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Contents

I Acts whose publication is obligatory

- ★ Council Regulation (EEC) No 2954/78 of 12 December 1978 opening, allocating and providing for the administration of a Community tariff quota for wines from fresh grapes and grape must with fermentation arrested by the addition of alcohol, falling within heading No 22.05 of the Common Customs Tariff and originating entirely in Greece 1
- ★ Council Regulation (EEC) No 2955/78 of 12 December 1978 maintaining in force the arrangements making the importation into the United Kingdom of trousers originating in India subject to authorization 5
- Commission Regulation (EEC) No 2956/78 of 15 December 1978 fixing the import levies on cereals and on wheat or rye flour, groats and meal 6
- Commission Regulation (EEC) No 2957/78 of 15 December 1978 fixing the premiums to be added to the import levies on cereals, flour and malt 8
- ★ Commission Regulation (EEC) No 2958/78 of 14 December 1978 on the sale at prices fixed at a standard rate in advance of certain boned beef held by the intervention agencies 10
- Commission Regulation (EEC) No 2959/78 of 15 December 1978 opening an invitation to tender for the mobilization of durum wheat as food aid for Somalia 14
- Commission Regulation (EEC) No 2960/78 of 15 December 1978 opening an invitation to tender for the mobilization of common wheat flour as food aid for Somalia 17

(Continued overleaf)

NOTICE TO READERS

The delivery of Official Journal of the European Communities No L 353 of 18 December 1978 will be delayed due to the exceptional size of this publication.

1

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)

Commission Regulation (EEC) No 2961/78 of 15 December 1978 opening a new invitation to tender for the mobilization of common wheat as food aid for Zambia	20
★ Commission Regulation (EEC) No 2962/78 of 15 December 1978 amending Regulation (EEC) No 1391/78 with regard to the identity card arrangements introduced in connection with the system of premiums for the non-marketing of milk	23
Commission Regulation (EEC) No 2963/78 of 15 December 1978 on an invitation to tender for the refund for the export of common wheat to Zones I, II, III, V and VI	24
Commission Regulation (EEC) No 2964/78 of 15 December 1978 on an invitation to tender for the refund for the export of barley to Zones I, II, III, IV, V and VI	26
Commission Regulation (EEC) No 2965/78 of 15 December 1978 introducing a countervailing charge on tomatoes originating in Romania	28
Commission Regulation (EEC) No 2966/78 of 15 December 1978 on an invitation to tender for the refund for the export of common wheat to Zone VII	30
Commission Regulation (EEC) No 2967/78 of 15 December 1978 re-establishing intervention buying in of beef in Belgium	32

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 2954/78
of 12 December 1978**

opening, allocating and providing for the administration of a Community tariff quota for wines from fresh grapes and grape must with fermentation arrested by the addition of alcohol, falling within heading No 22.05 of the Common Customs Tariff and originating entirely in Greece

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,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas, pending a Decision by the Association Council pursuant to Article 35 or 36 (1) of the EEC-Greece Association Agreement, a Community tariff quota of 430 000 hectolitres should be opened at a reduced duty in 1979 for wines from fresh grapes and grape must with fermentation arrested by the addition of alcohol, originating entirely in Greece, complying with Regulation (EEC) No 816/70 and in particular with Article 9 thereof; whereas it is necessary in these circumstances to open the Community tariff quota as from 1 January 1979;

Whereas it is in particular necessary to guarantee all importers of the Member States equal and uninterrupted access to the said quota and uninterrupted application of the rate laid down for that quota to all imports into such States of the products concerned 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, to reflect most accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference both to the statistics relating to imports from Greece over a representative period, and to the economic outlook for the quota period concerned;

Whereas, on the basis of the statistics at present available, imports from Greece into the Member States in 1975, 1976 and 1977 of the product concerned have developed as follows and represent the following percentages of total imports into the Community:

Member States	1975	1976	1977
Benelux	56.01	71.69	68.57
Denmark	0.06	0.17	0.01
Germany	40.38	19.90	25.23
France	2.42	4.06	5.23
Ireland	0.02	0	0.01
Italy	0.06	2.63	0.06
United Kingdom	1.05	1.55	0.89

Whereas, taking into account these figures and the foreseeable development of the market in the product concerned during 1979 the initial shares in the volume of the quota may be fixed approximately at the following percentages:

Benelux	62.91
Denmark	0.52
Germany	29.35
France	4.43
Ireland	0.35
Italy	0.35
United Kingdom	2.09

Whereas in order to take into account the import trends for the product concerned in the Member States, the quota volume should be divided into two instalments, the first instalment being allocated among the Member States and the second forming a

⁽¹⁾ OJ No C 296, 11. 12. 1978, p. 58.

reserve intended ultimately to cover the requirements of the Member States, should their initial share be used up; whereas, in order to ensure a certain degree of security to importers, the first instalment of the Community quota should be determined at a relatively high level, which under present circumstances could be 88 % of the quota volume;

Whereas the initial shares may be used up fairly quickly; whereas, therefore, to avoid disruption of supplies any Member State which has almost used up its initial share should draw a supplementary share from the Community reserve; whereas this must be done by each Member State as each one of its supplementary shares is almost used up, and as many times as the reserve allows; whereas the initial and supplementary shares must be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to follow the extent to which the tariff quota has been used up and to inform the Member States thereof;

Whereas if, at a specified date in the quota period, a considerable quantity of the initial quota share remains in any Member State, it is essential that that Member State should return a certain proportion

thereof to the reserve, in order to avoid part of the Community quota 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 measure concerning 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, a Community tariff quota of 430 000 hectolitres shall be opened in the Community for wine of fresh grapes and grape must with fermentation arrested by the addition of alcohol, falling within heading No 22.05 of the Common Customs Tariff and originating entirely in Greece.

2. Within this tariff quota, the Common Customs Tariff duty shall be reduced to the levels indicated in the table below:

CCT heading No	Description	Rate of duty
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:	
	A. Sparkling wine	6 EUA per hl
	B. Wine in bottles with 'mushroom' stoppers held in place by ties or fastenings, and wine otherwise put up with an excess pressure of not less than one bar but less than three bar, measured at a temperature of 20 °C	6 EUA per hl
	C. Other:	
	I. Of an actual alcoholic strength by volume not exceeding 13 % vol, in containers holding:	
	a) Two litres or less	1.8 u.a. per hl
	b) More than two litres	1.3 u.a. per hl
	II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol, in containers holding:	
	a) Two litres or less	2.1 u.a. per hl
	b) More than two litres	1.6 u.a. per hl

CCT heading No	Description	Rate of duty
22.05 (cont'd)	III. Of an actual alcoholic strength by volume exceeding 15 % vol but not exceeding 18 % vol, in containers holding : a) Two litres or less : 2. Other b) More than two litres : 3. Other IV. Of an actual alcoholic strength by volume exceeding 18 % vol but not exceeding 22 % vol, in containers holding : a) Two litres or less : 2. Other b) More than two litres : 3. Other V. Of an actual alcoholic strength by volume exceeding 22 % vol, in containers holding : a) Two litres or less b) More than two litres	2.5 u.a. per hl 2.1 u.a. per hl 2.8 u.a. per hl 2.8 u.a. per hl 0.2 u.a. per hl, and per % vol + 1.5 u.a. per hl 0.2 u.a. per hl and per % vol

Article 2

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

2. A first instalment, amounting to 387 000 hectolitres, shall be shared among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1979, shall be as follows :

	(hectolitres)
Benelux	243 450
Denmark	2 000
Germany	113 600
France	17 150
Ireland	1 350
Italy	1 350
United Kingdom	8 100

3. The second instalment of 43 000 hectolitres shall constitute the reserve.

Article 3

1. If 90 % or more of any Member State's initial share, as laid down in Article 2 (2), or 90 % or more of that share less the amount returned to the reserve where Article 5 has been applied, has been exhausted,

that Member State shall without delay, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

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

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

This process shall be applied until the reserve is exhausted.

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

Article 4

Each of 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 amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1979, notify the Commission of the total imports of the products concerned effected under and charged against the Community quota up to and including 15 September 1979 and, where appropriate, of the proportion of their initial shares that they are returning to the reserve.

Article 6

The Member States shall be authorized to divide the shares allocated to them or which they have drawn from the reserve into two parts, according to their foreseeable use, reserving one part for wine intended for direct consumption and the other for wines intended for processing.

However, during the marketing year and according to the actual needs which arise, they shall make the necessary adjustments to the original allocations.

Article 7

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notification.

The Commission shall, not later than 5 October 1979, notify the Member States of the state of the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 8

1. Member States shall take all measures necessary to ensure that supplementary shares drawn pursuant to Article 3 are opened in such a way that charges may be made without interruption against their combined shares of the Community quota.

2. Member States shall ensure that importers of the said products established in their territory have free access to the shares allocated to them or drawn from the reserve.

3. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the products in question submitted to the customs authorities under the cover of declarations that they have been made available for home use.

Article 9

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

Article 10

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

Article 11

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 Luxembourg, 12 December 1978.

For the Council

The President

M. LAHNSTEIN

COUNCIL REGULATION (EEC) No 2955/78**of 12 December 1978****maintaining in force the arrangements making the importation into the United Kingdom of trousers originating in India subject to authorization**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1439/74 of 4 June 1974 on common rules for imports⁽¹⁾, and in particular Article 13 thereof,

Having regard to the proposal from the Commission,

Whereas by Regulation (EEC) No 2686/78⁽²⁾ the Commission adopted measures concerning imports into the United Kingdom of trousers originating in India;

Whereas the factors which caused such measures to be introduced in respect of these imports originating in India still persist; whereas it is accordingly necessary

for the measures to remain in force until 31 December 1978,

HAS ADOPTED THIS REGULATION:

Article 1

The arrangements making the importation into the United Kingdom of trousers originating in India subject to authorization, as introduced by Regulation (EEC) No 2686/78, shall remain in force until 31 December 1978.

Article 2

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

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

Done at Luxembourg, 12 December 1978.

For the Council

The President

M. LAHNSTEIN

⁽¹⁾ OJ No L 159, 15. 6. 1974, p. 1.

⁽²⁾ OJ No L 323, 17. 11. 1978, p. 7.

COMMISSION REGULATION (EEC) No 2956/78**of 15 December 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 16
December 1978.

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

Done at Brussels, 15 December 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 15 December 1978 fixing the import levies on cereals
and on wheat or rye flour, groats and meal

(u.a./tonne)

CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	80.33
10.01 B	Durum wheat	118.07 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	83.83 ⁽⁶⁾
10.03	Barley	86.68
10.04	Oats	79.35
10.05 B	Maize, other than hybrid maize for sowing	78.26 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	63.62 ⁽⁴⁾
10.07 C	Grain sorghum	77.14 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	123.81
11.01 B	Rye flour	128.70
11.02 A I a)	Durum wheat groats and meal	193.95
11.02 A I b)	Common wheat groats and meal	132.99

⁽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 2957/78

of 15 December 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 16
December 1978.

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

Done at Brussels, 15 December 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 15 December 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 12	1st period 1	2nd period 2	3rd period 3
10.01 A	Common wheat, and meslin	0	1.40	1.40	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	4.53	4.53	0.50
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0.63
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	1.96	1.96	0

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	2.49	2.49	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	1.86	1.86	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 2958/78**of 14 December 1978****on the sale at prices fixed at a standard rate in advance of certain boned beef held by the intervention agencies**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas certain quantities of meat, boned in accordance with Commission Regulation (EEC) No 2630/75 ⁽³⁾, should be put up for sale;

Whereas Commission Regulation (EEC) No 79/75 ⁽⁴⁾, as last amended by Regulation (EEC) No 2746/78 ⁽⁵⁾, provides for the sale by monthly tender of boned beef held by the intervention agencies; whereas not all the meat offered for tender has been allocated;

Whereas further quantities of boned beef should be put up for sale at prices fixed in advance in accordance with Articles 2 to 5 of Commission Regulation (EEC) No 216/69 ⁽⁶⁾, and at the same time certain necessary derogations should be provided for, particularly as regards payment for the goods;

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

Whereas Council Regulation (EEC) No 1055/77 ⁽⁷⁾ provides that, in the case of products stored by an intervention agency outside the territory of the Member State within whose jurisdiction it falls, a different selling price from that for products stored on that territory may be fixed; whereas Commission Regulation (EEC) No 1805/77 ⁽⁸⁾ fixed the method for calculating the selling prices for such products; whereas to avoid all confusion it should be expressly stated that the prices fixed by this Regulation are subject to adjustment in the case of those products;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 18 December 1978 the German intervention agency shall, within the limit of the quantities available, offer for sale beef boned in accordance with Regulation (EEC) No 2630/75.

2. From 18 December 1978 to 5 January 1979 the Danish and Irish intervention agencies shall each offer for sale up to 3 000 tonnes and the United Kingdom intervention agency up to 500 tonnes of beef boned in accordance with Regulation (EEC) No 2630/75.

3. The intervention agencies referred to in paragraphs 1 and 2 shall sell first the meat which has been stored the longest.

They may in no case sell meat which they took over after 28 February 1978.

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

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

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

Article 2

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

Article 3

By way of derogation from Article 4 (5) of Regulation (EEC) No 216/69, if the quantities available from an

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 268, 17. 10. 1975, p. 16.

⁽⁴⁾ OJ No L 10, 15. 1. 1975, p. 9.

⁽⁵⁾ OJ No L 330, 25. 11. 1978, p. 23.

⁽⁶⁾ OJ No L 28, 5. 2. 1969, p. 10.

⁽⁷⁾ OJ No L 128, 24. 5. 1977, p. 1.

⁽⁸⁾ OJ No L 198, 5. 8. 1977, p. 19.

intervention agency are less than those for which offers are received on the first day of the period referred to in Article 1 (1) and (2), all such offers shall be considered to have been lodged at the same time.

Article 4

If by reason of *force majeure* the purchaser is unable to comply with the time limit set for delivery, the

intervention agency shall take such action as it considers necessary having regard to the circumstances invoked.

Article 5

This Regulation shall enter into force on 18 December 1978.

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

Done at Brussels, 14 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

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

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

1. BUNDESREPUBLIK

DEUTSCHLAND

Bullen A

Ochsen A

Filet	6 900	6 900
Roastbeef	4 062	3 925
Oberschalen	2 625	2 560
Unterschalen	2 630	2 505
Kugeln	2 510	2 500
Hüften	2 385	2 320
Kniekehlfleisch	1 860	1 805
Hessen	1 625	1 625
Dünnungen	1 350	1 200

2. DANMARK

Ungtyre
1. kvalitetTyre
primaStude
1. kvalitetKvier
1. kvalitet

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

3. IRELAND

Steers 1, 2 and Heifers 2

Fillets	6 785
Striploins	4 035
Insides	2 855
Outsides	2 780
Knuckles	2 700
Rumps	3 040
Cube rolls	3 620
Forequarters (excluding cube rolls)	1 760
Plates and flanks	1 250
Brisket	1 550
Shins and shanks	1 690

4. UNITED KINGDOM

Steers and Heifers

Fillets	7 250
Striploins	4 000
Topsides	2 890
Silversides	2 690
Thick flanks	2 541
Rumps	3 000
Clod and sticking	1 515
Forerib	2 195
Pony	1 760
Shins and shanks	1 595
Thin flanks	1 000
Flanks (plate)	1 000
Briskets	1 356

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

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

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

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

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

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

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

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

BUNDESREPUBLIK DEUTSCHLAND :	Bundesanstalt für landwirtschaftliche Marktordnung (BALM) Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse) Postfach 180 107 — Adickesallee 40 D 6000 Frankfurt am Main 18 (Tel. (0611) 55 04 61 / 55 05 41, Telex : 04 11 156
DANMARK :	Direktoratet for markedsordningerne EF-Direktoratet Frederiksborggade 18 1360 København K, tlf. (01) 15 41 30, Telex 15 137 DK.
IRELAND :	Department of Agriculture, Agriculture House, Kildare Street, Dublin 2, Tel. (01) 78 90 11, ext. 23 24, Telex 4280 and 5118
UNITED KINGDOM :	Intervention Board for Agricultural Produce, Fountain House, 2 West mall, Reading RG1 7QW, Berks. Telex : 848 302. Tel : 07 34 — 58 36 26.

COMMISSION REGULATION (EEC) No 2959/78

of 15 December 1978

opening an invitation to tender for the mobilization of durum wheat as food aid
for Somalia

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas on 30 January 1978 the Council of the Euro-
pean Communities declared that it proposed, by way
of Community action, to grant 2 000 tonnes of durum
wheat to Somalia under its 1977/78 food-aid
programme ;

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Tenders are hereby invited for the supply, by
way of Community food-aid action to Somalia, of
2 000 tonnes of durum wheat.

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

Minimum weight of the sacks shall be 600 grams.

4. The following shall be printed on the sacks :

'Wheat / Gift of the European Economic Community to Somalia / For free distribution'.

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

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 4 January 1979.

2. The closing date for submission of tenders shall be 4 January 1979 at 12 noon.

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

Article 3

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

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

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

Such correction shall be made by :

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

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

- in the case when the currencies concerned are kept at any given moment within a band of 2.25 %, a conversion rate resulting from their central rate,

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

Article 4

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

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

Article 5

If the tenderer is unable to deliver the goods in compliance with Article 1 (3) on the date given in the notice of invitation to tender as a result of the late availability of the vessels to be used for sea transportation, the resulting costs shall be borne by the intervention agency.

Article 6

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

It shall be released :

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

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

Article 7

The product referred to in Article 1 must be of fair and sound merchantable quality, be free from odour, and correspond at least to the standard quality for which the intervention price is fixed.

Article 8

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

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

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

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

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

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

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

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

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

Article 9

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

Article 10

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

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

Done at Brussels, 15 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2960/78

of 15 December 1978

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas on 30 January 1978 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 11 500 tonnes of common wheat (in other words 7 616 tonnes of common wheat flour) to Somalia under its 1977/78 food-aid programme;

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply, by way of Community food-aid action to Somalia, of 7 616 tonnes of common wheat flour.

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

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

Minimum weight of the sacks shall be 600 grams.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. The following shall be printed on the sacks :

'Wheat flour / Gift of the European Economic Community to Somalia / For free distribution'.

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

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 4 January 1979.

2. The closing date for submission of tenders shall be 4 January 1979 at noon.

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

Article 3

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

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

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

Such correction shall be made by :

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

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

- in the case when the currencies concerned are kept at any given moment within a band of 2.25 % a conversion rate resulting from their central rate,
- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued

during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

Article 4

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

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

Article 5

If the tenderer is unable to deliver the goods in compliance with Article 1 (3) on the date given in the notice of invitation to tender as a result of the late availability of the vessels to be used for sea transportation, the resulting costs shall be borne by the intervention agency.

Article 6

1. The tenderer shall give security of a value of 10 units of account per tonne of goods.

It shall be released :

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

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

Article 7

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

- moisture : 14 % maximum,
- protein content : 10.5 % minimum (N × 6.25 on dry matter),
- ash content : 0.52 % maximum referred to dry matter.

Flour not meeting these requirements shall be refused.

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

- moisture : 14 % maximum,
- protein content : 10.5 % minimum ($N \times 6.25$ on dry matter),
- ash content : 0.52 % maximum referred to dry matter.

Article 8

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

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

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

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

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

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

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

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

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

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

Article 9

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

Article 10

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

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

Done at Brussels, 15 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2961/78**of 15 December 1978****opening a new invitation to tender for the mobilization of common wheat as food aid for Zambia**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas on 25 March 1976 the Council of the European Communities declared that it proposed, by way of Community action, to grant 1 500 tonnes of common wheat to Zambia under its 1975/76 food-aid programme;

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

Whereas it has not been possible to deliver under the conditions laid down in Commission Regulation (EEC) No 2269/76 of 17 September 1976 opening an invitation to tender for the mobilization of common wheat as food aid for Zambia⁽⁴⁾ the 1 500 tonnes of common wheat referred to in the Regulation; whereas in order to meet the Community's commitments to Zambia a fresh invitation to tender for the delivery of the same amount of common wheat should be opened;

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

Whereas tenders may be submitted by tenderers established in any Member State of the Community and may relate to products mobilized anywhere within those Member States; whereas, in view of the currency situation in the Member States and in order to ensure

that the tenders are as comparable as possible, account should be taken of the effect on each tender of the currency situation in the Member State in which the customs export formalities will be completed;

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

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

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

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

Whereas the Monetary Committee will be consulted; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3 (2) of Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 255, 18. 9. 1976, p. 11.

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

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

3. The invitation to tender provided for in paragraph 1 is for supply of products to the dock, or in the lighter where applicable in the port of Dar es Salaam.

4. The product shall be delivered in bulk.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 4 January 1979.

2. The closing date for the submission of tenders shall be 4 January 1979 at 12 noon.

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

Article 3

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

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

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

Such correction shall be made by :

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

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

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

Article 4

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

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

Article 5

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

It shall be released :

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

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

Article 6

The product referred to in Article 1 must be of fair and sound merchantable quality and correspond at least to the standard quality for which the intervention price is fixed, except that the moisture content shall not exceed 14.5 % and that a maximum of 3 % of sprouted grains and 1.5 % of miscellaneous impurities shall be allowed.

Article 7

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

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

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

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

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

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

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

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

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

Article 8

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

Article 9

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

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

Done at Brussels, 15 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2962/78

of 15 December 1978

amending Regulation (EEC) No 1391/78 with regard to the identity card arrangements introduced in connection with the system of premiums for the non-marketing of milk

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds⁽¹⁾, as last amended by Regulation (EEC) No 1041/78⁽²⁾, and in particular Article 7 thereof,

Whereas under Article 8 (4) of Commission Regulation (EEC) No 1391/78 of 23 June 1978 laying down amended rules for the application of the system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds⁽³⁾, the only proof that a cow has been disposed of in the permitted fashion is presentation by the recipient of the original identity card duly completed; whereas in order to dissuade farmers from selling animals without being sure that the card will be returned to them it is clearly stated on the model identity card annexed to Regulation (EEC) No 1391/78 that it is they who are responsible for returning it;

Whereas nonetheless there have been certain cases under Regulation (EEC) No 1391/78 where the identity card has been lost; whereas it appears justified to relax the provisions in question by allowing duplicate

copies to be made out when exceptional circumstances apply;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph is added to Article 8 of Regulation (EEC) No 1391/78:

'5. However, if the original identity card has been lost the authority which issued it may exceptionally issue the interested party with a duplicate copy clearly marked "duplicate". This duplicate, when completed in accordance with Article 7 (5) identically with the original card, shall be accepted as the proof required under paragraph 4.'

Article 2

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

It shall apply to identity cards issued on or after 24 June 1978.

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

Done at Brussels, 15 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽²⁾ OJ No L 134, 22. 5. 1978, p. 9.

⁽³⁾ OJ No L 167, 24. 6. 1978, p. 45.

COMMISSION REGULATION (EEC) No 2963/78

of 15 December 1978

on an invitation to tender for the refund for the export of common wheat to
Zones I, II, III, V and VI

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Having regard to Council Regulation (EEC) No
2746/75 of 29 October 1975 laying down general
rules for granting export refunds on cereals and
criteria for fixing the amount of such refunds⁽³⁾, and
in particular Article 5 thereof,

Whereas there is an exportable surplus of common
wheat on the Community market; whereas, so that it
can be exported under the most favourable conditions,
an invitation to tender for the export refund should be
opened; whereas, for the sake of better control over
the refund amount to be granted and the quantities to
be exported, the invitation to tender should be
restricted to exports to Zones I, II, III, V and VI as
defined in Annex I to Commission Regulation (EEC)
No 1124/77⁽⁴⁾,

Whereas detailed rules for the application of the
system of tendering for fixing export refunds have
been adopted in Commission Regulation (EEC) No
279/75⁽⁵⁾, as amended by Regulation (EEC) No
2944/78⁽⁶⁾; whereas among the obligations of
tenderers is that of lodging an application for an
export licence; whereas compliance with this obliga-
tion may be ensured by requiring tenderers to lodge a
tendering security of 10 units of account per tonne
when they submit their tenders;

Whereas, in order to ensure equal treatment to all
concerned, it is necessary to specify that all licences
issued be valid for equal lengths of time;

Whereas for the proper running of an invitation to
tender for export refunds a minimum representative
quantity must be specified and the time limit and
form of communication of the tenders submitted to
the competent authorities;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders shall be invited for the export refund provided for in Article 5 of Regulation (EEC) No 2746/75.
2. The invitation to tender shall relate to common wheat for export to Zones I, II, III, V and VI as defined in Annex I to Regulation (EEC) No 1124/77.
3. The invitation shall remain open until 17 May 1979. During this period weekly awards shall be made, the time limits for the submission of tenders to be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

Article 3

The tendering security referred to in Article 3 of Regulation (EEC) No 279/75 shall be 10 units of account per tonne.

Article 4

1. By way of derogation from the provisions of Article 9 (1) of Regulation (EEC) No 193/75⁽⁷⁾, export licences issued under Article 8 (1) of Regulation (EEC) No 279/75 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.
2. Export licences issued in connection with this invitation to tender shall be valid from their date of issue, as defined in the previous paragraph, until the end of the fourth month following that of issue.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

⁽⁷⁾ OJ No L 25, 31. 1. 1975, p. 10.

Article 5

The tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex. If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 6

The time limits fixed for the submission of tenders shall be :

- brought forward by one hour in Ireland and the United Kingdom during the period in which summer time does not apply in those Member States,
- extended by one hour in the other Member States when the latter are applying summer time.

Article 7

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, 15 December 1978.

For the Commission
Finn GUNDELACH
Vice-President

ANNEX

Weekly tender for the refund for the export of common wheat to Zones I, II, III, V and VI

Time limit for the submission of tenders (date/time)

1	2	3
Number of tender	Quantity in tonnes	Amount of export refund in national currency per tonne
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EEC) No 2964/78

of 15 December 1978

on an invitation to tender for the refund for the export of barley to Zones I, II, III, IV, V and VI

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 thereof,

Whereas there is an exportable surplus of barley on the Community market; whereas, so that it can be exported under the most favourable conditions, an invitation to tender for the export refund should be opened; whereas, for the sake of better control over the refund amount to be granted and the quantities to be exported, the invitation to tender should be restricted to exports to Zones I, II, III, IV, V and VI as defined in Annex I to Commission Regulation (EEC) No 1124/77⁽⁴⁾;

Whereas detailed rules for the application of the system of tendering for fixing export refunds have been adopted in Commission Regulation (EEC) No 279/75⁽⁵⁾, as amended by Regulation (EEC) No 2944/78⁽⁶⁾; whereas among the obligations of tenderers is that of lodging an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of 10 units of account per tonne when they submit their tenders;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to specify that all licences issued be valid for equal lengths of time;

Whereas for the proper running of an invitation to tender for export refunds a minimum representative quantity must be specified and the time limit and form of communication of the tenders submitted to the competent authorities;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders shall be invited for the export refund provided for in Article 5 of Regulation (EEC) No 2746/75.
2. The invitation to tender shall relate to barley for export to Zones I, II, III, IV, V and VI as defined in Annex I to Regulation (EEC) No 1124/77.
3. The invitation shall remain open until 17 May 1979. During this period weekly awards shall be made, the time limits for the submission of tenders to be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

Article 3

The tendering security referred to in Article 3 of Regulation (EEC) No 279/75 shall be 10 units of account per tonne.

Article 4

1. By way of derogation from the provisions of Article 9 (1) of Regulation (EEC) No 193/75⁽⁷⁾, export licences issued under Article 8 (1) of Regulation (EEC) No 279/75 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.
2. Export licences issued in connection with this invitation to tender shall be valid from their date of issue, as defined in the previous paragraph, until the end of the fourth month following that of issue.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

⁽⁷⁾ OJ No L 25, 31. 1. 1975, p. 10.

Article 5

The tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 6

The time limits fixed for the submission of tenders shall be :

- brought forward by one hour in Ireland and the United Kingdom during the period in which summer time does not apply in those Member States,
- extended by one hour in the other Member States when the latter are applying summer time.

Article 7

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, 15 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Weekly tender for the refund for the export of barley to Zones I, II, III, IV, V and VI

Time limit for the submission of tenders (date/time)

1	2	3
Number of tender	Quantity in tonnes	Amount of export refund in national currency per tonne
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EEC) No 2965/78

of 15 December 1978

introducing a countervailing charge on tomatoes originating in Romania

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 Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0.50 unit of account below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 1180/78 of 31 May 1978 fixing until the end of the 1978 marketing year the reference price for tomatoes⁽³⁾ fixed the reference price for products of Class I for the period 1 October to 20 December 1978 at 24.54 units of account per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available, less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regula-

tion (EEC) No 668/78⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficients fixed in Article 1 (2) (b) of Regulation (EEC) No 1180/78;

Whereas, for Romanian tomatoes, the entry price calculated in this way has remained at least 0.50 unit of account below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these tomatoes;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 6.97 units of account per 100 kilograms net is applied to tomatoes (subheading 07.01 M of the Common Customs Tariff) originating in Romania.

Article 2

This Regulation shall enter into force on 19 December 1978.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.
⁽²⁾ OJ No L 204, 28. 7. 1978, p. 12.
⁽³⁾ OJ No L 145, 1. 6. 1978, p. 43.
⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 90, 5. 4. 1978, p. 5.

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

Done at Brussels, 15 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2966/78

of 15 December 1978

on an invitation to tender for the refund for the export of common wheat to
Zone VII

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Having regard to Council Regulation (EEC) No
2746/75 of 29 October 1975 laying down general
rules for granting export refunds on cereals and
criteria for fixing the amount of such refunds⁽³⁾, and
in particular Article 5 thereof,

Whereas there is an exportable surplus of common
wheat on the Community market; whereas, so that it
can be exported under the most favourable conditions,
an invitation to tender for the export refund should be
opened; whereas, for the sake of better control over
the refund amount to be granted and the quantities to
be exported, the invitation to tender should be
restricted to exports to Zone VII as defined in Annex
I to Commission Regulation (EEC) No 1124/77⁽⁴⁾;

Whereas detailed rules for the application of the
system of tendering for fixing export refunds have
been adopted in Commission Regulation (EEC) No
279/75⁽⁵⁾, as amended by Regulation (EEC) No
2944/78⁽⁶⁾; whereas among the obligations of
tenderers is that of lodging an application for an
export licence; whereas compliance with this obliga-
tion may be ensured by requiring tenderers to lodge a
tendering security of 10 units of account per tonne
when they submit their tenders;

Whereas, in order to ensure equal treatment to all
concerned, it is necessary to specify that all licences
issued be valid for equal lengths of time;

Whereas for the proper running of an invitation to
tender for export refunds a minimum representative
quantity must be specified and the time limit and
form of communication of the tenders submitted to
the competent authorities;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders shall be invited for the export refund
provided for in Article 5 of Regulation (EEC) No
2746/75.
2. The invitation to tender shall relate to common
wheat for export to Zone VII as defined in Annex I to
Regulation (EEC) No 1124/77.
3. The invitation shall remain open until 17 May
1979. During this period weekly awards shall be
made, the time limits for the submission of tenders to
be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount
of not less than 1 000 tonnes.

Article 3

The tendering security referred to in Article 3 of Regu-
lation (EEC) No 279/75 shall be 10 units of account
per tonne.

Article 4

1. By way of derogation from the provisions of
Article 9 (1) of Regulation (EEC) No 193/75⁽⁷⁾, export
licences issued under Article 8 (1) of Regulation (EEC)
No 279/75 shall, for the purpose of determining their
period of validity, be deemed to have been issued on
the day on which the tender was submitted.
2. Export licences issued in connection with this
invitation to tender shall be valid from their date of
issue, as defined in the previous paragraph, until the
end of the fourth month following that of issue.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁵⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 351, 15. 12. 1978, p. 16.

⁽⁷⁾ OJ No L 25, 31. 1. 1975, p. 10.

Article 5

The tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

- brought forward by one hour in Ireland and the United Kingdom during the period in which summer time does not apply in those Member States,
- extended by one hour in the other Member States when the latter are applying summer time.

Article 6

The time limits fixed for the submission of tenders shall be :

Article 7

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, 15 December 1978.

For the Commission
Finn GUNDELACH
Vice-President

ANNEX

Weekly tender for the refund for the export of common wheat to Zone VII

Time limit for the submission of tenders (date/time)

1	2	3
Number of tender	Quantity in tonnes	Amount of export refund in national currency per tonne
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EEC) No 2967/78
of 15 December 1978
re-establishing intervention buying in of beef in Belgium

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 425/77⁽²⁾, and in particular Article 6 (4) (b) thereof,

Whereas in application of Article 3 (1) of Council Regulation (EEC) No 995/78 of 12 May 1978 fixing the guide price and the intervention price for adult bovine animals for the 1978/79 marketing year⁽³⁾, intervention buying in was suspended by Commission Regulation (EEC) No 2223/78 of 22 September 1978 temporarily suspending intervention buying in of certain qualities of meat in certain Member States⁽⁴⁾;

Whereas the market prices for 'génisses 55 %' recorded in Belgium on 30 November and 7

December 1978 had returned to a level below the maximum buying in price fixed for this quality; whereas intervention buying in for this quality must recommence, in accordance with Article 3 (3) of Regulation (EEC) No 995/78,

HAS ADOPTED THIS REGULATION:

Article 1

Buying in by the Belgian intervention agency shall recommence on 18 December 1978 for the following quality:

'génisses 55 % / vaarzen 55 %.'

Article 2

This Regulation shall enter into force on 18 December 1978.

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

Done at Brussels, 15 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 130, 18. 5. 1978, p. 1.

⁽⁴⁾ OJ No L 260, 23. 9. 1978, p. 10.

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