
1978.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 125, 19. 5. 1977, p. 1.

⁽³⁾ OJ No L 114, 26. 4. 1978, p. 5.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 90, 5. 4. 1978, p. 5.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1033/78

of 19 May 1978

altering the basic amount of the import levy on syrups and certain other sugar products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 705/78⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the basic amount of the import levy on syrups and certain other sugar products was fixed by Regulation (EEC) No 877/78⁽³⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 641/78 to the information at present available to the Commis-

sion that the basic amount of the levy at present in force should be altered as shown in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74 is hereby fixed, per 100 kilograms of product, at 0.2711 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 20 May 1978.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 1.

⁽³⁾ OJ No L 117, 29. 4. 1978, p. 16.

COMMISSION REGULATION (EEC) No 1034/78

of 19 May 1978

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 705/78⁽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 1012/78⁽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 20 May 1978.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 1.

⁽³⁾ OJ No L 161, 1. 7. 1977, p. 9.

⁽⁴⁾ OJ No L 131, 19. 5. 1978, p. 20.

ANNEX

to the Commission Regulation of 19 May 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	27.11
	B. Raw sugar	21.99 ⁽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.

COMMISSION REGULATION (EEC) No 1035/78

of 19 May 1978

fixing the import levies on isoglucose

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1111/77 of 17 May 1977 laying down common provisions for isoglucose⁽¹⁾, as last amended by Regulation (EEC) No 706/78⁽²⁾, and in particular Article 3 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 3 of Regulation (EEC) No 1111/77, a levy is to be charged on imports of the products specified in Article 1 of that Regulation; whereas this levy is to consist of a fixed component and a variable component;

Whereas these components are defined in Article 3 (1) of Regulation (EEC) No 1111/77; whereas, pursuant to Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽³⁾, the fixed component referred to in Article 3 of Regulation (EEC) No 1111/77 must be equal to that used for fixing the import levy on products falling within subheading 17.02 B II a) of the Common Customs Tariff;

Whereas the levy must be fixed each month;

Whereas, to enable the system of levies to function normally, the levies should be calculated using:

- 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 of the Community currencies referred to in the previous subparagraph;

Whereas in view of the foregoing the levies on isoglucose shall be fixed as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 3 (4) of Regulation (EEC) No 1111/77 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 May 1978.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 4.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 5.

⁽³⁾ OJ No L 162, 1. 7. 1977, p. 9.

ANNEX

to the Commission Regulation of 19 May 1978 fixing the import levies on isoglucose

(in u.a.)		
CCT heading No	Description	Levies per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel : D. Other sugars and syrups : I. Isoglucose	35.11
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : III. Isoglucose	35.11