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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2689/78

of 16 November 1978

on the opening, allocating and administration of a Community tariff quota for rosin, including 'brais résineux' falling within subheading 38.08 A of the Common Customs Tariff (1979)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the draft Regulation submitted by the Commission,

Whereas the production in the Community of rosin falling within subheading 38.08 A of the Common Customs Tariff is currently insufficient to meet the requirements of the processing industries in the Community; whereas, consequently, Community supplies of products of this type currently depend to a considerable extent on imports from third countries;

Whereas, under Decision No 1/75 of the Association Council on the application of paragraph 3 of Protocol 10 to the Agreement establishing an Association between the European Economic Community and Greece, the Community may open autonomous tariff quotas for rosin provided that, for the Community as a whole, the annual quotas do not exceed 25 % of the Community's imports from third countries not associated with or linked to it by a preferential agreement during the last year for which statistics are available; whereas the abovementioned Decision is applicable until 31 December 1978; whereas the most urgent Community requirements for the products in question should be met immediately on the most favourable terms; whereas a nil duty Community tariff quota should therefore be opened within the limits of the above amount, without prejudice to any measures to be adopted following the decision to be taken within the framework of the Association between the EEC and Greece;

Whereas, in 1977, the imports of rosin from third countries not associated with or linked to the Community by a preferential agreement were as follows:

	<i>(in tonnes)</i>
Benelux	11 554
Denmark	155
Germany	25 276
France	3 937
Ireland	3 020
Italy	2 262
United Kingdom	16 302
Total	62 506;

Whereas 25 % of this total represents 15 627 tonnes;

Whereas, in view of the negligible size of such a quota in comparison with the Community's requirements, a system of utilization should, without derogating from the Community nature of the tariff quota, be provided, based on a single allocation between the Member States; whereas this allocation should be calculated by the same method as is used to establish a total quota of 25 % of the imports of each Member State from the same third countries; whereas, calculated in such a manner, this allocation should be as set out in Article 2;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION :

Article 1

During the period 1 January to 31 December 1979 the Common Customs Tariff duty for rosin including 'brais résineux' falling within subheading 38.08 A shall be totally suspended within the limits of a Community tariff quota of 15 627 tonnes.

Article 2

The Community tariff quota referred to in Article 1 shall be allocated as follows among the Member States :

	<i>(in tonnes)</i>
Benelux	2 889
Denmark	39
Germany	6 319
France	984
Ireland	755
Italy	565
United Kingdom	4 076.

Article 3

1. Member States shall take all appropriate measures to ensure that importers of the product in

question established in their territory have free access to the shares allocated to them.

2. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the product in question entered with the customs authorities for home use.

Article 4

At the Commission's request, Member States shall inform it of the imports actually charged against their shares.

Article 5

Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 16 November 1978.

For the Council

The President

A. HUBER

COUNCIL REGULATION (EEC) No 2690/78
of 16 November 1978

increasing the Community tariff quota opened for 1978 by Regulation (EEC) No 2301/77 for certain plywoods of coniferous species falling within heading No ex 44.15 of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 28 and 113 thereof,

Having regard to the proposal from the Commission,

Whereas in Regulation (EEC) No 2301/77⁽¹⁾ the Council opened and allocated among the Member States, for certain plywoods of coniferous species falling within heading No ex 44.15 of the Common Customs Tariff, a Community tariff quota with zero duty, the volume of which was fixed at a level of 700 000 cubic metres;

Whereas, on the basis of the most recent data on these products for 1978, it may be estimated that the additional imports from non-member countries required by the Community will amount to 55 000 cubic metres; whereas the size of the quota should be increased by this quantity to take account of these requirements; whereas, in order to safeguard the Community character of the tariff quota in question,

the proposed increase should be added to the Community reserve set up under the abovementioned Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The volume of the Community tariff quota opened by Regulation (EEC) No 2301/77 for certain plywoods of coniferous species falling within heading No ex 44.15 of the Common Customs Tariff is hereby increased from 700 000 to 755 000 cubic metres.

2. This increase of 55 000 cubic metres shall be added to the reserve set up by virtue of Article 2 (3) of Regulation (EEC) No 2301/77 which is thus increased from 30 000 to 85 000 cubic metres.

Article 2

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

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

Done at Brussels, 16 November 1978.

For the Council

The President

A. HUBER

⁽¹⁾ OJ No L 269, 21. 10. 1977, p. 1.

COUNCIL REGULATION (EEC) No 2691/78
of 16 November 1978

opening, allocating and providing for the administration of a Community tariff quota for newsprint falling within subheading 48.01 A of the Common Customs Tariff (1979) and extending this quota to include certain other types of paper

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 28 and 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Community has undertaken to open an annual duty-free Community tariff quota of 1 500 000 tonnes of newsprint falling within subheading 48.01 A;

Whereas, in view of present Community production capacity, that quantity is insufficient to meet anticipated import requirements; whereas provision should therefore be made for an autonomous supplementary quota which, according to the estimates submitted, may be fixed at present at 1 000 000 tonnes; whereas the fact that this figure has been adopted for the autonomous supplementary quota does not rule out a re-adjustment during the quota period; whereas a Community tariff quota should therefore be opened for 1979 for a total quantity of 2 500 000 tonnes of the product in question;

Whereas provision should be made for extending the tariff quota in question to include certain types of paper fulfilling all the conditions set out in the Additional Note to Chapter 48 except those relating to watermarks;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of duty for the tariff quota should be applied without interruption to all imports of the product in question until the quota is exhausted; whereas in the light of these principles, arrangements for the utilization of the Community tariff quota based on an allocation among Member States would seem to be consistent with the Community nature of the quota; whereas, in order that it may correspond as closely as possible to the actual trend of the market in the product in question, allocation of the quota should be in proportion to the requirements of the Member States as calculated by reference to statistics on imports from third countries during a representative reference period and to the economic outlook for the year covered by the quota in question;

Whereas, for the last three years for which complete statistics are available, the imports of each of the Member States amounted to the following percentages of total imports of the products in question:

	1975	1976	1977
Benelux	14.06	12.55	14.41
Denmark	5.23	5.92	5.43
Germany	27.05	26.90	27.85
France	11.86	11.50	11.82
Ireland	2.02	2.03	1.85
Italy	0.50	0.50	0.49
United Kingdom	39.28	40.60	38.15;

Whereas, in view of the above and of the foreseeable trend on the market in newsprint, in general, and of production in particular during 1979, the initial quota may be allocated approximately in the following percentages:

Benelux	13.41
Denmark	7.76
Germany	27.45
France	12.61
Ireland	2.17
Italy	0.04
United Kingdom	36.56;

Whereas, to take account of import trends for the product concerned, the quota should be divided into two tranches, the first being allocated among the Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, to give importers some degree of certainty and yet enable Community production to be disposed of on satisfactory terms, the first tranche of the quota should be fixed at about 90 % of the full amount;

Whereas Member States may exhaust their initial shares at different rates; whereas to provide for this eventuality and avoid disruption of supplies any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas each time its additional share is almost exhausted a Member State should draw a further share, and so on as many times as the reserve

allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, which latter must be in a position to keep account of the extent to which the quota has been used up and to inform the Member States accordingly;

Whereas if at a given date in the quota period a considerable quantity of a Member State's initial share remains unused it is essential, to prevent a part of the Community tariff quota from remaining unused in one Member State while it could be used in others, that such State should return a significant proportion thereof to the reserve;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any transaction in respect of the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 1 January to 31 December 1979, a Community tariff quota of 2 500 000 tonnes shall be opened in respect of newsprint falling within subheading 48.01 A of the Common Customs Tariff⁽¹⁾.

2. Member States may charge against this tariff quota the other types of paper complying with the definition of newsprint contained in the Additional Note to Chapter 48, except as regards the criteria governing watermarks.

3. Imports of newsprint shall not be charged against this tariff quota if they are already free of customs duties under other preferential tariff treatment. Furthermore, imports of any other paper referred to in paragraph 2 enjoying duty-free exemption under the said tariff quota shall not be charged against the indicative ceilings fixed under certain free trade agreements.

4. The Common Customs Tariff duty shall be totally suspended within the limits of the above quota.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two tranches.

⁽¹⁾ Entry under this subheading is subject to conditions to be determined by the competent authorities.

2. A first tranche of 2 259 000 tonnes shall be allocated among the Member States. Member States' shares, which subject to Article 5 shall be valid from 1 January until 31 December 1979, shall be as follows:

	<i>(in tonnes)</i>
Benelux	303 000
Denmark	175 000
Germany	620 000
France	285 000
Ireland	49 000
Italy	1 000
United Kingdom	826 000.

3. The second tranche, of 241 000 tonnes, shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as fixed in Article 2 (2), or of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 15 % of its initial share, rounded up as necessary to the next whole number.

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in the manner and to the extent provided in paragraph 1, draw a third share equal to 7.5 % of its initial share.

3. If, after its second share has been exhausted, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in the manner and to the extent provided in paragraph 1, draw a fourth share equal to the third.

This procedure shall apply until the reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, Member States may draw lesser shares than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. They shall inform the Commission of their reasons for applying this provision.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1979.

Article 5

The Member States shall return to the reserve, not later than 1 October 1979, the unused portion of their initial share which, on 15 September 1979, is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 October 1979, notify the Commission of the total quantities of the products in question imported up to and including 15 September 1979 and charged against the Community tariff quota and of any portion of their initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as it has been notified, inform each Member State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1979, of the amount still in reserve after amounts have been returned thereto pursuant to Article 5.

It shall ensure that when a quantity exhausting the reserve is drawn, the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

Article 7

1. Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated share of the Community quota.

2. Member States shall take all measures necessary to ensure that the types of paper referred to in Article 1 (2) included in this tariff quota are in fact intended for the printing of newspapers, weekly papers or other periodicals of heading No 49.02, published at least 10 times per year.

3. Member States shall ensure that importers of the products in question established in their territory have free access to the shares allocated to it.

4. The extent to which a Member State has used up its shares shall be determined on the basis of imports of the products in question entered with the customs authorities for home use.

Article 8

On receipt of a request from the Commission the Member States shall notify it of the importations charged against its share.

Article 9

Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 10

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 16 November 1978.

For the Council

The President

A. HUBER

COUNCIL REGULATION (EEC) No 2692/78**of 16 November 1978****temporarily suspending the autonomous Common Customs Tariff duties on a number of agricultural products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Whereas production in the Community of the products specified in this Regulation is currently inadequate or non-existent and producers thus cannot meet the needs of user industries in the Community;

Whereas in certain cases it is in the interest of the Community to suspend the autonomous Common Customs Tariff duties only partially particularly since the goods in question are produced in the Community, and in the other cases to effect total suspension;

Whereas in view of the difficulty of assessing accurately short-term trends in the economic situation in

the relevant sectors, suspension measures should be taken only for temporary periods,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 30 June 1979, the autonomous Common Customs Tariff duties for the products listed in the Annex hereto shall be suspended at the level indicated in respect of each of them.

Article 2

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 16 November 1978.

For the Council

The President

A. HUBER

ANNEX

CCT heading No	Description	Rate of autonomous duty (%)
03.01 A I b)	Salmon, fresh (live or dead), chilled or frozen	0
ex 03.01 B II a) and B II b) 7	Fillets of herring, fresh, chilled or frozen, intended for the processing industry (a)	0
ex 03.02 A I a)	Herring, dried, salted or in brine, whole, headless or in pieces, intended for the processing industry (a)	0
ex 03.02 A I f)	Sprats, salted or in brine, whole, headless or in pieces	0
ex 03.02 A II d)	Fillets of herring, dried, salted or in brine, intended for the processing industry (a)	0
07.01 G III	Horse-radish (<i>Cochlearia amoracia</i>), fresh or chilled	7
ex 16.04 B	Salmon, intended for the processing industry for further manufacture into pastes or spreads (a)	0
ex 16.04 C II	Spiced and salted herrings, in packings of a net capacity of 10 kg or more, intended for the processing industry (a)	0
ex 16.04 C II	'Herring-flaps', prepared or preserved in vinegar, in packings of a net capacity of 10 kg or more, intended for the processing industry (a)	0
ex 16.05 B	Shrimps and prawns other than those of the Crangon variety, boiled in water and shelled, whether or not frozen or dried, intended for the industrial manufacture of products falling within heading No 16.05 (a)	10

(a) Control of the use for this special purpose shall be effected pursuant to the relevant Community provisions.

COMMISSION REGULATION (EEC) No 2693/78**of 17 November 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 2510/78⁽³⁾ and subsequent amending
Regulations ;

Whereas, if the levy system is to operate normally,
levies 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 it follows from applying the provisions
contained in Regulation (EEC) No 2510/78 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 18
November 1978.

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

Done at Brussels, 17 November 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 301, 28. 10. 1978, p. 1.

ANNEX

to the Commission Regulation of 17 November 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	80.43
10.01 B	Durum wheat	120.96 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	80.58 ⁽⁶⁾
10.03	Barley	87.36
10.04	Oats	79.56
10.05 B	Maize, other than hybrid maize for sowing	79.09 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	1.61
10.07 B	Millet	46.90 ⁽⁴⁾
10.07 C	Grain sorghum	77.95 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	123.80
11.01 B	Rye flour	124.00
11.02 A I a)	Durum wheat groats and meal	198.39
11.02 A I b)	Common wheat groats and meal	133.15

⁽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 2694/78

of 17 November 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
2511/78⁽³⁾ and subsequent amending Regulations ;

Whereas, if the levy system is to operate normally,
levies 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, 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 Regu-
lation,

HAS ADOPTED THIS REGULATION :

Article 1

The scale of the premiums to be added, pursuant to
Article 15 of Regulation (EEC) No 2727/75, to the
import levies fixed in advance in respect of cereals
and malt is hereby fixed as shown in the tables
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 18
November 1978.

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

Done at Brussels, 17 November 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 301, 28. 10. 1978, p. 3.

ANNEX

to the Commission Regulation of 17 November 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 11	1st period 12	2nd period 1	3rd period 2
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	7.96
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 11	1st period 12	2nd period 1	3rd period 2	4th period 3
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 2695/78

of 17 November 1978

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Commission Regulation (EEC) No 1393/76 of 17 June 1976 laying down detailed rules for the importation of products in the wine-growing sector originating in certain third countries⁽³⁾, as last amended by Regulation (EEC) No 1666/78⁽⁴⁾, and in particular Article 1a (4) thereof,

Whereas Regulation (EEC) No 1393/76 fixed in particular the special rates applicable to liqueur wines with the exception of liqueur wines originating in Cyprus and called 'Cyprus sherry' in the producer country; whereas, in the case of those Member States whose currencies are kept at any given moment within a maximum spread of 2.25 %, the special rate is the conversion rate based on the central rate; whereas with effect from 16 October 1978 the central rates for the German mark and the currencies of the Benelux countries have been revalued; whereas for these reasons the special rates given in Annex III to Regulation (EEC) No 1393/76 must be adjusted to the currencies concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EEC) No 1393/76 is hereby amended to read as follows:

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

Done at Brussels, 17 November 1978.

ANNEX III

The special rate referred to in Article 1a of Regulation (EEC) No 1393/76 is:

- (a) for the Belgian franc and the Luxembourg franc:
one Belgian franc/Luxembourg franc : 0.0209630 unit of account;
- (b) for the Danish krone:
one Danish krone : 0.116733 unit of account;
- (c) for the German mark:
one German mark : 0.329463 unit of account;
- (d) for the French franc:
one French franc : 0.136856 unit of account;
- (e) for the Irish pound and the pound sterling:
one pound : 1.24691 units of account;
- (f) for the Italian lira:
100 Italian lira : 0.0761147 unit of account;
- (g) for the Dutch guilder:
one guilder : 0.304018 unit of account.

Article 2

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

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 256, 2. 10. 1975, p. 2.

⁽²⁾ OJ No L 135, 24. 5. 1976, p. 41.

⁽³⁾ OJ No L 157, 18. 6. 1976, p. 20.

⁽⁴⁾ OJ No L 192, 15. 7. 1978, p. 51.

COMMISSION REGULATION (EEC) No 2696/78

of 17 November 1978

on the putting up for sale of olive oil held by the Italian intervention agency

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 136/66/EEC
of 22 September 1966 on the establishment of a
common organization of the market in oils and
fats⁽¹⁾, as last amended by Regulation (EEC) No
2560/77⁽²⁾, and in particular Article 11 (5) thereof,

Whereas, pursuant to Article 11 (1) of Regulation No
136/66/EEC, the Italian intervention agency has, since
the 1975/76 marketing year, bought in large quanti-
ties of olive oil;

Whereas Commission Regulation (EEC) No 2960/77
of 23 December 1977 laying down rules for the sale of
olive oil held by the intervention agencies⁽³⁾ laid
down the conditions for the sale by tender on the
Community market and for export of olive oil;
whereas the state of the Italian market in olive oil is at
present favourable for the resale of the said oil;
whereas, in view of the characteristics of the market,
the sale should be concluded by tender;

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

HAS ADOPTED THIS REGULATION :

Article 1

The Italian intervention agency 'Azienda di Stato per
gli interventi nel mercato agricolo', hereinafter
referred to as 'AIMA', shall put up for sale by tender
in accordance with the provisions of this Regulation
and of Regulation (EEC) No 2960/77 :

- approximately 1 450 tonnes of fine virgin olive oil,
- approximately 1 500 tonnes of lampante virgin
olive oil,
- approximately 2 100 tonnes of olive-residue oil,

out of intervention purchases made during the
1975/76 olive oil marketing year.

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

⁽²⁾ OJ No L 185, 7. 7. 1978, p. 1.

⁽³⁾ OJ No L 348, 30. 12. 1977, p. 46.

Article 2

The invitation to tender shall be published on 18
November 1978.

Particulars of the lots of oil offered for sale and of the
places where they are stored shall be displayed at the
central office of AIMA, Via Palestro 81, Rome, Italy.

Article 3

The minimum selling price shall be as laid down in
the Annex hereto.

Article 4

Tenders shall reach AIMA, Via Palestro 81, Rome,
Italy, not later than 2 p.m. (local time) on 1 December
1978.

Article 5

The oil shall be sold by AIMA on 4 December 1978.

AIMA shall supply the agencies responsible for
storage with a list of the lots remaining unsold.

Article 6

The security shall be 8.00 units of account per 100
kilograms.

Article 7

The storage charge shall be Lit 1 000 per 100 kilo-
grams.

Article 8

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

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

Done at Brussels, 17 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Minimum selling price for olive oil held by the Italian intervention agency

- | | |
|------------------------------------|--------------------------------|
| 1. Fine virgin olive oil : | Lit 179 900 per 100 kilograms. |
| 2. Lampante virgin olive oil, 3° : | Lit 160 200 per 100 kilograms. |
| 3. 15° olive-residue oil : | Lit 92 200 per 100 kilograms. |

In the case of lampante virgin olive oil and olive-residue oil with a different degree of acidity, there shall be added or deducted as the case may be Lit 1 000 per 100 kilograms for each degree of acidity or fraction thereof less than 3° or more than 15°.

COMMISSION REGULATION (EEC) No 2697/78

of 17 November 1978

opening a new 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 invitation to tender opened in the
Community under 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⁽⁴⁾ was not allo-
cated ; whereas a new invitation to tender should there-
fore be opened ;

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⁽⁵⁾, as last amended by
Regulation (EEC) No 2543/73⁽⁶⁾, 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.

⁽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 L 288, 14. 10. 1978, p. 22.

⁽⁵⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

3. The invitation to tender provided for in paragraph 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.

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 1 December 1978.

2. The closing date for submission of tenders shall be 1 December 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 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 a copy 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, 17 November 1978:

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2698/78

of 17 November 1978

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1254/78⁽²⁾,

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

Whereas on 30 January 1978 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 3 500 tonnes of common wheat (i.e. 2 318 tonnes of common wheat flour) to the Arab Republic of Syria under its 1977/78 food-aid programme;

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply by way of Community action to the Arab Republic of Syria of 2 318 tonnes of common wheat flour.
2. The tendering procedure shall take place in Italy in one lot. The product shall be mobilized on the Community market. The products shall be loaded for departure from 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 Tartous.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

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

The minimum weight of the sacks shall be 180 grams.

The following shall be printed on the sacks :

'Farine de froment / Don de la Communauté économique européenne à la République arabe syrienne / 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 1 December 1978.

2. The closing date for the submission of tenders shall be 1 December 1978 at 12 noon.

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

Article 3

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

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

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

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

Flour not meeting these requirements shall be refused.

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

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

Article 7

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

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

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

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

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

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

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

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

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

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

Article 8

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

Article 9

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

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

Done at Brussels, 17 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2699/78

of 17 November 1978

opening an invitation to tender for the mobilization of common wheat flour as food aid for the World Food Programme

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1254/78⁽²⁾,

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

Whereas on 30 January 1978 the Council of the European Communities declared that by way of Community action it proposed to grant the World Food Programme the equivalent of 5 000 tonnes of common wheat, in the form of flour (i.e. 3 311 tonnes of common wheat flour) under its 1977/78 food-aid programme;

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

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

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

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

Whereas it must be made clear who is to bear any costs which arise in the event that for reasons of *force*

majeure the operation in question is not completed within the time stipulated;

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply by way of Community action to the World Food Programme of 3 311 tonnes of common wheat flour.
2. The tendering procedure shall take place in the Kingdom of Belgium and shall be in respect of a single lot.
3. The goods shall be mobilized on the Community market.
4. Shipment shall be from 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 product referred to in paragraph 1 to be delivered in new jute sacks of a net capacity of 50 kilograms to the port of shipment in the vicinity of the vessel. The goods must be set down at the place nominated by the recipient country or its agent, the timing of delivery being settled by the tenderer and the recipient country's agent.

Minimum weight of sacks: 600 grams.

The following shall be printed on the sacks:

'1137 EM / Wheat flour / Ho Chi Minh ville / Gift of the European Economic Community / Action of the World Food Programme'.

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 1 December 1978.

2. The closing date for submission of tenders shall be 1 December 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 must meet the following requirements:

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

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

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

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

Article 7

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

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

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

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

Furthermore, the amount of the successful tender shall be paid after it has been converted using the

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

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

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

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

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

Article 8

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

Article 9

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

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

Done at Brussels, 17 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2700/78

of 17 November 1978

amending the nomenclature used in the Common Customs Tariff annexed to Regulation (EEC) No 950/68 for certain agricultural products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as amended by Regulation (EEC) No 369/76⁽²⁾, and in particular Article 5 thereof,

Whereas it is necessary to introduce amendments in the Annex to Commission Regulation No 199/67/EEC of 28 June 1967 fixing the coefficients for calculating levies on derived poultrymeat products⁽³⁾, as last amended by Regulation (EEC) No 1776/74⁽⁴⁾, and in the Annex to Commission Regulation (EEC) No 2410/78 of 17 October 1978 fixing the sluice gate prices and levies for poultrymeat⁽⁵⁾, to eliminate linguistic discrepancies;

Whereas, under Article 11 of Regulation (EEC) No 2777/75, the tariff nomenclature resulting from the application of that Regulation forms part of the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68 of 28 June 1968⁽⁶⁾, as last amended by Regulation (EEC) No 2658/78⁽⁷⁾; whereas, as a technical consequence of the amendment to Regulation No 199/67/EEC, the tariff nomenclature is modified;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation No 199/67/EEC and in the Annex to Regulation (EEC) No 2410/78, the text

in column 2 for subheading 02.03 A shall be replaced by the following texts:

(a) German text:

'A. Fettlebern von Gänsen oder Enten';

(b) Dutch text:

'A. vette levers (foies gras) van ganzen of van eenden';

(c) English text:

'A. Fatty liver of goose or duck'.

Article 2

The text in the description column for subheading 02.03 A of the Common Customs Tariff annexed to Regulation (EEC) No 950/68 shall be replaced by the following texts:

(a) German text:

'A. Fettlebern von Gänsen oder Enten';

(b) Dutch text:

'A. vette levers (foies gras) van ganzen of van eenden';

(c) English text:

'A. Fatty liver of goose or duck'.

Article 3

This Regulation shall enter into force on 20 November 1978. It shall apply from 1 January 1979.

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

Done at Brussels, 17 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 45, 21. 2. 1976, p. 3.

⁽³⁾ OJ No 134, 30. 6. 1967, p. 2831/67.

⁽⁴⁾ OJ No L 186, 10. 7. 1974, p. 16.

⁽⁵⁾ OJ No L 292, 18. 10. 1978, p. 9.

⁽⁶⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽⁷⁾ OJ No L 320, 14. 11. 1978, p. 10.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 October 1978

authorizing the specialization, joint-buying and joint-selling agreements
between the Italian steel-producing undertakings Falck and Redaelli

(Only the Italian text is authentic)

(78/924/ECSC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Coal and Steel Community, and in particular Article
65 thereof,

Having regard to Commission Decision No 38/67 of
21 December 1967 authorizing the specialization,
joint-buying and joint-selling agreements between two
Italian steel-producing undertakings ⁽¹⁾,

Having regard to the application made by the under-
takings concerned on 29 August 1977, as supple-
mented by letter of 12 May 1978,

Whereas,

I

1. By Decision No 38/67 of 21 December 1967,
the Commission, acting on the basis of Article 65 (2)
of the Treaty, authorized until 31 December 1976 the
specialization, joint-buying and joint-selling agree-
ments entered into on 28 April 1967 by the steel-pro-
ducing undertakings Acciaierie e Ferriere Lombarde
Falck SpA (Falck), Milan, and Giuseppe & Fratello
Redaelli SpA (Redaelli), Milan.

2. Redaelli informed the Commission by letter
dated 29 August 1977 that the companies concerned,

seeing no reason to modify their agreements, had
decided to apply for a new Commission Decision auth-
orizing them to continue to operate them. The final
pieces of information required for evaluating the oper-
ation of their agreements were sent to the Commis-
sion on 12 May 1978.

At the time when the old authorization expired the
parties had envisaged the possible need to revise
certain aspects of the agreements. The submission of
the new request for authorization was postponed until
this possibility had been excluded.

3. The content of these agreements can be summar-
ized as follows :

Falck acquires approximately 7 % of the shares in
Redaelli. Redaelli undertakes to give Falck one seat on
the board of directors and one seat on the supervisory
board. Falck and Redaelli set up an advisory coordina-
tion committee which will submit opinions and propo-
sals on products of the same type manufactured by
both undertakings and on the following items :

- coordination of investments ;
- coordination of the various production
programmes ;
- coordination of procurement and sales policies,
and the possibility of setting up joint sales organi-
zations.

⁽¹⁾ OJ No L 24, 27. 1. 1968, p. 16.

The committee's proposals and opinions will be submitted to the management boards of both firms, which will jointly consider each final decision to be taken.

The agreements are made for an indefinite period, subject to termination by one year's notice or in the event of *force majeure*.

4. On 1 January 1978 all Redaelli's steel-producing operations were entrusted to Redaelli Siderurgia Acciai Speciali SpA (Redaelli SIDAS). Redaelli holds 72.99 % of the shares in Redaelli SIDAS and Redaelli SIDAS undertakes to honour all Redaelli's commitments under the agreement with Falck.

5. Falck has meanwhile increased its holding in Redaelli from 7 % to 14 %, and also has a 6.67 % holding in Redaelli SIDAS.

II

6. The agreements in question restrict the normal play of competition between the undertakings concerned, in so far as the latter have agreed to coordinate their investments, production programmes and procurement and sales. The agreements therefore fall within the scope of the general prohibition in Article 65 (1) of the Treaty, even though to some extent they are only framework agreements to be supplemented at a later date.

7. These agreements are intended to enable the companies concerned to specialize production by coordinating their investments and various production programmes and by joint selling and joint buying. They may be authorized under Article 65 (2) of the Treaty if and to the extent that they make for a substantial improvement in production or distribution and are essential in order to achieve this result, without being more restrictive than is necessary for that purpose. Moreover, the agreements must not be liable to give the undertakings concerned the power to determine the prices, or to control or restrict the production or marketing of a substantial proportion of the products in question within the common market, or to shield them against effective competition from other undertakings within the common market.

III

8. During the operation of the agreements, the companies concerned have specialized and cooperated as follows :

— Redaelli shut down its hot-rolled strip mill at Rogoredo, which enabled Falck to make consider-

able improvements at its mill by increasing the coil weight and the width and thickness of the strip. Consequently, during the period of the agreement, Falck was able to supply Redaelli with 68 000 tonnes of hot-rolled strip and hire-rolled some 12 500 tonnes of slab supplied by Redaelli ;

— as regards production of wire rod and rounds, Redaelli commissioned a mill for special steels in 1967 and modernized its original rod mill in 1970. This enabled it to supply Falck with approximately 65 000 tonnes of wire rod — Falck was able to shut down one of its mills in 1972 — and to hire-process 7 000 tonnes of billets for Falck.

9. The companies are planning further rationalization of existing plant at a later date in particular by increasing the capacity of Redaelli's more modern rod mill and gradually shutting down the other less profitable mills. They also intend to increase trade in products between the two companies.

10. The agreements in question have accordingly made for a substantial improvement in the production of hot-rolled strip, wire rod and rounds, and will probably continue to do so.

11. The agreements are essential if the two undertakings are to attain the objectives referred to above ; acting individually they could not bring about these improvements, at least not to the same degree ; comparable improvements could not be brought about by any other means.

The agreements are no more restrictive than is necessary for their purpose.

12. However, the Commission must be given an opportunity to examine whether the agreements will actually have the anticipated beneficial effects. The companies concerned must therefore be required to supply evidence of this after a suitable period of time.

13. Subject to this condition, the agreements satisfy the tests of Article 65 (2) (a) and (b).

IV

14. The main products manufactured by each of the contracting parties are crude steel, heavy sections, wire rod, hot-rolled strip and tube strip. In order to assess the impact of the companies concerned on the market, the Community market as a whole must be the criterion. The companies concerned take Community market shares varying between 1.1 and 2.6 % depending on the product covered by the agreement.

In Italy, which is their main market outlet, as elsewhere in the Community, they are faced with competition from other Community undertakings and undertakings from non-member countries. The market position of these competitors is, in comparison with that of the companies in question and with Community production, proportionally much stronger.

15. Falck has holdings in a number of other undertakings, and has supply contracts for semi-finished products with yet others. Neither the nature of these relationships nor of the products concerned is such as to lead to the conclusion that they strengthen those effects of the agreement in question tending to restrict competition.

16. The agreements are therefore not liable to give the companies concerned the power to determine the prices, or to control or restrict the production or marketing of a substantial proportion of steel products in the common market, or to shield them against effective competition from other undertakings; they therefore satisfy the tests of Article 65 (2) (c).

V

17. The joint-buying and joint-selling agreements are merely framework agreements. The provisions of these agreements are to be supplemented at a later date. The relevant supplementing agreements must satisfy the tests of Article 65 (2). The companies concerned must therefore apply for authorization in respect of them or for a declaration that they are within the authorization given by this Decision.

18. The Commission has to ensure that any measures taken by the companies concerned to amend or supplement these agreements and any further agreements made by them comply both with the Treaty and with the authorization given by this Decision.

The companies concerned must therefore notify the Commission forthwith of any amendments or additions to the agreements and must refrain from implementing them until the Commission has declared them to be within this authorization or has authorized them under Article 65 (2) of the Treaty.

19. The Commission must be able to review its decision after a reasonable length of time in the light of the results achieved through the cooperation of the companies concerned. Consequently, authorization should be limited to the period ending 31 December 1983,

HAS ADOPTED THIS DECISION :

Article 1

The specialization, joint-buying and joint-selling agreements entered into on 28 April 1967 by Acciaierie e Ferriere Lombarde Falck SpA, Milan, and Giuseppe & Fratello Redaelli SpA, Milan, are authorized subject to the conditions laid down in the following Articles.

Article 2

The companies concerned shall submit a report to the Commission every two financial years giving detailed information, together with supporting evidence, on the improvements made during that period by virtue of the agreements in the production and distribution of the products referred to therein.

Article 3

1. The companies shall forthwith inform the Commission of the following :

- (a) any agreements relating to the joint buying or joint selling of their products ;
- (b) any amendments or additions made to the agreements of 28 April 1967.

2. Effect shall not be given to the agreements, amendments or additions referred to in paragraph 1 until the Commission has declared that they are in conformity with the authorization given by this Decision or has authorized them under Article 65 (2) of the Treaty.

Article 4

This Decision is addressed to Acciaierie e Ferriere Lombarde Falck SpA, Milan, and Giuseppe & Fratello Redaelli SpA, Milan.

It shall have effect from the date of its notification by the Commission and shall expire on 31 December 1983.

Done at Brussels, 20 October 1978.

For the Commission

Raymond VOUEL

Member of the Commission

COMMISSION DECISION

of 20 October 1978

fixing the minimum selling price for colza and rape seed for the invitation to tender provided for in Regulation (EEC) No 2221/78

(Only the Danish and German texts are authentic)

(78/925/EEC)

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
1562/78⁽²⁾, and in particular Article 26 (3) thereof,

Whereas, pursuant to Article 1 of Commission Regula-
tion (EEC) No 2221/78 of 22 September 1978 laying
down the conditions for an invitation to tender for
colza and rape seed held by the Danish and German
intervention agencies⁽³⁾, the German intervention
agency has offered for sale, by tender, two lots of colza
and rape seed, making a total quantity of approxi-
mately 1 092 tonnes and the Danish intervention
agency, two lots, making a total quantity of approxi-
mately 963 tonnes;

Whereas Article 5 of that Regulation provides that in
the light of the tenders submitted a minimum selling
price is to be fixed;

Whereas, having regard to the tenders submitted and
to the situation of the market, the minimum selling
price should be fixed in accordance with this Deci-
sion;

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

HAS ADOPTED THIS DECISION:

Article 1

The minimum selling price referred to in Article 5 of
Regulation (EEC) No 2221/78 shall be fixed for:

- the two lots of colza and rape seed held by the
German intervention agency at DM 101.22 per
100 kilograms of standard quality;
- the two lots of colza and rape seed held by the
Danish intervention agency at Dkr 246.03 per 100
kilograms of standard quality.

Article 2

This Decision is addressed to the Federal Republic of
Germany and the Kingdom of Denmark.

Done at Brussels, 20 October 1978.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 185, 7. 7. 1978, p. 1.

⁽³⁾ OJ No L 260, 23. 9. 1978, p. 7.

COMMISSION DECISION**of 20 October 1978**

authorizing the United Kingdom not to apply Community treatment to woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics including terry fabrics and chenille fabrics falling within subheading 56.07 A of the Common Customs Tariff (NIMEXE codes 56.07-01, 04, 05, 07, 08, 11, 13, 14, 16, 17, 18, 21, 23, 24, 26, 27, 28, 32, 33, 34, 36) originating in Taiwan and in free circulation in the other Member States

(Only the English text is authentic)

(78/926/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 9 October 1978 by the United Kingdom Government to the Commission of the European Communities, for authorization not to apply Community treatment to woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics and chenille fabrics) falling within subheading 56.07 A of the Common Customs Tariff (NIMEXE codes 56.07-01, 04, 05, 07, 08, 11, 13, 14, 16, 17, 18, 21, 23, 24, 26, 27, 28, 32, 33, 34, 36) 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 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;

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 United Kingdom is 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 8 October 1978:

CCT heading No	Description
56.07 A (NIMEXE codes 56.07-01, 04, 05, 07, 08, 11, 13, 14, 16, 17, 18, 21, 23, 24, 26, 27, 28, 32, 33, 34, 36)	Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics and chenille fabrics)

⁽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.

Article 2

Done at Brussels, 20 October 1978.

This Decision shall apply until new opportunities arise in the United Kingdom 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 United Kingdom.

For the Commission

Henk VREDELING

Vice-President

COMMISSION DECISION

of 24 October 1978

on the reimbursement by the Guidance Section of the EAGGF to the United Kingdom of premiums paid during 1977 for the conversion of dairy herds to meat production

(Only the English text is authentic)

(78/927/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2788/72⁽²⁾, and in particular Article 7 (1) thereof,

Having regard to Council Regulation (EEC) No 1353/73 of 15 May 1973 introducing a premium system for the conversion of dairy cow herds to meat production and a development premium for the specialized raising of cattle for meat production⁽³⁾, as last amended by Regulation (EEC) No 266/75⁽⁴⁾, and in particular Articles 16 (2) and 17 (2) thereof,

Whereas the United Kingdom has made an application for reimbursement in respect of expenditure incurred in respect of premiums granted during 1977;

Whereas this application is in accordance with the provisions of Commission Regulation (EEC) No 2641/74 of 15 October 1974 concerning applications for the refund by the Guidance Section of the EAGGF of premiums for the conversion of dairy herds to meat production and of development premiums for the specialized raising of cattle for meat production⁽⁵⁾;

Whereas an examination of the information provided shows that eligible premiums amounting to £ 5 252 386.86 were paid under the conditions laid

down in Articles 1 to 4 of Regulation (EEC) No 1353/73 and its detailed rules of application; whereas the Guidance Section of the European Agricultural Guidance and Guarantee Fund should therefore reimburse 50 % thereof, i.e. £ 2 626 193.43;

Whereas the EAGGF Committee has been consulted on the financial aspects and in particular as to the funds available,

HAS ADOPTED THIS DECISION:

Article 1

The contribution by the Guidance Section of the European Agricultural Guidance and Guarantee Fund towards the expenditure incurred by the United Kingdom during 1977 on premiums for the conversion of dairy herds to meat production and of development premiums for the specialized raising of cattle for meat production shall be £ 2 626 193.43.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 24 October 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 295, 30. 12. 1972, p. 1.

⁽³⁾ OJ No L 141, 28. 5. 1973, p. 18.

⁽⁴⁾ OJ No L 30, 4. 2. 1975, p. 1.

⁽⁵⁾ OJ No L 283, 19. 10. 1974, p. 5.

COMMISSION DECISION**of 24 October 1978****on the reimbursement by the Guidance Section of the EAGGF to the French Republic of aid granted to recognized producer groups in the hop sector during 1977****(Only the French text is authentic)****(78/928/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2788/72⁽²⁾, and in particular Article 7 (1) thereof,

Having regard to Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops⁽³⁾, as last amended by Regulation (EEC) No 1170/77⁽⁴⁾, and in particular Article 17 (3) thereof,

Having regard to Council Regulation (EEC) No 879/73 of 26 March 1973 on the granting and reimbursement of aid accorded by the Member States to recognized producer groups in the hop sector⁽⁵⁾, and in particular Article 14 thereof,

Whereas the French Republic has made an application for reimbursement in connection with all its expenditure incurred in respect of aids granted during 1977;

Whereas this application is in accordance with the provisions of Commission Regulation (EEC) No 1460/73 of 16 May 1973 on applications for reimbursement of aid granted by the Member States to recognized groups of hop producers⁽⁶⁾, and with the provisions of Commission Regulation (EEC) No 1010/73 of 13 April 1973 defining the administrative costs of recognized groups of hop producers⁽⁷⁾;

Whereas an examination of the information provided shows that aids amounting to FF 941 558.61 were paid under the conditions laid down in Articles 8 and 9 of Regulation (EEC) No 1696/71 and its detailed rules of application; whereas the Guidance Section of the European Agricultural Guidance and Guarantee Fund should therefore reimburse 50 % thereof (Article 9), i.e. FF 470 779.33;

Whereas the EAGGF Committee has been consulted on the financial aspects and in particular as to the funds available,

HAS ADOPTED THIS DECISION:

Article 1

The contribution by the Guidance Section of the European Agricultural Guidance and Guarantee Fund towards the expenditure incurred by the French Republic during 1977 in respect of aid granted to recognized producer groups in the hop sector shall be FF 470 779.33.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 24 October 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 295, 30. 12. 1972, p. 1.

⁽³⁾ OJ No L 175, 4. 8. 1971, p. 1.

⁽⁴⁾ OJ No L 137, 3. 6. 1977, p. 7.

⁽⁵⁾ OJ No L 86, 31. 3. 1973, p. 26.

⁽⁶⁾ OJ No L 145, 2. 6. 1973, p. 1.

⁽⁷⁾ OJ No L 100, 14. 4. 1973, p. 32.

COMMISSION DECISION**of 24 October 1978**

on the reimbursement by the Guidance Section of the EAGGF to the Kingdom of the Netherlands of expenditure incurred during 1976 on annuities relating to measures to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement

(Only the Dutch text is authentic)

(78/929/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/160/EEC of 17 April 1972 concerning measures to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement⁽¹⁾, as last amended by Directive 73/358/EEC⁽²⁾, and in particular Article 12 (2) thereof,

Whereas the measures taken by the Kingdom of the Netherlands to implement Directive 72/160/EEC were the subject of a favourable Commission Decision pursuant to Article 9 of the said Directive;

Whereas the Kingdom of the Netherlands has made an application for reimbursement of expenditure incurred on annuities granted during 1976 to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement;

Whereas the application is complete and has been submitted in due form and in accordance with the provisions of Commission Decision 74/581/EEC of 16 October 1974 concerning applications for reimbursement in respect of aid granted by the Member States pursuant to Directives 72/159/EEC, 72/160/EEC and 72/161/EEC⁽³⁾, and also with the payments on account which can be agreed;

Whereas an examination of the information provided shows that eligible expenditure of Fl 19 038·80 has been incurred under the conditions laid down in Directive 72/160/EEC; whereas the Guidance Section of the European Agricultural Guidance and Guarantee Fund should therefore reimburse 25 % thereof, i.e. Fl 4 759·70;

Whereas a payment on account of Fl 3 584·48 has been granted in application of Article 12 (3) of Directive 72/160/EEC and of Article 4 (1) of Decision 74/581/EEC; whereas a balance of Fl 1 175·22 should therefore be granted to the Member State;

Whereas the EAGGF Committee has been consulted on the financial aspects and in particular as to the funds available,

HAS ADOPTED THIS DECISION:

Article 1

The final contribution by the Guidance Section of the European Agricultural Guidance and Guarantee Fund towards the expenditure incurred by the Kingdom of the Netherlands during 1976 in respect of annuities to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement shall be Fl 4 759·70.

The balance of the contribution i.e. Fl 1 175·22 shall be paid to the Kingdom of the Netherlands.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 24 October 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 9.

⁽²⁾ OJ No L 326, 27. 11. 1973, p. 17.

⁽³⁾ OJ No L 320, 29. 11. 1974, p. 1.

COMMISSION DECISION

of 24 October 1978

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 2305/78, the maximum amounts for the costs of delivery of skimmed-milk powder as food aid

(78/930/EEC)

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 7 (5) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 2305/78 of 29 September 1978 on the delivery of various consignments of skimmed-milk powder as food aid⁽³⁾, the intervention agencies of the Member States have invited tenders for the costs of delivery as food aid of 7 120 tonnes of skimmed-milk powder for certain third countries and beneficiary organizations;

Whereas, in pursuance of Article 14 (2) of Commission Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid⁽⁴⁾, the tender introduced for lot N may be a part quantity of 500 tonnes or a multiple of 500 tonnes of the whole of the lot concerned;

Whereas, Article 16 of the aforementioned Regulation lays down that, on the basis of tenders received, a maximum amount shall be fixed for each lot up for tender or it shall be decided not to proceed with the tender;

Whereas, on the basis of the tenders received, the maximum amounts shall be those specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 2305/78 shall be fixed as follows:

- Lot E : 286 221 units of account,
- Lot F : 1 094 544 units of account,
- Lot G : 634 776 units of account,
- Lot H : 285 665 units of account,
- Lot I : 1 091 196 units of account,
- Lot K : 633 373 units of account,
- Lot N : 492 524 units of account for each part quantity of 500 tonnes,
- Lot O : 490 187 units of account,
- Lot P : 146 038 units of account,
- Lot Q : 340 755 units of account.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 24 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 278, 3. 10. 1978, p. 5.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

COMMISSION DECISION

of 24 October 1978

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 2306/78, the maximum amounts for the delivery of butteroil as food aid

(Only the Dutch and German texts are authentic)

(78/931/EEC)

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 6 (7) thereof,Whereas, pursuant to Commission Regulation (EEC)
No 2306/78 of 29 September 1978 on the delivery of
various consignments of butteroil as food aid⁽³⁾, the
intervention agencies of the Member States have
invited tenders for the manufacture and delivery of
4 280 tonnes of butteroil, destined to certain third
countries and beneficiary organizations ;Whereas Article 16 of Commission Regulation (EEC)
No 303/77 of 14 February 1977 laying down general
rules for the supply of skimmed-milk powder and
butteroil as food aid⁽⁴⁾, provides that in the light of
the tenders received a maximum amount for each lot
put out to tender is to be fixed or the tendering proce-
dure is to be cancelled ;Whereas, on the basis of the tenders received, the
maximum amounts should be those specified below ;Whereas the measures provided for in this Decision
are in accordance with the opinion of the Manage-
ment Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION :

*Article 1*The maximum amounts to be set for the purpose of
awarding a contract pursuant to Regulation (EEC) No
2306/78 shall be fixed as follows :

- Lot E : 307 730 units of account,
- Lot F : 463 121 units of account,
- Lot G : 446 631 units of account,
- Lot H : 1 775 018 units of account,
- Lot I : 957 065 units of account,
- Lot K : 446 631 units of account,
- Lot L : 1 753 694 units of account,
- Lot M : 957 065 units of account,
- Lot Q : 3 375 617 units of account.

*Article 2*This Decision is addressed to the Federal Republic of
Germany and the Kingdom of the Netherlands.

Done at Brussels, 24 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 278, 3. 10. 1978, p. 14.⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.