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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1396/78

of 20 June 1978

amending Regulation (EEC) No 3330/74 on the common organization of the market in sugar

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

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

Whereas Article 8 of Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar ⁽²⁾, as last amended by Regulation (EEC) No 705/78 ⁽³⁾, which establishes the system of reimbursement of storage costs, does not apply to syrups produced after the crystallizing stage manufactured from beet or cane harvested in the Community or to syrups produced from preferential sugar; whereas market trends in these syrups show a significant increase in demand which requires constantly increasing production and storage; whereas for this reason the system of reimbursement of storage costs should be extended to cover these syrups;

Whereas Article 38 (2a) of Regulation (EEC) No 3330/74 authorizes Italy to grant during the 1977/78 sugar year adaptation aid of 9.9 units of account which is higher than the aid provided for in paragraph 1 of that Article; whereas, since the grounds for this measure still exist, a similar measure should be adopted for the 1978/79 sugar year but should be adapted to the current situation in the beet and sugar sector in Italy,

HAS ADOPTED THIS REGULATION:

Article 1

Article 8 of Regulation (EEC) No 3330/74 shall be replaced by the following:

⁽¹⁾ OJ No C 85, 10. 4. 1978, p. 43.

⁽²⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽³⁾ OJ No L 94, 8. 4. 1978, p. 1.

Article 8

1. Subject to Article 31 (2), the storage costs in respect of:

- white sugar,
- raw sugar,
- syrups obtained prior to the crystallizing stage, and
- syrups obtained by dissolving crystallized sugar,

manufactured from beet or cane harvested in the Community shall be reimbursed at a flat rate by the Member States.

The storage costs shall also be reimbursed at a flat rate by the Member States in the case of preferential sugar:

- imported in the form of raw sugar,
 - imported in the form of white sugar,
- and in the case of
- white sugar produced by the refining of preferential raw sugar in the Community,
 - syrups obtained after the dissolving of preferential sugar in the Community,
 - syrups obtained directly from preferential raw sugar in the Community.

The Member States shall, according to the circumstances, impose a levy:

(a) on each sugar manufacturer, as appropriate:

- by unit of weight of sugar produced,
- by unit of weight of syrups referred to in the first subparagraph, produced prior to the crystallizing stage and marketed in their natural state;

- (b) on each importer of preferential sugar, by unit of weight of sugar imported and marketed in its natural state ;
- (c) on each refiner of preferential sugar, by unit of weight of refined sugar, the manufacture of syrups obtained directly from preferential raw sugar being regarded, for the purposes of imposing the levy, as refining.

The amount of the reimbursement shall be the same for the entire Community. This rule shall also apply in respect of the levy applicable in each of the cases referred to in (a) on the one hand and (b) and (c) on the other hand.

2. Paragraph 1 shall not apply to flavoured or coloured sugar falling within heading No 17.01 nor to flavoured or coloured syrups falling within subheading 21.07 F IV of the Common Customs Tariff.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall :

- (a) adopt the general rules for the implementation of this Article ;
- (b) fix the reimbursement amount simultaneously with the derived intervention prices.

The amount of the levy shall be fixed annually in accordance with the procedure laid down in Article 36. The other detailed rules for implementation of the present Article shall be laid down in accordance with the same procedure.'

Article 2

Article 38 (2a) of Regulation (EEC) No 3330/74 shall be replaced by the following :

'2a. By way of derogation from paragraphs 1 and 2, during the 1978/79 sugar year the amount referred to in the first subparagraph of paragraph 1 shall be 11 units of account, a portion of which may be granted to the processing industry. Such a grant shall be made only with respect to the quantity of sugar beet used to produce 1 400 000 tonnes of white sugar.'

Article 3

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

It shall apply from 1 July 1978..

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

Done at Luxembourg, 20 June 1978.

For the Council

The President

P. DALSAGER

COUNCIL REGULATION (EEC) No 1397/78**of 20 June 1978****amending Regulation (EEC) No 1358/77 laying down general rules for offsetting storage costs for sugar**

THE COUNCIL 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 1396/78⁽²⁾, and in particular Article 8 (3) (a) thereof,

Having regard to the proposal from the Commission,

Whereas Article 8 of Regulation (EEC) No 3330/74 which defines the basic provisions governing the system for offsetting storage costs in the sugar sector extends the application of that system to sucrose syrups produced in the Community after crystallization of sugar and to syrups derived from preferential sugar; whereas therefore it appears necessary to amend Council Regulation (EEC) No 1358/77 of 20 June 1977 laying down general rules for offsetting storage costs for sugar and repealing Regulation (EEC) No 750/68⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1358/77 is amended as follows:

1. In Article 2 (1) the words 'at the beginning of the period referred to in Article 4 (2)' are deleted.
2. The following is added at the end of the second indent of Article 3 (1):

'and the syrups referred to in the second subparagraph of Article 8 (1) of Regulation (EEC) No 3330/74'.

Article 2

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

It shall apply from 1 July 1978.

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

Done at Luxembourg, 20 June 1978.

For the Council

The President

P. DALSAGER

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No L 156, 25. 6. 1977, p. 4.

COUNCIL REGULATION (EEC) No 1398/78

of 20 June 1978

fixing, for the 1978/79 sugar year, the sugar prices, the standard quality of beet
and the coefficient for calculating the maximum quota

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

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 1396/78⁽²⁾, and in particular Articles 2 (2), 3 (5) and 4 (3) and the second subparagraph of Article 25 (2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas, when sugar prices are fixed, account should be taken of the objectives of the common agricultural policy and of the contribution which the Community intends to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are in particular to ensure a fair standard of living for the agricultural community, to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas, in order to attain these objectives, the target price for sugar must be fixed at a level which, taking into account in particular the resultant level of the intervention price, ensures a fair remuneration for beet and sugar cane producers while at the same time respecting consumers' interests, and which is likely to maintain the balance between the prices of the principal agricultural products;

Whereas, as a result of the characteristics of the sugar market, the risks involved in this trade are relatively slight; whereas, consequently, when the intervention price for sugar is being fixed, the difference between the target price and the intervention price may be fixed at a relatively low level;

Whereas the minimum price for beet must take account of the intervention price and of the costs of processing and delivering the beet to factories and be based on an estimated Community yield of 130 kilo-

grams of white sugar per tonne of beet with a 16 % sugar content;

Whereas the abovementioned standard costs may be estimated at 13.54 units of account per 100 kilograms of white sugar; whereas that standard amount is made up of the sum of the real processing margin, ignoring sugar storage costs, estimated at 11.90 units of account, the costs of delivering the beet to factories, estimated at 2.37 units of account, and the cost relating to the minimum stock not covered by the offsetting of storage costs, estimated at a flat-rate amount of 0.10 unit of account, less a flat-rate amount of 0.83 unit of account representing factories' receipts from the sale of molasses calculated on the basis of a yield of 38.5 kilograms per tonne of beet processed and an ex-factory price for molasses of 2.80 units of account per 100 kilograms of molasses;

Whereas the standard quality chosen for beet should be a quality which takes account of production characteristics in the main beet-producing areas of the Community;

Whereas in the light of production trends resulting from specialization on the one hand and of the Community's sugar requirements and possible outlets on the other, the coefficient for the maximum quotas laid down in Article 25 of Regulation (EEC) No 3330/74 should be fixed at 1.275,

HAS ADOPTED THIS REGULATION:

Article 1

1. The target price for white sugar shall be 35.25 units of account per 100 kilograms.
2. The intervention price for white sugar shall be 33.49 units of account per 100 kilograms.
3. The area having the largest surplus consists of the following French departments: Aisne, Oise, Somme.

Article 2

The minimum price for beet for the area referred to in Article 1 (3) shall be 25.94 units of account per tonne delivered at the collection centre.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No C 85, 10. 4. 1978, p. 31.

⁽⁴⁾ OJ No C 101, 26. 4. 1978, p. 10.

*Article 3**Article 5*

Standard quality beet shall :

- (a) be of sound, genuine and merchantable quality ;
- (b) have a sugar content of 16 % at the reception point.

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

Article 4

The coefficient referred to in Article 25 (1) of Regulation (EEC) No 3330/74 shall be 1.275.

It shall apply for the 1978/79 sugar year.

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

Done at Luxembourg, 20 June 1978.

For the Council

The President

P. DALSAGER

COUNCIL REGULATION (EEC) No 1399/78

of 20 June 1978

fixing, for the 1978/79 sugar year, the derived intervention prices, the intervention price for raw beet sugar, the minimum prices for beet, the threshold prices, the maximum amount of the production levy and the amount of the repayment to offset storage costs, and fixing the coefficient for calculating the special maximum quota

THE COUNCIL 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 1396/78⁽²⁾, and in particular Articles 3 (6), 4 (4), 8 (2), 9 (5), 13 (5), 28 and 32 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 1398/78 of 20 June 1978 fixing, for the 1978/79 sugar year, the sugar prices, the standard quality of beet and the coefficient for calculating the maximum quota⁽³⁾, fixed the intervention price for white sugar at 33.49 units of account per 100 kilograms for the Community area having the largest surplus;

Whereas Article 3 (2) of Regulation (EEC) No 3330/74 provides that derived intervention prices for white sugar shall be fixed for other areas, account being taken of the regional variations which, given a normal harvest and free movement of sugar, might be expected to occur in the price of sugar under natural conditions of price formation;

Whereas, in view of the quotas fixed in the production areas of Belgium, Denmark, the Federal Republic of Germany, France and the Netherlands, a balance or surplus situation can be anticipated; whereas, with the exception of the French overseas departments, the ex-factory prices in the areas mentioned will, to a large extent, be equal to the prices in the Community area having the largest surplus;

Whereas sugar production in Italy, with relatively high production costs, will probably not exceed the basic quantity fixed; whereas an allowance should therefore be made for the 1978/79 sugar year of approximately 200 000 tonnes to be covered by production from Community surplus areas;

Whereas, in these circumstances, the level of market prices in Italy will be determined by the offer prices of sugar from Community surplus areas; whereas the derived intervention price for Italy may be fixed at 35.09 units of account per 100 kilograms, account being taken, on the one hand, of the intervention price applicable in the north of France, plus the marketing costs for deliveries to Italy and, on the other, of the disposal costs of the Italian sugar industry;

Whereas, given a normal harvest, the sugar production in Ireland and the United Kingdom covers roughly 90 % and 40 % respectively of the needs of their respective home markets; whereas these needs must in part be met by sugar available in Community surplus areas;

Whereas, in these circumstances, the level of market prices in both Ireland and the United Kingdom will be determined largely by the offer prices of sugar from these areas; whereas a single derived intervention price for white sugar, which may be fixed at 34.49 units of account per 100 kilograms, should therefore be adopted for all regions of Ireland and the United Kingdom, account being taken on the one hand of the intervention price applicable in the Community area having the largest surplus plus the marketing costs of delivery to Ireland and the United Kingdom and, on the other, of the disposal costs of the sugar industry of these Member States;

Whereas there is a considerable surplus production of raw sugar in the French overseas departments; whereas the most favourable potential outlets for this sugar within the Community are in the south of France and in Italy, where the sugar, after being refined, may be sold directly; whereas on the basis of the foreseeable market prices in the deficit areas of Italy, which will probably be 2.43 units of account per 100 kilograms above the derived intervention price in Italy, and taking account of transport costs between the French overseas departments and these areas, the derived intervention prices for those departments should be fixed at 33.29 units of account per 100 kilograms of white sugar;

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ See page 4 of this Official Journal.

Whereas Article 3 (4) of Regulation (EEC) No 3330/74 provides that an intervention price for raw sugar shall be fixed for those departments, such price to be derived from the intervention price for white sugar fixed for those departments, account being taken of a uniform processing margin and a standard yield; whereas, on the basis of available information, the refining costs may be estimated at 2.75 units of account per 100 kilograms of refined sugar; whereas, moreover, in accordance with the definition of the standard quality for raw sugar laid down by Regulation (EEC) No 431/68 ⁽¹⁾, a yield of 92 % should be taken into account;

Whereas Article 9 (5) of Regulation (EEC) No 3330/74 provides for the fixing of intervention prices for raw beet sugar; whereas this fixing is not, however, necessary for the Community regions in which this production is not actually marketed; whereas these prices should be derived from the intervention price for white sugar, account being taken of the factors already mentioned for fixing the intervention price for raw sugar in the French overseas departments and of the forwarding costs for supplying raw sugar, these being estimated at a standard rate of 0.51 unit of account per 100 kilograms;

Whereas the minimum prices for sugar beet, as referred to in the first indent of Article 4 (1) of Regulation (EEC) No 3330/74, must be determined for the areas other than that having the largest surplus on the basis of the intervention prices for white sugar applicable in those areas, account being taken in particular of the amounts used when fixing the minimum price for beet for the area having the largest surplus, the processing margin, the yield, the receipts from molasses and the delivery costs of the beet;

Whereas Article 13 (2) of Regulation (EEC) No 3330/74 provides that the threshold price for white sugar should be the same as the target price for the Community area having the largest surplus plus transport charges, calculated at a flat rate, from that area to the most distant deficit area in the Community, plus a flat rate amount taking account of the storage levy, which for 1978/79 can be estimated at 1.77 units of account per 100 kilograms of white sugar; whereas, given the state of supplies within the Community, account should be taken of transport charges between the departments of northern France and Palermo;

Whereas the threshold price for raw sugar is to be derived from the threshold price for white sugar by reference to a standard processing margin and a standard yield; whereas the same criteria as are used in the derivation of the intervention price for raw sugar should therefore be applied;

Whereas the threshold price for molasses should be fixed in such a way that the receipts from sales of molasses may reach the level of receipts of undertakings taken into account in the fixing of minimum prices for beet;

Whereas Article 28 of Regulation (EEC) No 3330/74 provides for the fixing of the maximum amount of the production levy, for the fixing of the minimum prices for beet outside the basic quota for the sugar-beet producing areas for which an intervention price is fixed and for fixing the percentage determining the supplementary payment which manufacturers must, where appropriate, make to beet sellers; whereas, by Article 27 (3) of Regulation (EEC) No 3330/74, the production levy may not exceed 30 % of the intervention price; whereas for the area with the largest surplus the minimum price for beet outside the basic quota should be fixed at 70 % of the minimum price for beet; whereas the percentage taken for determining the abovementioned supplementary payment may be fixed at 60, account being taken of the value of beet in relation to the intervention price for sugar; whereas the same percentage should be taken to determine the payment which sugar manufacturers may require of cane sellers;

Whereas Article 5 of Regulation (EEC) No 1358/77 ⁽²⁾ provides that the amount of repayment in the context of the offsetting of storage costs shall be fixed per month and per unit of weight taking account of financing, insurance and specific storage costs;

Whereas under Article 32 (4) of Regulation (EEC) No 3330/74 it is necessary, for the period or periods subsequent to 30 June 1976, to determine the length of each period for which a decision not to apply Article 30 of that Regulation may be taken, to fix the coefficient for calculating the special maximum quota and to specify the basic quota to which the said coefficient applies,

HAS ADOPTED THIS REGULATION:

Article 1

For the regions other than the Community area having the largest surplus the derived intervention prices for 100 kilograms of white sugar shall be:

- (a) 35.09 units of account for all regions of Italy;
- (b) 33.29 units of account for the French overseas departments;

⁽¹⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽²⁾ OJ No L 156, 25. 6. 1977, p. 4.

- (c) 34.49 units of account for all regions of Ireland and of the United Kingdom;
- (d) 33.49 units of account for the other regions of the Community.

Article 2

1. The intervention price for 100 kilograms of raw beet sugar shall be 27.81 units of account for the area having the largest surplus and the regions referred to in Article 1 (d).

This intervention price shall be valid for raw sugar of standard quality, unpacked, ex-factory, loaded on to the means of transport chosen by the buyer.

2. The derived intervention price for the French overseas departments for raw sugar referred to in Article 3 (4) of Regulation (EEC) No 3330/74 shall be 28.10 units of account per 100 kilograms, account being taken of the second subparagraph of Article 3 (6) of the said Regulation.

Article 3

1. The minimum price for beet shall be, per tonne :
 - (a) 28.02 units of account for the regions referred to in Article 1 (a);
 - (b) 27.24 units of account for the regions referred to in Article 1 (c);
 - (c) 25.94 units of account for the regions referred to in Article 1 (d).
2. The minimum price for beet outside the basic quotas shall be, per tonne :
 - (a) 18.16 units of account for the Community area having the largest surplus and for the regions referred to in Article 1 (d);
 - (b) 20.24 units of account for the regions referred to in Article 1 (a);
 - (c) 19.46 units of account for the regions referred to in Article 1 (c).

Article 4

The threshold price shall be :

- (a) 40.20 units of account per 100 kilograms of white sugar;

- (b) 34.45 units of account per 100 kilograms of raw sugar;
- (c) 3.20 units of account per 100 kilograms of molasses.

Article 5

1. The maximum amount of the production levy referred to in Article 28 of Regulation (EEC) No 3330/74 shall be 10.05 units of account per 100 kilograms of white sugar.

2. The percentages referred to in Article 27 (4) and (5) of Regulation (EEC) No 3330/74 shall be 60.

Article 6

The amount of repayment referred to in Article 8 of Regulation (EEC) No 3330/74 shall be 0.30 unit of account per month per 100 kilograms of white sugar.

Article 7

1. The period referred to in the first indent of Article 32 (4) of Regulation (EEC) No 3330/74 shall run from 1 July 1978 to 30 June 1980. The Member State concerned must take its decision in respect of this period not later than 30 June 1978.

2. The coefficient referred to in the second indent of Article 32 (4) of Regulation (EEC) No 3330/74 shall be 2.275 for the period referred to in paragraph 1. The coefficient shall be applied to the basic quota for the 1978/79 marketing year.

Article 8

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

Articles 1 to 6 shall apply for the 1978/79 sugar year.

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

Done at Luxembourg, 20 June 1978.

For the Council

The President

P. DALSAGER

COUNCIL REGULATION (EEC) No 1400/78**of 20 June 1978****laying down general rules for the production refund on sugar used in the chemical industry**

THE COUNCIL 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 1396/78⁽²⁾, and in particular Article 9 (5) thereof,

Having regard to the proposal from the Commission,

Whereas under Article 9 (4) of Regulation (EEC) No 3330/74 it may be decided to grant production refunds on sugar and syrups covered by that Regulation which are used in the manufacture of certain products of the chemical industry;

Whereas, as a result of technical developments in the chemical industry, the products of this industry, which it was formerly possible to manufacture only either from sugar or maize, may now be obtained from both of these basic products; whereas, consequently, in order to achieve equality of treatment, provision should be made for the granting of a production refund on sugar corresponding to that granted on maize processed into starch, after the application of a yield coefficient; whereas the amount of the production refund on sugar will therefore be a function of that on maize;

Whereas raw sugar and syrups containing sucrose can also be used in the processing industry; whereas the production refund on these basic products should therefore be that for white sugar, adjusted by reference to the respective yields;

Whereas, to avoid abuses, provision should be made for the production refund to be granted only if other uses are excluded by means of controls;

Whereas such controls can be facilitated if the production refund is paid only on application by the processor;

Whereas controls may, in certain cases, be rendered more effective if provision is also made for an

approval procedure; whereas the Member State in whose territory processing takes place should be free to decide whether or not to require such approval;

Whereas this Regulation is intended to replace Council Regulation (EEC) No 765/68 of 18 June 1968 laying down general rules for the production refund on sugar used in the chemical industry⁽³⁾; whereas the latter Regulation should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

A production refund shall be granted under the conditions laid down in this Regulation on the products listed in Article 1 (1) (a) of Regulation (EEC) No 3330/74 and on the sucrose syrups of subheading ex 17.02 D II of the Common Customs Tariff (hereinafter called 'basic products') which are used in the manufacture of the products of the chemical industry listed in the Annex (hereinafter called 'chemical products').

Article 2

1. The production refund shall be granted by the Member State in whose territory processing of the basic products takes place.

2. The Member State may grant the refund only if customs control, or administrative inspection affording equivalent guarantees, ensures that the basic products are used for the purpose specified in the application referred to in Article 3.

Article 3

1. The production refund shall be granted only to processors who guarantee that the control provided for in Article 2 (2) can be carried out at any time and who have submitted an application specifying the chemical product in the manufacture of which the basic product is to be used.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 1.

2, The Member State concerned may make entitlement to the refund subject to these processors receiving prior approval.

Article 4

The amount of the production refund on white sugar shall be equal to that of the production refund fixed, pursuant to Article 11 (1) (a) of 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 1254/78⁽²⁾, for maize used in the Community in the manufacture of starch, calculated per 100 kilograms of dry matter of glucose, using a yield coefficient to be determined.

Article 5

The amount of the production refund granted per 100 kilograms of raw sugar shall be equal to one hundredth of the amount applicable on the use of white sugar, multiplied by the yield of the raw sugar used, which yield shall be determined in accordance with Article 1 of Council Regulation (EEC) No

431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽³⁾.

Article 6

The amount of the production refund granted per 100 kilograms of the sucrose syrups referred to in Article 1 shall be equal to one hundredth of the amount applicable on the use of white sugar multiplied by the sucrose content of the syrup used.

Article 7

Regulation (EEC) No 765/68 is hereby repealed.

Article 8

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

It shall apply from 1 August 1978.

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

Done at Luxembourg, 20 June 1978.

For the Council

The President

P. DALSAGER

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 89, 10. 4. 1968, p. 3.

ANNEX

List of products

CCT heading No	Description
ex 13.03 C III	Carrageenan
ex 15.11 B	Glycerol, other than crude
ex 17.02 D II	Sorbose
28.17 A	Sodium hydroxide (caustic soda)
ex 28.45 B	Sodium silicates
ex 29.04 C I	Diols
29.04 C II	Mannitol
29.04 C III	Sorbitol
29.04 C IV	Other polyhydric alcohols
29.05 A III	Sterols and inositols
ex 29.10 B	Methyl-glucosides
ex 29.14 A or B	Mannitol and sorbitol esters ; sodium heptonate
29.15 A I	Oxalic acid, its salts and esters
ex 29.15 A V	Citraconic acid, itaconic acid, succinic acid, their salts and esters
29.16 A I	Lactic acid, its salts and esters
29.16 A III	Tartaric acid, its salts and esters
29.16 A IV	Citric acid, its salts and esters
ex 29.16 A VIII	Glyceric acid, glycollic acid, saccharonic acid, isosaccharonic acid, heptasaccharic acid, their salts and esters
ex 29.16 C III	Ketoglutaric acid, levulinic acid, their salts and esters
ex 29.16 D	Glucuronic acid, ketogluconic acid, their salts and esters ; lactobionates
ex 29.19 A	Lactophosphates
ex 29.22 D II	Tetramethyl-para-aminotriphenylcarbinol
29.23 D	Amino-acids
29.35 A	Furfural (furfurol) and benzofuran (coumarone)
29.35 B	Furfuryl and tetrahydrofurfuryl alcohols
29.35 I J	Nucleic acids and their salts
ex 29.35 Q	Hydroxymethylfurfural and derivatives, lactide, purine, pyrimidine, maltol, isomaltol, piperidine, piperazine, lactones of glucaric acid, lactones of glucuronic acid, anhydric compounds of mannitol and sorbitol, as for example sorbitan, excluding maltol and isomaltol
ex 29.38 B II	Vitamin B 12
29.38 B IV	Vitamin C
ex 29.39 E	Other hormones
ex 29.43 B	Levulose, its salts and esters ; sorbose, its salts and esters

CCT heading No	Description
29.44 A	Penicillins
29.44 C	Other antibiotics
ex 30.03 A II	Medicaments (including veterinary medicaments) not put up for retail sale, containing penicillin, streptomycine or their derivatives, or containing other antibiotics or derivatives thereof
ex 32.01 B	Tannin ethers
32.05 A	Synthetic organic dyestuffs
32.05 C	Synthetic organic products of the type used as 'luminophores'
32.05 D	Products of the kind known as optical bleaching agents, substantive to the fibre
ex 34.01	Translucent soaps
34.02	Organic surface-active agents ; surface-active preparations and washing preparations, whether or not containing soap
ex 35.03 B	Glues derived from bones, hides, nerves, tendons or from similar products, and fish glues
ex 35.07	Enzymes
ex 38.11 B	Organo-copper preparations
ex 38.11 D	Disinfectants, insecticides, fungicides, herbicides, rat poisons, anti-parasite preparations and similar products put up in forms or packings for sale by retail or as preparations or articles (for example sulphur-treated bands, wicks and candles, fly-papers) excluding preparations based on ethylene dibromide containing a maximum of 70 % by weight of ethylene dibromide (1.2 — dibromoethane) presented in the form of emulsions containing an emulsifying product in a proportion of 3-5 % by weight and having as diluent xylene or petroleum
ex 38.12 A	Prepared dressings of the type used in the textile industry
38.19 Q	Foundry core binders based on synthetic resins
38.19 T	Sorbitol, other than that falling within subheading 29.04 C III
ex 38.19 U	Products from cracking of sorbitol ; parting agents for exposed aggregate concrete, retarding agents for cement hardening ; softening agents, foundry core binders based on sodium silicate, epoxy polishers ; calcium polylactate, lactoglycerides
39.01 C I	Phenoplasts
39.01 C II	Aminoplasts
ex 39.01 C VII	Polyalkylene glycol ethers
ex 39.06 B	Dextrans and heteropolysaccharides

COUNCIL REGULATION (EEC) No 1401/78
of 20 June 1978

**fixing, for the 1978/79 sugar marketing year, the differential charge to be levied
on raw preferential sugar and the differential amount to be granted in respect of
raw cane sugar from the French overseas departments**

THE COUNCIL 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 organi-
zation of the market in sugar⁽¹⁾, as last amended by
Regulation (EEC) No 1396/78⁽²⁾, and in particular
Articles 9 (5) and 47 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Article 46 (1) of Regulation (EEC) No
3330/74 provides that where there is a difference
between, on the one hand, the raw sugar refining
margin used to determine the intervention and
threshold prices for raw sugar and, on the other hand,
the margin necessary for the refining of raw preferen-
tial sugar, a differential charge to be made on the
latter sugar shall be fixed for the sugar marketing year
in question ;

Whereas the bulk of the raw preferential sugar cannot
be refined unless use is made of the refineries defined
in Article 9 (7) of Regulation (EEC) No 3330/74 ;
whereas the margin required for the refining of the
said sugar in such refineries is greater, according to
the information at present to hand, than that taken
into account when determining the intervention and
threshold prices for raw sugar for the 1978/79 sugar
marketing year ; whereas a differential charge should
therefore be fixed for that year ; whereas the amount
thereof may be fixed at a flat rate of 1.69 units of
account per 100 kilograms of sugar expressed as white
sugar, taking into account certain differences in the
costs concerned ;

Whereas Article 46(2) (b) of Regulation (EEC) No
3330/74 makes provision for the non-application of
the whole of the differential charge, or part of that
charge, to any raw preferential sugar which is
imported into regions of the Community and refined
there in a production unit other than a refinery as
defined in Article 9 (7) of that Regulation ; whereas,
having regard to the traditional patterns of supplies of
the said sugar to Ireland, a maximum quantity of
30 000 tonnes of that sugar expressed as white sugar

refined in that region in the 1977/78 sugar marketing
year was exempted from the differential charge ;
whereas, for the same reasons, that exemption should
be continued in respect of Ireland for the 1978/79
sugar marketing year ;

Whereas the second subparagraph of Article 9 (3) of
Regulation (EEC) No 3330/74 provides, in particular,
that where a differential charge has been fixed, a differ-
ential amount equal to that charge shall be granted in
respect of the raw sugar produced in the French over-
seas departments and refined in a refinery defined in
paragraph 7 of that Article and situated in the
Community ; whereas that amount should therefore
be fixed at 1.69 units of account per 100 kilograms of
white sugar,

HAS ADOPTED THIS REGULATION :

Article 1

This Regulation shall apply to the 1978/79 sugar
marketing year.

Article 2

The differential charge provided for in Article 46 (1)
of Regulation (EEC) No 3330/74 shall be fixed at 1.69
units of account per 100 kilograms of sugar expressed
as white sugar by reference to a raw sugar yield calcu-
lated by doubling the degree of polarization of that
sugar and deducting 100 therefrom. Nevertheless, this
charge shall not apply to raw preferential sugar
refined during the 1978/79 sugar marketing year in
Ireland up to a maximum quantity of 30 000 tonnes
of sugar expressed as white sugar.

Article 3

The differential amount provided for in the second
subparagraph of Article 9 (3) of Regulation (EEC) No
3330/74 shall be fixed at 1.69 units of account per
100 kilograms of white sugar.

Article 4

This Regulation shall enter into force on 1 July 1978.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ See page 1 of this Official Journal.

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

Done at Luxembourg, 20 June 1978.

For the Council

The President

P. DALSAGER

COUNCIL REGULATION (EEC) No 1402/78

of 20 June 1978

laying down, for the 1978/79 sugar marketing year, measures to facilitate the disposal of sugar produced in the French overseas departments

THE COUNCIL 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 1396/78⁽²⁾, and in particular Article 9 (5) thereof,

Having regard to the proposal from the Commission,

Whereas Article 9 (3) of Regulation (EEC) No 3330/74 provides that appropriate measures are to be taken in the event of difficulties arising in the disposal of sugar produced in the French overseas departments; whereas the existence of such difficulties has been recognized in the past and appropriate Community measures have already been taken; whereas these difficulties still remain;

Whereas the economic relationship between the French overseas departments and the European regions of the Community requires that the bulk of the sugar from the French overseas departments should be disposed of in those regions;

Whereas a subsidy should be granted for the refining of the sugar concerned to ensure that these quantities are disposed of in those regions; whereas the amount of the subsidy should be determined on the basis of

the value of the raw sugar delivered at the place of refining, the outlets after processing, the necessary refining margin for sugar refined in a refinery as defined in Article 9 (7) of Regulation (EEC) No 3330/74 and the differential amount fixed by Council Regulation (EEC) No 1401/78 of 20 June 1978 fixing, for the 1978/79 sugar marketing year, the differential charge to be levied on raw preferential sugar and the differential amount to be granted in respect of raw cane sugar from the French overseas departments⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation shall apply for the 1978/79 sugar marketing year.

Article 2

1. Within the maximum quota a subsidy shall be granted for sugar produced in the French overseas departments and refined in the Community.
2. The subsidy referred to in paragraph 1 shall be 1.22 units of account per 100 kilograms of sugar expressed as white sugar.

Article 3

This Regulation shall enter into force on 1 July 1978.

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

Done at Luxembourg, 20 June 1978.

For the Council

The President

P. DALSAGER

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ See page 13 of this Official Journal.

COMMISSION REGULATION (EEC) No 1403/78

of 26 June 1978

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78⁽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 Regula-
tion (EEC) No 1729/77⁽³⁾ and subsequent amending
Regulations ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 27 June
1978.

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

Done at Brussels, 26 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 5.

ANNEX

to the Commission Regulation of 26 June 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	88.51
10.01 B	Durum wheat	133.79 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	88.31 ⁽⁶⁾
10.03	Barley	83.59
10.04	Oats	79.63
10.05 B	Maize, other than hybrid maize for sowing	76.83 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	81.94 ⁽⁴⁾
10.07 C	Grain sorghum	82.97 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	136.13
11.01 B	Rye flour	135.84
11.02 A I a)	Durum wheat groats and meal	218.55
11.02 A I b)	Common wheat groats and meal	145.27

⁽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 1404/78

of 26 June 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 1254/78⁽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 27 June
1978.

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

Done at Brussels, 26 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 7.

ANNEX

to the Commission Regulation of 26 June 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 6	1st period 7	2nd period 8	3rd period 9
10.01 A	Common wheat, and meslin	0	0.66	0.66	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0.17	0.17	0.17
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	0

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	1.17	1.17	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0.88	0.88	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1405/78

of 22 June 1978

on the granting at a standard rate fixed in advance of private storage aid for beef forequarters

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 6 (5) (b) and 8 (2) thereof,

Whereas Article 6 (3) of Regulation (EEC) No 805/68 lays down that intervention measures shall be taken for the whole of the Community when the price for adult bovine animals, as recorded on representative Community markets in accordance with Article 12 (6) of that Regulation, is lower than the intervention price; whereas that condition is at present fulfilled;

Whereas, in the present situation, which is characterized by diverging prices in the different Member States and in particular by seasonal difficulties in the market for forequarters, aids for the private storage of beef forequarters should be granted;

Whereas it should be ensured that the animals from which the forequarters come are slaughtered solely in slaughterhouses approved and supervised in accordance with Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat ⁽³⁾, as last amended by Directive 75/379/EEC ⁽⁴⁾;

Whereas, in order to facilitate storage operations, certain conditions of Commission Regulation (EEC) No 1071/68 of 25 July 1968 laying down detailed rules for granting private storage aid for beef and veal ⁽⁵⁾, and in particular those concerning the security required, should be amended; whereas the consequences of putting too small a quantity into storage and of withdrawing meat prematurely should also be specified;

Whereas Article 3 of Council Regulation (EEC) No 989/68 of 15 July 1968 laying down general rules for

granting private storage aid for beef and veal ⁽⁶⁾, as amended by Regulation (EEC) No 428/77 ⁽⁷⁾, provides that a decrease or an increase of the storage period can be decided on if the market situation calls for it; whereas it is therefore appropriate to fix, in addition to the amounts of aid for a specified storage period, amounts to be deducted or added when this period is shortened or lengthened;

Whereas, in order to avoid financing normal private storage, it appears desirable to specify high minimum quantities;

Whereas it is desirable, having regard to the present supply of beef on the Community market, to allow the products stored to be exported before the end of the storage period provided they are stored for a minimum period;

Whereas the amount of the security required should be such as to oblige the storer to fulfil the obligations undertaken by him;

Whereas, pursuant to Article 4 (2) of Council Regulation (EEC) No 1134/68 of 30 July 1968 laying down general rules for the implementation of Regulation (EEC) No 653/68 on conditions for alterations to the value of the unit of account used for the common agricultural policy ⁽⁸⁾, for transactions carried out under the common agricultural policy the sums owed by a Member State or a duly authorized body, expressed in national currency and representing amounts fixed in units of account, are paid on the basis of the relationship between the unit of account and the national currency obtaining at the time when the transaction or part transaction was carried out;

Whereas, pursuant to Article 6 of the Regulation referred to above, the time when a transaction is carried out is considered as being the date on which the event occurs, as defined by Community rules or, in the absence of and pending adoption of such rules, by the rules of the Member State concerned, in which the amount involved in the transaction becomes due and payable;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽⁴⁾ OJ No L 172, 3. 7. 1975, p. 17.

⁽⁵⁾ OJ No L 180, 26. 7. 1968, p. 19.

⁽⁶⁾ OJ No L 169, 18. 7. 1968, p. 10.

⁽⁷⁾ OJ No L 61, 5. 3. 1977, p. 17.

⁽⁸⁾ OJ No L 188, 1. 8. 1968, p. 1.

Whereas, in respect of private storage aid for beef, the rate of exchange to be used for calculating the amount of this aid in national currency should be that obtaining at the time when the contract for private storage aid is concluded ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. From 3 July 1978 until 31 July 1978 applications may be submitted for aid for the private storage of forequarters from adult bovine animals. The amounts of such aid per tonne, exclusive of packaging, shall be as shown in the Annex hereto. If the quantities for which contracts have been applied for or if the market situation makes it appropriate the final date for the submission of applications may be changed.

2. The amount of aid shall be adjusted if the duration of storage is lengthened or shortened. The amount to be added per month or to be deducted per day shall be as shown in columns 4 and 5 of the Annex hereto.

3. Subject as provided in this Regulation, the rules laid down in Regulation (EEC) No 1071/68 shall apply.

Article 2

Private storage aid may be granted only in respect of meat produced in accordance with Article 3 (1) A (a) to (e) of Council Directive 64/433/EEC.

Article 3

1. The minimum quantity per contract shall be 30 tonnes.

2. Storing must be completed within 40 days following the conclusion of the contract and at the latest on 1 September 1978.

The storage period shall begin on the day on which storing is completed.

3. By way of derogation from Article 2 (2) of Regulation (EEC) No 1071/68, private storage aid may be granted only for products obtained from animals slaughtered within the Community not more than 10 days previously.

Article 4

1. The contractor may, before placing them in store, cut and bone all or part of the products referred

to in the Annex, provided that all the meat resulting from such boning or cutting operations is placed in store.

2. For the purposes of this Regulation, 100 kilograms of unboned meat shall be equal to 70 kilograms of boned meat.

3. In the case of meat stored without cutting or boning, if the quantity stored is less than the quantity for which the contract was concluded and :

- (a) not less than 90 % of that quantity, the amount of private storage aid shall be reduced proportionally ;
- (b) less than 90 % of that quantity, private storage aid shall not be paid.

In the case of boned meat, the percentage indicated in (a) and (b) and the lower percentage indicated in Article 4 (3) of Regulation (EEC) No 1071/68 shall be equal to 85 %.

4. No aid shall be granted in respect of any quantity placed in store in excess of the quantity for which the contract was concluded.

Article 5

1. The period of storage shall, at the request of the storer to be submitted when lodging his tender, be either five or six months.

2. No aid shall be payable unless all the meat remains in store throughout the storage period.

3. At the end of a storage period of two months, the contractor may withdraw from store all or part of the meat for which he has contracted, provided that not less than five tonnes is withdrawn and is, within 10 working days of such withdrawal, exported from the Community.

In that event, the amount of the aid shall be reduced in accordance with Article 1 (2), the day of withdrawal from store being regarded as the last day of storage.

The contractor shall inform the intervention agency not less two working days before beginning withdrawal of the meat from store, indicating the products and quantities which he intends to export.

4. In the case of exportation in accordance with paragraph 3, the contractor shall furnish proof that the meat has left the geographical territory of the Community or has been supplied as described in Article 3 of Regulation (EEC) No 192/75. Such proof shall be furnished as in the case of refunds.

Article 6

1. The amount of the security shall be 100 units of account per tonne.

2. In cases of *force majeure*, the intervention agency shall take such measures as it considers necessary having regard to the circumstances invoked.

The intervention agency shall inform the Commission of each case of *force majeure* and of the action taken in respect thereof.

Article 7

Aid shall be paid at the request of the person entitled thereto and at the latest on the 15th day following

that on which it is ascertained that the obligations under the contract have been fulfilled.

Article 8

The event within the meaning of Article 6 of Regulation (EEC) No 1134/68 in which private storage aid becomes due and payable shall be considered as occurring on the day of the conclusion of the contract.

Article 9

This Regulation shall enter into force on 3 July 1978.

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

Done at Brussels, 22 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Products for which aid is granted	Amount of aid, in u.a./tonne, for a storage period of		Amount in u.a./tonne	
	5 months	6 months	to be added per month	to be deducted per day
Forequarters, fresh or chilled, from adult bovine animals	345	370	25	0.80

COMMISSION REGULATION (EEC) No 1406/78**of 22 June 1978****postponing the qualifying date for the sale of beef held by the intervention agencies under Regulations (EEC) No 2073/74 and (EEC) No 1027/78**

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 Article 7 (3) thereof,

Whereas Article 1 of Commission Regulation (EEC) No 2073/74 of 5 August 1974 concerning the sale at prices fixed in advance at a standard rate of beef and veal held by intervention agencies ⁽³⁾, as last amended by Commission Regulation (EEC) No 1207/78 ⁽⁴⁾ and 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 ⁽⁵⁾, as amended by Regulation (EEC) No 1207/78, fix certain sale prices for beef taken over by the intervention agencies before 1 March and 1 August 1977 respectively; whereas the situation regarding stocks is such that these dates should be postponed to 1 June and 1 November 1977 respectively in order to facilitate the sale of meat bought in by the intervention agencies before those dates;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In Article 1 (1) of Regulation (EEC) No 2073/74 the date '1 March 1977' is hereby replaced by '1 June 1977'.
2. In Article 1 (1) of Regulation (EEC) No 1027/78 the date '1 August 1977' is hereby replaced by '1 November 1977'.

Article 2

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

Article 3

This Regulation shall enter into force on 3 July 1978.

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

Done at Brussels, 22 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 216, 7. 8. 1974, p. 11.

⁽⁴⁾ OJ No L 147, 3. 6. 1978, p. 24.

⁽⁵⁾ OJ No L 132, 20. 5. 1978, p. 53.

COMMISSION REGULATION (EEC) No 1407/78**of 26 June 1978****fixing a countervailing charge on imports into Belgium, the Federal Republic of Germany, Luxembourg and the Netherlands of alcohol of agricultural origin produced in France and on imports into Belgium and Luxembourg of spirit vinegar produced in France**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 46 thereof,

Whereas the German market in alcohol is at present disturbed by deliveries of agricultural alcohol at prices much lower than those ruling there; whereas the Belgian, Luxembourg and Netherlands markets are threatened with disturbance for the same reason and Belgian and Luxembourg markets in spirit vinegar are in the same situation;

Whereas the difference between prices on the French market and those on the markets of the abovementioned Member States results in particular from the pricing system applied by the French authorities, which consists in selling agricultural alcohol for export at an average price markedly lower than that at which the same alcohol is sold for consumption on the domestic market; whereas, however, as a result of the recent changes in French policy this price system does not apply to alcohol left on the producers' request at their free disposal;

Whereas, in view of this situation, the Commission has been requested to take measures under Article 46 of the Treaty;

Whereas the Council has not given a ruling under Article 42 of the Treaty on the applicability to ethyl alcohol of agricultural origin and to spirit vinegar of the provisions of the Treaty relating to State aids; whereas if France maintains its aid for exports of alcohol the ensuing difficulties can be alleviated only by fixing, under Article 46 of the Treaty, a charge on French exports, in order to restore market equilibrium; whereas, however, the arrangements referred to in this Regulation should not apply to 'liberated' alcohol, for which no export aid is given and which therefore occasions no distortion of competition;

Whereas the amount of such charge must exceed neither the amount of the aid nor the difference between the resulting market prices for the Member States in question;

Whereas, in calculating the countervailing charge, account should be taken of transport costs in respect of the deliveries in question; whereas, furthermore, in order to avoid deflections of trade, the charge for ethyl alcohol of agricultural origin should be fixed at a flat rate which is the same for Germany and the Benelux countries;

Whereas the charge should be fixed on the basis of the true exchange rates of the currencies in question;

Whereas a countervailing charge on ethyl alcohol of agricultural origin was fixed by Commission Regulation (EEC) No 851/76 fixing a countervailing charge for imports into Belgium, Germany, Luxembourg and the Netherlands of ethyl alcohol of agricultural origin produced in France⁽¹⁾, as last amended by Regulation (EEC) No 441/77⁽²⁾; whereas the countervailing charge to be applied in the Member States concerned was calculated at a flat rate on the basis of the prices ruling on the German market;

Whereas alcohol produced from cereals in France is sold for export at a higher price than that of other exported alcohol; whereas a reduced countervailing charge should therefore be applied to this product;

Whereas pursuant to Article 5 (2) of Regulation (EEC) No 851/76 the Commission keeps a constant watch over the development of trade in the products in question and adjusts the rate of the countervailing charge as necessary in the light of the factors taken into account in its fixing;

Whereas there has been a change in the basis for calculating the countervailing charge for ethyl alcohol of agricultural origin, while its rate has been affected by currency fluctuations; whereas a further amendment to Regulation (EEC) No 851/76 is therefore

⁽¹⁾ OJ No L 96, 10. 4. 1976, p. 41.

⁽²⁾ OJ No L 58, 3. 3. 1977, p. 12.

required; whereas for the sake of clarity all the provisions on the countervailing charge should be grouped in a single text; whereas Regulation (EEC) No 851/76 should therefore be repealed;

Whereas provision should be made for an interim period between the publication of this Regulation and its entry into force, in order to avoid as far as possible interfering with uncompleted transactions,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply to the following products:

CCT heading No	Description
ex 22.08 B ex 22.09 A II	Ethyl alcohol, undenatured, presented in containers holding more than two litres, produced from agricultural products listed in Annex II to the Treaty
ex 22.10 B	Spirit vinegar

2. For the purposes of this Regulation the following are considered to be the products referred to in paragraph 1:

- all undenatured ethyl alcohol not accompanied by an attestation drawn up by the French authorities certifying the non-agricultural origin thereof within the meaning of the Treaty, with the exception of ethyl alcohol which, following the adjustment of France's regulations on ethyl alcohol, is left at the free disposal of the producers,
- all spirit vinegar.

Article 2

1. The Kingdom of Belgium, the Federal Republic of Germany, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands shall, upon the release for consumption of ethyl alcohol as described in Article 1, which has been produced in France, levy a countervailing charge thereon.

The Kingdom of Belgium and the Grand Duchy of Luxembourg shall, upon the release for consumption of spirit vinegar produced in France, levy a countervailing charge thereon.

The products referred to in Article 1 shall be considered to have been produced in France unless it is established to the satisfaction of the competent authorities of the Member State releasing them for consumption that they were produced elsewhere.

2. Paragraph 1 shall not apply when France levies the countervailing charge at the time of export.

3. The rate of the countervailing charge applicable to ethyl alcohol as described in Article 1 shall be as specified in Annex A hereto, and that applicable to spirit vinegar as specified in Annex B hereto.

Article 3

1. Where the exporter proves to the competent French customs office that the undenatured ethyl alcohol he intends to export has been left at the free disposal of the producer the document made out to show the Community status of the goods shall be endorsed in the 'description of goods' box with one of the following statements:

- 'Ausgleichsabgabe nicht anwendbar
Verordnung (EWG) Nr. 1407/78',
- 'Taxe compensatoire non applicable
Règlement (CEE) n° 1407/78',
- 'Compenserende heffing niet van toepassing
Verordening (EEG) nr. 1407/78'.

2. Where France levies the countervailing charge as indicated in Article 2 (2) the document made out to show the Community status of the goods shall be endorsed in the 'description of goods' box with one of the following statements:

- 'Ausgleichsabgabe erhoben
Verordnung (EWG) Nr. 1407/78',
- 'Taxe compensatoire perçue
Règlement (CEE) n° 1407/78',
- 'Compenserende heffing toegepast
Verordening (EEG) nr. 1407/78'.

3. The competent French authorities shall take the necessary measures to supervise the manufacture and dispatch of ethyl alcohol produced from cereals and shall inform the Commission and other Member States thereof.

Where the ethyl alcohol has been produced from cereals and neither paragraph 1 nor paragraph 2 applies, the document made out to show the Community status of the goods shall be endorsed in the 'description of goods' box with one of the following statements:

- 'Aus Getreide hergestellter Ethylalkohol
Verordnung (EWG) Nr. 1407/78',
- 'Alcool éthylique obtenu à partir de céréales
Règlement (CEE) n° 1407/78',
- 'Ethylalcohol verkregen uit granen
Verordening (EEG) nr. 1407/78',

together with the indication of the tariff subheading 'ex 22.08 B' or 'ex 22.09 A II' as appropriate.

The reduced countervailing charge on ethyl alcohol produced from cereals shall be applied when it is released for home consumption in any of the Member States indicated in Article 2 (1) only on presentation of the document referred to in the previous subparagraph endorsed as specified therein.

4. The endorsements referred to in the preceding paragraphs shall be certified with the stamp of the French customs office issuing the document.

Article 4

The Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands shall each inform the Commission of the measures they have taken in application of this Regulation.

Article 5

Regulation (EEC) No 851/76 is hereby repealed.

Article 6

The Commission shall keep a constant watch over the trend of trade in the products covered by this Regulation; it shall adjust the rate of the countervailing charge as necessary in the light of the factors taken into consideration in its fixing.

Article 7

This Regulation shall enter into force on the fifth 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, 26 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX A

Member State	Rate of charge per hl per degree of alcohol	
	Ethyl alcohol produced from cereals	Other ethyl alcohol of agricultural origin
Belgium/Luxembourg	Bfrs/ Lfrs 2.1227	Bfrs/ Lfrs 6.245
Federal Republic of Germany	DM 0.1360	DM 0.4004
France	FF 0.2991	FF 0.8868
Netherlands	Fl 0.1455	Fl 0.4282

ANNEX B

Member State	Rate of charge per hl
Belgium/Luxembourg	Bfrs/Lfrs 56.969
France	FF 8.027

COMMISSION REGULATION (EEC) No 1408/78

of 26 June 1978

fixing, for the 1978/79 marketing year, the threshold prices for cereals and for certain classes of 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 1254/78⁽²⁾, and in particular Article 5 (5) and (6) thereof,

Whereas Article 5 (1) of Regulation (EEC) No 2727/75 provides that the threshold price for the principal cereals must be fixed in such a way that the selling price for the imported product on the Duisburg market is the same as the target price; whereas this is achieved by deducting from the target price the most advantageous transport costs between Rotterdam and Duisburg, transshipment charges at Rotterdam and a trading margin; whereas the target prices have been fixed for the 1978/79 marketing year by Regulation (EEC) No 1255/78⁽³⁾;

Whereas the threshold prices for other cereals for which no target price is fixed must, in accordance with Article 5 (2) of Regulation (EEC) No 2727/75, be so determined that the target price for the principal cereals in competition with these products may be reached on the Duisburg market;

Whereas, pursuant to Article 5 (5) of the abovementioned Regulation the threshold prices for wheat flour, meslin flour and rye flour, and for wheat groats and meal, must be fixed according to the rules and for the standard qualities laid down in Articles 6, 7, 8 and 9 of Council Regulation (EEC) No 2734/75 of 29 October 1975⁽⁴⁾; whereas the calculations made in

accordance with those rules give the prices shown below;

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

For the 1978/79 marketing year, the threshold prices for the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as follows:

	<i>u.a./tonne</i>
common wheat and meslin	159.40
rye	152.15
barley	144.25
maize	144.25
durum wheat	221.30
oats	138.75
buckwheat	142.00
sorghum	142.00
millet	142.00
canary seed	142.00
wheat and meslin flour	245.30
rye flour	237.00
common wheat groats and meal	264.90
durum wheat groats and meal	350.90

Article 2

This Regulation shall enter into force on 1 August 1978.

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

Done at Brussels, 26 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 156, 14. 6. 1978, p. 2.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 34.

COMMISSION REGULATION (EEC) No 1409/78**of 26 June 1978****amending Regulation (EEC) No 1445/76 specifying the different varieties of
Lolium perenne L.**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2358/71 of 26 October 1971 on the common organiza-
tion of the market in seeds⁽¹⁾, as last amended by
Regulation (EEC) No 1346/78⁽²⁾, and in particular
Article 3 (5) thereof,

Whereas Commission Regulation (EEC) No 1445/76
of 22 June 1976⁽³⁾ listed the varieties of *Lolium*
perenne L. of high persistence, late or medium late,
and of *Lolium perenne* L. of low persistence, medium
late, medium early or early, within the meaning of the
provisions adopted pursuant to Article 3 of Regulation
(EEC) No 2358/71 ;

Whereas since that date certified seed of certain varie-
ties of *Lolium perenne* L. is no longer marketed,
while certified seed of other varieties has appeared on

the market and will be marketed for the first time
during the 1978/79 marketing year ; whereas, further-
more, the application of the classification criteria to
certain varieties of *Lolium perenne* L. results in their
inclusion in one of the abovementioned lists ; whereas
the Annexes to Regulation (EEC) No 1445/76 should
therefore be amended accordingly ;

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

HAS ADOPTED THIS REGULATION :

Article 1

Annexes I and II to Regulation (EEC) No 1445/76 are
replaced by the Annexes hereto.

Article 2

This Regulation shall enter into force on 1 July 1978.

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

Done at Brussels, 26 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 165, 22. 6. 1978, p. 1.

⁽³⁾ OJ No L 161, 23. 6. 1976, p. 10.

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

Varieties of high persistence, late or medium late
Sorten mit hoher Persistenz, späte oder mittelspäte
Zeer standvastige rassen, late of halflate
Varietà ad alta persistenza, tardiva o semi-tardiva
Sorter med høj persistens, sildige eller halvsildige
Variétés à haute persistance, tardives ou mi-tardives

- | | |
|-------------------------------------|-------------------|
| 1. Aberystwyth S. 23 | 27. Midas |
| 2. Aberystwyth 101 | 28. Mombassa |
| 3. Akron | 29. Moretti |
| 4. Angela | 30. N. F. G. |
| 5. Animo | 31. Parcour |
| 6. Barenza | 32. Patora |
| 7. Barlenna | 33. Pelo |
| 8. Barrage | 34. Perma |
| 9. Caprice | 35. Perray |
| 10. Combi | 36. Pippin |
| 11. Compas | 37. Pleno |
| 12. Doublet | 38. Romney |
| 13. Endura | 39. Rondeel |
| 14. Ensporta | 40. Saione |
| 15. Fingal | 41. Semperweide |
| 16. Goal | 42. Servo |
| 17. Grandstand | 43. Spirit |
| 18. Karin | 44. Splendor |
| 19. Kent Indigenous | 45. Sportiva |
| 20. Ladi (Hubal) | 46. Springfield |
| 21. Lamora (Mommersteeg's Weidauer) | 47. Sprinter |
| 22. Lilope | 48. Talbot |
| 23. Loretta | 49. Tresceaver |
| 24. Majestic | 50. Vigor (Melle) |
| 25. Manhatten | 51. Wendy |
| 26. Marathon | |
-

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

Varieties of low persistence, medium late, medium early or early
Sorten mit geringer Persistenz, mittelspäte, mittelfrühe oder frühe
Weinig standvastige rassen, halflate, halfvroege of vroege
Varietà a bassa persistenza, semi-tardiva, semi-precocce o precocce
Sorter med lav persistens, halvsildige, halvtidlige eller tidlige
Variétés à basse persistance, mi-tardives, mi-précoces ou précoces

- | | |
|--------------------|------------------------|
| 1. Altempo (T) | 10. Omar |
| 2. Bocage | 11. Presto Pajbjerg |
| 3. Dux Øtofte | 12. Printo |
| 4. Gazon | 13. Real |
| 5. Hunsballe | 14. Tailteann |
| 6. Mito Daehnfeldt | 15. Verna Pajbjerg |
| 7. Northern Irish | 16. Victoria trifolium |
| 8. Odengrün | 17. Viris (Weiris) |
| 9. Odstein | |
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COMMISSION REGULATION (EEC) No 1410/78

of 26 June 1978

fixing, for the 1978/79 marketing year, the reference prices for hybrid maize for sowing

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seeds⁽¹⁾, as last amended by Regulation (EEC) No 1346/78⁽²⁾, and in particular Article 6 (5) thereof,

Whereas Article 6 (1) of Regulation (EEC) No 2358/71 provides that a reference price for each type of hybrid maize for sowing shall be fixed annually; whereas these reference prices must be fixed on the basis of the free-at-frontier prices recorded during the past three marketing years, abnormally low prices being disregarded; whereas pursuant to Article 2 of Council Regulation (EEC) No 1578/72 of 20 July 1972 laying down general rules for fixing the reference prices and determining free-at-frontier offer prices for hybrid maize for sowing⁽³⁾, only prices for third country imports which are representative as regards quantity and quality should be taken into account;

Whereas Article 1 of the last-named Regulation defines the conditions of marketing and putting up for sale to be taken into consideration for the purpose of fixing the reference price;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1978/79 marketing year the reference prices for the various types of hybrid maize for sowing falling within subheading 10.05 A of the Common Customs Tariff shall be as shown in the Annex hereto.

Article 2

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

It shall apply with effect from 1 July 1978.

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

Done at Brussels, 26 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 165, 22. 6. 1978, p. 1.

⁽³⁾ OJ No L 168, 26. 7. 1972, p. 1.

ANNEX

No of type	Type of hybrid	Reference price (in u.a./100 kg)
1	Double hybrids Top cross hybrids	57
2	Three-cross hybrids	77
3	Single hybrids	112

COMMISSION REGULATION (EEC) No 1411/78

of 26 June 1978

amending for the 14th time Regulation (EEC) No 2042/75 on special detailed rules for the application of the system of import and export licences for cereals and rice

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 1254/78⁽²⁾, and in particular Article 12 (2) thereof,

Whereas Commission Regulation (EEC) No 2042/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾, as last amended by Regulation (EEC) No 2738/77⁽⁴⁾, provides that the export licence for certain products falling within heading No 11.07 of the Common Customs Tariff is valid until the end of the 11th month following that of issue;

Whereas experience has shown that speculative use may be made of a long period of validity; whereas, however, in accordance with international practice, a large proportion of delivery contracts are concluded for at least a year; whereas, in order to enable malt exporters to continue to conclude such contracts, provision should be made for a longer period of validity, provided that certain conditions are fulfilled, in particular as regards the destination of the exports, the period within which the destination must be indicated on the export licence and the security to be lodged when licences are issued;

Whereas this long period of validity should not give rise to export commitments covering the new crop before the beginning of the barley harvest; whereas a time limit should therefore be imposed on long validity licences issued before the month of July in the marketing year in question; whereas such a time limit must take account *inter alia* of the fourth subparagraph of Article 16 (4) of Regulation (EEC) No 2727/75, concerning the adjustment of the refunds on malt exported during the first two months of the cereal marketing year;

Whereas the security to be lodged when licences are issued must guarantee that the obligations under the licence are respected; whereas, in the case of export

licences with a validity of up to 12 months, the current amount of this security has proved insufficient and should therefore be increased from 20 to 25 units of account per tonne; whereas, however, where the application of the time limit results in a period of validity of nine months or less, the present amount of security appears adequate; whereas, moreover, the security on advance fixed licences with a validity of five months should be increased to 10 units of account;

Whereas, in the case of export licences with a validity of over five months, the period for indicating the destination on the licence, at present standing at three months, seems to have become an element of speculation; whereas this period should be reduced to one month;

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

Article 9a (1) and (2) of Regulation (EEC) No 2042/75 is hereby amended to read as follows:

'1. By way of derogation from Article 9, the export licence for products falling within subheadings 11.07 A I b), 11.07 A II b) and 11.07 B of the Common Customs Tariff, if requested in respect of an export to a zone defined in Annex II to Regulation (EEC) No 1124/77, shall be valid from the day of issue, within the meaning of Article 9 (1) of Regulation (EEC) No 193/75 until:

- 30 September of the current calendar year, in respect of licences issued from 1 January to 30 April,
- the end of the 11th month following that of issue, in respect of licences issued from 1 July to 31 October,
- 30 September of the following calendar year, in respect of licences issued from 1 November to 31 December.

(1) OJ No L 281, 1. 11. 1975, p. 1.

(2) OJ No L 156, 14. 6. 1978, p. 1.

(3) OJ No L 213, 11. 8. 1975, p. 5.

(4) OJ No L 316, 10. 12. 1977, p. 31.

In this case the destination shall be indicated in Section 13 of the licence, and the licence shall carry the obligation to export to the said destination.

Licences shall not be issued in pursuance of this Article 9a from 1 May to 30 June.

2. However, entry of the destination as referred to in paragraph 1 may be made after the licence is issued. In this case, it must be entered not later than one month from the day of issue of the licence within the meaning of Article 9 (1) of Regulation (EEC) No 193/75.

Article 2

Article 12 (1) (d) of Regulation (EEC) No 2042/75 is hereby amended to read as follows:

- (d) 8 units of account per tonne for export licences for products specified in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 of Regulation (EEC) No 1418/76, with the exception of products falling within heading No 11.07, and in respect of which the export refund or levy is fixed in advance;
- (e) 10 units of account per tonne for products falling within heading No 11.07 in respect of which the export refund or levy is fixed in advance.

However, in the case of licences issued in accordance with Article 9a, the security shall be:

- 20 units of account per tonne for licences issued from 1 January to 30 April,
- 25 units of account per tonne for licences issued from 1 July to 31 December.

In such case the security:

- shall be forfeited if notification of one of the destinations referred to in Article 9a (1) has not been received within the time allowed in accordance with the provisions of the said Article,
- shall be released, by way of derogation from Article 17 (2) of Regulation (EEC) No 193/75, only on production of proof that the product has reached its destination; such proof shall be furnished in accordance with Article 11 (1) of Regulation (EEC) No 192/75.

Article 3

This Regulation shall enter into force on 1 July 1978.

It shall only apply to licences issued with effect from the day of its entry into force.

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

Done at Brussels, 26 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1412/78
of 23 June 1978

re-establishing the levying of customs duties on woven fabrics of sheep's or lambs' wool or of fine animal hair, falling within heading No 53.11, originating in South Korea to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2706/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2706/77 of 28 November 1977 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 (1) and (3) of that Regulation provides that customs duties may, for each category of products listed in Annex C to that Regulation, be suspended up to a Community ceiling equal to 87 % of the sum arrived at by adding together the value of the products in question, in tonnes, imported into the Community in 1968 and coming from countries listed in Annex D thereto, but not including products coming from countries already covered by various preferential tariff arrangements established by the Community, and 5 % of the 1970 tonnage of such imports coming from other countries and from countries already covered by such arrangements; whereas, having regard to that ceiling, the amounts for products originating in any one of the countries listed in Annex D should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex C to the abovementioned Regulation; whereas, for those products, this reduced percentage will be 20 %;

Whereas Article 3 (2) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries and territories, with the exception of countries listed in Annex E, once the relevant Community maximum amount has been reached;

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

Done at Brussels, 23 June 1978.

Whereas, in respect of woven fabrics of sheep's or lambs' wool or of fine animal hair, the ceiling, calculated as indicated above, should be 357 tonnes, and therefore the maximum amount is 71.40 tonnes; whereas on 15 June 1978 the amount of imports into the Community of woven fabrics of sheep's or lambs' wool or of fine animal hair, originating in South Korea, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 2706/77 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to South Korea,

HAS ADOPTED THIS REGULATION:

Article 1

From 30 June 1978, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2706/77, shall be re-established in respect of the following products, imported into the Community and originating in South Korea:

CCT heading No	Description
53.11	Woven fabrics of sheep's or lambs' wool or of fine animal hair

Article 2

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

For the Commission
Lorenzo NATALI
Vice-President

⁽¹⁾ OJ No L 324, 19. 12. 1977, p. 67.

COMMISSION REGULATION (EEC) No 1413/78

of 23 June 1978

re-establishing the levying of customs duties on thread of asbestos, falling within subheading 68.13 B I, originating in Yugoslavia to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2705/77 of 28 November 1977 establishing preferential tariffs in respect of certain products originating in developing countries⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) and (4) of that Regulation provides that the customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal, with the exception of certain products the value of the ceilings for which is given in Annex A to the Regulation in question, to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1975 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 225 % of the preferential ceiling open for 1976;

Whereas, having regard to that ceiling, the amounts for products originating in any one of the countries or territories listed in Annex B to that Regulation should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex A; whereas, for these products, this reduced percentage will be 40 %;

Whereas Article 2 (2) and (3) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries or territories, with the exception of those listed in Annex C to the same Regulation, once the relevant Community amount has been reached;

Whereas, in respect of thread of asbestos, falling within subheading 68.13 B I, the ceiling, calculated as indicated above, should be 1 056 000 units of account, and therefore the maximum amount is 422 400 units of account; whereas on 16 June 1978 the amounts of imports into the Community of thread of asbestos, falling within subheading 68.13 B I, originating in Yugoslavia, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 2705/77 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Yugoslavia,

HAS ADOPTED THIS REGULATION:

Article 1

From 30 June 1978, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2705/77, shall be re-established in respect of the following products, imported into the Community and originating in Yugoslavia:

CCT heading No	Description
68.13	Fabricated asbestos and articles thereof (for example, asbestos board, thread and fabric; asbestos clothing, asbestos jointing), reinforced or not, other than goods falling within heading No 68.14; mixtures with a basis of asbestos and mixtures with a basis of asbestos and magnesium carbonate, and articles of such mixtures: B. Articles of asbestos: I. Thread

Article 2

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

⁽¹⁾ OJ No L 324, 19. 12. 1977, p. 23.

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

Done at Brussels, 23 June 1978.

For the Commission

Lorenzo NATALI

Vice-President

COMMISSION REGULATION (EEC) No 1414/78**of 26 June 1978****fixing the import levies on live cattle and on beef and veal other than frozen**

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,

Whereas the import levies on live cattle and on beef
and veal other than frozen were fixed by Regulation
(EEC) No 1015/78 ⁽³⁾, as amended by Regulation
(EEC) No 1113/78 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 1015/78

to the quotations and other information 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 on live cattle and on beef and veal
other than frozen shall be as specified in the Annex to
this Regulation.

Article 2

This Regulation shall enter into force on 3 July 1978.

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

Done at Brussels, 26 June 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 132, 20. 5. 1978, p. 5.

⁽⁴⁾ OJ No L 140, 27. 5. 1978, p. 24.

ANNEX

to the Commission Regulation of 26 June 1978 fixing the import levies on live cattle and on beef and veal other than frozen ⁽¹⁾ for the period beginning 3 July 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)	33.326	59.633
— Net weight —		
02.01 A II a) 1 aa) (a)	—	101.377
02.01 A II a) 1 bb)	63.319	113.303
02.01 A II a) 2 aa) (a)	—	81.101
02.01 A II a) 2 bb)	50.655	90.643
02.01 A II a) 3 aa) (a)	—	121.652
02.01 A II a) 3 bb)	75.982	135.964
02.01 A II a) 4 aa)	94.978	169.956
02.01 A II a) 4 bb)	108.642	194.405
02.06 C I a) 1	94.978	169.956
02.06 C I a) 2	108.642	194.405
16.02 B III b) 1 aa)	108.642	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 1415/78
of 26 June 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,

Whereas the import levies on frozen beef and veal
were fixed by Regulation (EEC) No 1016/78 ⁽³⁾, as
amended by Regulation (EEC) No 1114/78 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 1016/78

to the quotations and other information known to the
Commission, that the levies should be fixed as shown
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 3 July 1978.

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

Done at Brussels, 26 June 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 132, 20. 5. 1978, p. 9.

⁽⁴⁾ OJ No L 140, 27. 5. 1978, p. 26.

ANNEX

to the Commission Regulation of 26 June 1978 fixing the import levies on frozen beef and veal ⁽¹⁾ for the period beginning 3 July 1978

(u.a./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 1416/78

of 26 June 1978

introducing a countervailing charge on certain varieties of plums originating in Spain

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 1154/78⁽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 1233/78 of 8 June 1978 fixing for the 1978 marketing year the reference price for plums⁽³⁾, fixed the reference price for Class I, Group I at 34.99 units of account per 100 kg net for the period 11 June to 31 July 1978;

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

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as 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, for Spanish plums of Group I the entry price calculated in this way has remained at least 0.50 unit of account below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these plums;

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 7.87 units of account per 100 kg net is applied to plums (subheading 08.07 D of the Common Customs Tariff), of varieties other than Altesse simple (common quetsche, Hauszwetschge), Reine-Claude d'Oullins (Oullins Gage), Sveskeblommer, Ruth Gerstetter, Ontario, Wangenheim (early Wangenheim quetsche), Pershore (Yellow Egg), Mirabelle and Bosniche, originating in Spain.

Article 2

This Regulation shall enter into force on 28 June 1978.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 144, 31. 5. 1978, p. 5.

⁽³⁾ OJ No L 153, 9. 6. 1978, p. 14.

⁽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, 26 June 1978.

For the Commission

Finn GUNDELACH

Vice-President
