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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2776/78

of 23 November 1978

amending for the second time Regulation (EEC) No 1162/76 on measures designed to adjust wine-growing potential to market requirements

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1861/78⁽²⁾, and in particular Article 17 (5) thereof,

Having regard to the proposal from the Commission,

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

Whereas Article 5 (1) of Council Regulation (EEC) No 1162/76 of 17 May 1976 on measures designed to adjust wine-growing potential to market requirements⁽⁴⁾, as amended by Regulation (EEC) No 3140/76⁽⁵⁾, provided that the Council should adopt, by 1 October 1978, the measures necessary to ensure that wine-growing potential is adapted to market requirements; whereas, since the Council has been unable to adopt the said measures by that date, a later date should be fixed; whereas it is also advisable, in the absence of appropriate measures to ensure the equilibrium of the wine market and control of wine-growing potential, to extend the prohibition on new planting referred to in Article 2 (1) of Regulation (EEC) No 1162/76;

Whereas experience has shown that, in the Member States where the production of quality wines psr constitutes the predominant part of total wine produc-

tion and the prohibition on new planting covers almost all the areas under vines, the exemption referred to in Article 2 (2) (b) of Regulation (EEC) No 1162/76 endangers the effectiveness of that prohibition; whereas, therefore, this exemption should no longer be provided for the Member States concerned,

HAS ADOPTED THIS REGULATION:

Article 1

1. In Article 2 (1) of Regulation (EEC) No 1162/76, the date '30 November 1978' shall be replaced by '30 November 1979'.

2. Article 2 (2) of Regulation (EEC) No 1162/76 shall be replaced by the following:

'2. However, the following shall be exempt from the prohibition referred to in paragraph 1:

(a) in Member States whose production of quality wines psr was less than 50 % of the total wine production during the 1972/73, 1973/74 and 1974/75 wine-growing years:

— new planting intended for the production of quality wines psr,

— new planting carried out under development plans which meet the conditions laid down in Directive 72/159/EEC;

(b) new planting carried out in Member States which produce less than 5 000 hectolitres of wine annually using grapes harvested on their territory;

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 215, 4. 8. 1978, p. 1.

⁽³⁾ Opinion delivered on 17 November 1978 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 135, 24. 5. 1976, p. 32.

⁽⁵⁾ OJ No L 354, 24. 12. 1976, p. 4.

(c) new planting carried out after re-allocation measures or measures concerning expropriation in the public interest adopted under current national legislation.'

Article 2

1. In Article 5 (1) of Regulation (EEC) No 1162/76, the date '1 October 1978' shall be replaced by '1 October 1979'.

2. In Article 5 (2) of Regulation (EEC) No 1162/76, the date '1 December 1978' shall be replaced by '1 December 1979'.

Article 3

This Regulation shall enter into force on 1 December 1978.

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

Done at Brussels, 23 November 1978.

For the Council

The President

J. ERTL

COUNCIL REGULATION (EEC) No 2777/78

of 23 November 1978

fixing the activating prices for table wines for the period 16 December 1978 to
15 December 1979

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
816/70 of 28 April 1970 laying down additional provi-
sions for the common organization of the market in
wine⁽¹⁾, as last amended by Regulation (EEC) No
1861/78⁽²⁾, and in particular Article 3 (1) thereof,

Having regard to the proposal from the Commission,

Whereas an activating price must be fixed annually
for each type of wine for which a guide price is fixed,
taking into consideration the factors set out in Article
3 (2) of Regulation (EEC) No 816/70;

Whereas the quality of the 1978/79 harvest can gener-
ally be regarded as slightly below average;

Whereas the current prices for R I and R II table
wines are at least equal to the activating prices;
whereas, however, the prices for A I table wines have
been consistently lower than the activating prices for
the past four wine years, with the exception of a short
period at the end of 1977; whereas in the last wine
year the prices for A II and A III table wines settled at
a level well below their respective activating prices;

Whereas, although the harvest was more plentiful
than in the previous wine year, the quantity available
is, because of relatively low stocks, slightly lower than
that recorded for the 1977/78 wine year;

Whereas the level of the activating prices must take
account of the factors mentioned above; whereas the
activating prices fixed for the previous wine year
should therefore be increased, without, however, en-
couraging production;

Whereas the different trends on the markets in red
and white wines justify the introduction of selectivity
in fixing activating prices and in particular an increase
in the activating prices for white wines of less than
that adopted for red wines and that adopted by the
Council for the guide prices;

Whereas the guide prices for the period 16 December
1978 to 15 December 1979 were fixed by Regulation
(EEC) No 1299/78⁽³⁾; whereas Article 3 (3) of Regula-
tion (EEC) No 816/70 provides that the activating
price shall be fixed at the same stage and shall be
valid during the same period as the guide price;
whereas Regulation (EEC) No 945/70⁽⁴⁾ determined
the types of table wine to which these prices apply,

HAS ADOPTED THIS REGULATION:

Article 1

The activating prices for table wines for the period 16
December 1978 to 15 December 1979 are hereby
fixed as follows:

Type of wine	Activating price
R I	1.93 u.a./degree per hectolitre
R II	1.93 u.a./degree per hectolitre
R III	30.00 u.a./hectolitre
A I	1.79 u.a./degree per hectolitre
A II	39.66 u.a./hectolitre
A III	45.29 u.a./hectolitre

Article 1

This Regulation shall enter into force on 16
December 1978.

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

Done at Brussels, 23 November 1978.

For the Council

The President

J. ERTL

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 215, 4. 8. 1978, p. 1.

⁽³⁾ OJ No L 160, 17. 6. 1978, p. 11.

⁽⁴⁾ OJ No L 114, 27. 5. 1970, p. 1.

COUNCIL REGULATION (EEC) No 2778/78**of 23 November 1978****amending Regulation (EEC) No 516/72 on the introduction of common rules for shuttle services by coach and bus between Member States**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas, to simplify administrative procedures, it is desirable in the case of the shuttle services referred to in Article 5 of Council Regulation (EEC) No 516/72 of 28 February 1972 on the introduction of common rules for shuttle services by coach and bus between

Member States ⁽⁴⁾, as amended by Regulation (EEC) No 2442/72 ⁽⁵⁾, to offer Member States the territory which is to be crossed in transit the opportunity to waive their right to receive a copy of the applications for the authorization entitling the holder to carry out such a service,

HAS ADOPTED THIS REGULATION :

Sole Article

The following subparagraph shall be added to Article 14 (1) of Regulation (EEC) No 516/72 :

'In the case of the services referred to in Article 5, the present provision shall not apply in the case of Member States the territory of which is to be crossed in transit, if they waive their right to receive this information.'

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

Done at Brussels, 23 November 1978.

For the Council

The President

K. GSCHIEDLE

⁽¹⁾ OJ No C 293, 6. 12. 1977, p. 6.

⁽²⁾ OJ No C 63, 13. 3. 1978, p. 13.

⁽³⁾ OJ No C 101, 26. 4. 1978, p. 22.

⁽⁴⁾ OJ No L 67, 20. 3. 1972, p. 13.

⁽⁵⁾ OJ No L 265, 24. 11. 1972, p. 7.

COUNCIL REGULATION (EEC) No 2779/78

of 23 November 1978

on the procedure for applying the European unit of account (EUA) to legal acts
adopted in the customs sphere

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Articles 28,
43 and 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parlia-
ment ⁽¹⁾,

Having regard to the opinion of the Economic and
Social Committee ⁽²⁾,

Whereas the unit of account used in the legal acts
taken in the customs sphere is as defined in General
Rule C 3 appearing in Section I of Part I of the
Annex to Council Regulation (EEC) No 2500/77 of 7
November 1977 amending Regulation (EEC) No
950/68 on the Common Customs Tariff ⁽³⁾;

Whereas this unit of account, being related to a given
weight of fine gold, is no longer consistent with the
monetary agreements concluded by the Member
States; whereas it must therefore be redefined within
a reasonable time; whereas in view of organizational
requirements in the customs sphere the deadline for
such redefinition may be set at 1 January 1979;

Whereas the European unit of account as defined in
Article 10 of the Financial Regulation of 21
December 1977 applicable to the general budget of
the European Communities ⁽⁴⁾ may justifiably replace
the unit of account used in the legal acts taken in the
customs sphere; whereas, however, having regard to
the special characteristics of the organization in this
sphere, it is necessary to make provision for special
measures for the conversion of the European unit of
account into national currencies;

Whereas the Council should revise the amounts
expressed in certain Regulations on the tariff appli-
cable to goods contained in travellers' personal
baggage, and on minor importations of a non-commer-
cial nature, so as to adjust them to changes in the
economic situation in the various Member States;
whereas owing to such changes it may under some
circumstances be necessary to retain the sums
expressed in national currencies should such revision
not take place within the time limits laid down;

Whereas transitional provisions are required to ensure
the smoothest possible transition to the European unit
of account from the unit of account previously
applicable;

Whereas the opinion of the Court of Auditors has
been obtained,

HAS ADOPTED THIS REGULATION:

Article 1

The European unit of account (EUA) to which refer-
ence is made in the legal acts laid down in Article 2
shall be as defined in Article 10 of the Financial Regu-
lation of 21 December 1977 applicable to the general
budget of the European Communities.

Article 2

1. In all the provisions governing the matters
referred to in paragraph 2 the amounts in units of
account shall be regarded as being expressed in EUA
as from 1 January 1979 with the exception of
amounts to be converted on the basis of the represen-
tative rates.

Until that date they shall continue to be expressed in
the unit of account defined in Regulation (EEC) No
2500/77 and shall be converted in accordance with
the rules in force before 1 January 1978.

The amounts provided for in Council Regulation
(EEC) No 1544/69 of 23 July 1969 on the tariff appli-
cable to goods contained in travellers' personal
luggage ⁽⁵⁾, and as regards minor importations of a
non-commercial nature, the amounts provided for in
Section II (B) of Part I of the Annex to Regulation
(EEC) No 2500/77 shall be revised before 1 January
1979 by the Council, acting on a proposal from the
Commission, in accordance with the appropriate provi-
sions in order to avoid their being reduced in national
currencies.

If by 1 January 1979 the Council has not taken the
appropriate measures for the revision of the amounts
expressed in units of account in the abovementioned
Regulations, the Member States which should reduce
the amounts in national currencies in pursuance of
the first subparagraph above may retain them un-
changed.

⁽¹⁾ OJ No C 83, 4. 4. 1977, p. 33.

⁽²⁾ OJ No C 56, 7. 3. 1977, p. 70.

⁽³⁾ OJ No L 289, 14. 11. 1977, p. 1.

⁽⁴⁾ OJ No L 356, 31. 12. 1977, p. 1.

⁽⁵⁾ OJ No L 191, 5. 8. 1969, p. 1.

Before 1 January 1979 renegotiations will be entered into where necessary with the third countries concerned in respect of amounts expressed in units of account in international agreements.

2. The value of the EUA in national currencies for the purposes of determining the classification of goods or the customs duty applicable under the Common Customs Tariff, including suspensions of customs duties, tariff quotas (with the exception of those expressed in terms of value in the context of generalized preferences), ceilings and anti-dumping duties and the value in national currencies adopted for the customs arrangements applicable to goods imported by private persons shall be fixed once a year. The rates to be applied shall be those obtaining on the first working day of October, with effect from 1 January of the following year.

If a rate is not available for a particular national currency, the rate to be applied for that currency shall be that obtaining on the last day for which a rate was published in the *Official Journal of the European Communities*.

An appropriate solution will be found separately for the tariff quotas expressed in terms of value in the

context of generalized preferences when the generalized system of tariff preferences is adopted for 1979.

3. For a transitional period ending on 31 December 1979 and for the goods falling within Chapter 22 (except wine of heading No 22.05), heading No 24.01, Chapter 69, subheading 85.25 A and heading No 91.01 of the Common Customs Tariff, the conversion rate for the unit of account applicable on 1 January 1978 pursuant to Regulation (EEC) No 2500/77 will be aligned on that for the EUA in two successive stages, i.e. on 1 January 1979 and 1 January 1980.

4. The adjustment of amounts expressed in units of account in provisions on customs matters other than those referred to in paragraph 2, together with their conversion into EUA and the detailed rules for establishing their value in national currency, shall be the subject of special provisions.

Article 3

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

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

Done at Brussels, 23 November 1978.

For the Council

The President

K. GSCHIEDLE

COUNCIL REGULATION (EEC) No 2780/78

of 27 November 1978

amending Regulation (EEC) No 950/68 as regards the preliminary provisions 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, 43 and 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Section II (B) of the preliminary provisions of the Common Customs Tariff set out in the Annex to Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 2500/77 ⁽⁵⁾, provides that customs duty shall be charged at the flat rate of 10 % *ad valorem* on goods sent in small consignments to private individuals, provided that such importations are not of a commercial nature; whereas Council Regulation (EEC) No 3539/73 of 18 December 1973 on the rate of import charges collected on small non-commercial consignments of agricultural products and goods coming under Regulation (EEC) No 1059/69 ⁽⁶⁾ provides that this flat rate charge shall be collected in place of the import charges as laid down within the framework of the common agricultural policy and of those provided for in relation to goods in Regulation (EEC) No 1059/69;

Whereas Article 5 of Council Regulation (EEC) No 1544/69 of 23 July 1969 on the tariff applicable to goods contained in travellers' personal luggage ⁽⁷⁾ also provides for the application, where the tariff exemptions referred to in Articles 1 and 2 of that Regulation are exhausted, of a standard *ad valorem* customs duty of 10 % on imports of goods contained in travellers' personal luggage in excess of the exemption limits set in Articles 1 and 2 thereof, where such imports have no commercial character; whereas Article 1 (2) of

Council Regulation (EEC) No 1818/75 of 10 July 1975 on the agricultural levies, compensatory amounts and other import charges applicable to agricultural products and to certain goods resulting from their processing, contained in travellers' personal baggage ⁽⁸⁾ extended the application of the flat rate *ad valorem* customs duty of 10 % to cover goods contained in the personal baggage of travellers and liable to agricultural levies or other import charges provided for under the common agricultural policy, or under special arrangements laid down under Article 235 of the Treaty, to certain goods resulting from the processing of agricultural products;

Whereas, in each case, the flat rate customs duty applies only to goods whose total value does not exceed a certain fixed sum expressed in units of account;

Whereas, with effect from 1 January 1979, all sums expressed in units of account in legal acts adopted in the customs sphere must be expressed in European units of account;

Whereas such an adjustment should not cause any reduction in the amounts expressed in national currencies which are at present eligible for the application of the standard *ad valorem* customs duty of 10 %;

Whereas, in the interests of consistency and clarity, all measures relating to the application of a flat rate customs duty to imports of a non-commercial nature should be consolidated in the preliminary provisions of the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

Section II (B) of the preliminary provisions of the Common Customs Tariff set out in the Annex to Regulation (EEC) No 950/68 shall be replaced by the following:

⁽¹⁾ OJ No C 162, 8. 7. 1978, p. 7.

⁽²⁾ OJ No C 261, 6. 11. 1978, p. 45.

⁽³⁾ Opinion delivered on 19 October 1978 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽⁵⁾ OJ No L 289, 14. 11. 1977, p. 1.

⁽⁶⁾ OJ No L 361, 29. 12. 1973, p. 8.

⁽⁷⁾ OJ No L 191, 5. 8. 1969, p. 1.

⁽⁸⁾ OJ No L 185, 16. 7. 1975, p. 3.

'B. Standard rate of duty

1. Customs duty shall be charged at the flat rate of 10 % *ad valorem* on goods :

- sent in small consignments to private individuals

or

- contained in travellers' personal luggage,

provided that such importations are not of a commercial nature and that the total value of such goods does not exceed 100 European units of account per consignment or per traveller.

Such flat rate assessment shall not apply to goods falling within Chapter 24.

2. An importation shall be treated as not being of a commercial nature if :

- it is occasional ;

- it consists solely of goods for personal or family use by the consignee or, in the case of travellers, imported goods intended as gifts : such goods shall be of such kind or quality that there is no indication that they are being imported for any commercial purpose.

3. The flat rate charge shall apply independently of the duty-free admission granted in respect of goods contained in travellers' personal luggage, in accordance with Article 1 or 2 (1) of Regulation (EEC) No 1544/69.

4. The flat rate of customs duty shall not apply to goods imported under the conditions set out above if the person entitled has, before the said flat rate is applied to them, requested that they be subject to the customs duties appropriate to them. All the goods making up the consignment shall then be subject to the import duties which are appropriate to them, without prejudice to the duty-free admission under Article 1 or 2 (1) of Regulation (EEC) No 1544/69.

For the purposes of the first subparagraph, import duties shall mean both customs duties and charges having equivalent effect and agricultural levies and other import charges provided for under the common agricultural policy or under specific arrangements laid down, under Article 235 of the Treaty, for certain goods resulting from the processing of agricultural products.

5. Member States may round off the amount in national currency resulting from the conversion of the sum of 100 European units of account.
6. Member States may maintain unchanged the equivalent in national currency of the sum of 100 European units of account if, at the time of the annual adjustment provided for in the first paragraph of Article 2 (2) of Council Regulation (EEC) No 2779/78, the conversion of this amount, before rounding off provided for in paragraph 5, results in a change of less than 5 % in the equivalent in national currency.'

Article 2

Articles 5 and 6 of Regulation (EEC) No 1544/69 and Article 1 (2) of Regulation (EEC) No 1818/75 together with Regulation (EEC) No 3539/73 are hereby repealed.

Article 3

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, 27 November 1978.

For the Council

The President

H. EHREMBERG

COUNCIL REGULATION (EEC) No 2781/78
of 27 November 1978

increasing the Community tariff quota opened for 1978 for unwrought magnesium falling within subheading 77.01 A of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, for unwrought magnesium falling within subheading 77.01 A of the Common Customs Tariff, a Community tariff quota for 1978 totalling 8 900 tonnes was opened by the Council and allocated among the Member States by Regulations (EEC) No 2747/77 ⁽¹⁾ and (EEC) No 1785/78 ⁽²⁾;

Whereas the economic data at present available with regard to the consumption, production, exports to non-member countries, imports under the inward processing or other preferential tariff arrangements and to the abnormal stocks existing in one Member State on 31 December 1977 enable it to be estimated that Community requirements for imports from non-member countries could reach, in the course of 1978, a level of 15 825 tonnes; whereas, in view of the quota volume already opened by the abovementioned Regulations, of the uncertainty as to the levels which Community production and consumption might reach and of the quantities available within the Community either from stocks accumulated in 1977 or from production in 1978, the increase should be limited to 1 300 tonnes;

Whereas, in view, moreover, on the one hand of the present requirements in unwrought magnesium with a pure content of not less than 99.95 % and on the other of the quantities available in the Community and also the possibility of duty-free imports under Agreements concluded by the Community with certain non-acceding EFTA countries, it can be estimated that short-term requirements for imports of unwrought magnesium may, within the limit of the proposed increase, reach 100 tonnes of unwrought magnesium containing 99.95 % or more by weight of pure magnesium (extra-pure magnesium), 200 tonnes of unwrought magnesium containing 99.8 % or more by weight and not exceeding 99.95 % of pure magnesium (unwrought magnesium not in alloy), and 1 000 tonnes of unwrought magnesium containing less than 99.8 % by weight of pure magnesium (unwrought magnesium in alloy);

Whereas, as far as the distribution of the above quota volume between Member States is concerned, it is

necessary to allot to the Community reserves all the supplementary volumes allocated to extra-pure magnesium and unwrought magnesium in alloy and also a relatively small part of the supplementary volume allocated to unwrought magnesium not in alloy, the balance of this volume being divided among the Member States in accordance with the percentages originally used,

HAS ADOPTED THIS REGULATION:

Article 1

The volume of the Community tariff quota opened by Regulations (EEC) No 2747/77 and (EEC) No 1785/78 for unwrought magnesium falling within subheading 77.01 A of the Common Customs Tariff is hereby increased from 8 900 to 10 200 tonnes.

This increase of 1 300 tonnes shall be allocated as follows:

- (a) 100 tonnes of unwrought magnesium containing 99.95 % or more by weight of pure magnesium (extra-pure magnesium), intended for the nuclear industry and under customs supervision or equivalent administrative supervision;
- (b) 200 tonnes of unwrought magnesium containing not less than 99.8 % but less than 99.95 % by weight of pure magnesium (unwrought magnesium not in alloy);
- (c) 1 000 tonnes of unwrought magnesium containing less than 99.8 % by weight of pure magnesium (unwrought magnesium in alloy).

Article 2

The volumes of 100 and 1 000 tonnes referred to in Article 1 (a) and (c) allocated to extra-pure unwrought magnesium intended for the nuclear industry and to unwrought magnesium in alloy shall be allotted to the Community reserves set up under Articles 2 (1) and 3 (2) of Regulation (EEC) No 2747/77, as amended by Regulation (EEC) No 1785/78, which shall thus be increased from 900 to 1 000 tonnes and from 2 925 to 3 925 tonnes respectively.

Article 3

1. A first instalment of the amount referred to in Article 1 (b), of 180 tonnes of unwrought magnesium

⁽¹⁾ OJ No L 318, 13. 12. 1977, p. 7.

⁽²⁾ OJ No L 205, 29. 7. 1978, p. 1.

not in alloy, shall be allocated among the Member States as follows :

	(tonnes)
Benelux	30.1
Denmark	0.1
Germany	122.0
France	6.0
Ireland	0.1
Italy	0.6
United Kingdom	21.1

2. The second instalment of 20 tonnes shall constitute the reserve.

The amount of the reserve for unwrought magnesium not in alloy, provided for in Article 3 (2) of Regulation (EEC) No 2747/77, as amended by Regulation (EEC) No 1785/78, shall be increased from 170 to 190 tonnes.

Article 4

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

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

Done at Brussels, 27 November 1978.

For the Council

The President

H. EHRENBURG

COMMISSION REGULATION (EEC) No 2782/78**of 29 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 2724/78⁽³⁾ and subsequent amending
Regulations ;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 2724/78 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 30
November 1978.

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

Done at Brussels, 29 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 329, 24. 11. 1978, p. 1.

ANNEX

to the Commission Regulation of 29 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	77.08
10.01 B	Durum wheat	115.99 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	79.94 ⁽⁶⁾
10.03	Barley	85.85
10.04	Oats	79.56
10.05 B	Maize, other than hybrid maize for sowing	76.56 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	55.97 ⁽⁴⁾
10.07 C	Grain sorghum	74.68 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	119.11
11.01 B	Rye flour	123.10
11.02 A I a)	Durum wheat groats and meal	190.69
11.02 A I b)	Common wheat groats and meal	128.09

⁽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 2783/78
of 29 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
2725/78 ⁽³⁾ and subsequent amending Regulations ;

Whereas, on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in
force, which are to be added to the levies, should be

altered as shown in the tables annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 30
November 1978.

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

Done at Brussels, 29 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 329, 24. 11. 1978, p. 4.

ANNEX

to the Commission Regulation of 29 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	126
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	126
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 2784/78
of 29 November 1978
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (EEC) No 1260/78 ⁽²⁾, and in particular Article
11 (2) thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2364/78 ⁽³⁾, as last
amended by Regulation (EEC) No 2714/78 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2364/78
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 table annexed to
this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 30
November 1978.

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

Done at Brussels, 29 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽³⁾ OJ No L 286, 12. 10. 1978, p. 5.

⁽⁴⁾ OJ No L 328, 23. 11. 1978, p. 7.

ANNEX

to the Commission Regulation of 29 November 1978 fixing the import levies on rice and broken rice

(u.a. / tonne)

CCT heading No	Description	Third countries ⁽¹⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
10.06	Rice : A. Paddy rice ; husked rice : I. Paddy rice : a) Round grain b) Long grain II. Husked rice : a) Round grain b) Long grain B. Semi-milled or wholly milled rice : I. Semi-milled rice : a) Round grain b) Long grain II. Wholly milled rice : a) Round grain b) Long grain C. Broken rice :	90.18 109.93 112.73 137.41 143.32 254.13 152.64 272.43 52.67	42.09 51.97 53.37 65.71 61.76 117.20 66.07 125.97 23.84

⁽¹⁾ Subject to the application of the provisions of Article 9 of Regulation (EEC) No 706/76.

⁽²⁾ In accordance with Regulation (EEC) No 706/76, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ The import levy on rice entering the overseas department of Reunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 2785/78**of 29 November 1978****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (EEC) No 1260/78 ⁽²⁾, and in particular Article
13 (6) thereof,

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 2060/78 ⁽³⁾, as last amended by Regulation (EEC)
No 2715/78 ⁽⁴⁾;

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 table annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION :

Article 1

The premiums to be added to the import levies fixed
in advance in respect of rice and broken rice are
hereby fixed as shown in the table annexed to this
Regulation.

Article 2

This Regulation shall enter into force on 30
November 1978.

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

Done at Brussels, 29 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.
⁽³⁾ OJ No L 240, 1. 9. 1978, p. 8.
⁽⁴⁾ OJ No L 328, 23. 11. 1978, p. 9.

ANNEX

to the Commission Regulation of 29 November 1978 fixing the premiums to be added to the import levies on rice and broken rice

(u.a. / tonne)

CCT heading No	Description	Current 11	1st period 12	2nd period 1	3rd period 2
10.06	Rice :				
	A. Paddy rice ; husked rice :				
	I. Paddy rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Husked rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	B. Semi-milled or wholly milled rice :				
	I. Semi-milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Wholly milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	C. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 2786/78

of 29 November 1978

fixing the refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 3330/74 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾;

Whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as amended by Regulation (EEC) No 1467/77⁽⁷⁾;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

Whereas, in special cases, the amount of the refund may be fixed by other legal means;

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

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

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 3330/74, undenatured and exported in the natural state, are hereby fixed at the amounts shown in the Annex.

Article 2

This Regulation shall enter into force on 30 November 1978.

(1) OJ No L 359, 31. 12. 1974, p. 1.

(2) OJ No L 170, 27. 6. 1978, p. 1.

(3) OJ No L 143, 25. 6. 1968, p. 6.

(4) OJ No L 167, 26. 6. 1976, p. 13.

(5) OJ No L 89, 10. 4. 1968, p. 3.

(6) OJ No L 50, 4. 3. 1970, p. 1.

(7) OJ No L 162, 1. 7. 1977, p. 6.

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

Done at Brussels, 29 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 29 November 1978 fixing the export refunds on white sugar and raw sugar exported in the natural state

<i>(u.a./100 kg)</i>		
CCT heading No	Description	Refund
17.01	Beet sugar and cane sugar, solid :	
	A. White sugar ; flavoured or coloured sugar	20.50
	B. Raw sugar :	
	(a) Candy sugar	21.76 ⁽¹⁾
	(b) Other raw sugar	17.00 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

COMMISSION REGULATION (EEC) No 2787/78
of 29 November 1978
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 1017/78⁽³⁾, as last
amended by Regulation (EEC) No 2667/78⁽⁴⁾;

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

to the Commission that the levies at present in force
should be altered as shown in the Annex to this Regu-
lation,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 December
1978.

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

Done at Brussels, 29 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 132, 20. 5. 1978, p. 13.

⁽⁴⁾ OJ No L 321, 15. 11. 1978, p. 32.

ANNEX

to the Commission Regulation of 29 November 1978 fixing the import levies on milk and milk products

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

CCT heading No	Code	Import levy
04.01 A I a)	0110	21.82
04.01 A I b)	0120	19.82
04.01 A II a) 1	0130	19.82
04.01 A II a) 2	0140	24.43
04.01 A II b) 1	0150	18.82
04.01 A II b) 2	0160	23.43
04.01 B I	0200	50.32
04.01 B II	0300	106.44
04.01 B II i	0400	164.49
04.02 A I	0500	7.80
04.02 A II a) 1	0620	94.25
04.02 A II a) 2	0720	128.34
04.02 A II a) 3	0820	133.34
04.02 A II a) 4	0920	140.27
04.02 A II b) 1	1020	88.25
04.02 A II b) 2	1120	122.34
04.02 A II b) 3	1220	124.34
04.02 A II b) 4	1320	134.27
04.02 A III a) 1	1420	19.35
04.02 A III a) 2	1520	26.12
04.02 A III b) 1	1620	106.44
04.02 A III b) 2	1720	164.49
04.02 B I a)	1820	30.00
04.02 B I b) 1 aa)	2220	per kg 0.8825 ⁽⁹⁾
04.02 B I b) 1 bb)	2320	per kg 1.2234 ⁽⁹⁾
04.02 B I b) 1 cc)	2420	per kg 1.3427 ⁽⁹⁾
04.02 B I b) 2 aa)	2520	per kg 0.8825 ⁽¹⁰⁾
04.02 B I b) 2 bb)	2620	per kg 1.2234 ⁽¹⁰⁾
04.02 B I b) 2 cc)	2720	per kg 1.3427 ⁽¹⁰⁾
04.02 B II a)	2820	31.87
04.02 B II b) 1	2910	per kg 1.0644 ⁽¹⁰⁾
04.02 B II b) 2	3010	per kg 1.6449 ⁽¹⁰⁾
04.03 A	3110	193.52
04.03 B	3210	236.09
04.04 A I a) 1	3321	15.00
04.04 A I a) 2	3420	118.58 ⁽¹¹⁾
04.04 A I b) 1 aa)	3521	15.00
04.04 A I b) 1 bb)	3619	118.58 ⁽¹¹⁾
04.04 A I b) 2	3719	118.58 ⁽¹¹⁾
04.04 A II	3800	118.58
04.04 B	3900	173.33 ⁽¹²⁾
04.04 C	4000	131.07
04.04 D I	4120	30.00
04.04 D II a) 1	4410	123.84
04.04 D II a) 2	4510	134.56
04.04 D II b)	4610	214.56
04.04 E I a)	4710	173.33
04.04 E I b) 1 aa)	4834	15.00
04.04 E I b) 1 bb)	4850	171.94

CCT heading No	Code	Import levy
04.04 E I b) 2 aa)	4922	130.20 ⁽¹³⁾
04.04 E I b) 2 bb)	5022	130.20 ⁽¹⁴⁾
04.04 E I b) 3	5030	130.20 ⁽¹⁵⁾
04.04 E I b) 4	5060	130.20 ⁽¹⁵⁾
04.04 E I b) 5	5120	130.20
04.04 E I c) 1	5210	97.65
04.04 E I c) 2	5250	210.20
04.04 E II a)	5310	173.33
04.04 E II b)	5410	210.20
17.02 A II ⁽¹⁶⁾	5500	15.14
21.07 F I	5600	15.14
23.07 B I a) 3	5700	68.19
23.07 B I a) 4	5800	88.49
23.07 B I b) 3	5900	82.72
23.07 B I c) 3	6000	67.82
23.07 B II	6100	88.49

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

⁽⁹⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
b) 6 u.a. ; and
c) 13.40 u.a.

⁽¹⁰⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
and
b) 13.40 u.a.

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 2788/78**of 29 November 1978****amending Regulation (EEC) No 2695/77 determining the conditions under which goods for certain categories of aircraft and ships are eligible upon importation for a favourable tariff arrangement**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 280/77⁽²⁾, and in particular Articles 3 and 4 thereof,

Having regard to Council Regulation (EEC) No 222/77 of 13 December 1976 on Community transit⁽³⁾, and in particular Article 57 (1) (b) and (c) thereof,

Whereas Commission Regulation (EEC) No 2695/77 of 7 December 1977⁽⁴⁾ determined the conditions under which goods for certain categories of aircraft and ships are eligible upon importation for a favourable tariff arrangement; whereas, however, the second paragraph of Article 1 of that Regulation laid down that, until 31 December 1978, its provisions shall not apply 'to goods, for the maintenance or repair of aircraft, consigned by air from one Member State to another by airlines engaged in international traffic, whether the goods are to be transferred for the airlines' own needs or under the terms of exchange agreements';

Whereas, however, the application with effect from 1 January 1979 of the provisions of Regulation (EEC) No 2695/77 to these goods is likely to cause difficulties to the airlines, since the goods are generally intended to be consigned urgently in order to be fitted in aircraft temporarily grounded;

Whereas, in order to overcome those difficulties, it is necessary to simplify the formalities involved in the internal Community transit procedure under which these goods are consigned, and in view of the specialized nature of these movements of goods, more flexible arrangements than those of Control Copy T No 5 are necessary; whereas Regulation (EEC) No 2695/77 should therefore be amended accordingly;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Community Transit Committee and of the Committee on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2695/77 is amended as follows:

1. The following Articles 1 to 10 shall be substituted for Articles 1 and 2.

Article 1

Subject to the provisions of Articles 2 to 10 hereunder, Commission Regulation (EEC) No 1535/77 shall apply to the products listed in Annexes I and II to this Regulation.

Article 2

By way of derogation from Article 5 of Regulation (EEC) No 1535/77, the period within which the goods must be put to the prescribed use shall be five years.

Article 3

By way of derogation from Article 9 of Regulation (EEC) No 1535/77, but without prejudice to the provisions in force regarding the control of goods on importation and exportation, Control Copy T No 5 need not be used in the case of goods for the maintenance and repair of aircraft, consigned by air from one Member State to another, whether under the terms of exchange agreements or for airlines' own needs, by airlines engaged in international traffic. Furthermore, the provisions relating to the internal Community transit procedure for these goods shall be simplified in accordance with the provisions of Articles 4 to 8.

⁽¹⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽²⁾ OJ No L 40, 11. 2. 1977, p. 1.

⁽³⁾ OJ No L 38, 9. 2. 1977, p. 1.

⁽⁴⁾ OJ No L 314, 8. 12. 1977, p. 14.

Article 4

The air waybill or equivalent document shall be treated as equivalent to a T 2 declaration or document provided that it contains at least the following particulars:

- (a) the name of the consigning airline;
- (b) the name of the airport of departure;
- (c) the name of the receiving airline;
- (d) the name of the airport of destination;
- (e) the description of the goods;
- (f) the number of articles.

The particulars referred to in the preceding paragraph, may, alternatively, be given in coded form or by reference to an attached document.

In addition the air waybill or equivalent document must bear on its face one of the following statements in printed characters:

- T 2 — Særligt anvendelsesformål,
- T 2 — Besondere Verwendung,
- T 2 — End-use,
- T 2 — Destination particulière,
- T 2 — Destinazione particolare,
- T 2 — Bijzondere bestemming.

Article 5

The airline consigning the goods shall be the principal for the transport operation.

Article 6

In each Member State each airline consigning or receiving the goods referred to in Article 3 shall make available to the competent customs authorities for the purposes of control of Community transit operations the records required to be kept under Article 3 (2) (c) of Regulation (EEC) No 1535/77.

Article 7

1. The consigning airline shall retain a copy of the air waybill or equivalent document as part of its records and shall, in the manner prescribed by the customs authorities of the Member State of departure, make a further copy available to the office of departure.

2. The receiving airline shall retain a copy of the air waybill or equivalent document as part of its records and shall in the manner prescribed by the customs authorities of the Member State of destination, present a further copy to the office of destination.

3. Without prejudice to the provisions of Article 3 (2) (e) of Regulation (EEC) No 1535/77, the goods referred to in Article 3 which move under the procedure provided for in this Regulation need not be produced at either the office of departure or the office of destination.

Article 8

1. The principal shall have fulfilled the obligations imposed on him by Article 13 (a) of Regulation (EEC) No 222/77 at the time when the goods intact and the copies of the air waybill or equivalent document, as referred to in Article 7 (2), which accompanied them have been delivered to the receiving airline in the places specified by the customs authorities in the Member State of destination and the goods have been entered in the records specified in Article 3 (2) (c) of Regulation (EEC) No 1535/77.

2. The delivery of the goods and the copies of the air waybill or equivalent document and the entry referred to in paragraph 1 must take place within a period of five days from the date of departure of the aircraft carrying the goods.

Article 9

By way of derogation from Article 9 (5) of Regulation (EEC) No 1535/77, the obligations arising under that Regulation shall pass from the consigning airline to the receiving airline at the time referred to in Article 8.

Article 10

By way of derogation from the first paragraph of Article 10 and paragraph 1 of Article 11 of Regulation (EEC) No 1535/77, the competent authorities may authorize the use of the goods other than as provided for under the favourable tariff arrangement referred to in Article 1 of that Regulation, or the exportation of the goods outside the customs territory of the Community, if they consider such authorization justified on economic grounds.

2. Articles 3 and 4 shall be renumbered 11 and 12 respectively.

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, 29 November 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 2789/78

of 29 November 1978

abolishing the countervailing charge on cucumbers originating in Spain and Greece

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1766/78⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2703/78 of 20 November 1978⁽³⁾ and Commission Regulation (EEC) No 2734/78 of 23 November 1978⁽⁴⁾ introduced countervailing charges on cucumbers originating in Spain and Greece :

Whereas Article 25 of Regulation (EEC) No 1035/72 on the introduction of countervailing charges applies

to a given product only during the period in respect of which a reference price has been fixed for that product ; whereas Commission Regulation (EEC) No 1178/78 of 31 May 1978⁽⁵⁾ fixed the reference prices for cucumbers up to the end of November 1978 ; whereas Regulations (EEC) No 2703/78 and (EEC) No 2734/78 should therefore be repealed with effect from 1 December 1978,

HAS ADOPTED THIS REGULATION :

Article 1

Regulations (EEC) No 2703/78 and (EEC) No 2734/78 are hereby repealed.

Article 2

This Regulation shall enter into force on 1 December 1978.

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

Done at Brussels, 29 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 12.

⁽³⁾ OJ No L 326, 21. 11. 1978, p. 5.

⁽⁴⁾ OJ No L 329, 24. 11. 1978, p. 21.

⁽⁵⁾ OJ No L 145, 1. 6. 1978, p. 40.

COMMISSION REGULATION (EEC) No 2790/78

of 29 November 1978

enabling short-term private storage contracts to be concluded for the A I type of table wine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1861/78⁽²⁾, and in particular Article 5 (7) thereof,

Whereas Article 5 (1) of the said Regulation introduces a system of aid for the private storage of table wine and lays down that the granting of such aid is to be subject to the conclusion of a short-term or a long-term storage contract; whereas the first subparagraph of Article 5 (2) lays down that short-term storage contracts for table wine may be entered into when the representative price of that type of table wine remains below the activating price for two consecutive weeks;

Whereas the representative price for the A I type of table wine has remained below the activating price for this type of wine for two consecutive weeks;

Whereas the conditions set out in the first indent of the first subparagraph of Article 5 (2) of Regulation (EEC) No 816/70 are therefore fulfilled,

HAS ADOPTED THIS REGULATION:

Article 1

Short-term private storage contracts may be concluded for the A I type of table wine.

Article 2

This Regulation shall enter into force on 30 November 1978.

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

Done at Brussels, 29 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 215, 4. 8. 1978, p. 1.

COMMISSION REGULATION (EEC) No 2791/78

of 29 November 1978

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the import levies on white sugar and raw
sugar were fixed by Regulation (EEC) No 1550/78 ⁽³⁾,
as last amended by Regulation (EEC) No 2759/78 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 30
November 1978.

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

Done at Brussels, 29 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

- ⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.
⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.
⁽³⁾ OJ No L 182, 5. 7. 1978, p. 17.
⁽⁴⁾ OJ No L 331, 28. 11. 1978, p. 24.

ANNEX

to the Commission Regulation of 29 November 1978 fixing the import levies on white
sugar and raw sugar

(u.a. / 100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar ; flavoured or coloured sugar	27.53
	B. Raw sugar	22.30 ⁽¹⁾

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