

Official Journal

of the European Communities

Volume 21

13 December 1978

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- ★ Council Regulation (EEC) No 2899/78 of 23 November 1978 opening, allocating and providing for the administration of a Community tariff quota for wines of fresh grapes, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (1979) 1
- ★ Council Regulation (EEC) No 2900/78 of 23 November 1978 opening, allocating and providing for the administration of a Community tariff quota for liqueur wines, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (1979) 5
- ★ Council Regulation (EEC) No 2901/78 of 27 November 1978 temporarily and partially suspending the autonomous Common Customs Tariff duties on certain types of fish 9
- ★ Council Regulation (EEC) No 2902/78 of 28 November 1978 temporarily suspending the autonomous Common Customs Tariff duties on certain industrial products 11

II *Acts whose publication is not obligatory*

Council

78/1012/EEC:

- ★ Council Decision of 23 November 1978 replacing an alternate member of the Advisory Committee on Freedom of Movement for Workers 17

78/1013/EEC:

- ★ Council Decision of 23 November 1978 replacing an alternate member of the Advisory Committee on Social Security for Migrant Workers 18

78/1014/EEC:

- ★ Council Decision of 23 November 1978 appointing the members and alternate members of the Advisory Committee on Safety, Hygiene and Health Protection at Work 19

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Contents (continued)

78/1015/EEC:

- ★ Council Directive of 23 November 1978 on the approximation of the laws of the Member States on the permissible sound level and exhaust system of motorcycles 21

78/1016/EEC:

- ★ Council Directive of 23 November 1978 amending Directive 76/135/EEC on reciprocal recognition of navigability licences for inland waterway vessels 31

78/1017/EEC:

- ★ Council Directive of 24 November 1978 amending Directive 72/159/EEC on the modernization of farms and Directive 73/131/EEC on the guidance premium provided for in Article 10 of the Directive of 17 April 1972 on the modernization of farms 32

78/1018/EEC:

- ★ Council Directive of 27 November 1978 on the harmonization of provisions laid down by law, regulation or administrative action in respect of standard exchange of goods exported for repair 33

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2899/78

of 23 November 1978

opening, allocating and providing for the administration of a Community tariff quota for wines of fresh grapes, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (1979)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

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

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

Whereas Article 5 of the supplementary Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus ⁽³⁾ provides for the opening of an annual Community tariff quota of 10 000 hectolitres of certain wines of fresh grapes, in containers holding two litres or less, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus, at rates of customs duty equal to 25% of the customs duty in the Common Customs Tariff; whereas this Community tariff quota should be opened for 1979;

Whereas these wines remain subject to the provisions governing the common organization of the market in wine products, in particular as regards observance of the reference price;

Whereas 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 ⁽⁴⁾ introduced the

notion of a free-at-frontier reference price, being the reference price less customs duties actually levied;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports of the products in question from Cyprus over a representative reference period and also to the economic outlook for the quota period concerned;

Whereas, however, neither Community nor national statistics showing the breakdown for each of the types of wine in question are available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota should be allocated in initial shares on the basis of the likely demand for these wines on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the

⁽¹⁾ OJ No C 241, 11. 10. 1978, p. 2.

⁽²⁾ Opinion delivered on 17 November 1978 (not yet published in the Official Journal).

⁽³⁾ OJ No L 172, 28. 6. 1978, p. 2.

⁽⁴⁾ OJ No L 256, 2. 10. 1975, p. 2.

Community quota should, under the present circumstances, be fixed at 86% of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas, if at a given date in the quota period a substantial quantity of an initial share remains unused in any Member State, it is essential that that Member State should return a significant proportion to the

reserve, to prevent a part of any Community quota from remaining unused in one Member State when it could be used in others;

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 operation relating to the administration of the quota shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, Common Customs Tariff duties in respect of the following products originating in Cyprus shall be partially suspended at the levels shown below within the limits of a Community tariff quota of 10 000 hectolitres:

CCT heading No	Description	Rate of duty
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:	
	C. Other:	
	I. Of an actual alcoholic strength not exceeding 13°, in containers holding:	
	ex a) Two litres or less:	
	— Wine of fresh grapes	3 u.a./hl
	II. Of an actual alcoholic strength exceeding 13° but not exceeding 15°, in containers holding:	
	ex a) Two litres or less:	
	— Wine of fresh grapes other than liqueur wines of an actual alcoholic strength of 15°	3.5 u.a./hl

2. The admission of these wines under the Community tariff quota shall be conditional upon observance of the reference price applicable to them.

3. The wines in question shall benefit from this tariff quota on condition that the prices on import into the Community are not at any time less than the free-at-frontier reference prices applicable thereto, as specified in Regulation (EEC) No 2506/75 and in subsequent instruments.

Article 2

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

2. The first instalment, amounting to 8 600 hectolitres, shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1979, shall be as follows (in hectolitres):

Benelux	280
Denmark	280
Germany	280
France	80
Ireland	600
Italy	80
United Kingdom	7 000

3. The second instalment amounting to 1 400 hectolitres shall constitute the reserve.

Article 3

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

2. If, after one of its initial shares has been used up, 90% or more of the second share drawn by a Member State has been used up, then to the extent permitted by the amount of the reserve, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5% of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90% or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that those might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

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

Article 5

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 volume. They may return a larger quantity if there are grounds for believing that it may not be used in full.

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

Article 6

The Commission shall keep an account of the shares opened by the Member States in accordance with Articles 2 and 3 and shall, as soon as it is 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 in the reserve after quantities have been returned pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available, and to this end shall indicate the amount thereof to the Member State which makes such last drawing.

Article 7

1. The Member States shall take all measures necessary 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 shares of the Community quota.

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

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

Article 8

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

Article 9

The Member States and the Commission shall cooperate closely in order 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, 23 November 1978.

For the Council

The President

J. ERTL

COUNCIL REGULATION (EEC) No 2900/78

of 23 November 1978

opening, allocating and providing for the administration of a Community tariff quota for
liqueur wines, falling within subheading ex 22.05 C of the Common Customs Tariff and
originating in Cyprus (1979)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

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

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

Whereas Article 6 of the supplementary Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus ⁽³⁾ provides for the opening of an annual Community tariff quota of 250 000 hectolitres of liqueur wines, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus, at rates of customs duty equal to 30% of the Common Customs Tariff; whereas this Community tariff quota should be opened for 1979;

Whereas these wines remain subject to the provisions governing the common organization of the market in wine products, in particular as regards observance of the reference price; whereas entry under the above Community tariff quota must be conditional on the wines being described as 'liqueur wines' in the V.I.1 document provided for in Regulation (EEC) No 2115/76 ⁽⁴⁾;

Whereas 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 ⁽⁵⁾ introduced the notion of a free-at-frontier reference price, being the reference price less customs duties actually levied;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports of the products in question from Cyprus over a representative reference period and also to the economic outlook for the quota period concerned;

Whereas, however, neither Community nor national statistics showing the breakdown for the products in question are available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota should be allocated in initial shares on the basis of the likely demand for these products on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should, under present circumstances, be fixed at 85% of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between

⁽¹⁾ OJ No C 241, 11. 10. 1978, p. 5.

⁽²⁾ Opinion delivered on 17 November 1978 (not yet published in the Official Journal).

⁽³⁾ OJ No L 172, 28. 6. 1978, p. 2.

⁽⁴⁾ OJ No L 237, 28. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 256, 2. 10. 1975, p. 2.

the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas, if at a given date in the quota period a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve, to prevent a part of any Community quota from remaining unused in one Member State when it could be used in others;

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 operation relating to the administration of the quota shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, Common Customs Tariff duties in respect of the following products originating in Cyprus shall be suspended at the levels shown below within the limits of a Community tariff quota of 250 000 hectolitres:

CCT heading No	Description	Rate of duty
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol: C. Other: II. Of an actual alcoholic strength exceeding 13° but not exceeding 15°, in containers holding: ex a) Two litres or less: — Liqueur wines of an actual alcoholic strength of 15° ex b) More than two litres: — Liqueur wines of an actual alcoholic strength of 15° III. Of an actual alcoholic strength exceeding 15° but not exceeding 18°, in containers holding: a) Two litres or less: ex 2. Other: — Liqueur wines b) More than two litres: ex 3. Other: — Liqueur wines IV. Of an actual alcoholic strength exceeding 18° but not exceeding 22°, in containers holding: a) Two litres or less: ex 2. Other: — Liqueur wines b) More than two litres: ex 3. Other: — Liqueur wines	4.2 u.a./hl 3.3 u.a./hl 5.1 u.a./hl 4.2 u.a./hl 5.7 u.a./hl 5.7 u.a./hl

2. The admission of these wines under the tariff quota shall be conditional on their being described in the V.I.1 document provided for in Regulation (EEC) No 2115/76 as 'liqueur wines'.

3. The admission of these wines under this Community tariff quota shall be conditional upon observance of the reference price applicable to them.

4. The wines in question shall benefit from this tariff quota on condition that the prices on import into the

Community are not at any time less than the free-at-frontier reference prices applicable thereto, as specified in Regulation (EEC) No 2506/75 and in subsequent instruments.

Article 2

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

2. The first instalment, amounting to 213 040 hectolitres, shall be allocated among the Member States;

the shares, which subject to Article 5 shall be valid until 31 December 1979, shall be as follows (in hectolitres):

Benelux	3 000
Denmark	3 000
Germany	3 000
France	20
Ireland	4 000
Italy	20
United Kingdom	200 000

3. The second instalment amounting to 36 960 hectolitres shall constitute the reserve.

Article 3

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

2. If, after one of its initial shares has been used up, 90% or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5% of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90% or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that those might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

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

Article 5

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 volume. They may return a larger quantity if there are grounds for believing that such portion may not be used in full.

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

Article 6

The Commission shall keep an account of the shares opened by Member States in accordance with Articles 2 and 3 and shall, as soon as it is 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 in the reserve after quantities have been returned pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available, and to this end shall indicate the amount thereof to the Member State which makes such last drawing.

Article 7

1. The Member States shall take all measures necessary 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 shares of the Community quota.

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

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

Article 8

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

Article 9

The Member States and the Commission shall cooperate closely in order 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, 23 November 1978.

For the Council

The President

J. ERTL

COUNCIL REGULATION (EEC) No 2901/78

of 27 November 1978

temporarily and partially suspending the autonomous Common Customs Tariff duties on certain types of fish

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

concerned should be suspended from 1 January to 30 June 1979 at the level of 9%,

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

HAS ADOPTED THIS REGULATION :

Having regard to the proposal from the Commission ⁽¹⁾,*Article 1*Having regard to the opinion of the European Parliament ⁽²⁾,

From 1 January to 30 June 1979, the autonomous Common Customs Tariff duties on the products listed in the Annex shall be suspended at the level of 9%.

Whereas the amount of the types of fish specified in this Regulation landed by the Community fishery fleet is currently inadequate to meet the needs of the processing industry of the Community;

Article 2

Whereas, in view of such supply difficulties, the autonomous Common Customs Tariff duties on the fish

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. EHRENBURG

⁽¹⁾ OJ No C 241, 11. 10. 1978, p. 9.

⁽²⁾ Opinion delivered on 17 November 1978 (not yet published in the Official Journal).

ANNEX

CCT heading No	Description
ex 03.01 B I h)	Cod (<i>Gadus morrhua</i> or <i>Gadus callarias</i>), fresh, chilled or frozen, whole, headless or in pieces, intended for processing (a) (b)
ex 03.01 B I k)	Haddock, fresh, chilled or frozen, whole, headless or in pieces, intended for processing (a) (b)
ex 03.01 B I q)	Hake (<i>Merluccius</i> spp.), fresh, chilled or frozen, whole, headless or in pieces, intended for processing (a) (b)
ex 03.01 B II a) and B II b) 1	Fillets of cod (<i>Gadus morrhua</i> or <i>Gadus callarias</i>), fresh, chilled or frozen, intended for processing (a) (b)
ex 03.01 B II a) and B II b) 3	Fillets of haddock, fresh, chilled or frozen, intended for processing (a) (b)
ex 03.01 B II a) and B II b) 7	Fillets of hake (<i>Merluccius</i> spp.), fresh, chilled or frozen, intended for processing (a) (b)

(a) - The duty suspension shall apply to fish intended to undergo any treatment unless they are intended to undergo exclusively one or more of the following treatments:

- cleaning, gutting, simple cutting,
- sorting,
- labelling,
- simple packing,
- icing,
- freezing,
- deep freezing,
- thawing,
- retailing,
- catering.

The duty suspension shall apply only to fish intended for human consumption.

(b) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

COUNCIL REGULATION (EEC) No 2902/78

of 27 November 1978

temporarily suspending the autonomous Common Customs Tariff duties on certain industrial products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

temporarily, by fixing their term of validity to coincide with the interests of Community production,

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

HAS ADOPTED THIS REGULATION:

Having regard to the draft Regulation submitted by the Commission,

Article 1

Whereas production of the products referred to in this Regulation is at present inadequate or non-existent within the Community and producers are thus unable to meet the needs of user industries in the Community;

The autonomous Common Customs Tariff duties on the products listed in the tables in the Annex shall be suspended at the level indicated in respect of each of them.

These suspensions shall be valid:

Whereas it is in the Community's interest in certain cases to suspend the autonomous Common Customs Tariff duties only partially, particularly because of the existence of Community production, and in other cases to suspend them completely;

- from 1 January to 31 March 1979 for the products listed in Table I,
- from 1 January to 30 June 1979 for the products listed in Table II.

Whereas, taking account of the difficulties involved in accurately assessing the development of the economic situation in the sectors concerned in the near future, these suspension measures should be taken only

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, 27 November 1978.

*For the Council**The President*

H. EHRENBURG

ANNEX

TABLE I

CCT heading No	Description	Rate of autonomous duty (%)
ex 25.19 A	Magnesium oxide, dead-burned but not fused, of a purity not less than 98 % which may not contain: (a) more than 0.05 % by weight of boron compounds evaluated as B_2O_3 ; (b) more than 1.25 % by weight of calcium compounds evaluated as CaO ; (c) more than 0.5 % by weight of silicon compounds evaluated as SiO_2 ; (d) a total of more than 0.5 % by weight of aluminium compounds and iron compounds evaluated as Al_2O_3 and Fe_2O_3	0
ex 29.09	Epoxyethylbenzene (styrene oxide)	0
ex 29.30	Methyl isocyanate	5
ex 39.07 E IV	Polyethylene film, perforated, of a width of not less than 4.5 cm and not more than 5.5 cm and having a molecular weight of not less than 4 000 000 in rolls intended for use as conveyor belts in machines for manufacturing cigars (a)	9

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

TABLE II

CCT heading No	Description	Rate of autonomous duty (%)
ex 13.03 A V	Extract of dewaxed pyrethrum	0
ex 28.13 IJ	Tellurium dioxide	0
ex 28.21	Chromium dioxide	0
ex 28.31 C	Lithium hypochlorite	0
ex 28.42 A VI	Lithium carbonates not corresponding to the following specifications: — In the form of white powder and — Containing 98.5% or more of Li_2CO_3 and — Less than ppm of arsenic, — Less than 200 ppm of calcium,	

CCT heading No	Description	Rate of autonomous duty (%)
	— Less than 200 ppm of chloride, — Less than 20 ppm of iron, — Less than 150 ppm of magnesium, — Less than 20 ppm of heavy metals, — Less than 300 ppm of potassium, — Less than 300 ppm of sodium, — Less than 200 ppm of sulphates	0
ex 29.02 A V	Bromochloromethane	0
ex 29.02 B	1,6,7,8,9,14,15,16,17,17,18,18-Dodecachloro-pentacyclo [12.2.1.1 ⁶ ,9.0 ² ,13.0 ⁵ ,10]octadeca-7, 15-diene, intended for use in the manufacture of polyamide 6-6 or polypropylene (a)	0
ex 29.06 B V	6,6' 6''-Tri- <i>tert</i> -butyl-4,4',4''-(1-methylpropan-1-yl-3-ylidene)tri- <i>m</i> -cresol, whether or not containing toluene of crystallisation	0
ex 29.06 B V	2,5-Di(<i>tert</i> -phenyl)hydroquinone	0
ex 29.08 A III c)	1,2-Bis(2,4,6-tribromophenoxy)ethane	0
ex 29.14 A II c) 4	20-Oxopregna-5,16-dien-3- <i>beta</i> -yl acetate	0
ex 29.16 A II	L-Malic acid and its salts and esters	0
ex 29.16. A VIII a)	2,2-Bis(hydroxymethyl)propionic acid	0
ex 29.16 B III	2-Ethylhexyl 4-hydroxybenzoate	0
ex 29.19 C	2,2-Bis(chloromethyl)trimethylene tetrakis (2-chloro-ethyl) di(phosphate)	0
ex 29.22 D I	3,5-Dichloroaniline	0
ex 29.23 D V	<i>beta</i> -Alanine	0
ex 29.23 E	Diethyl 1,3-benzodioxol-5-ylaminomethylenemalonate	0
ex 29.23 E	6-Acetyl-1,3-benzodioxol-5-ylammonium chloride	0
ex 29.25 A II	(3-Methacrylamidopropyl)trimethylammonium chloride	0
ex 29.29	<i>N,N</i> -Diethylhydroxylamine	0
ex 29.31 B	Cyclohexanethiol	0
ex 29.35 Q	Amprolium (INN) hydrochloride	0
ex 29.35 Q	2-Chloro-10 <i>H</i> -dibenz [<i>b,f</i>] [1,4]oxazepin-11-one	0
ex 29.42 C VII	(22 <i>R</i> , 25 <i>R</i>)-Tomat-5-enin-3- <i>beta</i> -ol (Solasodine)	0
ex 29.44 C	Cefazolin (INN) and its salts	0

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

CCT heading No	Description	Rate of autonomous duty (%)
ex 29.44 C	Lincomycin (INN) and its salts and esters, intended for the manufacture of products falling within heading No 30.03 (a)	0
ex 29.44 C	Monensin (INN) and its salts	0
ex 30.01 B II	Mixture of oestrogens of equine origin	0
ex 30.03 B II b)	<i>gamma</i> -Globulin, in solution, derived from human blood	0
ex 30.03 B II b)	Lyophilized <i>gamma</i> -globulin derived from human blood	0
ex 38.19 G	Catalysts, in the form of granules or rings having a diameter of not less than 3 mm and not more than 10 mm, consisting of silver supported on aluminium oxide, the silver content being not less than 10% and not more than 20% by weight	0
ex 38.19 U	Flame-retardant reaction products of acetaldehyde, ethylene oxide and phosphorus trichloride	0
ex 38.19 U	Intermediate products from the manufacture of monensin salts	0
ex 38.19 U	Grains consisting of a mixture of dialuminium trioxide and zirconium dioxide containing by weight not less than 70% and not more than 78% dialuminium trioxide and not less than 19% and not more than 26% zirconium dioxide	7.6
ex 38.19 U	Grains consisting of a mixture of dialuminium trioxide and zirconium dioxide containing by weight not less than 54% and not more than 62% dialuminium trioxide and not less than 36% and not more than 44% zirconium dioxide	7.6
ex 38.19 U	N-(2-Methyl-2-nitropropyl)-4-nitrosoaniline containing not less than 65% by weight of an inert filler	0
ex 39.01 C V	Polyurethane pre-polymers, in the forms mentioned in Note 3 (a) to Chapter 39, containing not less than 3.9% and not more than 4.3% of isocyanate by weight and having a viscosity at 100 °C of not less than 500 and not more than 600 centipoises, based on <i>alpha</i> -(4-hydroxybutyl)- <i>omega</i> -hydroxypoly (oxytetramethylene) and 4.4'-methylenedi(cyclohexyl)di-isocyanate or methyl-m-phenylene di-isocyanate	9
ex 39.02 C I b)	Polyethylene film of a width of not less than 4.5 cm and not more than 5.5 cm and having a molecular weight of not less than 4 000 000, in rolls intended for use as conveyor belts in machines for manufacturing cigars (a)	0
ex 39.02 C II	Microporous polytetrafluoroethylene film, not less than 30 cm in width and weighing not more than 22.4 g/m ² , whether or not in rolls	0

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

CCT heading No	Description	Rate of autonomous duty (%)
ex 39.02 C VIII	Copolymers of vinylidene chloride with vinyl chloride, containing not less than 78% by weight of vinylidene chloride, in one of the forms mentioned in Note 3 (a) and (b) to Chapter 39, for the manufacture of fibres, monofil or strip (a)	0
ex 39.02 C XII	Copolymerization products of acrylic and methacrylic esters in the form of film of a thickness not less than 50 and not more than 150 micrometres, whether or not in rolls	0
ex 39.02 C XII	Poly(2-diethylaminoethyl methacrylate) dissolved in <i>N,N</i> -dimethylacetamide, with a polymer content of not less than 55% by weight	0
ex 39.02 C XII	Copolymer of 2-di-isopropylaminoethyl methacrylate and decyl methacrylate dissolved in <i>N,N</i> -dimethylacetamid, with a copolymer content of not less than 55% by weight	0
ex 39.02 C XII	Copolymer of acrylic acid and 2-ethylhexyl acrylate containing not less than 10% and not more than 11% by weight of 2-ethylhexyl acrylate	0
ex 39.02 C XIV a)	Poly(1-ethylethylene) in one of the forms mentioned in Note 3 (b) to Chapter 39	0
ex 49.11 B	Sheets (not being trade advertising material) folded, merely with illustrations or pictures not bearing a text or caption for editions of books or periodicals which are published in different countries in one or more languages (a)	0
ex 51.02 A II	Strip of polytetrafluoroethylene, whether or not in rolls, with an extension at break not exceeding 25%	0
ex 70.20 A	Mats of non-textile glass fibres of a weight per square metre of not more than 100 g and a fibre diameter of not more than seven micrometres	0
ex 70.20 B	Yarns obtained from continuous glass fibres with a diameter of not more than 5.5 micrometres	0
ex 70.20 B	Glass-fibre yarns, with a filament diameter of not more than 4.0 micrometres, for the manufacture of carpets (a)	0
ex 75.04 A	Tubes of nickel, not alloyed, of a purity not less than 99%, not deviating from straightness lengthwise by more than 1 mm per 150 cm of length, and with an outside diameter either — Not less than 213.36 mm and not more than 214 mm, or — Not less than 209.95 mm and not more than 210.59 mm, or — Not less than 168.28 mm and not more than 168.78 mm	0
ex 81.04 K I	Titanium sponge	0

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

CCT heading No	Description	Rate of autonomous duty (%)
ex 84.17 C	Straight-tube heat exchanger over 400 tonnes in weight and over 20 m long for nuclear reactors	0
ex 84.59 B	Control-rod drives with spindle roller nut drive mechanism for nuclear reactors including the necessary special tools	0
ex 84.59 B	Reactor pressure vessel consisting of the vessel shell, penetrated by primary coolant nozzles and core flooding nozzles, and of the vessel head	0
ex 85.21 A V	Digital displays consisting of a glass tube mounted on a board up to 220 mm long and 45 mm wide excluding leads. The tube contains a straight line of digits not less than four in number, each digit consisting of a number of segments containing an inert gas with a metallic base coated with phosphorus salts which give off light when bombarded with electrons	0
85.21 D II	Digital displays consisting of a printed circuit board of a size not exceeding 35 x 90 mm with a single line of digits, not less than three in number comprising light-emitting diodes manufactured from gallium-based semi-conductor compounds mounted thereon. Each digit is comprised of seven segments plus a decimal point and the line of digits has a protective cover of translucent plastic	0
ex 88.05 B	Visual display system generating images by computer intended for equipping flight simulators for civil aircraft (a)	0
ex 90.19 A III	Vascular prostheses	0

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 23 November 1978

replacing an alternate member of the Advisory Committee on Freedom of Movement for
Workers

(78/1012/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1612/68 of 15 October 1968 on freedom of movement of workers within the Community ⁽¹⁾, and in particular Article 27 thereof,

Having regard to the Council Decision of 11 October 1977 appointing the members and alternate members of the Advisory Committee on Freedom of Movement for Workers for the period ending 10 October 1979,

Whereas a seat as alternate member on the above committee in the 'trade union representatives' category has fallen vacant following the resignation of Mr Andersen, notified to the Council on 9 November 1978;

Having regard to the nomination submitted on 14 November 1978,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Holger Jensen is hereby appointed alternate member of the Advisory Committee on Freedom of Movement for Workers in place of Mr Andersen for the remainder of the latter's term of office, i.e. until 10 October 1979.

Done at Brussels, 23 November 1978.

For the Council

The President

J. ERTL

⁽¹⁾ OJ No L 257, 15. 10. 1968, p. 8.

COUNCIL DECISION

of 23 November 1978

replacing an alternate member of the Advisory Committee on Social Security for Migrant Workers

(78/1013/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community ⁽¹⁾, and in particular Article 82 thereof,

Having regard to the Council Decision of 8 February 1977 appointing the members and alternate members of the Advisory Committee on Social Security for Migrant Workers for the period ending 7 February 1979,

Whereas a seat as alternate member of the above committee in the 'government representatives' category has fallen vacant following the resignation of Mr Decisier, notified to the Council on 20 November 1978;

Having regard to the nomination submitted on 20 November 1978,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Serge Darmon is hereby appointed alternate member of the Advisory Committee on Social Security for Migrant Workers in place of Mr Decisier for the remainder of the latter's term of office, i.e. until 7 February 1979.

Done at Brussels, 23 November 1978.

*For the Council**The President*

J. ERTL

⁽¹⁾ OJ No L 149, 5. 7. 1971, p. 2.

COUNCIL DECISION

of 23 November 1978

appointing the members and alternate members of the Advisory Committee on Safety,
Hygiene and Health Protection at Work

(78/1014/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Council Decision of 27 June 1974 on the setting up of an Advisory Committee on Safety, Hygiene and Health Protection at Work ⁽¹⁾, and in particular Article 4 thereof,

Having regard to the list of candidates submitted by each of the Governments of the Member States,

Whereas by its Decision of 5 May 1975 the Council appointed the members and alternate members of the Advisory Committee on Safety, Hygiene and Health Protection at Work for the period 5 May 1975 to 4 May 1978;

Whereas the members and alternate members of the Advisory Committee should be appointed for the period 23 November 1978 to 22 November 1981,

HAS DECIDED AS FOLLOWS:

Sole Article

The following are hereby appointed as members and alternate members of the Advisory Committee on Safety, Hygiene and Health Protection at Work for the period 23 November 1978 to 22 November 1981:

A. GOVERNMENT REPRESENTATIVES

	<i>Member</i>	<i>Alternate</i>	<i>Member</i>	<i>Alternate</i>
Belgium:	Mr Bens	Mr Paque	Mr Denonne	Mr Grégoire
Denmark:	Mr Saxild	Mr Toft	Mrs Jensen	Mr Blou
Germany:	Mr Kliesch	Mr Opfermann	Dr Wagner	Dr Wolff
France:	Mrs Lamirand	Mr Babusiaux	Mr Coursault-Durand	Mr Belhote
Ireland:	Mr Kennedy	Mr Morrison	Mr Cashell	Dr Murphy
Italy:	Dr Fredella	Dr Franciosi	Dr Fiore	Dr Poti
Luxembourg:	Mr Schuster	Mr Mousel	Mr Noesen	Mr Demuth
Netherlands:	Mr Tinga	Mr Rikmenspoel	Dr Wink	Mrs Rooyakkers-Beemster
United Kingdom:	Mr Martin	Mrs Barger	Dr Neild	Dr Blackadder

⁽¹⁾ OJ No L 185, 9. 7. 1974, p. 15.

B. TRADE UNION REPRESENTATIVES

	<i>Member</i>	<i>Alternate</i>	<i>Member</i>	<i>Alternate</i>
Belgium:	Mr Thyre	Mr Kennes	Mr Silon	Mr Colle
Denmark:	Mr Drewsen	Mr Nielsen	Mrs Christensen	Mr Elikofer
Germany:	Mr Konstanty	Mr Kienappel	Mr Partikel	Mr Gärtner
France:	Mr Atlan	Mr Rouxel	Mr Guillon	Mr Diaz
Ireland:	Mr Cassells	Mr O'Halloran	Mr Daly	Mr Keating
Italy:	Mr Stanzani	Mr Leli	Mr Luciani	Mrs Gloria
Luxembourg:	Mr Rech	Mr Dunkel	Mr Sabus	Mr Klein
Netherlands:	Mr De Bruin	Mr Van Tol	Mr Hogenes	Mr Schmitz
United Kingdom:	Mr Jacques	Mr Hamilton	Mr Lloyd	Mr Parry

C. REPRESENTATIVES OF EMPLOYERS' ORGANIZATIONS

	<i>Member</i>	<i>Alternate</i>	<i>Member</i>	<i>Alternate</i>
Belgium:	Mr Van Gaever	Mr Cloquet	Mr Cordy	Mr Leonard
Denmark:	Mr Holm	Mr Rasmussen	Mr Nygaard	Mr Linius
Germany:	Mr Meyer	Mr Winckler	Mr Müller	Mr Von Hassell
France:	Mr Cave	Mr Frederic-Moreau	Mr Tassin	Mr Delage
Ireland:	Mr Rice	Mr Doherty	Mr Clarke	Mr Cassidy
Italy:	Dr Garlanda	Mr Palladino	Dr Bussetti	Dr Ghiselli
Luxembourg:	Mr Rauchs	Mr Berweiler	Mr Olinger	Mr Beffort
Netherlands:	Mr Den Boer	Mrs De Quant	Mrs De Meester	Mr Korten
United Kingdom:	Mr Amis	Mr Petrie	Mr Cobb	Mr Dewsbury

Done at Brussels, 23 November 1978.

For the Council

The President

J. ERTL

COUNCIL DIRECTIVE

of 23 November 1978

on the approximation of the laws of the Member States on the permissible sound level and exhaust system of motorcycles

(78/1015/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 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 the technical requirements which motorcycles must satisfy pursuant to national laws relate *inter alia* to the permissible sound level and to the exhaust system;

Whereas these requirements differ from one Member State to another; whereas it is therefore necessary that all Member States adopt the same requirements, either in addition to or in place of their existing rules;

Whereas the increased numbers and use of motorcycles aggravate the annoyance caused by noise pollution; whereas therefore the noise emissions of motorcycles should be limited on the basis of a representative method of testing;

Whereas the approximation of national laws relating to motorcycles entails reciprocal recognition by Member States of the checks carried out by each of them on the basis of the common requirements;

Whereas setting limit values for the sound level of motorcycles constitutes a step towards the improvement of the environment; whereas the technical development

of less noisy motorcycles should be further encouraged; whereas, particularly in the case of more powerful motorcycles, an endeavour should be made to lower present limit values to around 80 dB(A) by 1985; whereas, in the case of other categories of motorcycles too, it is imperative that efforts to reduce noise should continue to be made; whereas the levels fixed should take account of what would be technically possible by such a date, and furthermore, these levels should be fixed in good time so as to give manufacturers a sufficient period to improve their products,

HAS ADOPTED THIS DIRECTIVE:

Article 1

For the purposes of this Directive, 'motorcycle' means any two-wheeled vehicle, with or without a side-car, fitted with an engine, intended for use on the road and having a maximum design speed of more than 50 km/h.

Article 2

For the purposes of this Directive, 'national type-approval' means the administrative procedure known as:

- 'agr  ation par type' and 'aanneming' in Belgian law,
- 'standardtypegodkendelse' in Danish law,
- 'allgemeine Betriebserlaubnis' in German law,
- 'r  ception par type' in French law,
- 'type-approval' in Irish law,
- 'omologazione' or 'approvazione del tipo' in Italian law,
- 'agr  ation' in Luxembourg law,
- 'typegoedkeuring' in Dutch law,
- 'type-approval' in United Kingdom law.

⁽¹⁾ OJ No C 40, 20. 2. 1975, p. 18.

⁽²⁾ OJ No C 125, 8. 6. 1976, p. 48.

⁽³⁾ OJ No C 204, 30. 8 1976, p. 25.

Article 3

1. At the request of a manufacturer or his authorized representative each Member State shall carry out the tests provided for in Annex I to check that a type of motorcycle complies with the harmonized requirements. No application in respect of any one type of motorcycle may be submitted to more than one Member State.

When the tests have been completed, the Member State shall issue the sound level measurement certificate, hereinafter called 'the certificate', using the model given in Annex II and specifying in particular whether or not the type of motorcycle complies with the harmonized requirements.

2. The Member State which issued the certificate attesting conformity of a type of motorcycle with the harmonized requirements shall take the necessary measures to verify, in so far as is necessary and if need be in cooperation with the competent authorities of the other Member States, that production models conform to the type for which this certificate was issued. Such verification shall be carried out by means of spot checks.

Article 4

The competent authorities of each Member State shall send within one month to the competent authorities of the other Member States a copy of the certificates drawn up for each type of motorcycle which they have tested in accordance with this Directive. The applicant shall also be issued with a copy of the certificate. The other Member States shall treat the document as proof that the tests provided for by this Directive have been carried out and shall refrain from repeating the tests.

Article 5

1. In those Member States where motorcycles or certain categories of motorcycles are subject to national type-approval, that approval shall be based on the harmonized technical requirements instead of the corresponding national requirements, if the manufacturer or his authorized representative so requests.

2. No Member State where motorcycles or certain categories of motorcycles are not subject to national type-approval may refuse the registration or prohibit the sale, entry into service or use of such motorcycles on the grounds that the harmonized technical requirements have been complied with instead of the corresponding national requirements.

Article 6

1. The Member State which has issued the certificate attesting conformity of a type of motorcycle with the

harmonized requirements shall take the necessary measures to ensure that it is informed of any modification of a part or characteristic referred to in 1.1 of Annex I.

2. If the State in question considers that such a modification does not require an amendment to the data taken into account in drawing up the certificate, the competent authorities of that State shall inform the manufacturer or his authorized representative thereof.

3. If, however, the State in question finds that a modification of this kind warrants fresh checks or fresh tests and that it is accordingly necessary to amend the existing certificate or complete a fresh certificate, the competent authorities of that State shall inform the manufacturer or the authorized agent thereof and shall, within one month of the date on which the new documents were drawn up, forward these documents and the frame number of the last motorcycle manufactured in conformity with the old certificate and, where appropriate, the frame number of the first motorcycle manufactured in conformity with the modified or new certificate to the competent authorities of the other Member States.

Article 7

1. Member States shall put into force provisions needed in order to comply with this Directive before 1 October 1980 and shall forthwith inform the Commission thereof.

However, during a period of 30 months from notification of this Directive, Member States may not refuse national type-approval and/or the registration, sale, entry into service or use of a type of motorcycle, the sound level of which complies with the national provisions in force at the time of notification of this Directive.

2. Member States shall ensure that the texts of the main provisions of national law which they adopt in the field covered by this Directive are communicated to the Commission.

Article 8

Before 31 December 1984, the Council shall, on a proposal from the Commission, decide on a reduction in the maximum permissible sound levels provided for in Annex I to this Directive.

Article 9

Any amendments necessary to adapt the requirements of the Annexes to technical progress shall be adopted in

accordance with the procedure provided for in Article 13 of Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾ as last amended by Directive 78/547/EEC ⁽²⁾. The maximum permissible sound levels may in no case be raised. However, this procedure shall

only apply to point 2.1.1 of Annex I as from 1 July 1984.

Article 10

This Directive is addressed to the Member States.

Done at Brussels, 23 November 1978.

For the Council

The President

J. ERTL

⁽¹⁾ OJ No L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ No L 168, 26. 6. 1978, p. 39.

ANNEX I

DEFINITIONS, PERMISSIBLE SOUND LEVELS, EXHAUST SYSTEM

1. DEFINITIONS

1.1. Type of motorcycle as regards its sound level and exhaust system

'Type of motorcycle as regards its sound level and exhaust system' means motorcycles which do not differ essentially as regards the following characteristics;

1.1.1. type of engine (two- or four-stroke, reciprocating piston engine or rotary-piston engine, number and capacity of cylinders, number and type of carburettors or injection system, arrangement of valves, maximum power and corresponding speed); for the application of this Directive, double the volume of the chamber should be considered as the cubic capacity of rotary-piston engines;

1.1.2. transmission system, in particular the number of gear ratios;

1.1.3. number, type and arrangement of exhaust systems.

1.2. Exhaust system

'Exhaust system' means a complete set of components necessary to limit the noise caused by a motorcycle engine and its exhaust.

1.3. Exhaust systems of differing types

'Exhaust systems of differing types' means systems which differ essentially as regards the following characteristics:

1.3.1. systems the components of which bear different factory or trade marks;

1.3.2. systems in which the characteristics of the materials forming any component are different or the components of which are of a different shape or size;

1.3.3. systems in which the operating principles of at least one component are different;

1.3.4. systems the components of which are in different combinations.

1.4. Component of an exhaust or intake silencer system

'Component of an exhaust or intake silencer system' means one of the individual components which together form the exhaust system (such as exhaust pipes and tubes, the silencer proper) or the intake system (air filter).

If the engine is equipped with an air filter and/or an intake noise absorber which is (are) indispensable for the purpose of complying with maximum permissible sound levels, the filter and/or the absorber shall be treated as components having the same importance as the exhaust system.

2. PERMISSIBLE SOUND LEVELS

2.1. Noise of the motorcycle in motion

2.1.1. Limits

The sound level of the motorcycle, when measured under the conditions set out in 2.1.2 to 2.1.5 must not exceed the following limits:

Categories by cubic capacity in cm ³	Maximum permissible sound level in dB(A)
≤ 80	78
≤ 125	80
≤ 350	83
≤ 500	85
> 500	86

2.1.2. *Measuring instruments*

2.1.2.1. *Acoustic measurements*

The apparatus used for measuring the noise level must be a precision sound-level meter of the type described in Publication 179 'Precision sound-level meters', second edition, of the International Electrotechnical Commission (IEC). Measurements shall be carried out using the 'fast' response and the 'A' weighting curve also described in that publication.

At the beginning and end of each series of measurements the sound-level meter shall be calibrated according to the manufacturer's instructions with a suitable sound source (e.g. pistonphone).

2.1.2.2. *Speed measurements*

Engine speed and motorcycle speed through the test area shall be determined to within $\pm 3\%$.

2.1.3. *Conditions of measurement*

2.1.3.1. *Condition of motorcycle*

During the measurements the motorcycle must be in running order (including coolant, oils, fuels, tools, spare wheel and rider).

Before the measurements are made the motorcycle engine shall be brought to the normal operating temperature. If the motorcycle is fitted with fans with an automatic actuating mechanism, this system shall not be interfered with during the sound measurements. For motorcycles having more than one driven wheel, only the drive provided for normal road operation shall be used. Where a motorcycle is fitted with a side-car, this shall be removed for the purposes of the test.

2.1.3.2. *Test site*

The test site must consist of a central acceleration section surrounded by a substantially flat test area. The acceleration section must be flat; its surface must be dry and such that rolling noise remains low.

On the test site the variations in the free sound field between the sound source at the centre of the acceleration section and the microphone must not exceed ± 1 dB. This condition shall be deemed to be met if there are no large objects which reflect sound, such as fences, rocks, bridges or buildings, within 50 m of the centre of the acceleration section. The surface of the site must be made of hard material such as concrete, asphalt or any other acoustically equivalent material within a minimum radius of 10 m around the centre of the acceleration section and be free of powdery snow, tall grass, loose soil or cinders.

The microphone shall not be obstructed in any way which could affect the sound field, and no persons shall stand between the microphone and the sound source. The observer carrying out the measurements must so position himself as not to affect the readings of the measuring instrument.

2.1.3.3. *Miscellaneous*

Measurements may not be taken in unfavourable meteorological conditions and in particular in gusting winds.

For measurements, the A-weighted sound level of sound sources other than those of the motorcycle to be tested or of wind effects must be at least 10 dB(A) below the sound level produced by the motorcycle. A suitable windscreen may be fitted to the microphone provided that account is taken of its effect on the sensitivity and directional characteristics of the microphone.

2.1.4. *Method of measurement*

2.1.4.1. Nature and number of measurements

The maximum sound level expressed in A-weighted decibels (dB) shall be measured as the motorcycle is driven between lines AA' and BB' (figure 1). The measurement shall be invalid if an abnormal discrepancy between the peak value and the general sound level is recorded.

At least two measurements shall be taken on either side of the motorcycle.

2.1.4.2. Positioning of the microphone

The microphone shall be located 7.5 m from the line of reference CC' (figure 1) of the track, 1.2 m above the level of the track.

2.1.4.3. Conditions of operation

The motorcycle shall approach line AA' at an initial steady speed as specified in 2.1.4.3.1 and 2.1.4.3.2. When the front end of the motorcycle reaches the line AA' the throttle shall be opened as quickly as is possible in practice to the fully opened position. This position shall be maintained until the rear end of the motorcycle reaches line BB'; the throttle shall then be returned as quickly as possible to the idle position.

For all measurements the motorcycle shall be driven in a straight line over the acceleration section in such a way that the longitudinal median plane of the motorcycle is as close as possible to line CC'.

2.1.4.3.1. Use of the gearbox, if any

If the motorcycle is fitted with a non-automatic gearbox with not more than four ratios, the second gear shall be engaged.

If the motorcycle is fitted with a non-automatic gearbox with more than four ratios:

- the third gear shall be engaged for motorcycles with a cubic capacity of not more than 350 cm³,
- the second gear shall be engaged for motorcycles with a cubic capacity exceeding 350 cm³.

If the motorcycle is fitted with an automatic gearbox with a selector, the selector shall be in the position immediately below the position corresponding to the maximum speed of the motorcycle.

2.1.4.3.2. Approach speed

The motorcycle shall approach line AA' at a steady speed

- of 50 km/h, the speed of rotation of the engine being between 50 and 75% of the speed referred to in 2.4 of Annex II, or
- of less than 50 km/h, the speed of rotation of the engine being equal to 75% of the speed referred to in 2.4 of Annex II, or
- of more than 50 km/h, the speed of rotation of the engine being equal to 50% of the speed referred to in 2.4 of Annex II.

2.1.5. *Results (test report)*

2.1.5.1. The test report drawn up for the purpose of issuing the certificate referred to in Annex II shall indicate any circumstances and influences affecting the results of the measurements.

2.1.5.2. Readings, rounded off to the nearest decibel, shall be taken from the measuring instrument.

Only those measurements whose variation in two consecutive tests on the same side of the motorcycle is less than or equal to 2 dB(A) may be used for the purpose of issuing the certificate referred to in Annex II.

2.1.5.3. To take account of inaccuracies in the measurements, the result of each measurement shall be arrived at by deducting 1 dB(A) from the meter reading.

- 2.1.5.4. If the four results of the measurements are less than or equal to the maximum permissible level for the category to which the motorcycle being tested belongs, the limit laid down in 2.1.1 shall be deemed as being complied with.
- If one of the four results exceeds the maximum permissible level by not more than 1 dB(A), a second series of four measurements shall be taken. In this case the limit laid down in 2.1.1 shall only be deemed as being complied with if the four new results are less than or equal to the maximum permissible level.
- In all other cases, the limit laid down in 2.1.1 shall be deemed as not being complied with.
- 2.2. Noise of the stationary motorcycle
- 2.2.1. *Sound-pressure level in the immediate vicinity of the motorcycle*
- Moreover, in order to facilitate subsequent noise checks of motorcycles in use, the sound-pressure level shall be measured in the immediate vicinity of the exhaust-system outlet (silencer) in accordance with the following requirements, the result of the measurement being entered in the test report drawn up for the purpose of issuing the certificate referred to in Annex II.
- 2.2.2. *Measuring instruments*
- A precision sound-level meter as defined in 2.1.2.1 shall be used.
- 2.2.3. *Conditions of measurement*
- 2.2.3.1. Condition of the motorcycle
- Before the measurements are made the motorcycle engine shall be brought to the normal operating temperature. If the motorcycle is fitted with fans with an automatic actuating mechanism, this system shall not be interfered with during the noise measurements.
- During the measurements the gearbox shall be in neutral gear. If it is impossible to disconnect the transmission, the driving wheel of the motorcycle must be allowed to rotate freely, for example by placing the vehicle on its centre stand.
- 2.2.3.2. Test site (Figure 2)
- Any area in which there are no significant acoustic disturbances may be used as test site. Flat surfaces which are covered with concrete, asphalt or some other hard material and are highly reflective are especially suitable; surfaces consisting of earth which has been tamped down must not be used. The test site shall be in the form of a rectangle whose sides are at least 3 m from the outer edge of the motorcycle (handlebars excluded). There must be no significant obstacles, e.g. persons other than the rider and the observer may not stand within this rectangle. The motorcycle shall be positioned within the said rectangle so that the microphone used for measurement is at least 1 m from any kerbstones.
- 2.2.3.3. Miscellaneous
- Readings of the measuring instrument caused by background noise and wind effects must be at least 10 dB(A) lower than the sound levels to be measured. A suitable windscreen may be fitted to the microphone provided that account is taken of its effect on the sensitivity of the microphone.
- 2.2.4. *Method of measurement*
- 2.2.4.1. Nature and number of measurements
- The maximum sound level expressed in A-weighted decibels (dB(A)) shall be measured during the period of operation laid down in 2.2.4.3.
- At least three measurements shall be taken at each measuring point.
- 2.2.4.2. Positioning of the microphone (Figure 2)
- The microphone shall be located level with the exhaust outlet or 0.2 m above the surface of the track, whichever is the highest. The microphone diaphragm must face towards the exhaust outlet and be located at a distance of 0.5 m from it. The axis of maximum sensitivity of the microphone must be parallel to the surface of the track at an angle of $45 \pm 10^\circ$ to the vertical plane of the direction of the exhaust emissions.
- In relation to this vertical plane, the microphone shall be located on the side which gives the maximum possible distance between the microphone and the motorcycle contour (handlebars excluded).

If the exhaust system has more than one outlet with a centre-to-centre distance of less than or equal to 0.3 m, the microphone shall be faced towards the outlet which is nearest the motorcycle (handlebars excluded) or towards the outlet which is higher above the surface of the track. If the centres of the outlets are more than 0.3 m apart, separate measurements shall be taken for each of them, the highest figure recorded being taken as the test value.

2.2.4.3. Operating conditions

The engine speed shall be held steady at one of the following values:

- $\frac{S}{2}$ if S exceeds 5 000 r/min,
- $\frac{3S}{4}$ if S does not exceed 5 000 r/min,

where S is the speed referred to in 2.4 of Annex II.

When constant engine speed is reached, the throttle shall be returned swiftly to the idle position. The sound level shall be measured during a period of operation consisting of a brief maintenance of constant engine speed and throughout the deceleration period, the maximum deflection of the needle being taken as the test value.

2.2.5. Results (test report)

2.2.5.1. The test report drawn up for the purpose of issuing the certificate referred to in Annex II shall indicate all relevant data and particularly those used in measuring the sound of the stationary motorcycle.

2.2.5.2. Readings, rounded off to the nearest decibel, shall be taken from the measuring instrument.

Only those measurements the variations in which do not exceed 2 dB(A) in three consecutive tests shall be used.

2.2.5.3. The highest of the three measurements shall constitute the test result.

3. EXHAUST SYSTEM (SILENCER)

3.1. If the motorcycle is fitted with a device designed to reduce the exhaust noise (silencer), the requirements of section 3 shall apply. If the inlet of the engine is fitted with an air filter and/or an intake-noise absorber which is (are) necessary in order to ensure compliance with the permissible sound level, the filter and/or absorber shall be considered to be part of the silencer, and the requirements of section 3 shall also apply to them.

3.2. A diagram of the exhaust system shall be appended to the certificate referred to in Annex II.

3.3. The silencer must be marked with a clearly legible and indelible reference to its make and type.

3.4. The use of fibrous absorbent material shall be permitted in the construction of silencers only if the following conditions are met:

3.4.1. the fibrous absorbent material may not be placed in those parts of the silencer through which the gases pass;

3.4.2. suitable devices must ensure that the fibrous absorbent material is kept in place for the whole time that the silencer is being used;

3.4.3. the fibrous absorbent material must be resistant to a temperature at least 20% higher than the operating temperature which may occur in the region of the silencer where these fibrous absorbent materials are situated.

Figure 1
TEST FOR THE MOTORCYCLE IN MOTION

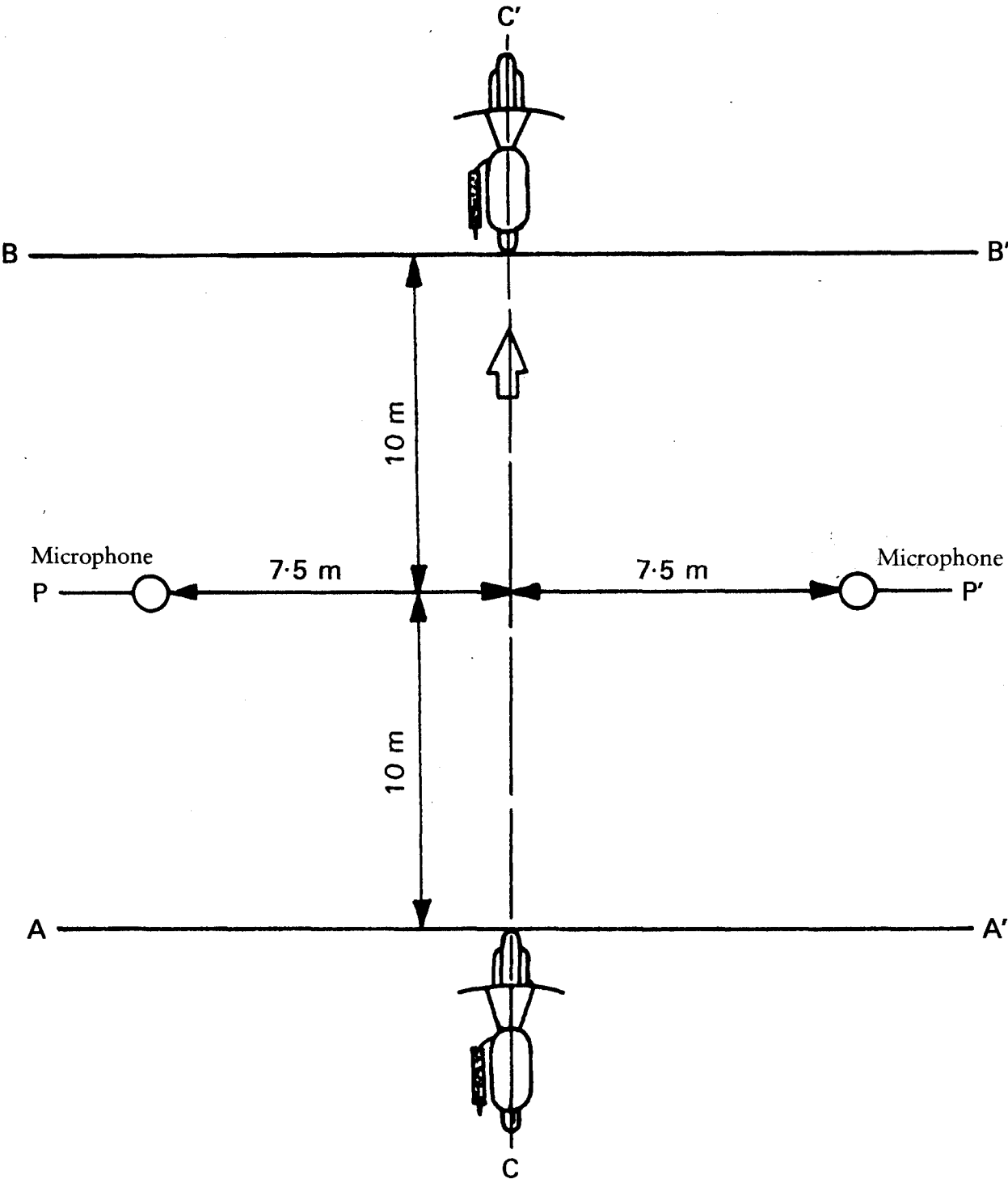
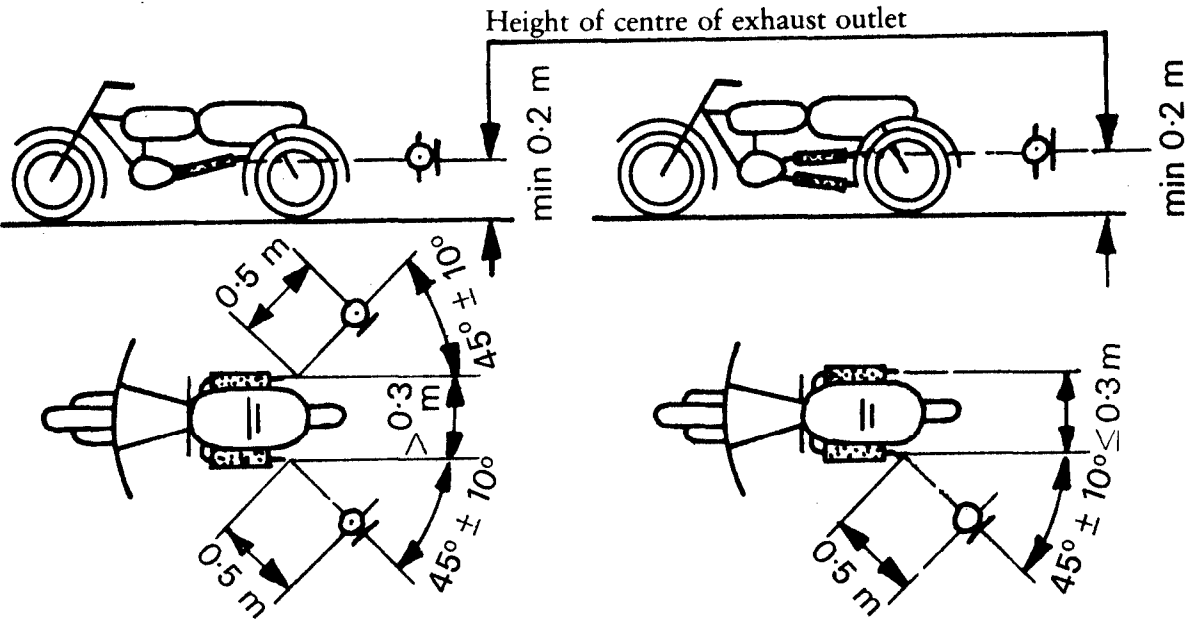
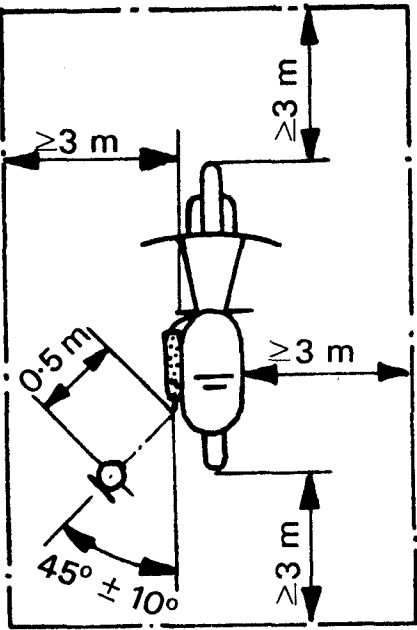


Figure 2
TEST FOR THE STATIONARY MOTORCYCLE



ANNEX II

MODEL

Name of administration

SOUND LEVEL MEASUREMENT CERTIFICATE — MOTORCYCLE

(in accordance with Council Directive 78/1015/EEC of 23 November 1978 on the approximation of the laws of the Member States on the permissible sound level and exhaust system of motorcycles)

Drawn up on the basis of:

Report No of the technical service Date

1. Motorcycle:
 - 1.1. Manufacturer:
 - 1.1.1. Authorized agent:
 - 1.2. Type:
 - 1.3. Model:
 - 1.3.1. Version:
 - 1.4. Frame No:
2. Engine:
 - 2.1. Manufacturer:
 - 2.2. Type:
 - 2.3. Model:
 - 2.4. Maximum output (indicate standard used): . . . (kW) at . . . r/min
 - 2.5. Maximum design speed:
3. Gears non-automatic gearbox/automatic gearbox ⁽¹⁾
4. Fitted with:
 - 4.1. Exhaust silencer: Manufacturer or authorized agent:
Model:
Type: According to drawing No:
 - 4.2. Intake silencer: Manufacturer:
Model:
Type: According to drawing No:
 - 4.3. Tyre size:
5. Measurements:
 - 5.1. Sound level of motorcycle in motion:

	Measurement results		Position of gear change
	left dB(A) ⁽²⁾	right dB(A) ⁽²⁾	
First measurement	:		
Second measurement			
Third measurement			
Fourth measurement			
Test result:		dB(A)/E ⁽³⁾	

- 5.2. Sound level of stationary motorcycle:

	dB(A)	Test engine speed r/min	Test conditions ⁽¹⁾
First measurement			$n = \frac{S}{2}$
Second measurement			
Third measurement			$n = \frac{3 S}{4}$
Test result:		dB(A)/E ⁽³⁾	

6. The type of motorcycle conforms/does not conform ⁽¹⁾ with the requirements of Council Directive 78/1015/EEC.
7. Place:
8. Date:
9. Signature: _____

⁽¹⁾ Delete whichever is inapplicable.

⁽²⁾ The values indicated are the measurements obtained minus 1 dB(A).

⁽³⁾ 'E' indicates that measurements have been taken in accordance with Directive 78/1015/EEC.

COUNCIL DIRECTIVE

of 23 November 1978

amending Directive 76/135/EEC on reciprocal recognition of navigability licences for inland waterway vessels

(78/1016/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

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 Article 5 of Council Directive 76/135/EEC of 20 January 1976 on reciprocal recognition of navigability licences for inland waterway vessels ⁽⁴⁾ provides that as soon as possible, and not later than 1 January 1978, the Council shall, on a proposal from the Commission, adopt common provisions establishing technical requirements for inland waterway vessels; whereas, owing to the complexity of the matter, it has not been possible to observe this time limit; whereas it is therefore appropriate to provide for these common provisions to be adopted by 1 January 1980;

Whereas Article 7 of the aforesaid Directive lays down that it shall be valid until 31 December 1978 and that, if need be, its validity may be extended until the provisions referred to in Article 5 enter into force; whereas, in the light of the above, such extension should be implemented,

Article 1

Directive 76/135/EEC is hereby amended as follows:

1. In Article 5, the date '1 January 1978' shall be replaced by '1 January 1980'.
2. Article 7 shall be replaced by the following:

'Article 7

This Directive shall be valid until the effective entry into force of the provisions referred to in Article 5.'

Article 2

This Directive is addressed to the Member States.

Done at Brussels, 23 November 1978.

For the Council

The President

K. GSCHIEDLE

⁽¹⁾ OJ No C 13, 17. 1. 1978, p. 4.

⁽²⁾ OJ No C 108, 8. 5. 1978, p. 67.

⁽³⁾ OJ No C 181, 31. 7. 1978, p. 29.

⁽⁴⁾ OJ No L 21, 29. 1. 1976, p. 10.

COUNCIL DIRECTIVE

of 24 November 1978

amending Directive 72/159/EEC on the modernization of farms and Directive 73/131/EEC on the guidance premium provided for in Article 10 of the Directive of 17 April 1972 on the modernization of farms

(78/1017/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

Whereas under Article 14 (2) (a) of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms ⁽³⁾, as last amended by Council Directive 77/390/EEC ⁽⁴⁾, Member States may, during a period of five years from the time when the said Directive takes effect, grant temporary aids to farmers who are not capable of attaining the level of earned income laid down under Article 4 of that Directive and who are not yet eligible for the annuities provided for in Article 2 (1) of 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 ⁽⁵⁾;

Whereas, pending the re-examination of Directive 72/159/EEC provided for in Article 16 of the said Directive, the period of application of this measure was extended until 31 December 1977 by Directive 77/390/EEC;

Whereas, since this re-examination is still in progress, it would seem appropriate to extend the period laid down in Article 14 (2) (a) of Directive 72/159/EEC until 31 December 1979 as regards the measures provided for under that Article in force in the Member States on 15 March 1977;

Whereas the provision in the development plan for the farm to concentrate on the production of beef, veal, mutton or lamb may require differing efforts; whereas the amounts fixed by Council Directive 73/131/EEC of 15 May 1973 on the guidance premium provided for in

Article 10 of the Directive of 17 April 1972 on the modernization of farms ⁽⁶⁾ should be changed into ceiling amounts,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The period laid down in Article 14 (2) (a) of Directive 72/159/EEC shall be extended until 31 December 1979 as regards the measures provided for under that Article in force in the Member States on 15 March 1977.

Article 2

The second paragraph of Article 1 of Directive 73/131/EEC shall be replaced by the following:

'The maximum amount of this premium shall be:

- 48 units of account per hectare within a ceiling of 4 800 units of account per farm in the first year,
- 32.5 units of account per hectare within a ceiling of 3 250 units of account per farm in the second year,
- 16.5 units of account per hectare within a ceiling of 1 650 units of account per farm in the third year.'

Article 3

Article 1 shall take effect as from 1 January 1978.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 24 November 1978.

For the Council

The President

J. ERTL

(1) OJ No C 230, 28. 9. 1978, p. 15.

(2) OJ No C 261, 6. 11. 1978, p. 46.

(3) OJ No L 96, 23. 4. 1972, p. 1.

(4) OJ No L 145, 13. 6. 1977, p. 43.

(5) OJ No L 96, 23. 4. 1972, p. 9.

(6) OJ No L 153, 9. 6. 1973, p. 24.

COUNCIL DIRECTIVE

of 27 November 1978

on the harmonization of provisions laid down by law, regulation or administrative action in
respect of standard exchange of goods exported for repair

(78/1018/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 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 on 18 December 1975 the Council adopted Directive 76/119/EEC on the harmonization of provisions laid down by law, regulation or administrative action in respect of outward processing ⁽⁴⁾; whereas these arrangements may be applied only where it is possible for the competent authorities to identify the exported goods as having been incorporated in the compensating products;

Whereas it is economically justifiable in certain limited cases to allow standard exchange arrangements, that is to say the importation with total or partial relief from import duties of replacements for goods exported for the purpose of being repaired, including restoring them to their original condition and putting them in order; whereas, however, standard exchange cannot be allowed unless the goods exported fall within one of the situations referred to in Article 9 (2) of the Treaty;

Whereas, by their very nature, agricultural products or goods resulting from the processing of agricultural products can hardly be repaired; whereas, furthermore, standard exchange is not compatible with the common agricultural policy or with the specific arrangements applicable, pursuant to Article 235 of the Treaty, to goods resulting from the processing of agricultural products; whereas the products and goods subject to that policy or to those arrangements should therefore be excluded from the scope of standard exchange;

Whereas common rules must be laid down in the Member States in respect of standard exchange; whereas these arrangements resemble in their aims and detailed provisions those for outward processing; whereas they should in these circumstances be subject to the same rules as those provided for by Directive 76/119/EEC, except where the present Directive lays down special provisions; whereas these special provisions concern in particular the scope of the arrangements and the right to import replacements (equivalent compensation), including the right to do so before the goods to be repaired are exported; whereas under standard exchange, in order to facilitate control, the triangular system may not be used unless provisions allowing its use are adopted in accordance with the procedure set out in Article 28 (2) and (3) of Directive 69/73/EEC ⁽⁵⁾;

Whereas it is important to ensure that such rules are applied in a uniform manner and therefore provision should be made for a Community procedure whereby the appropriate implementing provisions may be adopted within a suitable period of time,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive determines the rules which must be incorporated in the provisions laid down by law, regulation or administrative action in Member States in respect of arrangements for standard exchange of goods exported for repair, hereinafter called 'standard exchange arrangements'.

Article 2

1. Standard exchange arrangements means the customs arrangements whereby replacements for goods of whatever kind and whatever origin exported outside the customs territory of the Community for repair, including restoring them to their original condition and putting them in order, may be imported wholly or partly free of import duties. Such goods are hereinafter referred to as 'export goods'.

⁽¹⁾ OJ No C 182, 30. 7. 1977, p. 4.

⁽²⁾ OJ No C 299, 12. 12. 1977, p. 41.

⁽³⁾ OJ No C 59, 8. 3. 1978, p. 48.

⁽⁴⁾ OJ No L 24, 30. 1. 1976, p. 58.

⁽⁵⁾ OJ No L 58, 8. 3. 1969, p. 1.

2. Standard exchange arrangements shall be subject to rules identical to those provided for by Directive 76/119/EEC, with the exception of such special provisions as are provided for in the present Directive.

3. Standard exchange arrangements shall not apply to goods which have entered the Community under inward processing arrangements, or to goods falling under the common agricultural policy or the specific arrangements applicable, pursuant to Article 235 of the Treaty, to certain goods resulting from the processing of agricultural products.

Article 3

1. Where circumstances so warrant, replacements may, under conditions laid down by the competent authorities, be imported before the export goods are exported. Such prior importation shall be treated in the same way as the importation referred to in Article 2 (1).

2. The prior importation of a replacement shall require the provision of a guarantee covering the amount of the import duties. The guarantee shall be discharged on payment of the import duties due pursuant to Article 8.

Article 4

1. Replacements must fall within the same tariff subheading, be of the same commercial quality and have the same technical characteristics as the export goods if the latter had undergone the repair in question.

2. Where the export goods have been used before exportation, the replacements must also have been used and may not be new products.

The competent authorities may, however, waive this rule, if the replacement has been supplied free of charge either because of a guarantee imposed by contract or by statute or because of a manufacturing defect, on condition that the importation of the replacement takes place within 12 months of the date when the export goods were first put into free circulation.

However, the competent authorities may permit this time limit to be exceeded in duly substantiated exceptional cases.

Article 5

1. The competent authorities of the exporting Member State shall, by means of general or special

authorizations, allow standard exchange arrangements to be applied upon request before the exportation of the goods or the prior importation of the replacements.

2. The competent authorities may allow standard exchange arrangements to be applied to goods already exported under an outward processing authorization upon request submitted not later than the time of importation of the replacement.

3. The competent authorities shall decide that standard exchange arrangements may not be applied where they would give rise to an unjustified advantage as regards exemption from import duties.

Article 6

1. The period within which the importation of replacements must take place shall not exceed six months. However, this period may be extended by the competent authorities on submission of a duly substantiated request by the holder of the authorization, provided that the total period does not exceed 12 months. This period shall be calculated from the date of acceptance by the competent authorities of the export document for the export goods.

2. In the case of prior importation, the period within which the export goods must be exported shall not exceed two months. However, this period may be extended by the competent authorities on submission of a duly substantiated request by the holder of the authorization, provided that the total period does not exceed four months. This period shall be calculated from the date of acceptance by the competent authorities of the import document for the replacements.

Article 7

1. The importation of the replacements may be carried out only by the holder of the authorization or on his behalf.

2. Replacements must be imported into the Member State from which the export goods have been or are to be exported.

3. The competent authorities may prescribe in the authorization that the export and import transactions must be carried out at the same customs office.

4. However, provisions permitting replacements to be imported into a Member State other than that of export may be adopted in accordance with the procedure laid down in Article 10.

Article 8

1. The total or partial relief from import duties referred to in Article 2 shall be granted in accordance with the rules laid down by Articles 10 and 11 of Directive 76/119/EEC, the replacements being treated in the same way as the reimported products referred to in the said Articles.

2. However, in the case of prior importation of the replacements, the amount of the import duties which would be applicable to the export goods if they were imported into the Community from the country from which the replacements come shall be determined by reference to the rate or the amount applicable on the date of acceptance by the competent authorities of the export document for the goods in question. This date shall also be taken to determine the quantity, type and value of the said goods.

Article 9

The Committee for Customs Processing Arrangements, set up by Article 26 of Directive 69/73/EEC, may examine any matter relating to the application of this Directive which is brought to its attention by its chairman either on his own initiative or at the request of the representative of a Member State.

Article 10

The provisions necessary for the implementation of this Directive shall be adopted in accordance with the procedure laid down in Article 28 (2) and (3) of Directive 69/73/EEC.

Article 11

Member States shall bring into force the laws, regulations or administrative provisions needed in order to comply with this Directive within six months of its notification.

Member States shall communicate to the Commission the provisions which they adopt in order to implement this Directive. The Commission shall inform the other Member States thereof.

Article 12

This Directive is addressed to the Member States.

Done at Brussels, 27 November 1978.

For the Council

The President

H. EHRENBURG