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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1652/78**of 14 July 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 the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 15 July
1978.

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

Done at Brussels, 14 July 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 14 July 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	91.67
10.01 B	Durum wheat	137.91 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	89.82 ⁽⁶⁾
10.03	Barley	85.36
10.04	Oats	78.87
10.05 B	Maize, other than hybrid maize for sowing	85.74 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	80.76 ⁽⁴⁾
10.07 C	Grain sorghum	85.36 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	140.56
11.01 B	Rye flour	137.96
11.02 A I a)	Durum wheat groats and meal	224.94
11.02 A I b)	Common wheat groats and meal	150.05

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.50 u.a./tonne.

⁽²⁾ Where maize originating in the ACP or OCT is imported into the French overseas departments, the levy is reduced by 6 u.a./tonne as provided for in Regulation (EEC) No 706/76.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.50 u.a./tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.50 u.a./tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 1653/78

of 14 July 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 15 July
1978.

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

Done at Brussels, 14 July 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 14 July 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 7	1st period 8	2nd period 9	3rd period 10
10.01 A	Common wheat, and meslin	0	0.16	0.16	0
10.01 B	Durum wheat	0	0.33	0.33	0.33
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	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0.24	0.24	0

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0.28	0.28	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0.21	0.21	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 1654/78

of 14 July 1978

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

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 1421/78⁽²⁾, and in
particular Article 17 (4) thereof,

Having regard to the opinion of the Monetary
Committee,

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

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

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

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

— the economic aspect of the proposed exports;

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

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

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

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

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 171, 28. 6. 1978, p. 12.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 5, 9. 1. 1975, p. 7.

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

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

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1396/78⁽²⁾;

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

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

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

use as feed in the country of destination were laid down in Regulation (EEC) No 2054/76⁽³⁾, as last amended by Regulation (EEC) No 1206/78⁽⁴⁾;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 15 July 1978.

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

Done at Brussels, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 228, 20. 8. 1976, p. 17.

⁽⁴⁾ OJ No L 147, 3. 6. 1978, p. 19.

ANNEX

to the Commission Regulation of 14 July 1978 fixing the refunds on milk and milk products exported in the natural state

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % :		
	I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of two litres or less	0110 00	4.93
	b) Other	0120 00	—
	II. Others :		
	a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1.5 %	0130 10	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		1.47
	— Other destinations		1.29
	(bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0130 22	
	for exports to :		
	— Countries near the Community		4.26
	— Other destinations		5.28
	(cc) Of a fat content, by weight, exceeding 3 %	0130 31	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		6.94
	— Countries near the Community		6.03
	— Other destinations		7.64
	2. Exceeding 4 %	0140 00	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		7.00
	— Countries near the Community		6.51
	— Other destinations		8.89

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01 (cont'd)	b) Other of a fat content, by weight : 1. Not exceeding 4 % : (aa) Of a fat content, by weight, not exceeding 1.5 % (bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 % (cc) Of a fat content, by weight, exceeding 3 % for exports to : — Armed forces as specified in Article 3 of Regulation (EEC) No 192/75 — Other destinations 2. Exceeding 4 % for exports to : — Armed forces as specified in Article 3 of Regulation (EEC) No 192/75 — Other destinations ex B. Other, excluding whey, of a fat content, by weight : ex I. Exceeding 6 % but not exceeding 21 % : (a) Of a fat content, by weight, not exceeding 10 % (b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 % (c) Of a fat content, by weight, exceeding 17 % II. Exceeding 21 % but not exceeding 45 % : (a) Of a fat content, by weight, not exceeding 35 % (b) Of a fat content, by weight, exceeding 35 % but not exceeding 39 % for exports to : — Armed forces as specified in Article 3 of Regulation (EEC) No 192/75 — Other destinations (c) Of a fat content, by weight, exceeding 39 % III. More than 45 % : (a) Of a fat content, by weight, not exceeding 68 % (b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 % (c) Of a fat content, by weight, exceeding 80 %	0150 10 0150 21 0150 31 0160 00 0200 05 0200 11 0200 21 0300 12 0300 13 0300 20 0400 11 0400 22 0400 30	1.29 4.40 6.94 5.34 7.00 5.79 15.62 24.32 36.73 43.82 68.11 44.59 75.74 86.38 127.16 148.44

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02	Milk and cream, preserved, concentrated or sweetened : A. Not containing added sugar : II. Milk and cream, in powder or granules : a) In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight : 1. Not exceeding 1.5 % 2. Exceeding 1.5 % but not exceeding 27 % : (aa) Of a fat content, by weight, not exceeding 11 % (bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (dd) Of a fat content, by weight, exceeding 25 % 3. Exceeding 27 % but not exceeding 29 % 4. Exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 41 % (bb) Of a fat content, by weight, exceeding 41 % b) Other, excluding products containing fish meal or fish oil or fish liver oil and iron carbonate or sulphate, of a fat weight content : 1. Not exceeding 1.5 % 2. Exceeding 1.5 % but not exceeding 27 % : (aa) Of a fat content, by weight, not exceeding 11 % (bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (dd) Of a fat content, by weight, exceeding 25 % 3. Exceeding 27 % but not exceeding 29 % 4. Exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 41 % (bb) Of a fat content, by weight, exceeding 41 %	0620 00 0720 00 0720 20 0720 30 0720 40 0820 00 0920 10 0920 20 1020 00 1120 10 1120 20 1120 30 1120 40 1220 00 1320 10 1320 20	66.54 66.54 79.09 85.32 93.55 95.62 97.65 110.01 66.54 66.54 79.09 85.32 93.55 95.62 97.65 110.01

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	III. Milk and cream, other than in powder or granules :		
	a) In immediate packings of a net content of 2.5 kg or less and of a fat content by weight not exceeding 11 % :		
	1. Of a fat content, by weight, not exceeding 8.9 % and of a lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1420 12	—
	(22) Exceeding 3 %, by weight	1420 22	
	For exports to :		
	— Countries near the Community		6.03
	— Other destinations		7.64
	(bb) Of 15 % or more and of a fat content :		
	(11) Not exceeding 3 %, by weight	1420 50	—
	(22) Exceeding 3 %, by weight, but not exceeding 7.4 %	1420 60	15.01
	(33) Exceeding 7.4 %	1420 70	20.16
	2. Other, of a lactic dry matter content :		
	(aa) Of less than 15 %, by weight	1520 10	15.62
	(bb) Of 15 % or more, by weight	1520 20	23.91
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 % and of a lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1620 70	—
	(22) Exceeding 3 %, by weight, but not exceeding 8.9 %	1630 00	6.03
	(33) Exceeding 8.9 %, by weight, but not exceeding 11 %	1630 10	15.62
	(44) Exceeding 11 %, by weight, but not exceeding 21 %	1630 20	24.32
	(55) Exceeding 21 %, by weight, but not exceeding 39 %	1630 30	43.82
	(66) Exceeding 39 %	1630 40	75.74
	(bb) Of 15 % or more and of a fat content :		
	(11) Not exceeding 3 %, by weight	1630 50	—
	(22) Exceeding 3 %, by weight, but not exceeding 7.4 %	1630 60	15.01
	(33) Exceeding 7.4 %, by weight, but not exceeding 8.9 %	1630 70	20.16
	(44) Exceeding 8.9 %	1630 80	23.91
	2. Exceeding 45 %	1720 00	86.38
	B. Containing added sugar :		
	I. Milk and cream, in powder or granules :		
	ex b) Other, excluding whey :		
	1. In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2220 00	0.6654 ⁽¹⁾ per kg

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2320 10	0.6654 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2320 20	0.7909 ⁽¹⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2320 30	0.8532 ⁽¹⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2320 40	0.9355 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2420 10	0.9562 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2420 20	1.1001 ⁽¹⁾ per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2520 00	0.6654 ⁽¹⁾ per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2620 10	0.6654 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0.7909 ⁽¹⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	0.8532 ⁽¹⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2620 40	0.9355 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2720 10	0.9562 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2720 20	1.1001 ⁽¹⁾ per kg
	ex II. Milk and cream, excluding whey other than in powder or granules :		
	ex a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content by weight not exceeding 9.5 % :		
	(1) Of a fat content, by weight, not exceeding 6.9 % and of a lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	2810 11	— ⁽¹⁾ per kg
	(22) Exceeding 3 %, by weight	2810 12	
	for exports to :		
	— Countries near the Community		0.0603 ⁽¹⁾ per kg
	— Other destinations		0.0764 ⁽¹⁾ per kg
	(bb) Of 15 % or more	2810 15	14.42 ⁽²⁾
	(2) Of a fat content, by weight, exceeding 6.9 % and of a lactic dry matter content, by weight, of 15 % or more	2810 20	24.75 ⁽²⁾

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	b) Other, of a fat content, by weight : ex 1. Not exceeding 45 % : (aa) Of a fat content, by weight, not exceeding 6.9 % and of lactic dry matter content, by weight, of 15 % or more (bb) Of a fat content, by weight, exceeding 6.9 % but not exceeding 21 % and of a lactic dry matter content, by weight, of 15 % or more (cc) Of a fat content by weight, exceeding 9.5 % but not exceeding 21 % and of a lactic dry matter content, by weight, less than 15 % (dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 % (ee) Of a fat content, by weight, exceeding 39 % 2. Exceeding 45 %	2910 70 2910 76 2910 80 2910 85 2910 90 3010 00	14.42 ⁽²⁾ 24.75 ⁽²⁾ 0.2432 ⁽¹⁾ per kg 0.4382 ⁽¹⁾ per kg 0.7574 ⁽¹⁾ per kg 0.8638 ⁽¹⁾ per kg
04.03	Butter : ex A. Of a fat content, by weight, not exceeding 85 % : (I) Of a fat content, by weight, of 62 % or more, but less than 78 % (II) Of a fat content, by weight, of 78 % or more but less than 80 % (III) Of a fat content, by weight, of 80 % or more but less than 82 % (IV) Of a fat content, by weight, of 82 % or more B. Other, of a fat content, by weight : (I) Not exceeding 99.5 % (II) Exceeding 99.5 %	3110 05 3110 16 3110 22 3110 32 3210 10 3210 20	124.38 156.45 160.45 164.52 164.52 212.65
04.04	Cheese and curd ⁽⁵⁾ : ex A. Emmentaler and Gruyère, not grated or powdered : II. Other for exports to : — Zone D — Zone E — Canada — Liechtenstein and Switzerland — Austria — Other destinations ex C. Blue-veined cheese, not grated or powdered, other than Roquefort for exports to : — Austria — Zone D — Zone E — Canada — Other destinations	3800 00 4000 00	73.19 — 67.84 — 59.00 94.74 30.17 82.48 37.71 55.97 78.19

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	D. Processed cheese, not grated or powdered : II. Other, of a fat content, by weight : a) Not exceeding 36 % and of a fat content, by weight, in the dry matter : ex 1. Not exceeding 48 % and of a dry matter content, by weight : (aa) Of 33 % or more but less than 38 % for exports to : — Austria 8.84 — Zone D 16.75 — Zone E 19.13 — Canada 20.90 — Switzerland 5.30 — Other destinations 31.87 (bb) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter : (11) Less than 20 % for exports to : — Austria 8.84 — Zone D 16.75 — Zone E 19.13 — Canada 20.90 — Switzerland 5.30 — Other destinations 31.87 (22) Of 20 % or more for exports to : — Austria 13.06 — Zone D 24.77 — Zone E 28.23 — Canada 30.94 — Switzerland 7.84 — Other destinations 47.21 (cc) Of 43 % or more and of a fat content, by weight, in the dry matter : (11) Less than 20 % for exports to : — Austria 8.84 — Zone D 16.75 — Zone E 19.13 — Canada 20.90 — Switzerland 5.30 — Other destinations 31.87	4410 10 4410 20 4410 30 4410 40	

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Of 20 % or more but less than 40 %	4410 50	
	for exports to :		
	— Austria		13·06
	— Zone D		24·77
	— Zone E		28·23
	— Canada		30·94
	— Switzerland		7·84
	— Other destinations		47·21
	(33) Of 40 % or more	4410 60	
	for exports to :		
	— Austria		19·08
	— Zone D		36·21
	— Zone E		41·15
	— Canada		45·24
	— Switzerland		11·44
	— Other destinations		69·06
	ex 2. Exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 %	4510 10	
	for exports to :		
	— Austria		8·84
	— Zone D		16·75
	— Zone E		19·13
	— Canada		20·90
	— Switzerland		5·30
	— Other destinations		31·87
	(bb) Of 38 % or more but less than 43 %	4510 20	
	for exports to :		
	— Austria		13·06
	— Zone D		24·77
	— Zone E		28·23
	— Canada		30·94
	— Switzerland		7·84
	— Other destinations		47·21
	(cc) Of 43 % or more but less than 46 %	4510 30	
	for exports to :		
	— Austria		19·08
	— Zone D		36·21
	— Zone E		41·15
	— Canada		45·24
	— Switzerland		11·44
	— Other destinations		69·06

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(dd) Of 46 % or more and of a fat content, by weight, in the dry matter : (11) Less than 55 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations (22) Of 55 % or more for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations b) Exceeding 36 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations E. Other : I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter : ex a) Not exceeding 47 % : (1) Grana, Parmigiano Reggiano for exports to : — Zone D — Zone E — Canada — Switzerland — Other destinations (2) Fiore Sardo, Pecorino for exports to : — Zone D — Zone E — Canada — Switzerland — Other destinations (3) Other (excluding cheeses produced from whey), of a fat content, by weight, in the dry matter of 30 % or more for exports to : — Zone D — Zone E — Canada — Switzerland — Other destinations	4510 40 4510 50 4610 00 4710 11 4710 16 4710 22	19.08 36.21 41.15 45.24 11.44 69.06 22.64 42.95 48.83 53.68 13.58 81.98 22.64 42.95 48.83 53.68 13.58 81.98 121.16 86.02 102.52 91.64 121.16 129.79 97.02 104.02 100.27 129.79 121.16 86.02 102.52 91.64 121.16

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	b) Exceeding 47 % but not exceeding 72 % :		
	1. Cheddar :		
	ex bb) Other, of a fat content, by weight, in the dry matter of 48 % or more	4850 00	
	for exports to :		
	— Austria		26.66
	— Zone D		50.65
	— Zone E		—
	— Canada		36.76
	— Switzerland		16.00
	— Other destinations		88.26
	ex 5. Other, of a fat content, by weight, in the dry matter :		
	(aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses pro- duced from whey)	5120 12	
	for exports to :		
	— Austria		15.51
	— Zone D		28.61
	— Zone E		—
	— Canada		24.71
	— Switzerland		3.99
	— Other destinations		34.50
	(bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more (exclu- ding cheeses produced from whey)	5120 16	
	for exports to :		
	— Austria		17.83
	— Zone D		33.17
	— Zone E		—
	— Canada		40.79
	— Switzerland		4.40
	— Other destinations		56.96
	(cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % (excluding cheeses produced from whey)	5120 22	
	for exports to :		
	— Austria		21.24
	— Zone D		39.91
	— Zone E		—
	— Canada		49.47
	— Switzerland		4.73
	— Other destinations		69.05
	(dd) Of 39 % or more :		
	(11) Asiago, Caciocavallo, Provolone, Ragusano	5120 31	
	for exports to :		
	— Zone D		104.80
	— Zone E		90.89
	— Canada		96.39
	— Switzerland		35.29
	— Other destinations		120.12

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit	5120 44	
	for exports to :		
	— Austria		32.49
	— Zone D		55.90
	— Zone E		39.03
	— Canada		57.74
	— Switzerland		7.32
	— Other destinations		80.55
	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	5120 54	
	for exports to :		
	— Austria		44.65
	— Zone D		55.90
	— Zone E		36.07
	— Canada		49.91
	— Switzerland		7.32
	— Other destinations		69.71
	(44) Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester	5120 58	
	for exports to :		
	— Austria		26.66
	— Zone D		50.65
	— Zone E		36.62
	— Canada		59.16
	— Switzerland		16.00
	— Other destinations		82.64
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more	5120 59	
	for exports to :		
	— Zone E		21.68
	— Canada		25.68
	— Other destinations		36.71
	(66) Feta	5120 82	
	for exports to :		
	— Zone D		38.83 ⁽⁴⁾
	— Zone E		9.08 ⁽⁴⁾
	— Canada		48.60 ⁽⁴⁾
	— Switzerland		12.00 ⁽⁴⁾
	— Jordan, Iraq, Iran, the Arabian Peninsula and Mediterranean countries except Zone D		78.21 ⁽⁴⁾
	— Other destinations		65.35 ⁽⁴⁾
	(77) Colby, Monterey	5120 83	
	for exports to :		
	— Austria		26.66
	— Zone D		50.65
	— Zone E		—
	— Canada		59.16
	— Switzerland		16.00
	— Other destinations		82.64

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(88) Other (excluding cheeses produced from whey), of a water content, calculated by weight, of the non-fatty matter : (aaa) Exceeding 47 % but not exceeding 52 % for exports to : — Zone D — Switzerland — Zone E — Canada — Other destinations (bbb) Exceeding 52 % but not exceeding 62 % for exports to : — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations c) Exceeding 72 % : 1. In immediate packings of a net capacity not exceeding 500 grams : (a) Cottage cheese for exports to : — Armed forces as specified in Article 3 of Regulation (EEC) No 192/75 — Other destinations (b) Cream cheese of a fat content, by weight, in the dry matter, not exceeding 70 % for exports to : — Armed forces as specified in Article 3 of Regulation (EEC) No 192/75 — Other destinations ex II. Other (excluding cheeses produced from whey) : ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight : (1) Of 80 % or more but less than 85 % for exports to : — Zone E — Canada — Other destinations (2) Of 85 % or more but less than 95 % for exports to : — Zone E — Canada — Other destinations	5120 87 5120 92 5120 95 5120 98 5310 11 5310 22	50-65 15-00 56-59 71-01 88-51 32-49 55-90 39-03 57-74 7-32 80-55 18-66 — 52-45 — 29-52 42-02 60-77 35-88 49-38 76-47

CCT heading No	Description	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(3) Of 95 % or more for exports to : — Zone E — Canada — Other destinations	5310 31	41·60 55·60 88·86
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : ex B. Other, containing starch, glucose or glucose syrup falling within sub-headings 17.02 B and 21.07 F II, or milk products, excluding special compound feedingstuffs ⁽³⁾ : I. Containing starch, or glucose or glucose syrup : a) Containing no starch or containing 10 % or less, by weight, of starch : (3) Containing 50 % or more but less than 75 %, by weight, of milk products of which content of milk in powder or granules (excluding whey), by weight, is : (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more (4) Containing 75 % or more, by weight, of milk products, of which content of milk in powder or granules (excluding whey), by weight, is : (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more but less than 75 % (gg) 75 % or more but less than 80 % (hh) 80 % or more (II) Containing no starch, glucose or glucose syrup, but containing milk products of which content of milk in powder or granules (excluding whey), by weight, is : (a) 50 % or more but less than 60 % (b) 60 % or more but less than 70 % (c) 70 % or more but less than 80 % (d) 80 % or more	5700 13 5700 23 5700 33 5700 42 5700 52 5700 62 5800 13 5800 23 5800 32 5800 42 5800 52 5800 62 5800 72 5800 82 5900 12 5900 22 5900 32 5900 42	— 21·29 27·95 34·60 41·26 47·91 — 21·29 27·95 34·60 41·26 47·91 51·23 54·57 34·60 41·26 47·91 54·57

- (4) The weight of added non-lactic matter and lactose should be disregarded for the purpose of calculating fat content. The refund on 100 kg of product falling within this subheading is equal to the sum of the following components :
- (a) the amount per kilogram shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
 - (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
- (5) The refund on 100 kg of product falling within this subheading is equal to the sum of the following components :
- (a) the amount per 100 kg shown ; and
 - (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
- (6) 'Special compound feedingstuffs' are feedingstuffs containing skimmed-milk powder and either fish meal or fish oil and/or fish liver oil and/or fish liver oil or iron carbonate and/or iron sulphate and/or copper sulphate.
- (7) This amount applies to the net weight, minus the weight of the brine.
- (8) No refund is applicable to cheese rinds and cheese wastes falling within heading No 04.04 of the Common Customs Tariff. Products unfit as such for human consumption shall be regarded as cheese wastes.
- N.B. : — For the purposes of this Regulation 'countries near the Community means : Zone D, Andorra, Austria, Liechtenstein, Switzerland, Yugoslavia plus the destinations indicated in Article 3 of Regulation (EEC) No 192/75.
- Zones A, B, C, D and E are those defined in Regulation (EEC) No 1098/68, as last amended by Regulation (EEC) No 37/75.
 - 'Countries of the Arabian Peninsula' are to be understood in the sense of this Regulation as the following countries situated in the Arabian Peninsula and the territories there connected : Saudi Arabia, Bahrain, Qatar, Kuwait, Sultanate of Oman, Union of Arab Emirates (Abu Dhabi), Dubai, Sharjah, Ajman, Ummal Quaiwain, Fujairah, Ras al Khaimah, Yemen Arab Republic (Yemen North) and People's Democratic Republic of Yemen (Yemen South).

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

COMMISSION REGULATION (EEC) No 1655/78

of 14 July 1978

opening an invitation to tender for the mobilization of common wheat flour as food aid for the International Committee of the Red Cross.

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⁾,

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

Whereas on 30 January 1978 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 2 000 tonnes of common wheat (in other words 1 324.5 tonnes of common wheat flour) to the International Committee of the Red Cross under its 1977/78 food-aid programme;

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

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

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

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

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

Whereas provision should be made for security to be given for the purpose of guaranteeing that the obligations arising by virtue of participation in the invitation to tender for supplies to the International Committee of the Red Cross will be fulfilled;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the International Committee of the Red Cross, by way of Community action, of 1 324.5 tonnes of common wheat flour.
2. The tendering procedure shall take place in Belgium in three lots.
3. The products shall be mobilized on the Community market.
4. Shipment shall be from a Community port.
5. The invitation to tender provided for in paragraph 1 is for supply of products delivered to Ashdod, that is at the moment when the goods are actually placed on the dock or in the lighter where applicable.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

6. The successful tenderer will deliver the product specified in paragraph 1 in new jute sacks lined with cotton sacks of a net capacity of 50 kilograms.

On the sacks shall be printed a red cross, 15 cm × 15 cm, as well as the following:

'Wheat flour/Gift of the European Economic Community / Action of the International Committee of the Red Cross/For free distribution'.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 28 July 1978.

2. The closing date for the submission of tenders shall be 28 July 1978 at 12 noon.

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

Article 3

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

2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.

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

Such correction shall be made by:

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

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

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

Article 4

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

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

Article 5

1. The tenderer shall give security in an amount of 10 units of account per tonne of goods.

It shall be released:

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

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

Article 6

1. The common wheat flour referred to in Article 1 to be supplied to the International Committee of the Red Cross must meet the following requirements:

- moisture 12 % maximum,
- protein content: 10.5 % minimum (N × 6.25 on dry matter),
- ash content: 0.52 % maximum referred to dry matter.

Flour not meeting these requirements shall be refused.

2. Tenders for supply to the International Committee of the Red Cross of the common wheat flour referred to in Article 1 must relate to a product with the following characteristics :

- moisture : 12 % maximum,
- protein content : 10.5 % minimum ($N \times 6.25$ on dry matter),
- ash content : 0.52 % maximum referred to dry matter.

Article 7

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

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

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

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

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second

subparagraph of Article 3 (3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

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

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

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

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

Article 8

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

Article 9

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

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

Done at Brussels, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1656/78

of 14 July 1978

opening an invitation to tender for the mobilization of common wheat as food aid for the Kingdom of Lesotho

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⁾,

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

Whereas on 30 January 1978 the Council of the European Communities declared that by way of Community action it proposed to grant the Kingdom of Lesotho 1 500 tonnes of common wheat under its 1977/78 food-aid programme;

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

Whereas the proposed invitation to tender should be for supply of the products delivered to Maseru;

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply, by way of Community food-aid action, to the Kingdom of Lesotho of 1 500 tonnes of common wheat.

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

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

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

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

'Wheat / Gift of the European Economic Community to the Kingdom of Lesotho'.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

To allow for the possibility of re-bagging the successful tenderer shall supply 2 % of new empty sacks of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 28 July 1978.
2. The closing date for submission of tenders shall be 28 July 1978, at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

Article 3

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

Such correction shall be made by:

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

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

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

Article 4

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

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

Article 5

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

It shall be released:

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

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

Article 6

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

Article 7

1. The French intervention agency shall be responsible for organizing the invitation to tender provided for by this Regulation.
2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.
3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

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

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

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

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

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

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

Article 8

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

Article 9

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

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

Done at Brussels, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1657/78

of 14 July 1978

opening a new invitation to tender for the mobilization of common wheat flour
as food aid for the Democratic Republic of Sao Tome and Principe

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⁾,

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

Whereas on 30 January 1978 the Council of the Euro-
pean Communities declared that it proposed, by way
of Community action, to grant the equivalent of 602
tonnes of common wheat (in other words 400 tonnes
of common wheat flour) to the Democratic Republic
of Sao Tome and Principe under its 1977/78 food-aid
programme ;

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

Whereas the proposed invitation to tender should be
for supply of the products to the dock or in the
lighter where applicable at the port of unloading ;

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

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

Whereas, should *force majeure* make it impossible to
complete the operation in question within the time

limits specified, it must be made clear who is to bear
the liability for any resulting costs ;

Whereas provision should be made for security to be
given for the purpose of guaranteeing that the obliga-
tions arising by virtue of participation in the invita-
tion to tender will be fulfilled ;

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

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Tenders are hereby invited for the supply to the
Democratic Republic of Sao Tome and Principe, by
way of Community action, of 400 tonnes of common
wheat flour.

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

3. The invitation to tender provided for in para-
graph 1 is for supply of products to the dock or in the
lighter where applicable at the port of unloading (Sao
Tome).

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the products in new cotton sacks of a net capacity of 50 kilograms.

The minimum weight of the sacks shall be 180 grams.

The following shall be printed on the sacks :

'Farinha — Dom da Comunidade economica europeia a Republica democratica de São Tomé e Príncipe'.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 28 July 1978.
2. The closing date for the submission of tenders shall be 28 July 1978 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for the submission of tenders.

Article 3

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

Such correction shall be made by :

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

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

- in the case when the currencies concerned are kept at any given moment within a band of

2.25 %, a conversion rate resulting from their central rate,

- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

Article 4

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

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

Article 5

1. The tenderer shall give security in an amount of 10 units of account per tonne of goods.

It shall be released :

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

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

Article 6

1. The common wheat flour referred to in Article 1 to be supplied to Sao Tome and Principe must meet the following requirements :

- moisture : 12 % maximum,
- protein content : 10.5 % minimum ($N \times 6.25$ on dry matter),
- ash content : 0.52 % maximum referred to dry matter.

Flour not meeting these requirements shall be refused.

2. Tenders for supply to Sao Tome and Principe of the common wheat flour referred to in Article 1 must relate to a product with the following characteristics :

- moisture : 12 % maximum,
- protein content : 10.5 % minimum ($N \times 6.25$ on dry matter),
- ash content : 0.52 % maximum referred to dry matter.

Article 7

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

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

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

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

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second

subparagraph of Article 3 (3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

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

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

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

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

Article 8

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

Article 9

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

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

Done at Brussels, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1658/78

of 14 July 1978

opening an invitation to tender for the mobilization of maize meal as food aid
for the Republic of Senegal

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⁾,

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

Whereas on 30 January 1978 the Council of the Euro-
pean Communities declared that it proposed, by way
of Community action, to grant 5 555 tonnes of maize
meal to the Republic of Senegal under its 1977/78
food-aid programme ;

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

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

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

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

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

Whereas provision should be made for security to be
given for the purpose of guaranteeing that the obliga-
tions arising by virtue of participation in the invita-
tion to tender for supplies to Senegal will be fulfilled ;

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

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Tenders are hereby invited for the supply to the
Republic of Senegal by way of Community food-aid
action of 5 555 tonnes of maize meal.

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

3. The invitation to tender provided for in para-
graph 1 is for supply of products delivered to Dakar,
that is at the moment when the goods are actually
placed on the dock or in the lighter where applicable.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the products in new cotton sacks of a net capacity of 50 kilograms.

The minimum weight of the sacks shall be 180 grams.

The following shall be printed on the sacks:

'Semoule de maïs / Don de la Communauté économique européenne à la république du Senegal / À distribuer gratuitement'.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 28 July 1978.

2. The closing date for submission of tenders shall be 28 July 1978 at 12 noon.

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

Article 3

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

2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.

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

Such correction shall be made by:

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

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

- in the case when the currencies concerned are kept at any given moment within a band of

2.25 %, a conversion rate resulting from their central rate,

- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

Article 4

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

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

Article 5

1. The tenderer shall give security in an amount of 10 units of account per tonne of the products.

It shall be released:

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

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

Article 6

The product referred to in Article 1 must meet the following requirements:

- moisture content: maximum 12 %,
- acidity: 0.6 % maximum,

Products not meeting these requirements shall be refused.

Article 7

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

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

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

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

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

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

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and the type of packing ;

- (b) the date of the departure of the ships, the estimated date of arrival of the products at their destination ;

- (c) all possible contingencies which might occur during transportation of the products.

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

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

Article 8

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

Article 9

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

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

Done at Brussels, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1659/78

of 14 July 1978

opening an invitation to tender for the mobilization of common wheat flour as food aid for the United Republic of Tanzania

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⁾,

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

Whereas on 30 January 1978 the Council of the European Communities declared that by way of Community action it proposed to grant to Tanzania the equivalent of 5 000 tonnes of common wheat in the form of flour, in other words 3 311 tonnes of common wheat flour, under its 1977/78 food-aid programme;

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

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

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

Whereas the contract should be awarded to the tenderer who makes the best offer;

Whereas it must be made clear who is to bear any costs which arise in the event that for reasons of *force majeure* the operation in question is not completed within the time stipulated;

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

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

Whereas it is important that the Commission be informed without delay of the tenders submitted in response to the invitation and of those accepted by the intervention agency;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender shall be issued in respect of the supply of 3 311 tonnes of common wheat flour to the United Republic of Tanzania by way of Community food-aid action.
2. The tendering procedure shall take place in the Kingdom of Belgium and shall be in respect of a single lot.
3. The goods shall be mobilized on the Community market.
4. Shipment shall be from a Community port.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

5. The product referred to in paragraph 1 is to be delivered in new jute sacks of a net capacity of 50 kilograms to the port of shipment in the vicinity of the vessel. The goods must be set down at the place nominated by the recipient country or its agent, the timing of delivery being settled by the tenderer and the recipient country's agent.

Minimum weight of sacks shall be 600 grams.

The following shall be printed on the sacks :

'Wheat flour / Gift of the European Economic Community to Tanzania'.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The award of the contract shall take place on 28 July 1978.

2. The closing date for submission of tenders shall be 28 July 1978 at 12 noon.

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

Article 3

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

2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.

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

Such correction shall be made by :

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

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

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

Article 4

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

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

Article 5

1. The tenderer shall give security in an amount of 10 units of account per tonne of goods.

It shall be released :

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

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

Article 6

1. The goods referred to in Article 1 which are to be supplied to the United Republic of Tanzania must meet the following requirements :

common wheat flour :

- moisture content : 15 % maximum,
- acidity : 4 ml NaOH/n maximum per 100 g (calculated on the dry matter),
- ash content : 0.52 % maximum on the dry matter.

If the goods referred to in Article 1 do not meet the foregoing requirements they shall be rejected and the successful tenderer shall be owner thereof.

2. Tenders for supply to the United Republic of Tanzania of the goods referred to in Article 1 must relate to products with the following characteristics:

common wheat flour:

- moisture content: 15 % maximum,
- acidity: 4 ml NaOH/n maximum per 100 g (calculated on the dry matter),
- ash content: 0.52 % maximum on the dry matter.

Article 7

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

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

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

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

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

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

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

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

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

Article 8

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

Article 9

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

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

Done at Brussels, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1660/78

of 14 July 1978

opening an invitation to tender for the mobilization of maize meal as food aid
for the Comoros

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⁾,

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

Whereas on 30 January 1978 the Council of the Euro-
pean Communities declared that it proposed, by way
of Community action, to grant 500 tonnes of maize
meal to the Comoros under its 1977/78 food-aid
programme;

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

Whereas the proposed invitation to tender should be
for supply of the products to the dock or in the
lighter where applicable at the port of unloading;

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the
Comoros, by way of Community food-aid action, of
500 tonnes of maize meal.

2. The tendering procedure shall take place in
France in two lots. The products shall be mobilized
on the Community market. The products shall be
loaded for departure from a Community port.

3. The invitation to tender provided for in para-
graph 1 is for supply of products to the dock, or
lighter where applicable, in the ports of:

— Moroni (300 tonnes),

— Mutsamudu (200 tonnes).

4. The successful tenderer shall deliver the
products in new cotton sacks of a net capacity of 50
kg.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

The minimum weight of the sacks shall be 180 grams.

The following shall be printed on the sacks :

'Semoules de maïs / Don de la Communauté économique européenne aux Comores'.

To allow for the possibility of re-bogging, the successful tenderer shall supply 2 % of new empty sacks of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 28 July 1978.
2. The closing date for submission of tenders shall be 28 July 1978, at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not later than nine days before the closing date for submission of tenders.

Article 3

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

Such correction shall be made by :

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

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

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

Article 4

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

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

Article 5

1. The tenderer shall give security in an amount of 10 units of account per tonne of the products.

It shall be released :

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

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

Article 6

The product referred to in Article 1 must meet the following requirements :

- moisture content : 12 % maximum,
- acidity : 0.6 % maximum.

Products not meeting these requirements shall be refused.

Article 7

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

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

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

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

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

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

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

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

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

Article 8

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

Article 9

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

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

Done at Brussels, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1661/78

of 14 July 1978

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as amended by Regulation (EEC) No 1260/78⁽²⁾,

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

Whereas on 30 January 1978 the Council of the European Communities declared that it proposed, by way of Community action, to grant 1 012 tonnes of milled long grain rice to the Comoros under its 1977/78 food-aid programme;

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

Whereas the proposed invitation to tender should be for supply of the products to the dock or in the lighter where applicable at the port of unloading;

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the Comoros, by way of Community food-aid action, of 1 012 tonnes of milled long grain rice.

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

3. The invitation to tender provided for in paragraph 1 is for supply of products to the dock, or in the lighter where applicable, in the ports of:

— Moroni (Lot 1 — 500 tonnes),

— Mutsamudu (Lot 2 — 512 tonnes).

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

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

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

'Riz / Don de la Communauté économique européenne aux Comores'.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 31 July 1978.

2. The closing date for the submission of tenders shall be 31 July 1978, at 12 noon.

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

Article 3

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

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

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

Article 4

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

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

Article 5

1. The successful tenderer shall give security of a value of 10 units of account per tonne; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be

forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

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

Article 6

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

- moisture: 15 %,
- broken rice: 35 % maximum,
- chalky grains: 5 % maximum,
- grains striated with red: 3 % maximum,
- spotted grains: 1.5 % maximum,
- stained grains: 1 % maximum,
- yellow grains: 0.050 % maximum,
- amber grains: 0.20 % maximum.

Rice not meeting these requirements shall be refused.

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

- moisture: 15 %,
- broken rice: 35 % maximum,
- chalky grains: 5 % maximum,
- grains striated with red: 3 % maximum,
- spotted grains: 1.5 % maximum,
- stained grains: 1 % maximum,
- yellow grains: 0.050 % maximum,
- amber grains: 0.20 % maximum.

Article 7

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

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

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

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

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

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

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

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

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

Article 8

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

Article 9

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

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

Done at Brussels, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1662/78

of 14 July 1978

opening an invitation to tender for the mobilization of common wheat flour as food aid for the Comoros

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⁾,

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

Whereas on 30 January 1978 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 1 600 tonnes of common wheat (in other words 1 060 tonnes of common wheat flour) to the Comoros under its 1977/78 food-aid programme;

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

Whereas the proposed invitation to tender should be for supply of the products to the dock or in the lighter where applicable at the port of unloading;

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

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

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

Whereas provision should be made for security to be given for the purpose of guaranteeing that the obligations arising by virtue of participation in the invitation to tender will be fulfilled;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the Comoros, by way of Community action, of 1 060 tonnes of common wheat flour.

2. The tendering procedure shall take place in Italy in two lots. The products shall be mobilized on the Community market. The products shall be loaded for departure from a Community port.

3. The invitation to tender provided for in paragraph 1 is for supply of products to the dock, or in the lighter where applicable, at the ports of unloading:

- Moroni (500 tonnes),
- Mutsamudu (560 tonnes).

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the products in new cotton sacks of a net capacity of 50 kilograms.

The minimum weight of the sacks shall be 180 grams.

The following shall be printed on the sacks:

'Farine de froment / Don de la Communauté économique européenne aux Comores'.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 28 July 1978.

2. The closing date for the submission of tenders shall be 28 July 1978, at 12 noon.

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

Article 3

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

2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.

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

Such correction shall be made by:

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

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

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

Article 4

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

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

Article 5

1. The tenderer shall give security in an amount of 10 units of account per tonne of goods.

It shall be released:

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

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

Article 6

1. The common wheat flour referred to in Article 1 to be supplied to the Comoros must meet the following requirements:

- moisture: 12 % maximum,
- protein content: 10.5 % minimum ($N \times 6.25$ on dry matter),
- ash content: 0.52 % maximum referred to dry matter.

Flour not meeting these requirements shall be refused.

2. Tenders for supply to the Comoros of the common wheat flour referred to in Article 1 must relate to a product with the following characteristics:

- moisture: 12 % maximum,
- protein content: 10.5 % minimum ($N \times 6.25$ on dry matter),
- ash content: 0.52 % maximum referred to dry matter.

Article 7

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

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

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

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

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (3) to the tenderer in the

currency of the Member State in which the operations relating to the tendering are completed.

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

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

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

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

Article 8

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

Article 9

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

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

Done at Brussels, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1663/78

of 14 July 1978

opening an invitation to tender for the mobilization of milled long grain rice as food aid for the Democratic Republic of Sao Tome and Principe

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as amended by Regulation (EEC) No 1260/78⁽²⁾,

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

Whereas on 30 January 1978 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 600 tonnes of husked rice (in other words, 414 tonnes of milled long grain rice) to the Democratic Republic of Sao Tome and Principe under its 1977/78 food-aid programme;

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

Whereas the proposed invitation to tender should be for supply of the products to the dock, or in the lighter where applicable, at the port of unloading;

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

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

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

Whereas provision should be made for security to be given for the purpose of guaranteeing that the obligations arising by virtue of participation in the invitation to tender for supplies to the Democratic Republic of Sao Tome and Principe will be fulfilled;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the Democratic Republic of Sao Tome and Principe, by way of Community food-aid action, of 414 tonnes of milled long grain rice.
2. The tendering procedure shall take place in Italy in one lot. The products shall be mobilized on the Community market. The products shall be loaded for departure from any Community port.
3. The invitation to tender provided for in paragraph 1 is for supply of products to the dock, or in the lighter where applicable, in the port of Sao Tome.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽³⁾ OJ No L 281, 1, 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

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

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

'Arroz — Dom de Comunidade economica europea a Republica Democratica de São Tomé e Príncipe'.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 31 July 1978.

2. The closing date for the submission of tenders shall be 31 July 1978 at 12 noon.

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

Article 3

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

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

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

Article 4

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

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

Article 5

1. The successful tenderer shall give security of a value of 10 units of account per tonne ; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within

the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

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

Article 6

1. The milled long grain rice referred to in Article 1 to be supplied to the Democratic Republic of Sao Tome and Principe must meet the following requirements :

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

Rice not meeting these requirements shall be refused.

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

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

Article 7

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

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

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

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

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

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

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

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

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

Article 8

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

Article 9

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

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

Done at Brussels, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1664/78

of 14 July 1978

amending Regulation (EEC) No 1764/76 laying down certain detailed rules for granting the differential amount and the subsidy provided for the refining of raw sugar produced in the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1396/78⁽²⁾, and in particular Article 9 (6) thereof,

Whereas 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 fixed the differential amount referred to in the second subparagraph of Article 9 (3) of Regulation (EEC) No 3330/74 at 1.69 units of account per 100 kilograms of white sugar for the 1978/79 sugar marketing year;

Whereas 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⁽⁴⁾ has specified, for the 1978/79 sugar marketing year, a subsidy of 1.22 units of account per 100 kilograms of sugar expressed as white sugar as an appropriate measure within the meaning of Article 9 (3) of Regulation (EEC) No 3330/74; whereas Commission Regulation (EEC) No 1764/76 of 22 July 1976 laying down

certain detailed rules for granting the differential amount and the subsidy provided for the refining of raw sugar produced in the French overseas departments⁽⁵⁾ as amended by Regulation (EEC) No 1597/77⁽⁶⁾, should be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (1) of Regulation (EEC) No 1764/76 is amended to read as follows:

'1. The amounts referred to in Article 3 of Regulation (EEC) No 1401/78 and in Article 2 (2) of Regulation (EEC) No 1402/78, converted into amounts per 100 kilograms of standard quality raw sugar, shall be respectively:

- (a) 1.555 units of account;
- (b) 1.122 units of account.'

Article 2

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

It shall apply with effect from 1 July 1978.

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

Done at Brussels, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 170, 27. 6. 1978, p. 13.

⁽⁴⁾ OJ No L 170, 27. 6. 1978, p. 15.

⁽⁵⁾ OJ No L 197, 23. 7. 1976, p. 33.

⁽⁶⁾ OJ No L 177, 16. 7. 1977, p. 21.

COMMISSION REGULATION (EEC) No 1665/78

of 14 July 1978

amending Regulation (EEC) No 1687/76 laying down detailed rules for verifying the use and/or destination of products from intervention

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1419/78⁽²⁾, and in particular Articles 11 (5) and 26 (3) thereof, and the corresponding provisions of the other Regulations establishing common organizations of the markets in respect of agricultural products,

Whereas Article 3 (e) of Commission Regulation (EEC) No 1687/76 of 30 June 1976 laying down common detailed rules for verifying the use and/or destination of products from intervention⁽³⁾, as last amended by Regulation (EEC) No 1369/78⁽⁴⁾, provides that products to be delivered at a specific place as food aid shall be considered as having complied with the prescribed use and/or destination when the proof of delivery prescribed by the relevant Regulation has been presented to the competent authorities; whereas these measures should be harmonized with those provided for in Article 20 of Commission Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid⁽⁵⁾;

Whereas the Annex to Regulation (EEC) No 1687/76 is frequently amended; whereas it is of great importance for the correct application of the Regulation that the Annex be regularly up-dated; whereas it should therefore be possible for it to be adapted accordingly by a simplified procedure;

Whereas after processing in a Member State other than that in which they are removed from intervention stock products may be dispatched to a third Member State for disposal without further processing; whereas in such cases Article 7 (1) of Regulation (EEC) No 1687/76 should be applied;

Whereas the measures provided for in this Regulation are in accordance with the opinion of all the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1687/76 is hereby amended as follows:

1. The present text of Article 3 shall be numbered as paragraph 1 and the following is added as paragraph 2:

'2. In respect of products to be delivered at a specific port of shipment within the Community as food aid, the Member State in which that port is situated shall take all necessary measures to check whether the product leaves the geographical territory of the Community by that port. If the products do not leave the geographical territory of the Community within three months from the day on which the proof of delivery referred to in paragraph 1 (e) has been presented to the competent authorities, the Member State concerned shall inform the Commission, giving any available information as to the reasons therefor.'

2. The following paragraph is added to Article 6:

'4. The Annex may be amended by the Commission with a view to its correct application in accordance with the Regulations concerned.'

3. Article 7 (1) is amended to read as follows:

'1. Where products have been dispatched under Article 6 to another Member State for processing and the processed products:

- are to be sent to a third Member State for further processing or to comply with the prescribed use and/or destination, or
- are to cross the territory of a third Member State in order to be exported

then the original customs office of destination shall, acting as a customs office of departure, issue or cause to be issued under its responsibility one or more new control copies.

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

⁽²⁾ OJ No L 171, 28. 6. 1978, p. 8.

⁽³⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽⁴⁾ OJ No L 166, 23. 6. 1978, p. 30.

⁽⁵⁾ OJ No L 43, 15. 2. 1977, p. 1.

The new control copy or copies shall be completed in accordance with Article 6 (3), taking into account the information stated in the original control copy. In addition, in Section 106 of the control copy or copies there shall be entered the serial number of the original control copy and the name of the customs office which issued that copy.'

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, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1666/78

of 14 July 1978

amending for the second time Regulation (EEC) No 1393/76 laying down detailed rules for the importation of products in the wine-growing sector, originating in certain third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 4 (3) of Commission Regulation (EEC) No 2115/76 of 20 August 1976 laying down detailed rules for the import of wines, grape juice and grape must⁽³⁾, as last amended by Regulation (EEC) No 124/78⁽⁴⁾, provides that the Commission shall prepare lists of the agencies and laboratories appointed by third countries to complete the documents that must accompany every importation of wine and shall publish them in the 'C' edition of the *Official Journal of the European Communities*;

Whereas Article 3 (3) of Commission Regulation (EEC) No 1393/76 of 17 June 1976 laying down detailed rules for the importation of products in the

wine-growing sector, originating in certain third countries⁽⁵⁾, as amended by Regulation (EEC) No 668/78⁽⁶⁾, is no longer compatible with these new provisions; whereas it is therefore necessary to amend the said paragraph 3;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 3 (3) of Regulation (EEC) No 1393/76 is hereby amended to read:

'3. The list of the authorities referred to in paragraph 2 is that published pursuant to Article 4 (3) of Regulation (EEC) No 2115/76.'

Article 2

This Regulation shall enter into force on the eighth 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, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 256, 2. 10. 1975, p. 2.

⁽²⁾ OJ No L 135, 24. 5. 1976, p. 41.

⁽³⁾ OJ No L 237, 28. 8. 1976, p. 1.

⁽⁴⁾ OJ No L 20, 25. 1. 1978, p. 5.

⁽⁵⁾ OJ No L 157, 18. 6. 1976, p. 20.

⁽⁶⁾ OJ No L 93, 7. 4. 1978, p. 14.

COMMISSION REGULATION (EEC) No 1667/78

of 14 July 1978

amending Regulation (EEC) No 1203/73 fixing the conversion factors to be applied to the buying-in prices for fruit and vegetables

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 Article 16 (4) thereof,

Whereas Commission Regulation (EEC) No 1203/73 of 4 May 1973⁽³⁾, as last amended by Regulation (EEC) No 1326/78⁽⁴⁾, fixed the conversion factors to be applied to the buying-in prices for fruit and vegetables;

Whereas with respect to table grapes the conversion factors shall, in accordance with Article 16 (4) of Regulation (EEC) No 1035/72, be so fixed as to maintain a balance between the price at which the product is

bought in under Article 19 and the price obtained for grapes produced with a view to the obligatory distillation of wine made from table grapes;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Annex VI to Regulation (EEC) No 1203/73, under 'Table grapes, "Quality Class" Conversion factor', the factor '0.65' for Quality Class I is hereby replaced by '0.58'.

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, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 144, 31. 5. 1978, p. 5.

⁽³⁾ OJ No L 123, 10. 5. 1973, p. 1.

⁽⁴⁾ OJ No L 159, 17. 6. 1978, p. 27.

COMMISSION REGULATION (EEC) No 1668/78

of 14 July 1978

fixing the reference prices for table grapes for the 1978 marketing year

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 Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas table grapes are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas table grapes harvested during a given crop year are marketed from May to April of the next year; whereas the quantities harvested in May and June, during the first 10 days of July and also January to April of the next year are so small that there is no need to fix reference prices for these periods; whereas, due principally to developments in production techniques, a relatively large increase in the marketing of Community products during the last 10 days of November and in the month of December can be expected; whereas, however, the figures at present available are insufficiently conclusive to justify fixing a reference price for that period; whereas reference prices should be fixed only for the period 11 July up to and including 20 November;

Whereas, pursuant to Article 23 (2) of Regulation (EEC) No 1035/72, the reference prices are fixed on the bases of the arithmetic mean of producer prices in each Member State plus an amount representing the costs of transporting Community products from the production areas to Community marketing centres; whereas the trend of production costs in the fruit and vegetables sector must also be taken into account;

Whereas, to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics; being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1978 marketing year, the reference price for table grapes (subheading 08.04 A I of the Common Customs Tariff), expressed in units of account per 100 kilograms net of packed products of Class I, of all sizes, shall be as follows:

— July (11 to 20):	—
(21 to 31):	30.69
— August:	30.69
— September and October:	27.02
— November (1 to 20):	27.30

Article 2

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 144, 31. 5. 1978, p. 5.

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

Done at Brussels, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1669/78

of 13 July 1978

fixing the sluice-gate prices and levies for eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as amended by Regulation (EEC) No 368/76⁽²⁾, and in particular Articles 3 and 7 (1) thereof,

Whereas a levy fixed quarterly in advance must be charged on imports into the Community for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75; whereas levies were last fixed by Regulation (EEC) No 754/78 for the period ending 31 July 1978⁽³⁾ and levies must therefore be fixed anew for the period 1 August to 31 October 1978;

Whereas the levy on eggs in shell is made up of two components;

Whereas the first component must be equal to the difference between prices within the Community and on the world market for the quantity of feed grain specified in Annex I to Council Regulation (EEC) No 2773/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for eggs⁽⁴⁾, as last amended by Regulation (EEC) No 2300/77⁽⁵⁾;

Whereas the price within the Community for that quantity of feed grain must be determined in accordance with Article 2 of Regulation (EEC) No 2773/75; whereas the price for the like quantity on the world market should be determined in accordance with Article 3 thereof;

Whereas that Article provides that the prices for each type of feed grain on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 February to 30 June 1978;

Whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable for the four quarters to 1 May in each year;

Whereas the levy on eggs for hatching must be calculated in the same way as the levy on eggs in shell; whereas, however, the quantity of feed grain used in the calculation must be that shown in Annex I to Regulation (EEC) No 2773/75; whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable to eggs for hatching;

Whereas the levy on the products specified in Article 1 (1) (b) of Regulation (EEC) No 2771/75 must be derived from the levy on eggs in shell on the basis of the coefficients set out in the Annex to Commission Regulation No 164/67/EEC of 26 June 1967 fixed the factors for calculating levies and sluice-gate prices for derived egg products⁽⁶⁾, as last amended by Regulation (EEC) No 1775/74⁽⁷⁾;

Whereas sluice-gate prices for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75 must be fixed in advance for each quarter; whereas sluice-gate prices were last fixed by Regulation (EEC) No 754/78 for the period ending 31 July 1978, and prices must therefore now be fixed anew for the period 1 August to 31 October 1978;

Whereas the sluice-gate price for eggs in shell is made up of two components;

Whereas the first component must be equal to the price on the world market for the quantity of feed grain specified in Annex II to Regulation (EEC) No 2773/75;

Whereas the price for that quantity of grain must be determined in accordance with Article 4 (2) and (3) of Regulation (EEC) No 2773/75;

Whereas the said Article 4 provides that the price for each cereal on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 February to 30 June 1978;

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 45, 21. 2. 1976, p. 2.

⁽³⁾ OJ No L 101, 14. 4. 1978, p. 25.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 64.

⁽⁵⁾ OJ No L 271, 22. 10. 1977, p. 6.

⁽⁶⁾ OJ No 129, 28. 6. 1967, p. 2578/67.

⁽⁷⁾ OJ No L 186, 10. 7. 1974, p. 14.

Whereas the second amount, which represents other feeding costs and overhead costs of production and marketing, is fixed in Annex II to Regulation (EEC) No 2773/75;

Whereas the sluice-gate price for eggs for hatching must be calculated in the same way as the sluice-gate price for eggs in shell; whereas, however, the quantity of feed grain used in the calculation must be that specified in Annex II to Regulation (EEC) No 2773/75; whereas the standard amount must be that fixed in the same Annex;

Whereas the sluice-gate prices for the products specified in Article 1 (1) (b) of Regulation (EEC) No 2771/75 must be derived from the sluice-gate prices for eggs in shell, taking into account the value of the basic product, the coefficients for those products fixed in accordance with Article 5 (2) of that Regulation and the standard amount fixed in the Annex to Regulation No 164/67/EEC;

Whereas, as regards the lower value to be allowed for in the calculation of the sluice-gate for whole products, account must be taken of the absence of certain marketing costs specific to eggs in shell, and of a percentage reflecting the lower prices generally obtained for eggs intended for processing; whereas these marketing costs — to be deducted from the sluice-gate price for eggs in shell — may be assessed at 0.0800 u.a./kg; whereas the percentages to be deducted from that reduced sluice-gate price may be assessed at 20 %;

Whereas, as regards the lower value to be allowed for in the calculation of the sluice-gate prices for separated products, the same reduction in marketing costs as for whole products should be allowed for; whereas, however, the percentage to be deducted should be lower than that taken for whole products, as the production of separated products requires the use of fresh eggs; whereas this percentage may be assessed at 7 %;

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

HAS ADOPTED THIS REGULATION:

Article 1

The levies provided for in Article 3 of Regulation (EEC) No 2771/75 in respect of the products specified in Article 1 (1) of that Regulation and the sluice-gate prices provided for in Article 7 thereof in respect of the like products shall be as shown in the Annex hereto.

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, 13 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

Sluice-gate prices and levies for eggs for the period 1 August to 31 October 1978

CCT heading No	Description	Sluice-gate price	Levy
1	2	3	4
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not :	u.a./100 units	u.a./100 units
	A. Eggs in shell, fresh or preserved :		
	I. Poultry eggs :		
	a) Eggs for hatching (a) :		
	1. Of turkeys or geese	33.85	5.41
	2. Other	8.56	2.43
		u.a./100 kg	u.a./100 kg
	b) Other	66.41	23.74
	B. Eggs, not in shell ; egg yolks :		
	I. Suitable for human consumption :		
	a) Eggs, not in shell :		
	1. Dried	272.22	107.30
2. Other	72.21	27.54	
b) Egg yolks :			
1. Liquid	146.81	48.43	
2. Frozen	156.42	51.75	
3. Dried	324.22	111.10	

(a) Only poultry eggs which fulfil the conditions stipulated by the competent authorities of the European Communities are eligible for entry under this subheading.

COMMISSION REGULATION (EEC) No 1670/78

of 13 July 1978

fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin⁽¹⁾, and in particular Article 2 (2) and the second subparagraph of Article 5 (5) thereof,

Whereas the sluice-gate prices and import duties for the products specified in Article 1 of Regulation (EEC) No 2783/75 must be fixed quarterly in advance ;

Whereas since the sluice-gate prices and import duties for ovalbumin and lactalbumin were last fixed by Regulation (EEC) No 755/78⁽²⁾ for the period ending 31 July 1978, they must be fixed anew for the period 1 August to 31 October 1978 ; whereas they must be fixed by reference to the sluice-gate price and levy applicable to eggs in shell during the same period ;

Whereas these have been fixed by Commission Regulation (EEC) No 1669/78 of 13 July 1978 fixing the sluice-gate prices and levies for eggs⁽³⁾ ;

Whereas the methods for calculating sluice-gate prices and import duties are laid down in Regulation No 200/67/EEC⁽⁴⁾ ; whereas these methods should be used to calculate the sluice-gate prices and import duties for the coming quarter ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The import duties provided for in Article 2 of Regulation (EEC) No 2783/75 in respect of the products specified in Article 1 of that Regulation and the sluice-gate prices provided for in Article 5 thereof in respect of the like products shall be as shown in the Annex hereto.

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, 13 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 104.

⁽²⁾ OJ No L 101, 14. 4. 1978, p. 27.

⁽³⁾ See page 55 of this Official Journal.

⁽⁴⁾ OJ No 134, 30. 6. 1967, p. 2834/67.

ANNEX

Sluice-gate prices and import duties for ovalbumin and lactalbumin for the period
1 August to 31 October 1978

CCT heading No	Description	Sluice-gate price	Import duty
1	2	3	4
		u.a./100 kg	u.a./100 kg
35.02	Albumins, albuminates and other albumin derivatives : A. Albumins : II. Other (than unfit or rendered unfit for human consumption) : a) Ovalbumin and lactalbumin : 1. Dried (for example, in sheets, scales, flakes, powder) 2. Other	312.54 41.88	96.38 13.06

COMMISSION REGULATION (EEC) No 1671/78

of 13 July 1978

fixing the sluice-gate prices and levies for poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as amended by Regulation (EEC) No 369/76⁽²⁾, and in particular Articles 3 and 7 (1) thereof,

Whereas a levy fixed quarterly in advance must be charged on imports into the Community for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75; whereas levies were last fixed by Regulation (EEC) No 756/78⁽³⁾ for the period ending 31 July 1978, and levies must therefore be fixed anew for the period 1 August to 31 October 1978;

Whereas the levy on slaughtered poultry is made up of two components;

Whereas the first component must be equal to the difference between prices within the Community and on the world market for the quantity of feed grain specified in Annex I to Council Regulation (EEC) No 2778/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for poultrymeat⁽⁴⁾, as last amended by Regulation (EEC) No 2299/77⁽⁵⁾;

Whereas the price within the Community for that quantity of feed grain must be determined in accordance with Article 2 of Regulation (EEC) No 2778/75; whereas the price of the like quantity on the world market must be determined in accordance with Article 3 thereof;

Whereas that Article provides that the price for each type of feed grain on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 February to 30 June 1978;

Whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable for the four quarters to 1 May of each year;

Whereas the levy on chicks must be calculated in the same way as the levy on slaughtered poultry; whereas, however, the quantity of feed grain used in the calculation must be that shown in Annex I to Regulation (EEC) No 2778/75; whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable to chicks;

Whereas the levy on the products specified in Article 1 (2) (d) of Regulation (EEC) No 2777/75 must be derived from the levy on slaughtered poultry on the basis of the coefficients set out in the Annex to Commission Regulation No 199/67/EEC of 28 June 1967 fixing the coefficients for calculating levies on derived poultrymeat products⁽⁶⁾, as last amended by Regulation (EEC) No 1776/74⁽⁷⁾;

Whereas, for products falling within heading No 02.03, or within subheadings 15.01 B or 16.02 B I of the Common Customs Tariff, in respect of which the rate of duty payable has been bound within GATT, the levies must not exceed the amount resulting from that binding;

Whereas sluice-gate prices for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75 must be fixed in advance for each quarter; whereas sluice-gate prices were last fixed by Regulation (EEC) No 756/78 for the period ending 31 July 1978, and prices must therefore now be fixed anew for the period 1 August to 31 October 1978;

Whereas the sluice-gate price on slaughtered poultry is made up of two components;

Whereas the first component must be equal to the price on the world market for the quantity of feed grain shown in Annex II to Regulation (EEC) No 2778/75;

(¹) OJ No L 282, 1. 11. 1975, p. 77.

(²) OJ No L 45, 21. 2. 1976, p. 3.

(³) OJ No L 101, 14. 4. 1978, p. 29.

(⁴) OJ No L 282, 1. 11. 1975, p. 84.

(⁵) OJ No L 271, 22. 10. 1977, p. 1.

(⁶) OJ No 134, 30. 6. 1967, p. 2831/67.

(⁷) OJ No L 186, 10. 7. 1974, p. 16.

Whereas the price of this quantity of cereals must be determined in accordance with Article 4 (2) and (3) of Regulation (EEC) No 2778/75;

Whereas the said Article 4 provides that the price for each cereal on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 February to 30 June 1978;

Whereas the second amount, which represents other feeding costs and overhead costs of production and marketing, is fixed in Annex II to Regulation (EEC) No 2778/75;

Whereas the sluice-gate price for chicks must be calculated in the same way as the sluice-gate price for slaughtered poultry; whereas, however, the quantity of feed grain used in the calculation must be that shown in Annex II to Regulation (EEC) No 2778/75; whereas the standard amount must be that fixed in the same Annex;

Whereas the sluice-gate price for the products specified in Article 1 (2) (d) of Regulation (EEC) No 2777/75 must be derived from the sluice-gate prices for slaughtered poultry on the basis of the coefficients fixed for these products in accordance with Article 5 (3) of that Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The levies provided for in Article 3 of Regulation (EEC) No 2777/75 in respect of the products specified in Article 1 (1) of that Regulation and the sluice-gate prices provided for in Article 7 thereof in respect of the like products shall be as shown in the Annex hereto.

2. However, in the case of products falling within heading No 02.03 and within subheadings 15.01 B or 16.02 B I of the Common Customs Tariff in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

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, 13 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Sluice-gate prices and levies for poultrymeat for the period 1 August to 31 October 1978

CCT heading No	Description	Sluice-gate price	Levy
1	2	3	4
01.05	Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea fowls :	u.a./100 units	u.a./100 units
	A. Of a weight not exceeding 185 g, known as 'chicks' :		
	I. Turkeys and geese	66.82	8.24
	II. Other	17.70	4.16
		u.a./100 kg	u.a./100 kg
	B. Other :		
02.02	I. Fowls	59.48	15.44
	II. Ducks	71.82	22.74
	III. Geese	87.31	21.37
	IV. Turkeys	75.59	17.48
	V. Guinea fowls	99.10	26.78
	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled, or frozen :		
	A. Whole poultry :		
	I. Fowls :		
	a) Plucked and gutted, with heads and feet, known as '83 % chickens'	74.74	19.40
	b) Plucked and drawn, without heads and feet, but with hearts, livers and gizzards, known as '70 % chickens'	84.97	22.05
	c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens'	92.59	24.03
	II. Ducks :		
	a) Plucked, bled, not drawn or gutted, with heads and feet, known as '85 % ducks'	84.49	26.76
	b) Plucked and drawn, without heads and feet, with hearts, livers and gizzards, known as '70 % ducks'	102.60	32.48
	c) Plucked and drawn, without heads and feet, without hearts, livers and gizzards, known as '63 % ducks'	114.00	36.09
	III. Geese :		
	a) Plucked, bled, not drawn, with heads and feet, known as '82 % geese'	124.73	30.53
	b) Plucked and drawn, without heads and feet, with or without hearts and gizzards, known as '75 % geese'	116.38	31.98
	IV. Turkeys	107.98	24.97
	V. Guinea fowls	141.57	38.26

CUT heading No	Description	Sluice-gate price	Levy
1	2	3	4
02.02 (cont'd)	B. Poultry cuts (excluding offals) :	u.a./100 kg	u.a./100 kg
	I. Boned or boneless	221.40	59.90
	II. Unboned (bone-in) :		
	a) Halves or quarters :		
	1. Of fowls	101.85	26.43
	2. Of ducks	125.40	39.70
	3. Of geese	128.02	35.18
	4. Of turkeys	118.78	27.47
	5. Of guinea fowls	155.73	42.09
	b) Whole wings, with or without tips	71.96	19.47
	c) Backs, necks, backs with necks attached, rumps and wing tips	49.82	13.48
	d) Breasts and cuts of breasts :		
	1. Of geese	174.57	47.97
	2. Of turkeys	178.17	41.20
	3. Of other poultry	140.20	36.38
02.03	e) Legs and cuts of legs :		
	1. Of geese	168.75	46.37
	2. Of turkeys :		
	aa) Drumsticks and cuts of drumsticks	97.18	22.47
	bb) Other	167.37	38.70
	3. Of other poultry	131.70	34.18
	f) Other	221.40	59.90
	C. Offals	49.82	13.48
	Poultry, live, fresh, chilled, frozen, salted or in brine :		
	A. Foie gras (goose or duck)	1 247.30	305.30
	B. Other	127.31	34.44
02.05	Pig fat, free of lean meat and poultry fat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked :		
	C. Poultry fat	110.70	29.95
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted :		
	B. Poultry fat	132.84	35.94
16.02	Other prepared or preserved meat or meat offal :		
	B. Other :		
	I. Poultrymeat or offal :		
	a) Containing 57 % or more by weight of poultrymeat (a)	243.54	65.89
	b) Containing 25 % or more but less than 57 % by weight of poultrymeat (a)	132.84	35.94
	c) Other	77.49	20.97

(a) For the purpose of determining the percentage of poultrymeat, weight of any bones shall be disregarded.

COMMISSION REGULATION (EEC) No 1672/78**of 13 July 1978****fixing definitively the amount of the subsidy for colza and rape seed, determined provisionally since 1 February 1978**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1419/78⁽²⁾, and in particular Article 27 (4) thereof,

Whereas, in Regulations (EEC) No 190/78 of 31 January 1978⁽³⁾, (EEC) No 238/78 of 3 February 1978⁽⁴⁾, (EEC) No 284/78 of 10 February 1978⁽⁵⁾, (EEC) No 321/78 of 16 February 1978⁽⁶⁾, (EEC) No 374/78 of 23 February 1978⁽⁷⁾, (EEC) No 415/78 of 28 February 1978⁽⁸⁾, (EEC) No 457/78 of 3 March 1978⁽⁹⁾, (EEC) No 500/78 of 9 March 1978⁽¹⁰⁾, (EEC) No 540/78 of 15 March 1978⁽¹¹⁾, (EEC) No 559/78 of 17 March 1978⁽¹²⁾, (EEC) No 611/78 of 29 March 1978⁽¹³⁾, (EEC) No 655/78 of 31 March 1978⁽¹⁴⁾, (EEC) No 691/78 of 6 April 1978⁽¹⁵⁾, (EEC) No 757/78 of 13 April 1978⁽¹⁶⁾, (EEC) No 797/78 of 20 April 1978⁽¹⁷⁾, (EEC) No 866/78 of 27 April 1978⁽¹⁸⁾, (EEC) No 902/78 of 28 April 1978⁽¹⁹⁾, (EEC) No 952/78 of 10 May 1978⁽²⁰⁾, (EEC) No 1007/78 of 18 May 1978⁽²¹⁾, (EEC) No 1067/78 of 22 May 1978⁽²²⁾, (EEC) No 1115/78 of 26 May 1978⁽²³⁾, (EEC) No 1173/78 of 31 May 1978⁽²⁴⁾, (EEC) No 1237/78 of 8 June 1978⁽²⁵⁾, (EEC) No 1315/78 of 15 June

1978⁽²⁶⁾ and (EEC) No 1357/78 of 21 June 1978⁽²⁷⁾, the Commission fixed provisionally the amount of the subsidy for colza and rape seed in the event of advance fixing; whereas it was necessary to do so owing to the lack of a Regulation fixing the target prices and of a Regulation fixing the monthly increases in the target price and in the intervention price for oil seeds, applicable for the 1978/79 marketing year;

Whereas, in Regulations (EEC) No 1291/78 of 6 June 1978⁽²⁸⁾ and (EEC) No 1292/78 of 6 June 1978⁽²⁹⁾, the Council fixed, for the 1978/79 marketing year, the target prices and the monthly increases in the target price and in the intervention price for oil seeds; whereas, following the fixing of those amounts, the amounts of the subsidy which were fixed provisionally should be amended,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of the subsidy for colza and rape seed in the event of advance fixing as set out in the Annexes to Regulations (EEC) No 190/78, (EEC) No 238/78, (EEC) No 284/78, (EEC) No 321/78, (EEC) No 374/78, (EEC) No 415/78, (EEC) No 457/78, (EEC) No 500/78, (EEC) No 540/78, (EEC) No 559/78, (EEC) No 611/78, (EEC) No 655/78, (EEC) No 691/78, (EEC) No 757/78, (EEC) No 797/78, (EEC) No 866/78, (EEC) No 902/78, (EEC) No 952/78, (EEC) No 1007/78, (EEC) No 1067/78, (EEC) No 1115/78, (EEC) No 1173/78, (EEC) No 1237/78, (EEC) No 1315/78 and (EEC) No 1357/78 are, with effect from the date of entry into force of each of those Regulations, fixed definitively at the amounts set out in the table contained in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 15 July 1978.

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

⁽²⁾ OJ No L 171, 28. 6. 1978, p. 8.

⁽³⁾ OJ No L 27, 1. 2. 1978, p. 24.

⁽⁴⁾ OJ No L 34, 4. 2. 1978, p. 14.

⁽⁵⁾ OJ No L 41, 11. 2. 1978, p. 26.

⁽⁶⁾ OJ No L 46, 17. 2. 1978, p. 21.

⁽⁷⁾ OJ No L 53, 24. 2. 1978, p. 9.

⁽⁸⁾ OJ No L 59, 1. 3. 1978, p. 24.

⁽⁹⁾ OJ No L 62, 4. 3. 1978, p. 25.

⁽¹⁰⁾ OJ No L 68, 10. 3. 1978, p. 12.

⁽¹¹⁾ OJ No L 74, 16. 3. 1978, p. 19.

⁽¹²⁾ OJ No L 76, 18. 3. 1978, p. 33.

⁽¹³⁾ OJ No L 83, 30. 3. 1978, p. 22.

⁽¹⁴⁾ OJ No L 86, 1. 4. 1978, p. 47.

⁽¹⁵⁾ OJ No L 93, 7. 4. 1978, p. 19.

⁽¹⁶⁾ OJ No L 101, 14. 4. 1978, p. 32.

⁽¹⁷⁾ OJ No L 107, 21. 4. 1978, p. 7.

⁽¹⁸⁾ OJ No L 116, 28. 4. 1978, p. 35.

⁽¹⁹⁾ OJ No L 117, 29. 4. 1978, p. 70.

⁽²⁰⁾ OJ No L 123, 11. 5. 1978, p. 16.

⁽²¹⁾ OJ No L 131, 19. 5. 1978, p. 10.

⁽²²⁾ OJ No L 135, 23. 5. 1978, p. 11.

⁽²³⁾ OJ No L 140, 27. 5. 1978, p. 28.

⁽²⁴⁾ OJ No L 145, 1. 6. 1978, p. 30.

⁽²⁵⁾ OJ No L 153, 9. 6. 1978, p. 21.

⁽²⁶⁾ OJ No L 158, 16. 6. 1978, p. 31.

⁽²⁷⁾ OJ No L 165, 22. 6. 1978, p. 24.

⁽²⁸⁾ OJ No L 160, 17. 6. 1978, p. 1.

⁽²⁹⁾ OJ No L 160, 17. 6. 1978, p. 3.

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

Done at Brussels, 13 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

A. Subsidy for colza and rape seed

(u.a./100 kg)

Regulation (EEC) No	Subsidy in the case of advance fixing for the month of :				
	July 1978	August 1978	September 1978	October 1978	November 1978
190/78	10-710				
238/78	10-705				
284/78	10-839				
321/78	10-504				
374/78	10-319				
415/78	10-742	10-615			
457/78	10-877	10-720			
500/78	10-216	10-216			
540/78	9-653	9-653			
559/78	9-120	9-120			
611/78	8-314	8-314			
655/78	9-381	9-054	9-364		
691/78	9-795	9-859	10-169		
757/78	9-183	9-183	9-493		
797/78	8-861	8-861	9-504		
866/78	7-997	8-506	8-816		
902/78	8-063	8-063	8-241	10-596	
952/78	7-997	8-195	8-505	11-012	
1007/78	7-666	7-934	8-244	11-231	
1067/78	7-666	8-318	8-628	11-231	
1115/78	7-557	8-057	8-367	11-124	
1173/78	7-608	7-540	7-850	10-361	10-671
1237/78	8-451	8-768	9-078	10-931	11-241
1315/78	8-351	8-816	9-294	11-630	11-940
1357/78	8-484	8-816	9-294	12-295	12-605

B. Subsidy for sunflower seed

(u.a./100 kg)

Regulation (EEC) No	Subsidy in the case of advance fixing for the month of :	
	September 1978	
1173/78	10-693	
1237/78	11-095	
1315/78	11-587	
1357/78	11-867	

COMMISSION REGULATION (EEC) No 1673/78**of 14 July 1978****altering the export levies on starch products manufactured from rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (EEC) No 1126/78 ⁽²⁾,

Having regard to Council Regulation (EEC) No
2742/75 of 29 October 1975 on production refunds in
the cereals and rice sectors ⁽³⁾, as last amended by
Regulation (EEC) No 1127/78 ⁽⁴⁾, and in particular
Article 6 (2) thereof,

Whereas the export levies on starch products manufac-
tured from rice were fixed by Regulation (EEC) No
1208/78 ⁽⁵⁾, as last amended by Regulation (EEC) No
1584/78 ⁽⁶⁾;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 1208/78 to the
prices of broken rice that the levies at present in force
should be altered as shown in the Annex to this Regu-
lation,

HAS ADOPTED THIS REGULATION:

Article 1

The export levies provided for in Article 6 (2) of Regu-
lation (EEC) No 2742/75, fixed in the Annex to
amended Regulation (EEC) No 1208/78, are altered as
shown in the table annexed to this Regulation for the
products listed therein.

Article 2

This Regulation shall enter into force on 15 July
1978.

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

Done at Brussels, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

- (¹) OJ No L 166, 25. 6. 1976, p. 1.
(²) OJ No L 142, 30. 5. 1978, p. 23.
(³) OJ No L 281, 1. 11. 1975, p. 57.
(⁴) OJ No L 142, 30. 5. 1978, p. 24.
(⁵) OJ No L 147, 3. 6. 1978, p. 32.
(⁶) OJ No L 186, 8. 7. 1978, p. 5.

ANNEX

**to the Commission Regulation of 14 July 1978 altering the export levies on starch products
manufactured from rice**

(u.a./tonne)

CCT heading No	Description	Export levy
11.08 A II	Rice starch	13.59

COMMISSION REGULATION (EEC) No 1674/78

of 14 July 1978

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3330/74 of 19 December 1974 on the common organ-
ization of the market in sugar ⁽¹⁾, as last amended by
Regulation (EEC) No 1396/78 ⁽²⁾, and in particular
Article 15 (7) thereof,

Whereas the import levies on white sugar and raw
sugar were fixed by Regulation (EEC) No 1550/78 ⁽³⁾,
as last amended by Regulation (EEC) No 1634/78 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 1550/78
to the information at present available to the Commis-

sion that the levies at present in force should be
altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 15 (1) of Regulation
(EEC) No 3330/74 are, in respect of white sugar and
standard quality raw sugar, hereby fixed as shown in
the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 15 July
1978.

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

Done at Brussels, 14 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 182, 5. 7. 1978, p. 17.

⁽⁴⁾ OJ No L 190, 13. 7. 1978, p. 33.

ANNEX

to the Commission Regulation of 14 July 1978 fixing the import levies on white sugar and
raw sugar

(u.d. / 100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar ; flavoured or coloured sugar	28.06
	B. Raw sugar	23.99 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with
the provisions of Article 2 of Regulation (EEC) No 837/68.

COMMISSION REGULATION (EEC) No 1675/78**of 14 July 1978****altering the import levies on products processed from 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 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1126/78⁽⁴⁾, and in particular Article 12 (4) thereof,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 1447/78⁽⁵⁾, as last amended by Regulation (EEC) No 1630/78⁽⁶⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 2.5 units of

account per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽⁷⁾, the levies at present in force must therefore be altered as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75⁽⁸⁾, as last amended by Regulation (EEC) No 1603/78⁽⁹⁾, as fixed in the Annex to amended Regulation (EEC) No 1447/78, are hereby altered as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 15 July 1978.

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

Done at Brussels, 14 July 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 142, 30. 5. 1978, p. 23.

⁽⁵⁾ OJ No L 173, 29. 6. 1978, p. 19.

⁽⁶⁾ OJ No L 190, 13. 7. 1978, p. 25.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁹⁾ OJ No L 188, 11. 7. 1978, p. 1.

ANNEX

to the Commission Regulation of 14 July 1978 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./tonne	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 E I ⁽²⁾	158.81	153.81
11.01 E II ⁽²⁾	89.66	87.16
11.02 A V a) 1 ⁽²⁾	158.81	153.81
11.02 A V a) 2 ⁽²⁾	158.81	153.81
11.02 A V b) ⁽²⁾	89.66	87.16
11.02 B II c) ⁽²⁾	139.22	136.72
11.02 C V ⁽²⁾	139.22	136.72
11.02 D V ⁽²⁾	89.66	87.16
11.02 E II c) ⁽²⁾	158.81	153.81
11.02 F V ⁽²⁾	158.81	153.81
11.02 G II	69.09	64.09
11.04 C II a)	127.20	107.20 ⁽⁵⁾
11.04 C II b)	154.57	134.57 ⁽⁵⁾
11.08 A I	127.20	110.20
11.08 A IV	127.20	110.20
11.08 A V	127.20	55.10 ⁽⁵⁾
17.02 B II a) ⁽³⁾	223.75	143.75
17.02 B II b) ⁽³⁾	165.20	110.20
21.07 F II	165.20	110.20
23.03 A I	286.90	136.90

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polametric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

⁽³⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

⁽⁵⁾ In accordance with Regulation (EEC) No 706/76 the levy shall not be charged on the following products originating in the countries and territories:

- arrowroot falling within subheading ex 07.06 A,
- flours and meal of arrowroot falling within subheadings ex 11.04 C I, ex 11.04 C II a) and b),
- arrowroot falling within subheading ex 11.08 A V.