

Official Journal

of the European Communities

ISSN 0378-6978

L 288

Volume 21

14 October 1978

English edition

Legislation

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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 2383/78
of 13 October 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 1815/78⁽³⁾ and subsequent amending
Regulations ;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 1815/78 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 14 October
1978.

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

Done at Brussels, 13 October 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 210, 1. 8. 1978, p. 4.

ANNEX

to the Commission Regulation of 13 October 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	81.86
10.01 B	Durum wheat	125.48 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	82.29 ⁽⁶⁾
10.03	Barley	86.29
10.04	Oats	75.61
10.05 B	Maize, other than hybrid maize for sowing	81.68 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	47.06 ⁽⁴⁾
10.07 C	Grain sorghum	81.31 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	125.66
11.01 B	Rye flour	126.25
11.02 A I a)	Durum wheat groats and meal	205.35
11.02 A I b)	Common wheat groats and meal	135.34

⁽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 2384/78**of 13 October 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
1816/78 ⁽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 14 October
1978.

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

Done at Brussels, 13 October 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 210, 1. 8. 1978, p. 6.

ANNEX

to the Commission Regulation of 13 October 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 10	1st period 11	2nd period 12	3rd period 1
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	3.98	3.98	3.98
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	0	0

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	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 2385/78
of 13 October 1978
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 1761/78⁽²⁾, and in
particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 1017/78⁽³⁾, as last
amended by Regulation (EEC) No 2249/78⁽⁴⁾;

Whereas it follows from applying the rules contained
in Regulation (EEC) No 1017/78 to the prices known

to the Commission 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 levies referred to in Article 14 (2) of Regulation
(EEC) No 804/68 are hereby fixed as shown in the
Annex.

Article 2

This Regulation shall enter into force on 16 October
1978.

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

Done at Brussels, 13 October 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 132, 20. 5. 1978, p. 13.

⁽⁴⁾ OJ No L 273, 29. 9. 1978, p. 8.

ANNEX

to the Commission Regulation of 13 October 1978 fixing the import levies on milk and milk products

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

CCT heading No	Code	Import levy
04.01 A I a)	0110	21.84
04.01 A I b)	0120	19.84
04.01 A II a) 1	0130	19.84
04.01 A II a) 2	0140	24.49
04.01 A II b) 1	0150	18.84
04.01 A II b) 2	0160	23.49
04.01 B I	0200	50.79
04.01 B II	0300	107.44
04.01 B III	0400	166.04
04.02 A I	0500	5.59
04.02 A II a) 1	0620	93.45
04.02 A II a) 2	0720	129.64
04.02 A II a) 3	0820	131.64
04.02 A II a) 4	0920	141.26
04.02 A II b) 1	1020	87.45
04.02 A II b) 2	1120	123.64
04.02 A II b) 3	1220	125.64
04.02 A II b) 4	1320	135.26
04.02 A III a) 1	1420	20.31
04.02 A III a) 2	1520	27.42
04.02 A III b) 1	1620	107.44
04.02 A III b) 2	1720	166.04
04.02 B I a)	1820	30.00
04.02 B I b) 1 aa)	2220	per kg 0.8745 ⁽²⁾
04.02 B I b) 1 bb)	2320	per kg 1.2364 ⁽⁹⁾
04.02 B I b) 1 cc)	2420	per kg 1.3526 ⁽⁹⁾
04.02 B I b) 2 aa)	2520	per kg 0.8745 ⁽¹⁰⁾
04.02 B I b) 2 bb)	2620	per kg 1.2364 ⁽¹⁰⁾
04.02 B I b) 2 cc)	2720	per kg 1.3526 ⁽¹⁰⁾
04.02 B II a)	2820	32.98
04.02 B II b) 1	2910	per kg 1.0744 ⁽¹⁰⁾
04.02 B II b) 2	3010	per kg 1.6604 ⁽¹⁰⁾
04.03 A	3110	195.34
04.03 B	3210	238.31
04.04 A I a) 1	3321	15.00
04.04 A I a) 2	3420	125.03 ⁽¹¹⁾
04.04 A I b) 1 aa)	3521	15.00
04.04 A I b) 1 bb)	3619	125.03 ⁽¹¹⁾
04.04 A I b) 2	3719	125.03 ⁽¹¹⁾
04.04 A II	3800	125.03
04.04 B	3900	177.54 ⁽¹²⁾
04.04 C	4000	131.07
04.04 D I	4120	30.00
04.04 D II a) 1	4410	125.07
04.04 D II a) 2	4510	135.86
04.04 D II b)	4610	215.86
04.04 E I a)	4710	177.54
04.04 E I b) 1 aa)	4834	15.00
04.04 E I b) 1 bb)	4850	173.20

CCT heading No	Code	Import levy
04.04 E I b) 2 aa)	4922	131.63 ⁽¹³⁾
04.04 E I b) 2 bb)	5022	131.63 ⁽¹⁴⁾
04.04 E I b) 3	5030	131.63 ⁽¹⁵⁾
04.04 E I b) 4	5060	131.63 ⁽¹⁵⁾
04.04 E I b) 5	5120	131.63
04.04 E I c) 1	5210	98.72
04.04 E I c) 2	5250	211.63
04.04 E II a)	5310	177.54
04.04 E II b)	5410	211.63
17.02 A II ⁽¹⁶⁾	5500	15.97
21.07 F I	5600	15.97
23.07 B I a) 3	5700	67.59
23.07 B I a) 4	5800	87.70
23.07 B I b) 3	5900	81.99
23.07 B I c) 3	6000	67.21
23.07 B II	6100	87.70

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

⁽⁹⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
b) 6 u.a. ; and
c) 13.17 u.a.

⁽¹⁰⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
and
b) 13.17 u.a.

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

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

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

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

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

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

NB : For the purposes of heading No 04.04, the exchange rate to be applied in converting into national currencies the unit of account referred to in the subdivisions of this heading shall, notwithstanding general rule C 3 contained in Part I, Section I of the Common Customs Tariff be the representative rate, if such a rate is fixed pursuant to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy (OJ No 106, 30. 10. 1962, p. 2553/62).

COMMISSION REGULATION (EEC) No 2386/78
of 13 October 1978
fixing the world market price for colza and rape seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza and rape seed⁽³⁾, as last amended by Regulation (EEC) No 852/78⁽⁴⁾,

Having regard to Commission Regulation (EEC) No 2300/73 of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73⁽⁵⁾, as last amended by Regulation (EEC) No 1234/77⁽⁶⁾, and in particular Article 9 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 9 (4) of Regulation (EEC) No 2300/73, the Commission must determine the world market price for colza and rape seed;

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 1922/78 of 9 August 1978 fixing the amount of the subsidy on

oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 2379/78⁽⁸⁾;

Whereas, to enable the price system to operate normally, the world market price should be calculated on the following basis:

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

Whereas, applying all these provisions, the world market price for colza and rape seed should be fixed as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The world market price referred to in Article 9 (4) of Regulation (EEC) No 2300/73 and the rates to be used for converting them into national currencies shall be as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 16 October 1978.

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

Done at Brussels, 13 October 1978.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 171, 28. 6. 1978, p. 8.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 143, 10. 6. 1977, p. 9.

⁽⁷⁾ OJ No L 219, 10. 8. 1978, p. 15.

⁽⁸⁾ OJ No L 287, 13. 10. 1978, p. 12.

ANNEX

World market price applicable from 16 October 1978 for colza and rape seed (CCT heading No ex 12.01)

	u.a./100 kg ⁽¹⁾
World market price	17.376
World market price where the subsidy is fixed in advance :	
— for the month of October 1978	17.376
— for the month of November 1978	17.376
— for the month of December 1978	17.376
— for the month of January 1979	17.254
— for the month of February 1979	17.004
— for the month of March 1979	17.004

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

1 u.a. = DM	3.15665
1 u.a. = Fl	3.35507
1 u.a. = Bfr/Lfr	48.6572
1 u.a. = FF	6.97496
1 u.a. = Dkr	8.56656
1 u.a. = £	0.824953
1 u.a. = I £	0.824953
1 u.a. = Lit	1 339.71

COMMISSION REGULATION (EEC) No 2387/78**of 13 October 1978****altering the components used to calculate the differential amounts for colza and rape seed**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza and rape seed⁽³⁾, as last amended by Regulation (EEC) No 852/78⁽⁴⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EEC) No 2300/73 of 23 August 1973⁽⁵⁾, as last amended by Regulation (EEC) No 1234/77⁽⁶⁾, laid down detailed rules of application for Regulation (EEC) No 1569/72; whereas the components used to calculate the differential amounts were fixed by Regulation (EEC) No 1511/78⁽⁷⁾, as last amended by Regulation (EEC) No

2338/78⁽⁸⁾; whereas, in the case of the pound sterling, the Irish pound and the Italian lira the difference referred to in Article 2 (1) of Regulation (EEC) No 1569/72 for the period 4 to 10 October 1978 has changed, by reference to the representative rate valid on 16 October 1978, by at least one point from the percentage used for the previous fixing; whereas this fact should be taken into account when fixing the components used to calculate the differential amounts for colza and rape seed where those components are already applied in respect of the Member State concerned,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 1511/78 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 16 October 1978.

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

Done at Brussels, 13 October 1978.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 171, 28. 6. 1978, p. 8.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 143, 10. 6. 1977, p. 9.

⁽⁷⁾ OJ No L 178, 1. 7. 1978, p. 54.

⁽⁸⁾ OJ No L 282, 7. 10. 1978, p. 5.

ANNEX

to the Commission Regulation of 13 October 1978 altering the components used to calculate the differential amounts for colza and rape seed

	Target price corrective (coefficient to be applied)	Subsidy or refund corrective (coefficient to be applied)	Differential component (coefficient to be applied to the target price)	
1. Colza and rape seed, processed for oil production in Germany or exported from that country :	+ 0.0720	— 0.0720	+	—
— harvested in Germany			—	—
— harvested in the BLEU or in the Netherlands			—	0.0591
— harvested in France			—	0.1720
— harvested in Denmark			—	0.0720
— harvested in Ireland			—	0.1150
— harvested in the United Kingdom			—	0.2867
— harvested in Italy			—	0.2008
2. Colza and rape seed, processed for oil production in the BLEU and in the Netherlands or re-exported from that country :	+ 0.0140	— 0.0140	+	—
-- harvested in Germany			0.0628	—
— harvested in the BLEU or in the Netherlands			—	—
— harvested in France			—	0.1200
— harvested in Denmark			—	0.0140
— harvested in Ireland			—	0.0595
— harvested in the United Kingdom			—	0.2420
— harvested in Italy			—	0.1507
3. Colza and rape seed, processed for oil production in Denmark or exported from that country :	Nil	Nil	+	—
— harvested in Germany			0.0778	—
— harvested in the BLEU or in the Netherlands			0.0142	—
— harvested in France			—	0.1075
— harvested in Denmark			—	—
— harvested in Ireland			—	0.0461
— harvested in the United Kingdom			—	0.2312
-- harvested in Italy			—	0.1386
4. Colza and rape seed, processed for oil production in France or exported from that country :	— 0.1205	+ 0.1205	+	—
— harvested in Germany			0.2077	—
-- harvested in the BLEU or in the Netherlands			0.1364	—
-- harvested in France			—	—
— harvested in Denmark			0.1205	—
— harvested in Ireland			0.0588	—
— harvested in the United Kingdom			—	0.1386
— harvested in Italy			—	0.0349

	Target price corrective (coefficient to be applied)	Subsidy or refund corrective (coefficient to be applied)	Differential component (coefficient to be applied to the target price)	
5. Colza and rape seed, processed for oil production in the United Kingdom or exported from that country :	— 0.3008	+ 0.3008	+	—
— harvested in Germany			0.4020	—
— harvested in the BLEU or in the Netherlands			0.3192	—
— harvested in France			0.1609	—
— harvested in Denmark			0.3008	—
— harvested in Ireland			0.2408	—
— harvested in the United Kingdom			—	—
— harvested in Italy			0.1205	—
6. Colza and rape seed, processed for oil production in Ireland or exported from that country :	— 0.0483	+ 0.0483	+	—
— harvested in Germany			0.1299	—
— harvested in the BLEU or in the Netherlands			0.0632	—
— harvested in France			—	0.0644
— harvested in Denmark			0.0483	—
— harvested in Ireland			—	—
— harvested in the United Kingdom			—	0.1941
— harvested in Italy			—	0.0970
7. Colza and rape seed, processed for oil production in Italy or exported from that country :	— 0.1609	+ 0.1609	+	—
— harvested in Germany			0.2513	—
— harvested in the BLEU or in the Netherlands			0.1774	—
— harvested in France			0.0361	—
— harvested in Denmark			0.1609	—
— harvested in Ireland			0.1074	—
— harvested in the United Kingdom			—	0.1075
— harvested in Italy			—	—

COMMISSION REGULATION (EEC) No 2388/78

of 13 October 1978

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

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 500 tonnes of husked rice (in other words, 345 tonnes of milled long grain rice) to the Republic of Guinea 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 Republic of Guinea will be fulfilled;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the Republic of Guinea by way of Community food-aid action, of 345 tonnes of milled long grain rice.
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 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 Conakry.

⁽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:

'Riz — Don de la Communauté économique européenne à la République de Guinée / 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 30 October 1978.

2. The closing date for the submission of tenders shall be 30 October 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 Republic of Guinea 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 Republic of Guinea 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, 13 October 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2389/78
of 13 October 1978

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

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as amended by Regula-
tion (EEC) No 1260/78 ⁽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 2 500
tonnes of husked rice (in other words, 1 725 tonnes of
milled long grain rice) to the Republic of Guinea
Bissau 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 in view of the different monetary circum-
stances in the Member States, the observation of these
conditions is not guaranteed by the application of
exchange rates applicable in the framework of the
common agricultural policy since monetary compensa-
tory amounts do not apply in the rice sector; whereas
it is advisable to take account of the monetary situa-
tion 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 invita-
tion to tender for supplies to the Republic of Guinea
Bissau will be fulfilled;

Whereas the Italian intervention agency should be
made responsible for the tendering procedure in ques-
tion;

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 Guinea Bissau by way of Community
food-aid action, of 1 725 tonnes of milled long grain
rice.
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 any 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 in the port of Bissau.

⁽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 branqueado/Dom da Comunidade económica europeia à República da Guiné-Bissau'.

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 30 October 1978.

2. The closing date for the submission of tenders shall be 30 October 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 Republic of Guinea Bissau 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 Republic of Guinea Bissau 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, 13 October 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2390/78**of 13 October 1978****opening an invitation to tender for the mobilization of common wheat flour
and maize meal as food aid for Jamaica**

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 by way of Commu-
nity action it proposed to grant 300 tonnes of maize
meal and 300 tonnes of common wheat flour to
Jamaica 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 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 nomi-
nated by the recipient or its agent;

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 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 obligation arising by
virtue of participation in the invitation to tender;

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

Whereas 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 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. An invitation to tender shall be issued in respect
of the supply of 300 tonnes of common wheat flour
and 300 tonnes of maize meal to Jamaica 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 four
lots.

3. The goods shall be mobilized on the Commu-
nity market.

4. Shipment shall be from Antwerp.

⁽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 products referred to in paragraph 1 to be delivered in new jute sacks lined with cotton 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.

The following shall be printed on the sacks:

'Wheat flour / Gift of the European Economic Community for free distribution'.

'Maize meal / Gift of the European Economic Community 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 award of the contract shall take place on 27 October 1978.

2. The closing date for submission of tenders shall be 27 October 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 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 Jamaica 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.

maize meal:

- moisture content: 13 % maximum,
- acidity: 0.6 % maximum.

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.

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, 13 October 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2391/78

of 13 October 1978

opening an invitation to tender for the mobilization of maize as food aid for the
League of Red Cross Societies

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 8 February 1977 the Council of the Euro-
pean Communities declared that by way of Commu-
nity action it proposed to grant the League of Red
Cross Societies 354 tonnes of maize under its 1976/77
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 Bissau, 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 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 ques-
tion ;

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 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 League of Red
Cross Societies of 354 tonnes of maize.

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 para-
graph 1 is for supply of products delivered Bissau, that
is at the moment when the goods are actually placed
on the dock or in the lighter where applicable.

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

⁽¹⁾ OJ No L 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.

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

'Milho/Dom da Comunidade económica europeia/
Acção de ajuda alimentar da Caritas germânica/
Bissau'.

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 27 October 1978.

2. The closing date for submission of tenders shall be 27 October 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 product referred to in Article 1 must be of fair and sound merchantable quality and correspond at least to the standard quality for which the intervention price is fixed.

If the product does not meet these requirements it 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 this case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

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

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

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

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

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

Article 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, 13 October 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2392/78

of 13 October 1978

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

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 8 February 1977 the Council of the Euro-
pean Communities declared that it proposed, by way
of Community action, to grant 6 790 tonnes of maize
meal to the Republic of Zaire under its 1976/77 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 Matadi 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 Zaire 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 Zaire by way of Community food-aid
action of 6 790 tonnes of maize meal.

2. The tendering procedure shall take place in
France in five lots. 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 para-
graph 1 is for supply of products delivered to Matadi
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 product shall be delivered in new jute sacks of 50 kilograms net weight lined with sacks of six-ply Clupak paper.

The following shall be printed on the sacks:

'Semoules de maïs / Don de la Communauté économique européenne à la république du Zaïre'.

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 27 October 1978.

2. The closing date for submission of tenders shall be 27 October 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: 13 % maximum,
- acidity: 0.6 % maximum,
- fat content: 1.5 % 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, 13 October 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2393/78

of 13 October 1978

laying down detailed rules for the application of the additional measures applicable to holders of long-term storage contracts for table wine for the wine-growing year 1977/78

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1861/78⁽²⁾, and in particular Article 6c (4) thereof,

Having regard to Council Regulation (EEC) No 878/77 of 26 April 1977 on the exchange rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 976/78⁽⁴⁾, and in particular Article 5 thereof,

Whereas the measures to support the wine market which were employed during this wine-growing year have not in all cases given the desired results; whereas, in particular, the representative price for table wine of type AI has been lower than the activating price since the month of April and the prices for types AII and AIII are at present lower than the activating price; whereas the first condition required under Article 6c (1) of Regulation (EEC) No 816/70 for the adoption of additional measures applicable to holders of long-term storage contracts is therefore satisfied; whereas the second condition, namely that the representative price should remain lower than the activating price for three consecutive weeks, should logically be ascertained shortly before the first expiry dates of the long-term storage contracts; whereas the market situation is such that this condition is satisfied;

Whereas these measures should provide for the complete removal from the market by distillation of a certain quantity of wine and for the delaying for several months of the marketing of the remaining quantity held by holders of long-term storage contracts, in anticipation of a recovery of the market; whereas, however, this latter measure might not achieve the desired objective; whereas provision for any further measures which may be necessary should therefore be made;

Whereas the distillation provided for by this Regulation should take place in accordance with the provisions of Council Regulation (EEC) No 1931/76 of 20 July 1976 laying down general rules governing the distillation of wines provided for in Articles 6b, 6c, 24a and 24b of Regulation (EEC) No 816/70⁽⁵⁾, as amended by Regulation (EEC) No 1675/77⁽⁶⁾; whereas, pursuant to Articles 1 (1) and 4 of that Regulation, time limits should be fixed for the submission of applications for approval of distillation contracts, for approval by the intervention agencies and for the distillation operations; whereas Article 2 of that Regulation specifies that aid is to be paid, the amount of which is to be fixed so as to enable the products obtained to be disposed of;

Whereas the additional information which should appear in the distillation contract should also be specified;

Whereas the arrangements for paying the aid referred to in Article 3 of Regulation (EEC) No 1931/76 provide that the aid is to be paid to the producer in two instalments; whereas payment of the second instalment should be made within a limited period to enable the producer to receive the full amount of the aid quickly; whereas it should therefore be provided that such payment is to be made at the latest within 30 days after distillation;

Whereas the technical conditions for the approval of distillers must be laid down; whereas provision should also be made for cases in which approval is in principle to be withdrawn from the distiller if he defaults for reasons other than *force majeure* or inevitable accident;

Whereas the intervention agencies referred to in Article 6 of Regulation (EEC) No 1931/76 and the Commission should be informed of the progress of distillation operations and should in particular be aware of the quantities of wine distilled and the quantities of alcohol obtained;

Whereas, in order to achieve the objective envisaged, the storage contracts should be concluded in accordance with Commission Regulation (EEC) No

(1) OJ No L 99, 5. 5. 1970, p. 1.

(2) OJ No L 215, 4. 8. 1978, p. 1.

(3) OJ No L 106, 29. 4. 1977, p. 27.

(4) OJ No L 125, 13. 5. 1978, p. 32.

(5) OJ No L 211, 5. 8. 1976, p. 5.

(6) OJ No L 187, 27. 7. 1977, p. 3.

2015/76 of 13 August 1976 on storage contracts for table wine, grape must and concentrated grape must⁽¹⁾, as amended by Regulation (EEC) No 2206/77⁽²⁾;

Whereas, to allow for market developments, it should be possible to terminate contracts;

Whereas, in accordance with Article 2a (2) (e) of Regulation (EEC) No 878/77, the representative rates fixed by that Regulation are to be applied from 16 December 1978 for wine; whereas, however, other dates may be provided for distillation measures;

Whereas the application of the measures provided for in this Regulation extends beyond 15 December 1978; whereas it is necessary, in order to avoid any discrimination between those concerned, to provide for the application of a single representative rate for all payments relating to the distillation operations referred to in this Regulation; whereas, since all the table wine affected by these measures was produced during the wine-growing year 1977/78, the representative rates applicable for that year for wine should be retained and the application of the new representative rates provided for by Regulation (EEC) No 878/77 for the measures referred to in Article 6c of Regulation (EEC) No 816/70 should therefore be postponed until the expiry of the period of application of this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down detailed rules for the application of additional measures, as provided for in Article 6c of Regulation (EEC) No 816/70, in respect of holders of long-term storage contracts for table wine for the wine-growing year 1977/78.

Article 2

1. The period of three consecutive weeks referred to in Article 6c (1) of Regulation (EEC) No 816/70 shall fall between 1 August and 30 November 1978.

2. If a decision as referred to in Article 6c (4) of Regulation (EEC) No 816/70 is taken, the holders of long-term storage contracts for the types of wine in respect of which the decision is taken and for wines in close economic relationship therewith may:

(a) in respect of a quantity of wine not exceeding a percentage to be fixed of the quantity under contract, carry out distillation in accordance with Articles 3 to 8;

(b) in respect of all or part of the quantity which is not distilled under (a), conclude, in accordance with Article 9, a storage contract for a period to be fixed.

3. Other additional measures applicable to holders of the storage contracts referred to in paragraph 2 (b) in respect of a given type of wine or a wine in close economic relationship therewith may be taken in accordance with the procedure laid down in Article 7 of Regulation No 24 if the Community representative price for that type of table wine has remained lower than the activating price during the period between the date of adoption of the decision referred to in Article 6c (4) of Regulation (EEC) No 816/70 and 15 January 1979.

4. For the purposes of this Regulation, there shall be considered to be in close economic relationship with table wine of type AI, white table wines with an actual alcoholic strength of not less than 12° and not more than 14° not belonging to type AII or type AIII.

Article 3

1. The distillation referred to in Article 2 (2) (a) shall be carried out in accordance with the provisions of Regulation (EEC) No 1931/76 and of this Regulation.

2. The wines which may be distilled are those which have been the subject of the long-term storage contract or other wines of the same type which have been produced by the holder of the storage contract. In the latter case the actual alcoholic strength of the wine may not be less than 10° and the total quantity of alcohol contained in the wine may not be greater than that contained in the quantity of wine under contract which may be distilled.

Article 4

1. Applications for approval of the contracts referred to in Article 1 of Regulation (EEC) No 1931/76 shall be made within 45 days of the date of expiry of the long-term contracts.

2. The intervention agency referred to in Article 6 of Regulation (EEC) No 1931/76 shall inform the parties to the contract at the latest 15 days after receiving the application for approval of a distillation contract of the result of the approval procedure.

⁽¹⁾ OJ No L 221, 14. 8. 1976, p. 20.

⁽²⁾ OJ No L 225, 6. 10. 1977, p. 13.

3. Distillation shall be carried out between 1 October 1978 and 30 June 1979.

Article 5

1. The contracts referred to in Article 1 of Regulation (EEC) No 1931/76 shall state :

- (a) the quantity, colour and actual alcoholic strength of the wines to be distilled ;
- (b) the name and address of the producer ;
- (c) the place where the wine is stored ;
- (d) the name of the distiller or the distillery ;
- (e) the address of the distillery.

2. 'Distiller' shall mean the person on whose behalf distillation is carried out.

Article 6

1. The price referred to in the second indent of Article 6c (2) of Regulation (EEC) No 816/70 shall be :

- 1.77 units of account per degree per hectolitre for table wine of type AI and for those wines in close economic relationship therewith,
- 3.53 units of account per degree per hectolitre for table wines of type AII,
- 4.03 units of account per degree per hectolitre for table wines of type AIII.

2. The amount of the aid provided for in Article 2 of Regulation (EEC) No 1931/76 shall be :

- (a) for the wines referred to in the first indent of paragraph 1 :
 - 1.15 units of account per degree per hectolitre if the wine has been processed into a product referred to in the first indent of Article 2 (3) of that Regulation,
 - 1.15 units of account per degree per hectolitre if the wine has been processed into a product referred to in the second indent of the said Article 2 (3);
- (b) for the wines referred to in the second indent of paragraph 1 :
 - 2.91 units of account per degree per hectolitre if the wine has been processed into a product referred to in the first indent of the said Article 2 (3),
 - 2.91 units of account per degree per hectolitre if the wine has been processed into a product referred to in the second indent of the said Article 2 (3);
- (c) for the wines referred to in the third indent of paragraph 1 :
 - 3.41 units of account per degree per hectolitre if the wine has been processed into a product

referred to in the first indent of the said Article 2 (3),

- 3.41 units of account per degree per hectolitre if the wine has been processed into a product referred to in the second indent of the said Article 2 (3).

3. The payments to be made under Article 3 (1) and (3) of Regulation (EEC) No 1931/76 shall be made at the latest 30 days after the necessary conditions have been satisfied.

4. Where Article 3 (5) of Regulation (EEC) No 1931/76 applies, payment of the minimum buying-in price shall be made at the latest 30 days after the total quantity of wine appearing in the contract has entered the distillery.

5. Where Article 3 (6) of Regulation (EEC) No 1931/76 applies, payment of the minimum buying-in price shall be made at the latest 30 days after the total quantity of wine appearing in the contract has been distilled. When the relevant intervention agency of a Member State has not decided to make general use of the facility provided for in Article 3 (6), the distiller may make use of this facility only after having obtained the agreement of producer.

6. The conversion into national currency of the amounts referred to in paragraphs 1 and 2 above shall be made using the representative rate for wine applicable on the day that this Regulation enters into force.

Article 7

1. In order to be approved within the meaning of Article 5 of Regulation (EEC) No 1931/76, distillers must be capable of processing wine into a product with an alcoholic strength of 86° or more or into a product with an alcoholic strength of 85° or less.

2. Approval shall be withdrawn if the distiller, save in the event of inevitable accident or *force majeure*, fails to pay the buying-in price to the producer or to fulfil his obligations under Community provisions.

Article 8

1. Member States shall notify the Commission by 31 January 1979 of the quantities of wine appearing in the distillation contracts approved.

2. Distillers shall forward to the intervention agency, by the 10th day of each month, a return of the quantities of wine distilled during the previous month stating the quantities expressed as pure alcohol of the products which they have obtained, distinguishing between those referred to in the first indent of Article 2 (3) of Regulation (EEC) No 1931/76 and those referred to in the second indent thereof.

3. Member States shall inform the Commission by telex by the 20th day of each month in respect of the previous month of the quantities of wine distilled and the quantities expressed as pure alcohol of the products which they have obtained, distinguishing between them in accordance with paragraph 2.

4. Member States shall notify by 31 July 1979 cases of distillers who have failed to meet their obligations and the measures taken as a result.

Article 9

1. The contracts referred to in Article 2 (2) (b) shall be concluded within 45 days of the date of expiry of the long-term contracts. If the holder of a long-term storage contract decides to take advantage of Article 2 (2) (b) in respect of all the wine subject to a long-term storage contract, the intervention agency may extend the old contract for the new period by altering the relevant wording.

2. In the case of storage contracts as referred to in Article 2 (2) (b) the amount of the aid shall be that laid down for long-term storage contracts for the wine-growing year 1977/78.

3. The storage contracts referred to in Article 2 (2) (b) shall be terminated at the request of the producers concerned.

In this case, the storage aid for the period during which the wine was subject to any such contract shall be retained.

Article 10

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

It shall apply with effect from 16 September 1978.

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

Done at Brussels, 13 October 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2394/78

of 13 October 1978

on the application of the additional measures applicable to holders of long-term storage contracts for certain table wines for the wine-growing year 1977/78

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1861/78⁽²⁾, and in particular Article 6c (4) thereof,

Whereas the measures to support the wine market which were employed during the wine-growing year 1977/78 have not in all cases given the desired results; whereas Commission Regulation (EEC) No 2393/78 of 13 October 1978 laying down detailed rules for the application of the additional measures applicable to holders of long-term storage contracts for table wine for the wine-growing year 1977/78⁽³⁾ provides that the period of three consecutive weeks referred to in Article 6c (1) of Regulation (EEC) No 816/70 shall fall between 1 August and 30 November; whereas since 1 August the weighted average price for table wines of types AI, AII and AIII has remained lower than the activating price for five consecutive weeks; whereas the conditions laid down in Article 6c (1) are thus satisfied; whereas it is therefore necessary to adopt the measures referred to in the said Article 6c;

Whereas Regulation (EEC) No 2393/78 makes provision for fixing the percentage of the wine under contract which may be distilled and fixing the dura-

tion of any storage contracts; whereas, taking into account the market situation indicated by the harvest forecasts and the levels of stocks at the end of the wine-growing year, the said percentage should be 50 % and the said duration four months;

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

Holders of long-term storage contracts for table wines of types AI, AII and AIII and for wines which are in close economic relationship therewith may, in accordance with the provisions of Regulation (EEC) No 2393/78:

- (a) carry out distillation in respect of a quantity of wine not exceeding 50 % of the quantity under contract;
- (b) in respect of all or part of the quantity which is not distilled under (a), conclude a storage contract for a period of four months.

Article 2

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

It shall apply with effect from 16 September 1978.

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

Done at Brussels, 13 October 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 215, 4. 8. 1978, p. 1.

⁽³⁾ See page 28 of this Official Journal.

COMMISSION REGULATION (EEC) No 2395/78

of 13 October 1978

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

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas Commission Regulation (EEC) No 79/75 of
14 January 1975 ⁽³⁾, as last amended by Regulation
(EEC) No 2166/78 ⁽⁴⁾ provides for the sale by monthly
tender of boned beef held by the intervention agen-
cies; whereas not all the meat offered for tender has
been allocated;

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

Whereas certain boned beef should be put up for sale
at prices fixed in advance in accordance with Articles
2 to 5 of Commission Regulation (EEC) No 216/69 of
4 February 1969 on detailed rules of application for
the disposal of frozen beef and veal bought in by inter-
vention agencies ⁽⁶⁾, and at the same time certain
necessary derogations should be provided for, particu-
larly as regards payment for the goods;

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

Whereas Council Regulation (EEC) No 1055/77 of 17
May 1977 on the storage and movement of products
bought in by an intervention agency ⁽⁷⁾ provides that,
in the case of products stored by an intervention
agency outside the territory of the Member State
within whose jurisdiction it falls, a different selling
price from that for products stored on that territory

may be fixed; whereas Commission Regulation (EEC)
No 1805/77 of 4 August 1977 laying down in respect
of the beef and veal sector special rules for the applica-
tion of Regulation (EEC) No 1055/77 on the storage
and movement of products bought in by an interven-
tion agency ⁽⁸⁾ fixed the method for calculating the
selling prices for such products; whereas to avoid all
confusion it should be expressly stated that the prices
fixed by this Regulation are subject to adjustment in
the case of those products;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 16 October to 3 November
1978, the German intervention agency shall offer for
sale up to 1 000 tonnes, the Danish intervention
agency up to 3 000 tonnes, the Irish intervention
agency up to 2 500 tonnes and the United Kingdom
intervention agency up to 500 tonnes of beef boned in
accordance with Regulation (EEC) No 2630/75.

2. The intervention agencies referred to in para-
graph 1 shall sell first the meat which has been stored
the longest.

They may in no case sell meat which they took over
after 31 December 1977.

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

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

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 10, 15. 1. 1975, p. 9.

⁽⁴⁾ OJ No L 254, 16. 9. 1978, p. 12.

⁽⁵⁾ OJ No L 268, 17. 10. 1975, p. 16.

⁽⁶⁾ OJ No L 28, 5. 2. 1969, p. 10.

⁽⁷⁾ OJ No L 128, 24. 5. 1977, p. 1.

⁽⁸⁾ OJ No L 198, 5. 8. 1977, p. 19.

Article 2

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

Article 3

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

Article 4

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

Article 5

This Regulation shall enter into force on 16 October 1978.

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

Done at Brussels, 13 October 1978.

For the Commission

Finn GUNDELACH

Vice-President

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

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

1. BUNDESREPUBLIK

DEUTSCHLAND

Bullen A

Ochsen A

Filets	6 900	6 900
Roastbeef	4 062	3 925
Oberschalen	2 737	2 571
Unterschalen	2 630	2 500
Kugeln	2 505	2 500
Hüften	2 400	2 370
Kniekehlfleisch	1 860	1 800
Hessen	1 620	1 620
Dünnungen	1 450	1 250

2. DANMARK

Ungtyre
1. kvalitetTyre
primaStude
1. kvalitetKvier
1. kvalitet

Mørbrad	6 000	5 500	5 500
Fileter	3 301	2 550	2 900
Kød af bagfjerdinger (med undtagelse af fileter og mørbrad)	1 985	1 858	1 985
Udbenede forfjerdinger	1 730	1 700	1 630
Slag og bryst	1 264	1 223	1 150

3. IRELAND

Steers 1, 2 and Heifers 2

Filets	6 770
Striploins	3 990
Insides	2 820
Outsides	2 650
Knuckles	2 634
Rumps	2 950
Cube rolls	3 620
Forequarters (excluding cube rolls)	1 760
Plates and flanks	1 225
Brisket	1 550
Shins and shanks	1 690

4. UNITED KINGDOM

Steers and Heifers

Filletts	7 250
Striploins	4 000
Topsides	2 798
Silversides	2 690
Thick flanks	2 541
Rumps	3 000
Clod and sticking	1 510
Forerib	2 195
Pony	1 760
Shins and shanks	1 590
Thin flanks	1 000
Flanks (plate)	1 000
Briskets	1 356

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

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

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

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

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

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

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

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

BUNDESREPUBLIK DEUTSCHLAND :	Bundesanstalt für landwirtschaftliche Marktordnung (BALM) Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse) Postfach 180 107 — Adickesallee 40 D 6000 Frankfurt am Main 18 (Tel. (06 11) 55 04 61/55 05 41, Telex : 04 11 156
DANMARK :	Direktoratet for markedsordningerne EF-Direktoratet Frederiksborggade 18 1360 København K, tlf. (01) 15 41 30, Telex 15 137 DK.
IRELAND :	Department of Agriculture, Agriculture House, Kildare Street, Dublin 2, Tel. (01) 78 90 11, ext. 23 24, Telex 4280 and 5118
UNITED KINGDOM :	Intervention Board for Agricultural Produce, Fountain House, 2 West Mall, Reading RG1 7QW, Berks. Telex : 848 302. Tel : 07 34 — 58 36 26.

COMMISSION REGULATION (EEC) No 2396/78

of 13 October 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 2354/78⁽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 14 October
1978.

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

Done at Brussels, 13 October 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 284, 10. 10. 1978, p. 10.

ANNEX

to the Commission Regulation of 13 October 1978 fixing the import levies on white sugar
and raw sugar

(u.a. / 100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar ; flavoured or coloured sugar	25.52
	B. Raw sugar	20.81 ⁽¹⁾

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 22 September 1978

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to men's and boys' shirts, woven, of wool, of cotton or of man-made textile fibres, falling within heading No ex 61.03 of the Common Customs Tariff (NIMEXE codes 61.03-11, 15, 19), originating in Taiwan and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(78/828/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 15 September 1978 by the Governments of the Benelux countries to the Commission of the European Communities, for authorization not to apply Community treatment to men's and boys' shirts, woven, of wool, of cotton or of man-made textile fibres, falling within heading No ex 61.03 of the Common Customs Tariff (NIMEXE codes 61.03-11, 15, 19), originating in Taiwan and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in Taiwan is subject to a Community quantitative quota allocated among the Member States by Commission Regulation (EEC) No 3020/77 of 30 December 1977 ⁽¹⁾, confirmed by Council Regulation (EEC) No 255/78 of 7 February 1978 ⁽²⁾;

Whereas it was not possible on that occasion to allocate these quotas on the basis of the needs of the individual markets; whereas there are therefore disparities existing between the import conditions in the various Member States; whereas uniformity can only be achieved progressively;

Whereas it appears from the application submitted that there are serious difficulties in the industrial sector concerned, involving a considerable drop in production and employment;

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

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

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Commission Decision 71/202/EEC of 12 May 1971 ⁽³⁾, and in particular Article 1 thereof,

⁽¹⁾ OJ No L 357, 31. 12. 1977, p. 51.

⁽²⁾ OJ No L 39, 9. 2. 1978, p. 1.

⁽³⁾ OJ No L 121, 3. 6. 1971, p. 26.

HAS ADOPTED THIS DECISION :

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are hereby authorized not to apply Community treatment to the products indicated below, where they originate in Taiwan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 14 September 1978 :

CCT heading No	Description
ex 61.03 (NIMEXE codes 61.03-11, 15, 19)	Men's and boys' shirts, woven, of wool, of cotton or of man-made textile fibres

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of these products from Taiwan or until 31 December 1978, whichever is the earlier.

Article 3

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

Done at Brussels, 22 September 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION DECISION

of 22 September 1978

authorizing the French Republic not to apply Community treatment to woven suits (including coordinate suits consisting of two or three pieces, which are ordered, packed, consigned and normally sold together), of wool, of cotton or of man-made textile fibres, falling within heading No ex 61.01 of the Common Customs Tariff (NIMEXE codes 61.01-51, 54, 57), originating in Romania and in free circulation in the other Member States

(Only the French text is authentic)

(78/829/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 15 September 1978 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to woven suits (including coordinate suits consisting of two or three pieces, which are ordered, packed, consigned and normally sold together), of wool, of cotton or of man-made textile fibres, falling within heading No ex 61.01 of the Common Customs Tariff (NIMEXE codes 61.01-51, 54, 57), originating in Romania and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in Romania is covered by an Agreement negotiated between the Community and that country;

Whereas under that Agreement Romania has undertaken to take all necessary steps to limit its exports of the products in question to the Community up to the amount of certain ceilings allocated among the Member States;

Whereas it was not possible on that occasion to allocate these ceilings on the basis of the needs of the individual markets; whereas there are therefore disparities existing between the import conditions in the various Member States; whereas uniformity can only be achieved progressively;

Whereas it appears from the application submitted that there are serious difficulties in the industrial sector concerned, involving a considerable drop in production and employment;

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

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

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Commission Decision 71/202/EEC of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof;

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

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is hereby authorized not to apply Community treatment to the products indicated below, where they originate in Romania and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 14 September 1978:

CCT heading No	Description
ex 61.01 (NIMEXE codes 61.01-51, 54, 57)	Woven suits (including coordinate suits consisting of two or three pieces, which are ordered, packed, consigned and normally sold together), of wool, of cotton or of man-made textile fibres

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

Article 2

Done at Brussels, 22 September 1978.

This Decision shall apply until new opportunities arise in France for the importation of these products from Romania or until 31 December 1978, whichever is the earlier.

Article 3

This Decision is addressed to the French Republic.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION DECISION

of 22 September 1978

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to bed linen, woven, falling within subheading ex 62.02 B of the Common Customs Tariff (NIMEXE codes 62.02-11, 19), originating in Romania and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(78/830/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 18 September 1978 by the Governments of the Benelux countries to the Commission of the European Communities, for authorization not to apply Community treatment to bed linen, woven, falling within subheading ex 62.02 B of the Common Customs Tariff (NIMEXE codes 62.02-11, 19), originating in Romania and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in Romania is covered by an Agreement negotiated between the Community and that country;

Whereas under that Agreement Romania has undertaken to take all necessary steps to limit its exports of the products in question to the Community up to the amount of certain ceilings allocated among the Member States;

Whereas it was not possible on that occasion to allocate these ceilings on the basis of the needs of the individual markets; whereas there are therefore disparities existing between the import conditions in the various Member States; whereas uniformity can only be achieved progressively;

Whereas it appears from the application submitted that there are serious difficulties in the industrial sector concerned, involving a considerable drop in production and employment;

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

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

Whereas authorization should accordingly be given for the application of protective measures under the

first paragraph of Article 115, subject to the conditions laid down in Commission Decision 71/202/EEC of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are hereby authorized not to apply Community treatment to the products indicated below, where they originate in Romania and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 5 September 1978:

CCT heading No	Description
ex 62.02 B (NIMEXE codes 62.02-11, 19)	Bed linen, woven

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of these products from Romania or until 30 November 1978, whichever is the earlier.

Article 3

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

Done at Brussels, 22 September 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 22 September 1978

authorizing Ireland not to apply Community treatment to woven cotton terry fabrics ; toilet and kitchen linen of woven cotton terry fabrics, falling within heading No 55.08 or subheading ex 62.02 B of the Common Customs Tariff (NIMEXE codes 55.08-10, 30, 50, 80 ; 62.02-71), originating in India and in free circulation in the other Member States

(Only the English text is authentic)

(78/831/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular the first para-
graph of Article 115 thereof,

Having regard to the application under the first para-
graph of Article 115 of the Treaty, made on 14
September 1978 by the Irish Government to the
Commission of the European Communities, for
authorization not to apply Community treatment to
woven cotton terry fabrics ; toilet and kitchen linen of
woven cotton terry fabrics, falling within heading No
55.08 or subheading ex 62.02 B of the Common
Customs Tariff (NIMEXE codes 55.08-10, 30, 50, 80 ;
62.02-71), originating in India and in free circulation
in the other Member States,

Whereas the importation into the Community of the
products in question originating in India is covered by
an Agreement negotiated between the Community
and that country ;

Whereas under that Agreement India had undertaken
to take all necessary steps to limit its exports of the
products in question to the Community up to the
amount of certain ceilings allocated among the
Member States ;

Whereas it was not possible on that occasion to allo-
cate these ceilings on the basis of the needs of the
individual markets ; whereas there are therefore dispar-
ities existing between the import conditions in the
various Member States ; whereas uniformity can only
be achieved progressively ;

Whereas it appears from the application submitted
that there are serious difficulties in the industrial
sector concerned, involving a considerable drop in
production and employment ;

Whereas further indirect imports, in addition to those
already made or proposed, would be likely to aggra-
vate these difficulties ;

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

Whereas authorization should accordingly be given
for the application of protective measures under the
first paragraph of Article 115, subject to the condi-
tions laid down in Commission Decision 71/202/EEC
of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION :

Article 1

Ireland is hereby authorized not to apply Community
treatment to the products indicated below, where they
originate in India and are in free circulation in the
other Member States, and in respect of which applica-
tions for import licences were lodged after 6
September 1978 :

CCT heading No	Description
55.08 or ex 62.02 B (NIMEXE codes 55.08-10, 30, 50, 80 ; 62.02-71)	Woven cotton terry fabrics ; toilet and kitchen linen of woven cotton terry fabrics

Article 2

This Decision shall apply until new opportunities
arise in Ireland for the importation of these products

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

from India or until 31 December 1978, whichever is the earlier.

Done at Brussels, 22 September 1978.

For the Commission

Wilhelm HAERKAMP

Vice-President

Article 3

This Decision is addressed to Ireland.

COMMISSION DECISION**of 28 September 1978****fixing the minimum selling prices for beef hindquarters put up for sale by tender in accordance with Regulation (EEC) No 2087/78****(78/832/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas, pursuant to Article 11 of Commission Regu-
lation (EEC) No 216/69 of 4 February 1969 on
detailed rules of application for the disposal of frozen
beef and veal bought in by intervention agencies ⁽³⁾,
the minimum selling prices for the products put up
for sale by tender should be fixed taking into account
tenders submitted;

Whereas, in accordance with Article 1 of Commission
Regulation (EEC) No 2087/78 of 1 September 1978
on the sale by tender of beef hindquarters held by the
German intervention agency for processing in the
Community ⁽⁴⁾, tenders have been invited for certain
quantities of beef hindquarters; whereas consequently
the minimum selling prices should be fixed;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Manage-
ment Committee for Beef and Veal,

HAS ADOPTED THIS DECISION:

Article 1

1. The minimum selling prices for beef hindquar-
ters stored by the German intervention agency which
are to be adopted for the invitation to tender held in
accordance with Regulation (EEC) No 2087/78, for
which the time limit for the submission of tenders
was 18 September 1978, shall be as set out in the
Annex hereto.

2. Tenders submitted in response to the invitation
referred to in paragraph 1 shall be rejected unless they
are for the products listed in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 September 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1978, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 28, 5. 2. 1969, p. 10.

⁽⁴⁾ OJ No L 241, 2. 9. 1978, p. 5.

ANNEXE — ANHANG — ALLEGATO — BIJLAGE — ANNEX — BILAG

BUNDESREPUBLIK DEUTSCHLAND ⁽¹⁾

Lieu de stockage Lagerort Indirizzo del deposito Plaats van opslag Place of storage Oplagringsstedets navn	Produits Erzeugnisse Prodotti Produkten Products Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkoopprijzen Minimum selling prices Mindstesalgspriser UC/tonne — RE/t — UC/T — RE/ton — u.a./tonne — RE/t	
		A	B
Bundesrepublik Deutschland	Bullen A	1 427	1 490

⁽¹⁾ Avis d'adjudication, JO n° C 211 du 5. 9. 1978, p. 13.⁽¹⁾ Ausschreibung, ABl. Nr. C 211 vom 5. 9. 1978, S. 13.⁽¹⁾ Bando di gara, GU n. C 211 del 5. 9. 1978, pag. 13.⁽¹⁾ Bericht van inschrijving, PB nr. C 211 van 5. 9. 1978, blz. 13.⁽¹⁾ Notice of invitation to tender, OJ No C 211, 5. 9. 1978, p. 13.⁽¹⁾ Licitationsbekendtgørelse, EFT nr. C 211 af 5. 9. 1978, s. 13.

- A. Applicable seulement aux offres pour la viande congelée destinée à la transformation définie à l'article 1^{er} paragraphe 1 sous a) du règlement (CEE) n° 2182/77.
- A. Anwendbar nur für die Angebote betreffend das zur Verarbeitung bestimmte Gefrierfleisch gemäß der Begriffsbestimmung in Artikel 1 Absatz 1 Buchstabe a) der Verordnung (EWG) Nr. 2182/77.
- A. Applicabile esclusivamente alle offerte per le carni congelate destinate alla trasformazione descritta all'articolo 1, paragrafo 1, lettera a), del regolamento (CEE) n. 2182/77.
- A. Slechts toe te passen voor aanbiedingen voor verwerking bestemd bevroren vlees zoals in artikel 1, lid 1, sub a), van Verordening (EEG) nr. 2182/77 omschreven.
- A. Applicable only to tenders for frozen meat intended for processing as defined in Article 1 (1) (a) of Regulation (EEC) No 2182/77.
- A. Finder kun anvendelse på bud vedrørende frosset kød bestemt til forarbejdning som defineret i artikel 1, stk. 1, litra a) i forordning (EØF) nr. 2182/77.
- B. Applicable seulement aux offres pour la viande congelée destinée à la transformation définie à l'article 1^{er} paragraphe 1 sous b) du règlement (CEE) n° 2182/77.
- B. Anwendbar nur für die Angebote betreffend das zur Verarbeitung bestimmte Gefrierfleisch gemäß der Begriffsbestimmung in Artikel 1 Absatz 1 Buchstabe b) der Verordnung (EWG) Nr. 2182/77.
- B. Applicabile esclusivamente alle offerte per le carni congelate destinate alla trasformazione descritta all'articolo 1, paragrafo 1, lettera b), del regolamento (CEE) n. 2182/77.
- B. Slechts toe te passen voor aanbiedingen voor verwerking bestemd bevroren vlees zoals in artikel 1, lid 1, sub b), van Verordening (EEG) nr. 2182/77 omschreven.
- B. Applicable only to tenders for frozen meat intended for processing as defined in Article 1 (1) (b) of Regulation (EEC) No 2182/77.
- B. Finder kun anvendelse på bud vedrørende frosset kød bestemt til forarbejdning som defineret i artikel 1, stk. 1, litra b) i forordning (EØF) nr. 2182/77.

COMMISSION DECISION

of 28 September 1978

**authorizing the Federal Republic of Germany to store outside its territory
during the fourth quarter of 1978 beef products held by its intervention agency**

(Only the German text is authentic)

(78/833/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Having regard to Council Regulation (EEC) No
1055/77 of 17 May 1977 on the storage and move-
ment of products bought in by an intervention
agency ⁽³⁾, and in particular Article 4 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 1055/77
provides that intervention agencies may not store
products they have bought in pursuant to Community
provisions outside the territory of the Member State
within whose jurisdiction they fall unless they have
obtained prior authorization; whereas the Federal
Republic of Germany has applied for authorization to
transport and place in storage in other Member States
during October, November and December 1978, a
total of 2 500 tonnes of unboned beef held by its inter-
vention agency;

Whereas, having regard to storage capacity in the
Federal Republic of Germany and storage possibilities
in Belgium, France, Italy and the Netherlands, this
application should be approved;

Whereas it is necessary for the intervention agency of
a Member State on whose territory storage takes place
to be informed of the location and quantity of the
stocks of products stored on that territory by another
intervention agency;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Manage-
ment Committee for Beef and Veal,

HAS ADOPTED THIS DECISION:

Article 1

1. The Federal Republic of Germany is hereby auth-
orized to transport and to place in storage, between 1
October and 31 December 1978, 2 500 tonnes of
frozen beef, unboned, in Belgium, France, Italy and
the Netherlands.

2. The German intervention agency shall inform
the intervention agency of each Member State on
whose territory storage takes place of the location and
quantity of its stocks on that territory and of any
movements of such stocks.

Article 2

This Decision is addressed to the Federal Republic of
Germany.

Done at Brussels, 28 September 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 128, 24. 5. 1977, p. 1.

COMMISSION DECISION

of 28 September 1978

authorizing Ireland to store outside its territory during the fourth quarter of 1978 beef products held by its intervention agency

(Only the English text is authentic)

(78/834/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1055/77 of 17 May 1977 on the storage and movement of products bought in by an intervention agency⁽³⁾, and in particular Article 4 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 1055/77 provides that intervention agencies may not store products they have bought in pursuant to Community provisions outside the territory of the Member State within whose jurisdiction they fall unless they have obtained prior authorization; whereas Ireland has applied for authorization to transport and place in storage in other Member States during October, November and December 1978, a total of 18 000 tonnes of beef held by its intervention agency;

Whereas, having regard to storage capacity in Ireland and storage possibilities in Belgium, France, the Netherlands and the United Kingdom, this application should be approved;

Whereas it is necessary for the intervention agency of a Member State on whose territory storage takes place to be informed of the location and quantity of the stocks of products stored on that territory by another intervention agency;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Ireland is hereby authorized to transport and to place in storage, between 1 October and 31 December 1978:

- approximately 13 000 tonnes of frozen unboned beef in Belgium, France, the Netherlands and the United Kingdom,
- approximately 5 000 tonnes of frozen boneless beef in France, the Netherlands and the United Kingdom.

2. The Irish intervention agency shall inform the intervention agency of each Member State on whose territory storage takes place of the location and quantity of its stocks on that territory, and of any movements of such stocks.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 28 September 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 128, 24. 5. 1977, p. 1.

COMMISSION DECISION

of 28 September 1978

fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1774/78

(78/835/EEC)

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 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 thereof,Having regard to Commission Regulation (EEC) No 1774/78 of 24 July 1978 on an invitation to tender for the refund for the export of common wheat to Zones I, II, III, IV, V and VI⁽⁴⁾,Whereas in Regulation (EEC) No 1774/78 an invitation to tender was issued for the export refund on common wheat; whereas, according to the notice of invitation to tender⁽⁵⁾ accompanying that Regulation, the total quantity in respect of which the export refund may be fixed is approximately 1 200 000 tonnes;Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 279/75 of 4 February 1975 laying down detailed rules for the application of the system of tendering for export refunds on cereals⁽⁶⁾, the Commission, acting under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, may decide to fix a maximum export refund; whereas in fixing this maximum the criteria provided for in Arti-

cles 2 and 3 of Regulation (EEC) No 2746/75 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1; whereas the quantities of common wheat in respect of which refunds are fixed amount to 232 500 tonnes;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on common wheat is hereby fixed on the basis of the tenders submitted by 28 September 1978 at 66.00 units of account per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 September 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 281, 1. 11. 1975, p. 78.⁽⁴⁾ OJ No L 204, 28. 7. 1978, p. 25.⁽⁵⁾ OJ No C 180, 29. 7. 1978, p. 3.⁽⁶⁾ OJ No L 31, 5. 2. 1975, p. 8.

COMMISSION DECISION

of 28 September 1978

fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EEC) No 1775/78

(78/836/EEC)

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 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 thereof,

Having regard to Commission Regulation (EEC) No 1775/78 of 24 July 1978 on an invitation to tender for the refund for the export of barley to Zones I, II, III, IV, V and VI⁽⁴⁾,

Whereas in Regulation (EEC) No 1775/78 an invitation to tender was issued for the export refund on barley; whereas, according to the notice of invitation to tender⁽⁵⁾ accompanying that Regulation, the total quantity in respect of which the export refund may be fixed is approximately 600 000 tonnes;

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 279/75 of 4 February 1975 laying down detailed rules for the application of the system of tendering for export refunds on cereals⁽⁶⁾, the Commission, acting under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, may decide to fix a maximum export refund; whereas in fixing this maximum the criteria provided for in Arti-

cles 2 and 3 of Regulation (EEC) No 2746/75 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1; whereas the quantities of barley in respect of which refunds are fixed amount to 202 000 tonnes;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund on barley is hereby fixed on the basis of the tenders submitted by 28 September 1978 at 72.50 units of account per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 September 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 204, 28. 7. 1978, p. 28.

⁽⁵⁾ OJ No C 180, 29. 7. 1978, p. 2.

⁽⁶⁾ OJ No L 31, 5. 2. 1975, p. 8.

COMMISSION DECISION

of 28 September 1978

excluding from admission free of Common Customs Tariff duties the scientific apparatus described as 'Varian spectrometer EPR, model E-109-E'

(78/837/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3195/75 of 2 December 1975 laying down provisions for the implementation of Regulation (EEC) No 1798/75 ⁽²⁾, and in particular Articles 4 and 5 thereof,

Whereas, by letter dated 29 March 1978, the Government of Italy requested the Commission to invoke the procedure laid down in Articles 4 and 5 of Regulation (EEC) No 3195/75 in order to determine whether or not the apparatus described as 'Varian spectrometer EPR, model E-109-E' should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently manufactured in the Community;

Whereas, in accordance with the provisions of Article 4 (5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all of the Member States met on 14 September 1978 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination shows that the apparatus in question is a spectrometer used in research work particularly in organic chemistry; whereas its special characteristics allow in particular research into transition metals in organic compounds as well as analyses of the structure of chemical compounds and determi-

nation of the electron spin distribution of organic radicals with high molecular weight; whereas, taking account of its special characteristics and the use to which it is put, it must be considered to be a scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus capable of use for the same purpose is currently manufactured in the Community,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Varian spectrometer EPR, model E-109-E' must be considered to be a scientific apparatus.
2. The conditions referred to in Article 3 (1) (b) of Regulation (EEC) No 1798/75 for admission free of Common Customs Tariff duties of the scientific apparatus described in paragraph 1 are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 September 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 316, 6. 12. 1975, p. 17.

COMMISSION DECISION

of 28 September 1978

allowing admission free of Common Customs Tariff duties of the scientific apparatus described as 'Du Pont liquid phase chromatograph, model 830'

(78/838/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3195/75 of 2 December 1975 laying down provisions for the implementation of Regulation (EEC) No 1798/75⁽²⁾, and in particular Articles 4 and 5 thereof,

Whereas, by letter dated 29 March 1978, the Italian Government requested the Commission to invoke the procedure laid down in Articles 4 and 5 of Regulation (EEC) No 3195/75 in order to determine whether or not the apparatus described as 'Du Pont liquid phase chromatograph, model 830' should be scientific apparatus, and where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently manufactured in the Community;

Whereas, in accordance with the provisions of Article 4 (5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all the Member States met on 14 September 1978 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination shows that the apparatus in question is a liquid phase chromatograph used in research work in organic chemistry; whereas its characteristics allow in particular the analysis of unusual components in the biomasses obtained from yeasts grown on hydrocarbons and alcohols;

Whereas its characteristics and its intended use render it material specially adapted to research; whereas, therefore, it is considered to be scientific apparatus;

Whereas, on the basis of information received from Member States, apparatus of equivalent scientific value capable of use for the same purpose is not currently manufactured in the Community; whereas, therefore, duty-free admission of this apparatus is justified,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Du Pont liquid phase chromatograph, model 830' must be considered to be a scientific apparatus.

2. The conditions referred to in Article 3 (1) (b) of Council Regulation (EEC) No 1798/75 of 10 July 1975 for admission free of Common Customs Tariff duties of the apparatus described in paragraph 1 are fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 September 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 316, 6. 12. 1975, p. 17.

COMMISSION DECISION

of 29 September 1978

authorizing Ireland not to apply Community treatment to table linen, toilet linen and kitchen linen, woven, other than of cotton terry fabric, falling within subheading ex 62.02 B of the Common Customs Tariff (NIMEXE codes 62.02-41, 43, 47, 65, 73, 77), originating in Hong Kong and in free circulation in the other Member States

(Only the English text is authentic)

(78/839/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 19 September 1978 by the Irish Government to the Commission of the European Communities, for authorization not to apply Community treatment to table linen, toilet linen and kitchen linen, woven, other than of cotton terry fabric, falling within subheading ex 62.02 B of the Common Customs Tariff (NIMEXE codes 62.02-41, 43, 47, 65, 73, 77), originating in Hong Kong and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in Hong Kong is covered by an Agreement negotiated between the Community and that country;

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

Whereas it was not possible on that occasion to allocate these ceilings on the basis of the needs of the individual markets; whereas there are therefore disparities existing between the import conditions in the various Member States; whereas uniformity can only be achieved progressively;

Whereas it appears from the application submitted that there are serious difficulties in the industrial sector concerned, involving a considerable drop in production and employment;

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

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

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Commission Decision 72/202/EEC of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof;

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

HAS ADOPTED THIS DECISION:

Article 1

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

CCT heading No	Description
ex 62.02 B (NIMEXE codes 62.02-41, 43, 47, 65, 73, 77)	Table linen, toilet linen and kitchen linen, woven, other than of cotton terry fabric

Article 2

This Decision shall apply until new opportunities arise in Ireland for the importation of these products

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

from Hong Kong or until 31 December 1978,
whichever is the earlier.

Done at Brussels, 29 September 1978.

For the Commission

Article 3

Étienne DAVIGNON

This Decision is addressed to Ireland.

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2258/78 of 28 September 1978 and Commission Regulation (EEC) No 2335/78 of 5 October 1978 altering the monetary compensatory amounts

(Official Journals of the European Communities No L 277 of 2 October 1978 and No L 283 of 9 October 1978)

Annex I, Part 8, footnote ⁽³⁾ is to read:

⁽³⁾ For exports to third countries and intra-Community trade, the compensatory amount shall be calculated on the basis of the respective quantities of common wheat, sugar and butter shown in the Annex to Regulation (EEC) No 1060/69, reduced by 10 %, with reference to the coefficients shown in footnote ⁽⁴⁾ of Part 5 'milk and milk products' of this Annex.'
