

Official Journal

of the European Communities

ISSN 0378-6978

L 370

Volume 21

30 December 1978

English edition

Legislation

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Price : £ 1.65

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3104/78**of 29 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 30
December 1978.

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

Done at Brussels, 29 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 29 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	83.30
10.01 B	Durum wheat	121.38 ⁽¹⁾ ⁽²⁾
10.02	Rye	86.11 ⁽⁶⁾
10.03	Barley	89.15
10.04	Oats	83.80
10.05 B	Maize, other than hybrid maize for sowing	80.46 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	2.13
10.07 B	Millet	69.26 ⁽⁴⁾
10.07 C	Grain sorghum	78.40 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	127.96
11.01 B	Rye flour	131.89
11.02 A I a)	Durum wheat groats and meal	199.08
11.02 A I b)	Common wheat groats and meal	137.47

⁽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 3105/78

of 29 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 30
December 1978.

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

Done at Brussels, 29 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 29 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	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 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	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3106/78
of 29 December 1978
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2364/78 ⁽³⁾, as last
amended by Regulation (EEC) No 3092/78 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2364/78
to the offer prices and today's quotations known to

the Commission that the levies at present in force
should be altered as shown in the table annexed to
this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 January
1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽³⁾ OJ No L 286, 12. 10. 1978, p. 5.

⁽⁴⁾ OJ No L 369, 29. 12. 1978, p. 19.

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

CCT heading No	Description	Third countries ⁽²⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
10.06	Rice :		
	A. Paddy rice ; husked rice :		
	I. Paddy rice :		
	a) Round grain	103.58	48.79
	b) Long grain	123.38	58.69
	II. Husked rice :		
	a) Round grain	129.48	61.74
	b) Long grain	154.23	74.12
	B. Semi-milled or wholly milled rice :		
	I. Semi-milled rice :		
	a) Round grain	165.59	72.90
	b) Long grain	278.09	129.18
	II. Wholly milled rice :		
	a) Round grain	176.36	77.93
	b) Long grain	298.11	138.81
	C. Broken rice :	62.76	28.88

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

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

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

COMMISSION REGULATION (EEC) No 3107/78

of 29 December 1978

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the import levies fixed in advance for rice and broken rice must include a premium for the current month and a premium for each of the following months until the expiry of the period of validity of the import licence; whereas this period of validity was laid down in Article 8 of Commission Regulation (EEC) No 2042/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences for cereals and rice ⁽³⁾, as last amended by Regulation (EEC) No 3021/78 ⁽⁴⁾;

Whereas Council Regulation (EEC) No 1428/76 of 21 June 1976 ⁽⁵⁾ lays down rules for the advance fixing of levies on rice and broken rice;

Whereas under the terms of Regulation (EEC) No 1428/76, where the cif price for husked rice, for milled rice or for broken rice determined on the day on which the premiums are fixed is higher than the cif forward delivery price for the same product, the premium should as a general rule be equal to the difference between these two prices; whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 on the day on which the premiums are fixed; whereas the detailed rules for determining cif prices were laid down in Regulation (EEC) No 1613/71 ⁽⁶⁾, as last amended by Regulation (EEC) No 59/78 ⁽⁷⁾; whereas the cif forward delivery price must also be determined in accordance with

Article 16 of Regulation (EEC) No 1418/76 but on the basis of offers at North Sea ports; whereas this price must be the cif price for shipment during the month in which the import licence is issued in the case of imports to be effected during that month; whereas this price must be the cif price for shipment during the month in which importation is expected to take place in the case of imports to be effected during the month following the month in which the import licence is issued; whereas this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place in the case of imports to be effected during the remaining months for which the import licence is valid; whereas, if no offer for forward delivery is made for shipment during a given month, this price should be the price ruling for shipment during the last month in which an offer for forward delivery was made;

Whereas the premium shall be 0 unit of account if the cif forward delivery price is equal to the cif price or lower by an amount not exceeding 0.25 unit of account per tonne;

Whereas by virtue of Articles 6 and 7 of Regulation (EEC) No 1428/76 the premium may, however, be fixed at a higher level in exceptional circumstances and within certain specified limits;

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

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

Whereas it follows from applying all these provisions that the premiums should be fixed as shown in the table annexed to this Regulation; whereas the amount of the premiums should be altered only if application of the abovementioned provisions entails a change of more than 0.25 unit of account,

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽³⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 359, 22. 12. 1978, p. 23.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁷⁾ OJ No L 10, 13. 1. 1978, p. 11.

HAS ADOPTED THIS REGULATION :

hereby fixed as shown in the table annexed to this Regulation.

Article 1

The premiums to be added to the import levies fixed in advance in respect of rice and broken rice are

Article 2

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

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

(u.a./tonne)					
CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4
10.06	Rice :				
	A. Paddy rice ; husked rice :				
	I. Paddy rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Husked rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	B. Semi-milled or wholly milled rice :				
	I. Semi-milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Wholly milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	C. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 3108/78

of 29 December 1978

fixing the export refunds on products processed from cereals and rice

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 the
fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice⁽³⁾, as last amended by Regu-
lation (EEC) No 1260/78⁽⁴⁾, and in particular the
fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75
and Article 17 of Regulation (EEC) No 1418/76
provide that the difference between quotations or
prices on the world market for the products listed in
Article 1 of those Regulations and prices for those
products within the Community may be covered by
an export refund;

Whereas Article 2 of Council Regulation (EEC) No
2746/75 of 29 October 1975⁽⁵⁾, and Article 2 of
Council Regulation (EEC) No 1431/76 of 21 June
1976⁽⁶⁾ laying down general rules for granting export
refunds on cereals and rice respectively and criteria for
fixing the amount of such refunds, provide that when
refunds are being fixed account must be taken of the
existing situation and the future trend with regard to
prices and availabilities of cereals, rice and broken rice
on the Community market on the one hand and
prices for cereals, rice and broken rice on the world
market on the other; whereas the same Articles
provide that it is also important to ensure equilibrium
and the natural development of prices and trade on
the markets in cereals and rice and, furthermore, to
take into account the economic aspect of the
proposed exports, and the need to avoid disturbances
on the Community market;

Whereas Article 6 of Council Regulation (EEC) No
2744/75 of 29 October 1975 on the import and export
system for products processed from cereals and from

rice⁽⁷⁾, as last amended by Regulation (EEC) No
2245/78⁽⁸⁾, defines the specific criteria to be taken
into account when the refund on these products is
being calculated;

Whereas, on the basis of the criteria laid down in
Regulation (EEC) No 2744/75, particular account
should be taken of the prices and quantities of basic
products used to calculate the variable component of
the levy; whereas Article 8 of Regulation (EEC) No
2744/75 and Article 1 of Regulation (EEC) No
1077/68⁽⁹⁾, as amended by Regulation (EEC) No
2764/71⁽¹⁰⁾, provide that the amount of the export
refund should, for certain products, be reduced by an
amount equal to the production refund granted in
respect of the basic product;

Whereas it follows from applying these rules and
criteria to the present situation on the market in
products processed from cereals and rice that the
export refund should be fixed at an amount which
will cover the difference between Community prices
and world market prices;

Whereas when the refund is being calculated account
should be taken of the quantities of raw materials
used to determine the variable component of the
levy; whereas the quantities of raw materials used for
certain processed products may vary according to the
end use of the product; whereas, depending on the
manufacturing process used, products other than the
main product are obtained, the quantity and value of
which may vary with the nature and quality of the
main products being manufactured; whereas cumula-
tion of the refunds on the various products manufac-
tured by a single process from the same basic product
may make it possible, in certain cases, to export to
third countries at prices which are lower than world
market prices; whereas the refund on certain products
should therefore be limited to an amount which,
while allowing access to the world market, will ensure
that the aims of the common organization of the
markets are respected;

Whereas the refund to be granted in respect of certain
processed products should be graduated on the basis
of the ash, crude fibre, tegument, protein, fat and
starch content of the individual product concerned,
this content being a particularly good indicator of the

(1) OJ No L 281, 1. 11. 1975, p. 1.

(2) OJ No L 156, 14. 6. 1978, p. 1.

(3) OJ No L 166, 25. 6. 1976, p. 1.

(4) OJ No L 156, 14. 6. 1978, p. 11.

(5) OJ No L 281, 1. 11. 1975, p. 78.

(6) OJ No L 166, 25. 6. 1976, p. 36.

(7) OJ No L 281, 1. 11. 1975, p. 65.

(8) OJ No L 273, 29. 9. 1978, p. 1.

(9) OJ No L 181, 27. 7. 1968, p. 1.

(10) OJ No L 283, 24. 12. 1971, p. 30.

quantity of basic product actually incorporated in the processed product ;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products ; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time ;

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

Whereas Regulation (EEC) No 2806/71 ⁽¹⁾ lays down additional rules for granting export refunds for certain products processed from cereals and rice ;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity ;

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous subparagraph ;

Whereas the refund must be fixed once a month ; whereas it may be altered in the intervening period ;

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

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

ANNEX

to the Commission Regulation of 29 December 1978 fixing the export refunds on products processed from cereals and rice

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund (u.a./tonne)
11.01 C (I)	Barley flour, of an ash content, referred to dry matter, not exceeding 0.9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % weight	132.68
11.01 C (II)	Barley flour not included under No 11.01 C (I)	0
11.01 D (I)	Oat flour, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a crude fibre content, referred to dry matter, not exceeding 1.8 % by weight, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	144.03
11.01 D (II)	Oat flour not included under No 11.01 D (I)	0
11.01 E (I)	Maize flour, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight	111.30
11.01 E (II)	Maize flour, of a fat content, referred to dry matter, exceeding 1.3 % but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	95.40
11.01 E (III)	Maize flour not included under No 11.01 E (I) and (II)	69.17
11.01 F	Rice flour	57.98
11.02 A III (a)	Barley groats and meal, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight	137.10
11.02 A III (b)	Barley groats and meal not included under No 11.02 A III (a)	0
11.02 A IV (a)	Oat groats and meal, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	146.03
11.02 A IV (b)	Oat groats and meal not included under No 11.02 A IV (a)	0
11.02 A V (a)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 0.9 % by weight and a crude fibre content, referred to dry matter, not exceeding 0.6 % by weight ⁽¹⁾	143.10
11.02 A V (b)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight ⁽¹⁾	111.30
11.02 A V (c)	Maize groats and meal, of a fat content, referred to dry matter, exceeding 1.3 % by weight but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1.0 % weight ⁽¹⁾	95.40
11.02 A VI	Rice groats and meal	57.98
11.02 B I a) 1 (aa)	Hulled (shelled or husked) barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight ⁽²⁾	132.68
11.02 B I a) 1 (bb)	Hulled (shelled or husked) barley not included under No 11.02 B I a) 1 (aa) ⁽²⁾	0
11.02 B I a) 2 (aa)	Clipped oats	—
11.02 B I a) 2 bb) (11)	Hulled (shelled or husked) oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.5 % of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ⁽²⁾	129.81
11.02 B I a) 2 bb) (22)	Hulled (shelled or husked) oats, not included under No 11.02 B I a) 2 bb) (11) ⁽²⁾	0

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund (u.a./tonne)
11.02 B I b) 1 (aa)	Hulled and sliced or kibbled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight ('Grütze' or 'Grutten') ⁽²⁾	132.68
11.02 B I b) 1 (bb)	Hulled and sliced or kibbled barley, not included under No 11.02 B I b) 1 (aa) ('Grütze' or 'Grutten') ⁽²⁾	0
11.02 B I b) 2 (aa)	Hulled and sliced or kibbled oats, of an ash content, referred to dry matter, not exceeding 2.3 % weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ('Grütze' or 'Grutten') ⁽²⁾	137.92
11.02 B I b) 2 (bb)	Hulled and sliced or kibbled oats not included under No 11.02 B I b) 2 (aa) ('Grütze' or 'Grutten') ⁽²⁾	0
11.02 B II a) (1)	Hulled (shelled or husked) wheat, not sliced or kibbled ⁽²⁾	0
11.02 C III (a)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 1st category ⁽³⁾	176.90
11.02 C III (b)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 2nd category ⁽³⁾	141.52
11.02 C IV	Pearled oats ⁽³⁾	0
11.02 D II	Rye not otherwise worked than kibbled	—
11.02 E I b) 1 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight	132.68
11.02 E I b) 1 (bb)	Flaked barley not included under 11.02 E I b) 1 (aa)	—
11.02 E I b) 2 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	162.26
11.02 E I b) 2 (bb)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content exceeding 0.1 % but not exceeding 1.5 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	129.81
11.02 E I b) 2 (cc)	Flaked oats not included under Nos 11.02 E I b) 2 (aa) and 11.02 E I b) 2 (bb)	—
ex 11.02 E II c) (1)	Flaked maize, of a fat content, referred to dry matter, not exceeding 0.9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.7 % by weight	127.20
ex 11.02 E II c) (2)	Flaked maize, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight	103.35
ex 11.02 E II c) (3)	Flaked maize, of a fat content, referred to dry matter, exceeding 1.3 % but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % weight	—
11.02 E II d) 1	Flaked rice	57.98
11.02 F III	Barley pellets	—
11.02 F IV	Oat pellets	—
11.02 F V	Maize pellets	—
11.02 G I	Wheat germ, whole, rolled, flaked or ground	20.00
11.02 G II	Germ of cereals other than wheat, whole, rolled, flaked or ground	19.88

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund
		(u.a./tonne)
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	95.42
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	105.48
11.08 A I	Maize starch	100.63
11.08 A II	Rice starch	51.39
11.08 A III	Wheat starch	122.58
11.08 A IV	Potato starch	100.63
11.08 A V	Starches other than maize, rice, wheat, or potato starch	100.63
11.09 A	Dried wheat gluten, of a protein content, referred to dry matter, not exceeding 82 % by weight ($N \times 6.25$)	149.33
17.02 B II a)	Glucose other than glucose containing, in the dry state, 99 % or more by weight of the pure product, in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾	131.25
17.02 B II b)	Glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product, other than glucose in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾	100.63
21.07 F II	Flavoured or coloured glucose and glucose syrup, other than in the form of white crystalline powder, whether or not agglomerated	100.63
23.02 A I a)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice of a starch content not exceeding 35 % by weight	19.84
23.02 A I b) 2	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content exceeding 35 % by weight, and not having undergone a denaturing process, or of a starch content exceeding 45 % by weight and having undergone denaturing process	19.84
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content not exceeding 28 % by weight and of which the percentage which passes through a sieve with an aperture of 0.2 mm does not exceed 10 % by weight or of which the sifted product has an ash content, calculated on dry matter, not exceeding 1.5 % by weight	19.84
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not included under No 23.02 A II a)	19.84
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on dry matter, not exceeding 63 % by weight ($N \times 6.25$)	125.00

⁽¹⁾ The export refund is paid in respect of maize, groats and meal :

— of which a percentage not exceeding 30 % passes through a sieve with an aperture of 315 microns,
— of which a percentage not exceeding 5 % passes through a sieve with an aperture of 150 microns.

⁽²⁾ 'Hulled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).

⁽³⁾ 'Pearled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).

⁽⁴⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I enjoys the same export refund as the product falling within subheading 17.02 B II.

COMMISSION REGULATION (EEC) No 3109/78

of 29 December 1978

fixing the export refunds on cereal-based compound feedingstuffs

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 the
fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75
provides that the difference between quotations or
prices on the world market for the products listed in
Article 1 of that Regulation and prices for those
products within the Community may be covered by
an export refund;

Whereas Article 2 of 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⁾,
provides that when refunds are being fixed account
must be taken of the existing situation and the future
trend with regard to prices and availabilities of cereals
on the Community market on the one hand and
prices for cereals and cereal products on the other;
whereas the same Article provides that it is also impor-
tant to ensure equilibrium and the natural develop-
ment of prices and trade on the cereal markets;

Whereas it follows from applying rules and criteria to
the present situation on the market in cereal-based
compound feedingstuffs that the export refund should
be fixed at an amount which will cover the difference
between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No
2743/75 of 29 October 1975 on the system to be
applied to cereal-based compound feedingstuffs⁽⁴⁾, as
amended by Regulation (EEC) No 2560/77⁽⁵⁾,
provides that, when export refunds on cereal-based
compound feedingstuffs are being fixed, only the
products normally used in the manufacture of

compound feedingstuffs for which a refund may be
fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69
of 29 September 1969 on the granting and the
advance fixing of the export refund on cereal-based
compound feedingstuffs⁽⁶⁾, as amended by Regulation
(EEC) No 3116/75⁽⁷⁾, provides that calculation of the
export refund must be based on the levy applicable to
maize; whereas this calculation must also take
account of the cereal products content; whereas, there-
fore, in the interest of simplification, compound
feedingstuffs should be placed in categories and the
refund for each category should be fixed on the basis
of a quantity of maize which is representative of the
usual cereal products content for the category
concerned; whereas, furthermore, the amount of the
refund must also take into account the possibilities
and conditions for the sale of those products on the
world market, the need to avoid disturbances on the
Community market and the economic aspect of the
export;

Whereas the world market situation or the specific
requirements of certain markets may make it neces-
sary to vary the refund for compound feedingstuffs
according to destination;

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

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

Whereas the refund must be fixed once a month;
whereas it may be altered in the intervening period;

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

(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 281, 1. 11. 1975, p. 60.

(⁵) OJ No L 303, 28. 11. 1977, p. 1.

(⁶) OJ No L 246, 30. 9. 1969, p. 11.

(⁷) OJ No L 309, 29. 11. 1975, p. 64.

HAS ADOPTED THIS REGULATION :

to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject

Article 2

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 29 December 1978 fixing the export refunds on cereal-based compound feedingstuffs

CCT heading No	Special specification for refund	Nomenclature in simplified wording	Refund (u.a./tonne)
23.07 B I		Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 2743/75, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04 and subheadings 17.02 A and 21.07 F I): of a milk powder content of less than 50 % by weight and of cereal products ⁽¹⁾ content by weight : — Exceeding 5 % but not exceeding 15 % — Exceeding 15 % but not exceeding 30 % — Exceeding 30 % but not exceeding 50 % — Exceeding 50 % but not exceeding 65 % — Exceeding 65 %	7.95 19.88 35.78 47.70 59.63

⁽¹⁾ 'Cereal products' means the products falling within Chapter 10 and heading Nos 11.01 and 11.02 (excluding subheading 11.02 G) of the Common Customs Tariff.

COMMISSION REGULATION (EEC) No 3110/78

of 29 December 1978

fixing the basic amount of the import levy on syrups and certain other sugar products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 15 (1) of Regulation (EEC) No 3330/74 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least 0.60 unit of account from that average;

Whereas the basic amount must be fixed every month; whereas it must, however, be altered during the period between the day on which it is fixed and

the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least 0.60 unit of account from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

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

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

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74 is hereby fixed, per 100 kilograms of product, at 0.2807 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 1 January 1979.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 3111/78

of 29 December 1978

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with the provisions of Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1467/77⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in Annex I to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community area with the largest surplus for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74;

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

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

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

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

HAS ADOPTED THIS REGULATION:

Article 1

The refund to be granted on the products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74, exported in the natural state, is hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1979.

(¹) OJ No L 359, 31. 12. 1974, p. 1.

(²) OJ No L 170, 27. 6. 1978, p. 1.

(³) OJ No L 143, 25. 6. 1968, p. 6.

(⁴) OJ No L 167, 26. 6. 1976, p. 13.

(⁵) OJ No L 50, 4. 3. 1970, p. 1.

(⁶) OJ No L 162, 1. 7. 1977, p. 6.

(⁷) OJ No L 170, 27. 6. 1978, p. 9.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 29 December 1978 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(u.d./100 kg)

CCT heading No	Description	Basic amount per percentage point of sucrose content ⁽¹⁾
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel : D. Other sugars and syrups (other than lactose, glucose and maple) : ex II. Other, excluding sorbose E. Artificial honey, whether or not mixed with natural honey ex F. Caramel made from sugar falling within heading No 17.01	 0.2396 0.2396 0.2396
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : IV. Other (than lactose, glucose and isoglucose syrups)	 0.2396

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

COMMISSION REGULATION (EEC) No 3112/78
of 29 December 1978
fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1562/78⁽²⁾,

Having regard to Council Regulation (EEC) No 2749/78 of 23 November 1978 on trade in oils and fats between the Community and Greece⁽³⁾,

Having regard to Council Regulation No 171/67/EEC of 27 June 1967 on export refunds and levies on olive oil⁽⁴⁾, as last amended by Regulation (EEC) No 2429/72⁽⁵⁾, and in particular the first sentence of Article 7 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas Article 9 of Regulation (EEC) No 2749/78 provides that Article 20 of Regulation No 136/66/EEC and the measures taken in application thereof apply, subject to the provisions of the Agreement establishing an Association between the European Economic Community and Greece, to trade between the Community and Greece;

Whereas the rules and other provisions for fixing and granting export refunds on olive oil are contained in Regulations No 171/67/EEC and (EEC) No 616/72⁽⁶⁾, as last amended by Regulation (EEC) No 2962/77⁽⁷⁾;

Whereas Article 2 of Regulation No 171/67/EEC provides that the refund must be the same for the whole Community;

Whereas Article 3 of Regulation No 171/67/EEC provides that when the refund on olive oil is being fixed account must be taken of:

— the existing situation and the future trend with regard to prices and availabilities of olive oil on the Community market and prices for olive oil on the world market;

— the aims of the common organization of the market in olive oil which are to ensure equilibrium and the natural development of prices and trade on this market;

— the need to avoid disturbances on the Community market; and

— the economic aspect of the proposed exports;

Whereas, furthermore, Article 4 of Regulation No 171/67/EEC provides that the said refund must be fixed in accordance with the following criteria:

— olive oil prices in the main producing areas of the Community;

— the most favourable quotations recorded on the various markets of importing third countries and Greece; and

— marketing costs and the most favourable transport charges from Community markets in the main producing areas to ports or other points of export in the Community, as well as costs incurred in placing the goods on the world market;

Whereas Article 5 of Regulation No 171/67/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 7 of Regulation No 171/67/EEC provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these rules and other provisions to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries and Greece that the refund should be fixed at the amounts shown in the Annex to this Regulation;

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

(2) OJ No L 185, 7. 7. 1978, p. 1.

(3) OJ No L 331, 28. 11. 1978, p. 1.

(4) OJ No 130, 28. 6. 1967, p. 2600/67.

(5) OJ No L 264, 23. 11. 1972, p. 1.

(6) OJ No L 78, 31. 3. 1972, p. 1.

(7) OJ No L 348, 30. 12. 1977, p. 53.

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC, exported to third countries and Greece, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 29 December 1978 fixing the export refunds on olive oil from 1 January 1979

CCT heading No	Description	Refund (u.a./100 kg)
15.07 A I (a)	Fixed vegetable oils, fluid or solid, crude, refined or purified : Olive oil : Untreated : Virgin olive oil : In immediate packings of a net capacity of 5 kg or less, for destinations mentioned in Article 3 of Commission Regulation (EEC) No 192/75 ⁽¹⁾, as well as on export to third countries excluding Greece and third countries on the Mediterranean	24.00
II (a)	Other : Obtained by processing oils falling within subheading 15.07 A I a) or 15.07 A I b), whether or not blended with virgin olive oil : In immediate packings of a net capacity of 5 kg or less, for destinations mentioned in Article 3 of Commission Regulation (EEC) No 192/75 ⁽¹⁾, as well as on export to third countries excluding Greece and third countries on the Mediterranean	24.00

⁽¹⁾ OJ No L 25, 17. 1. 1975, p. 1.

COMMISSION REGULATION (EEC) No 3113/78**of 29 December 1978****fixing the export refund on oil seeds**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 136/66/EEC
of 22 September 1966 on the establishment of a
common organization of the market in oils and
fats⁽¹⁾, as last amended by Regulation (EEC) No
1562/78⁽²⁾,

Having regard to Council Regulation (EEC) No
2749/78 of 23 November 1978 on trade in oils and
fats between the Community and Greece⁽³⁾,

Having regard to Council Regulation No 142/67/EEC
of 21 June 1967 on export refunds on colza, rape and
sunflower seeds⁽⁴⁾, as last amended by Regulation
(EEC) No 2429/72⁽⁵⁾, and in particular the first
sentence of Article 2(3) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 28 of Regulation No 136/66/EEC
provides that a refund may be granted on exports to
third countries of oil seeds harvested within the
Community; whereas the amount of this refund may
not exceed the difference between prices within the
Community and prices on the world market where
the former are higher than the latter; whereas Article
21 of Regulation No 136/66/EEC provides that, at
present, Article 28 of that Regulation applies only to
colza, rape and sunflower seeds;

Whereas Article 9 of Regulation (EEC) No 2749/78
provides that Article 28 of Regulation No 136/
66/EEC and measures taken in application thereof
apply, subject to the provisions of the Agreement esta-
blishing an Association between the European
Economic Community and Greece, to trade between
the Community and Greece;

Whereas Article 3 of Regulation No 142/67/EEC
provides that when the refund is being calculated
account must be taken of prices ruling on the various
Community markets which are representative from
the point of view of processing and exportation; the
most favourable quotations recorded on the various
markets of importing third countries and Greece, and
costs incurred in placing the goods on the world
market; whereas, when the amount of the refund is
being fixed, account must also be taken of the level of
market prices within the Community for the oil seeds
referred to in Article 21 of Regulation No 136/
66/EEC and the future trend of these prices; whereas,
furthermore, account should be taken of the economic
aspect of the proposed exports and the situation in the
Community regarding the supply of and demand for
these seeds;

Whereas Article 1 of Commission Regulation (EEC)
No 651/71 of 29 March 1971 on certain detailed rules
for the application of export refunds on oil seeds⁽⁶⁾,
provides that the amount of the refund must be calcu-
lated on the basis of the weight of exported seeds;
whereas this weight must be adjusted to take account
of any differences between the percentages of mois-
ture and impurities found to exist and those used to
define the standard quality for which the target price
is fixed; whereas, when this adjustment is being
made, the weight of the exported seeds must be
increased by the amount of the difference between the
actual moisture and impurities content and that used
to define the standard quality if the former is lower
than the latter; whereas, if the opposite applies, the
weight of the exported seeds must be reduced by the
same amount;

Whereas the standard quality referred to above was
defined in Article 2 of Council Regulation (EEC) No
1291/78 of 6 June 1978 fixing the target prices and
basic intervention prices for oil seeds for the 1978/79
marketing year⁽⁷⁾;

Whereas Article 2 of Regulation No 142/67/EEC
provides that the refund may be varied according to
destination where the world market situation or the
specific requirements of certain markets make this
necessary;

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

⁽²⁾ OJ No L 185, 7. 7. 1978, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 1.

⁽⁴⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁵⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁶⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽⁷⁾ OJ No L 160, 17. 6. 1978, p. 1.

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

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

Whereas it follows from applying these rules and criteria to the present situation on the market in oil seeds, and in particular to quotations or prices for these products within the Community and on the markets of third countries and Greece, that the refund should be fixed at the amounts shown in the Annex to this Regulation for those products for which the marketing year has already begun;

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

HAS ADOPTED THIS REGULATION:

Article 1

The refund on the products referred to in Article 21 of Regulation No 136/66/EEC, exported to third countries and Greece, is hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Export refund applicable to oil seeds from 1 January 1979

(u.a./100 kg)		
CCT heading No	Description	Refund
ex 12.01	Colza and rape seed, other than for sowing	11.00
ex 12.01	Sunflower seed, other than for sowing	—

COMMISSION REGULATION (EEC) No 3114/78

of 29 December 1978

fixing the export refunds on isoglucose

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1111/77 of 17 May 1977 laying down common provisions for isoglucose⁽¹⁾, as last amended by Regulation (EEC) No 1298/78⁽²⁾, and in particular the first sentence of the third subparagraph of Article 4 (2) and paragraph 5 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 4 of Regulation (EEC) No 1111/77, provision may be made for an export refund for isoglucose;

Whereas the level of the refund must be determined, per 100 kilograms of dry matter, taking into account the following, in particular:

- the export refund applicable to products falling within subheading 17.02 B II a) of the Common Customs Tariff;
- any production refund granted for the basic product used in the manufacture of products falling within subheading 17.02 B II a),
- the production levy referred to in Article 9 of Regulation (EEC) No 1111/77 and the economic aspects of the proposed exports;

Whereas, following the Judgment rendered by the Court of Justice of the European Communities in Cases 103/77, 125/77 and 145/77, there is uncertainty as to whether the abovementioned production levy is to be taken into account in the calculation of the refund; whereas it is therefore appropriate not to take the said levy into account in the calculation at present but to provide for the refund to be increased by an amount equal to that of the production levy, should there be one, in force at the time of export of the quality of isoglucose in question;

Whereas the refund must be the same throughout the Community; whereas it may be varied according to destination;

Whereas the said refunds must be fixed every month; whereas they may be altered in the intervening period;

Whereas the refund is granted only in respect of isoglucose satisfying the conditions laid down in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽³⁾;

Whereas, in order that the system of refunds can function normally, these should be calculated by applying:

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

Whereas in view of the foregoing the refund for isoglucose should be fixed as shown in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refund on the products specified in Article 1 of Regulation (EEC) No 1111/77 shall be as indicated in the Annex hereto.

Article 2

The amounts indicated in the Annex shall, at the request of the interested party concerned, be increased by an amount equal to the production levy, should there be one, in force on the day of the completion of the customs export formalities in respect of the products shown in the Annex.

Article 3

This Regulation shall enter into force on 1 January 1979.

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 4.

⁽²⁾ OJ No L 160, 17. 6. 1978, p. 9.

⁽³⁾ OJ No L 162, 1. 7. 1977, p. 9.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 29 December 1978 fixing the export refunds on isoglucose

(in u.a.)

CCT heading No	Description	Refund per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel : D. Other sugars and syrups : I. Isoglucose	12·82 ⁽¹⁾
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : III. Isoglucose	12·82 ⁽¹⁾

⁽¹⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

COMMISSION REGULATION (EEC) No 3115/78

of 29 December 1978

fixing the rates of the refunds applicable from 1 January 1979 to sugar and molasses exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 19 (1) of Regulation (EEC) No 3330/74 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a), (c) and (d) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 2682/72 of 12 December 1972 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 707/78⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 3330/74;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 2682/72, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and

those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 2682/72 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas a production refund is granted in respect of white sugar or raw sugar under the conditions laid down in Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable from 1 January 1979 to the basic products appearing in Annex A to Regulation (EEC) No 2682/72 and listed in Article 1 (1) of Regulation (EEC) No 3330/74, exported in the form of goods listed in Annex I to Regulation (EEC) No 3330/74, are fixed as shown:

- (a) in Table I of the Annex hereto for those same goods, in so far as they are shown in the Annex to Regulation (EEC) No 1400/78;
- (b) in Table II of the Annex hereto for goods other than those mentioned under (a).

Article 2

This Regulation shall enter into force on 1 January 1979.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 289, 27. 12. 1972, p. 13.

⁽⁴⁾ OJ No L 94, 8. 4. 1978, p. 7.

⁽⁵⁾ OJ No L 170, 27. 6. 1978, p. 9.

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

Done at Brussels, 29 December 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

ANNEX

to the Commission Regulation of 29 December 1978 fixing the rates of the refunds applicable from 1 January 1979 to sugar and molasses exported in the form of goods not covered by Annex II to the Treaty

Table I

<i>Rate of refund in u.a./100 kg :</i>	White sugar :	20.56	
	Raw sugar :	14.41	
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	20.56	$\frac{S^{(1)}}{100}$
	Molasses :	—	

Table II

<i>Rate of refund in u.a./100 kg :</i>	White sugar :	23.96	
	Raw sugar :	17.54	
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	23.96	$\frac{S^{(1)}}{100}$
	Molasses :	—	

⁽¹⁾ 'S' represents the weight of sucrose (including invert sugar expressed as sucrose) in 100 kilograms of syrup

COMMISSION REGULATION (EEC) No 3116/78

of 29 December 1978

fixing the rates of the refunds applicable from 1 January 1979 to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1761/78⁽²⁾, and in particular Article 17 (5) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 2682/72 of 12 December 1972 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 707/78⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 2682/72, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the

Treaty which are manufactured under similar conditions;

- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 2682/72 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates⁽⁵⁾, as last amended by the Act of Accession⁽⁶⁾; whereas, pursuant to Article 1 (2) (b) of Regulation (EEC) No 2682/72, skimmed milk thus defined is assimilated to milk powder complying with the definition of the pilot products Group No 2 listed in Annex I to Council Regulation (EEC) No 823/68 of 28 June 1968 determining the groups of products and the special provisions for calculating levies on milk and milk products⁽⁷⁾, as last amended by Regulation (EEC) No 1000/78⁽⁸⁾; whereas a rate of refund should be fixed for this milk powder;

Whereas Article 2 of Commission Regulation (EEC) No 756/70 of 24 April 1970 on granting aid for skimmed milk processed into casein or caseinates⁽⁹⁾, as last amended by Regulation (EEC) No 984/77⁽¹⁰⁾; fixes the aid per 100 kilograms of skimmed milk processed into casein or caseinates according to type;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 289, 27. 12. 1972, p. 13.

⁽⁴⁾ OJ No L 94, 8. 4. 1978, p. 7.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁷⁾ OJ No L 151, 30. 6. 1968, p. 3.

⁽⁸⁾ OJ No L 130, 18. 5. 1978, p. 7.

⁽⁹⁾ OJ No L 91, 25. 4. 1970, p. 28.

⁽¹⁰⁾ OJ No L 118, 11. 5. 1977, p. 8.

Whereas Commission Regulation (EEC) No 232/75 of 30 January 1975 on the sale of butter at reduced prices for use in the manufacture of pastry products and ice cream ⁽¹⁾, as last amended by Regulation (EEC) No 1325/78 ⁽²⁾, authorizes the delivery to industries manufacturing the goods falling within heading No 19.08 or subheadings 18.06 B and 21.07 C, and 'ice mix' falling within subheading 18.06 D and heading No ex 21.07 of the Common Customs Tariff, of butter at a reduced price under a standing invitation to tender;

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

1. The rates of the refunds applicable from 1 January 1979 to the basic products appearing in

Annex A to Regulation (EEC) No 2682/72 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 24, 31. 1. 1975, p. 45.

⁽²⁾ OJ No L 159, 17. 6. 1978, p. 26.

ANNEX

to the Commission Regulation of 29 December 1978 fixing the rates of the refunds applicable from 1 January 1979 to certain milk products exported in the form of goods not covered by Annex II to the Treaty

(u.a./100 kg)

CCT heading No	Description	Rate of refund
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of less than 1.5 % by weight and with a water content of less than 5 % by weight (PG 2) :	
	a) On exportation of goods of CCT heading No 35.01	—
	b) On exportation of other goods	66.54
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	93.55
ex 04.02 A III	Concentrated milk, with a fat content by weight of 7.5 % and a content by weight in dry matter equal to 25 % (PG 4)	20.16
ex 04.03	Butter, with a fat content by weight of 82 % (PG 6) :	
	a) On exportation of goods of CCT heading No 19.08 or of subheadings 18.06 B and 21.07 C, and 'ice mix' of CCT subheadings ex 18.06 D and heading No ex 21.07 manufactured under the conditions laid down in Article 6 of Regulation (EEC) No 232/75	—
	b) On exportation of goods of CCT subheadings 21.07 G VII a) and 21.07 G VIII a) with a content of non-milk fats of more than 20 %	171.88
	c) On exportation of other goods	164.52

COMMISSION REGULATION (EEC) No 3117/78

of 29 December 1978

fixing the rate of the refund applicable from 1 January 1979 to isoglucose
exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1111/77 of 17 May 1977 laying down common provi-
sions for isoglucose ⁽¹⁾, as last amended by Regulation
(EEC) No 1298/78 ⁽²⁾, and in particular the first
sentence of the third subparagraph of Article 4 (2) and
paragraph 5 thereof,

Whereas, pursuant to Article 4 of Regulation (EEC)
No 1111/77, provision may be made for a refund on
the export of isoglucose in the form of the goods
shown in the Annex to that Regulation ;

Whereas Council Regulation (EEC) No 2682/72 of 12
December 1972 laying down general rules for
granting export refunds for certain agricultural
products exported in the form of goods not covered
by Annex II to the Treaty, and the criteria for fixing
the amount of such refunds ⁽³⁾, as last amended by
Regulation (EEC) No 707/78 ⁽⁴⁾, specifies that a rate of
refund should be fixed and apply when isoglucose
covered by Common Customs Tariff subheading
17.02 D I is exported in the form of goods listed in
the Annex to Regulation (EEC) No 1111/77 ;

Whereas, in accordance with the first subparagraph of
Article 4 (1) of Regulation (EEC) No 2682/72, the rate
of the refund must be fixed for each month ;

Whereas, in accordance with paragraph 2 of that
Article, that rate must be determined with particular
reference to :

- (a) the level of the refunds on exports of processed
agricultural products covered by Annex II to the
Treaty which are manufactured under similar
conditions ;
- (b) the need to ensure equality of competition for the
industries which use Community products and
those which use third-country products under
inward processing arrangements ;

Whereas, following the Judgment rendered by the
Court of Justice of the European Communities in
Cases 103/77, 125/77 and 145/77, there is uncertainty
as to whether the production levy mentioned in
Article 9 of Regulation (EEC) No 1111/77 is to be
taken into account in the calculation of the refund ;
whereas it is therefore appropriate not to take the said
levy into account in the calculation at present but to
provide for the refund to be increased by an amount
equal to that of the production levy, should there be
one, in force at the time of export of the quantity of
isoglucose in question ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The rate of the refund applicable from 1 January 1979
to isoglucose of Common Customs Tariff subheading
17.02 D I exported in the form of goods listed in the
Annex to Regulation (EEC) No 1111/77 is fixed as
shown in the Annex hereto.

Article 2

The amount indicated in the Annex shall, at the
request of the interested party, be increased by an
amount equal to the production levy, should there be
one, in force on the day of the completion of the
customs export formalities in respect of the products
shown in the Annex.

Article 3

This Regulation shall enter into force on 1 January
1979.

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 4.

⁽²⁾ OJ No L 160, 17. 6. 1978, p. 9.

⁽³⁾ OJ No L 289, 27. 12. 1972, p. 13.

⁽⁴⁾ OJ No L 94, 8. 4. 1978, p. 7.

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

Done at Brussels, 29 December 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

ANNEX

to the Commission Regulation of 29 December 1978 fixing the rate of the refund applicable from 1 January 1979 to isoglucose exported in the form of goods not covered by Annex II to the Treaty

(in u.a.)

CCT heading No	Description	Amount of refund for 100 kg of dry matter
17.02 D I	Isoglucose	12.82

COMMISSION REGULATION (EEC) No 3118/78

of 29 December 1978

fixing the rates of the refunds applicable from 1 January 1979 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

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⁾, and in particular the first sentence of the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1260/78⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75 and Article 17 (1) of Regulation (EEC) No 1418/76 provides that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 2682/72 of 12 December 1972 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EEC) No 707/78⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 2682/72, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 2682/72 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products; whereas a production refund is granted in respect of common wheat, maize and broken rice under the conditions laid down in Council Regulation (EEC) No 2742/75 of 29 October 1975 on production refunds in the cereals and rice sectors⁽⁷⁾, as last amended by Regulation (EEC) No 1127/78⁽⁸⁾; whereas, for the purposes of applying the provisions of Article 4 (3) of Regulation (EEC) No 2682/72, the amount of the production refund applicable during the month of exportation should be taken into account;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽⁵⁾ OJ No L 289, 27. 12. 1972, p. 13.

⁽⁶⁾ OJ No L 94, 8. 4. 1978, p. 7.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽⁸⁾ OJ No L 142, 30. 5. 1978, p. 24.

HAS ADOPTED THIS REGULATION :

Article 1

The rates of the refunds applicable from 1 January 1979 to the basic products appearing in Annex A to Regulation (EEC) No 2682/72 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76,

exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

ANNEX

to the Commission Regulation of 29 December 1978 fixing the rates of the refunds applicable from 1 January 1979 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

(u.a. / 100 kg)

CCT heading No	Description	Rate of refund
10.01 A	Common wheat, and meslin (mixed wheat and rye):	
	— For the manufacture of starch	5.572
	— Other than for the manufacture of starch	8.001
10.01 B	Durum wheat	11.900
10.02	Rye	8.499
10.03	Barley	8.845
10.04	Oats	8.113
10.05 B	Maize, other than hybrid maize for sowing:	
	— For the manufacture of starch	6.250
	— Other than for the manufacture of starch	7.950
10.06 A II	Round grain husked rice	12.036
	Long grain husked rice	14.222
10.06 B II	Round grain wholly milled rice	15.530
	Long grain wholly milled rice	20.612
10.06 C	Broken rice:	
	— For the manufacture of starch	3.381
	— Other than for the manufacture of starch	5.470
11.01 A	Wheat or meslin flour	9.986
11.01 B	Rye flour	13.047
11.02 A I a)	Durum wheat groats and meal	18.445
11.02 A I b)	Common wheat groats and meal	9.986

COMMISSION REGULATION (EEC) No 3119/78**of 29 December 1978****fixing the import levies on milk and milk products**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 1017/78⁽³⁾, as last
amended by Regulation (EEC) No 2941/78⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 January
1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 132, 20. 5. 1978, p. 13.

⁽⁴⁾ OJ No L 351, 15. 12. 1978, p. 9.

ANNEX

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

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

CCT heading No	Code	Import levy
04.01 A I a)	0110	21.98
04.01 A I b)	0120	19.98
04.01 A II a) 1	0130	19.98
04.01 A II a) 2	0140	24.64
04.01 A II b) 1	0150	18.98
04.01 A II b) 2	0160	23.64
04.01 B I	0200	50.86
04.01 B II	0300	107.59
04.01 B III	0400	166.28
04.02 A I	0500	8.27
04.02 A II a) 1	0620	94.96
04.02 A II a) 2	0720	129.84
04.02 A II a) 3	0820	131.84
04.02 A II a) 4	0920	141.41
04.02 A II b) 1	1020	88.96
04.02 A II b) 2	1120	123.84
04.02 A II b) 3	1220	125.84
04.02 A II b) 4	1320	135.41
04.02 A III a) 1	1420	19.35
04.02 A III a) 2	1520	26.12
04.02 A III b) 1	1620	107.59
04.02 A III b) 2	1720	166.28
04.02 B I a)	1820	30.00
04.02 B I b) 1 aa)	2220	per kg 0.8896 ⁽⁹⁾
04.02 B I b) 1 bb)	2320	per kg 1.2384 ⁽⁹⁾
04.02 B I b) 1 cc)	2420	per kg 1.3541 ⁽⁹⁾
04.02 B I b) 2 aa)	2520	per kg 0.8896 ⁽¹⁰⁾
04.02 B I b) 2 bb)	2620	per kg 1.2384 ⁽¹⁰⁾
04.02 B I b) 2 cc)	2720	per kg 1.3541 ⁽¹⁰⁾
04.02 B II a)	2820	31.87
04.02 B II b) 1	2910	per kg 1.0759 ⁽¹⁰⁾
04.02 B II b) 2	3010	per kg 1.6628 ⁽¹⁰⁾
04.03 A	3110	195.62
04.03 B	3210	238.66
04.04 A I a) 1	3321	15.00
04.04 A I a) 2	3420	118.01 ⁽¹¹⁾
04.04 A I b) 1 aa)	3521	15.00
04.04 A I b) 1 bb)	3619	118.01 ⁽¹¹⁾
04.04 A I b) 2	3719	118.01 ⁽¹¹⁾
04.04 A II	3800	118.01
04.04 B	3900	178.19 ⁽¹²⁾
04.04 C	4000	131.07
04.04 D I	4120	30.00
04.04 D II a) 1	4410	123.94
04.04 D II a) 2	4510	135.07
04.04 D II b)	4610	215.07
04.04 E I a)	4710	178.19
04.04 E I b) 1 aa)	4834	15.00
04.04 E I b) 1 bb)	4850	173.40

CCT heading No	Code	Import levy
04.04 E I b) 2 aa)	4922	130.20 ⁽¹³⁾
04.04 E I b) 2 bb)	5022	130.20 ⁽¹⁴⁾
04.04 E I b) 3	5030	130.20 ⁽¹⁵⁾
04.04 E I b) 4	5060	130.20 ⁽¹⁵⁾
04.04 E I b) 5	5120	130.20
04.04 E I c) 1	5210	97.65
04.04 E I c) 2	5250	210.20
04.04 E II a)	5310	178.19
04.04 E II b)	5410	210.20
17.02 A II ⁽¹⁶⁾	5500	15.14
21.07 F I	5600	15.14
23.07 B I a) 3	5700	68.72
23.07 B I a) 4	5800	89.18
23.07 B I b) 3	5900	83.33
23.07 B I c) 3	6000	68.25
23.07 B II	6100	89.18

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

⁽⁹⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
b) 6 u.a. ; and
c) 13.60 u.a.

⁽¹⁰⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
and
b) 13.60 u.a.

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

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

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

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

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

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

NB : For the purposes of heading No 04.04, the exchange rate to be applied in converting into national currencies the unit of account referred to in the subdivisions of this heading shall, notwithstanding general rule C 3 contained in Part I, Section I of the Common Customs Tariff be the representative rate, if such a rate is fixed pursuant to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy (OJ No 106, 30.10.1962, p. 2553/62).

COMMISSION REGULATION (EEC) No 3120/78
of 29 December 1978
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 136/66/EEC
of 22 September 1966 on the establishment of a
common organization of the market in oils and
fats⁽¹⁾, as last amended by Regulation (EEC) No
1562/78⁽²⁾, and in particular Article 27 (4) thereof,

Whereas the amount of the subsidy referred to in
Article 27 of Regulation No 136/66/EEC was fixed by
Regulation (EEC) No 3048/78⁽³⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 3048/78

to the information at present available to the Commis-
sion that the amount of the subsidy at present in force
should be altered as shown in the Annex to this Regu-
lation,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the subsidy referred to in Article 27 of
Regulation No 136/66/EEC is hereby fixed as shown
in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 1 January
1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 185, 7. 7. 1978, p. 1.

⁽³⁾ OJ No L 361, 23. 12. 1978, p. 18.

*ANNEX***to the Commission Regulation of 29 December 1978 fixing the amount of the subsidy
on oil seeds**

Subsidy applicable from 1 January 1979 to colza and rape seed (CCT heading No ex 12.01) and
sunflower seeds (CCT heading No ex 12.01) (u.a./100 kg)

	Colza and rape seed	Sunflower seed
Subsidy	13·367	12·505
Subsidy in the case of advance fixing :		
— for the month of January 1979	13·367	12·505
— for the month of February 1979	13·677	12·613
— for the month of March 1979	13·987	12·975
— for the month of April 1979	14·900	13·158
— for the month of May 1979	14·900	—
— for the month of June 1979	14·900	—

COMMISSION REGULATION (EEC) No 3121/78
of 29 December 1978
fixing the world market price for colza and rape seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the markets in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1562/78⁽²⁾,

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

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

Having regard to the opinion of the Monetary Committee,

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

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 3048/78 of 22 December 1978 fixing the amount of the

subsidy on oil seeds⁽⁷⁾, as amended by Regulation (EEC) No 3120/78⁽⁸⁾ ;

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 185, 7. 7. 1978, p. 1.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 143, 10. 6. 1977, p. 9.

⁽⁷⁾ OJ No L 361, 23. 12. 1978, p. 18.

⁽⁸⁾ See page 38 of this Official Journal.

ANNEX

World market price applicable from 1 January 1979 for colza and rape seed (CCT heading No ex 12.01)

	u.a./100 kg ⁽¹⁾
World market price	17·853
World market price where the subsidy is fixed in advance :	
— for the month of January 1979	17·853
— for the month of February 1979	17·853
— for the month of March 1979	17·853
— for the month of April 1979	16·940
— for the month of May 1979	16·940
— for the month of June 1979	16·940

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

1 u.a. = DM	3·03524
1 u.a. = Fl	3·28928
1 u.a. = Bfr/Lfr	47·7031
1 u.a. = FF	6·97496
1 u.a. = Dkr	8·56656
1 u.a. = £	0·814604
1 u.a. = I £	0·814604
1 u.a. = Lit	1 375·42

COMMISSION REGULATION (EEC) No 3122/78

of 29 December 1978

fixing the aid rate for peas and field beans used in the feeding of animals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1119/78 of 22 May 1978 laying down special measures for peas and field beans used in the feeding of animals⁽¹⁾, and in particular Article 2 (5) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 2 (1) of Regulation (EEC) No 1119/78 aid is granted for peas and field beans harvested in the Community and used in the manufacture of feedingstuffs when the average world market price for soya cake is lower than the activating price; whereas this aid is equal to 45 % of the difference between these two prices;

Whereas the activating price for aid for peas and field beans for the 1978/79 marketing year was fixed by Council Regulation (EEC) No 1120/78 of 22 May 1978⁽²⁾;

Whereas under Council Regulation (EEC) No 1418/78 of 19 June 1978 adopting general rules in connection with the special measures for peas and field beans used in the feeding of animals⁽³⁾, the average world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas only the most favourable offers and quotations for delivery within 30 days must be used;

Whereas under Article 2 of Commission Regulation (EEC) No 3075/78 of 20 December 1978 laying down detailed rules for the application of the special measures for peas and field beans used in the feeding

of animals⁽⁴⁾, the average price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Regulation (EEC) No 1120/78 delivered Rotterdam; whereas it must be equal to the arithmetical mean of the offers and quotations recorded during the five days preceding the day of determination;

Whereas the necessary adjustments, notably those referred to in Article 3 of Regulation (EEC) No 3075/78, must be made for offers and quotations not of the type referred to above;

Whereas under Article 4 of Regulation (EEC) No 3075/78, when no offer or quotation can be used for determining the world market price of soya cake, it is to be determined from offers of and quotations for soya cake obtained by the processing of soya seed in the Community; whereas in this case the most favourable offers and quotations are to be taken into account for:

- bulk soya cake obtained by the processing of soya seed in the Community delivered to Rotterdam, and
- other oil cakes offered on the world market, adjusted as necessary to take account of the difference between their value and that of soya cake;

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

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

Whereas the aid rate must be fixed as often as the market situation makes it necessary and not less frequently than once a month,

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 8.

⁽²⁾ OJ No L 142, 30. 5. 1978, p. 11.

⁽³⁾ OJ No L 171, 28. 6. 1978, p. 5.

⁽⁴⁾ OJ No L 367, 28. 12. 1978, p. 9.

HAS ADOPTED THIS REGULATION :

Article 2

Article 1

The aid referred to in Article 2 of Regulation (EEC) No 1119/78 is fixed at 6·018 units of account per 100 kilograms.

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 3123/78
of 29 December 1978
fixing the rate of the additional aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 5 (1) of Regulation (EEC) No 1117/78 when the guide price is higher than the average world market price a supplementary aid is given for dried fodder as described under Article 1 (a), (b) and (c) of that Regulation obtained from fodder plants harvested in the Community; whereas this aid is equal to a percentage of the difference between these two prices;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1118/78 of 22 May 1978 fixing the flat-rate production aid and the guide price for dried fodder for the 1978/79 marketing year⁽²⁾;

Whereas the average world market price is determined for a bulk pelleted product delivered Rotterdam of the standard quality for which the guide price has been fixed;

Whereas under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽³⁾, the average world market price for the products described in the first indent of Article 1 (b) Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the supplementary aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above;

Whereas when no offer of or quotation for the products described in the first indent of Article 1 (b) of Regulation (EEC) No 1117/78 can be used to determine the average world market price it is to be determined from offers on the world market of and quotations on the exchanges important for international trade for the products described in the second indent of Article 1 (b) of Regulation (EEC) No 1117/78;

Whereas under Article 3 of Regulation (EEC) No 1417/78 when no offer or quotation can be used to determine the average world market price it is determined from the last average world market price determined, this being adjusted on the basis of price developments for the same products of Community origin and world prices of competing products;

Whereas the adjustments referred to above were set out in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁴⁾, as last amended by Regulation (EEC) No 3074/78⁽⁵⁾;

Whereas under Article 11 of Regulation (EEC) No 1417/78 when forward prices differ from that applying in the month when the application is lodged the supplementary aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas the correcting amount is equal to the difference between the average world market price and the average forward world market price multiplied by the percentage fixed in Article 3 of Regulation (EEC) No 1118/78; whereas when for one of the months following that of the introduction of supplementary aid the average forward world market price cannot be determined by applying the criteria specified in Article 1 of Regulation (EEC) No 1417/78 the price determined for the previous month is used to calculate the difference; whereas when for two or more consecutive months following that of the introduction of supplementary aid the average forward world market prices cannot be determined by applying the criteria set out in Article 1 of Regulation (EEC) No 1417/78 the prices previously determined for these months, adjusted on the basis of the difference between the average world market price and the last forward price determined for the month, are used to calculate the differences for the months in question;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 142, 30. 5. 1978, p. 6.

⁽³⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁴⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁵⁾ OJ No L 367, 28. 12. 1978, p. 1.

Whereas when the average world market price is determined in accordance with Articles 2 and 3 of Regulation (EEC) No 1417/78 the correcting amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria specified in Articles 1 and 2 of the said Regulation and valid for delivery during a month other than that of the introduction of the supplementary aid, multiplied by the percentage fixed in Article 3 of Regulation (EEC) No 1118/78 for the product concerned; whereas when for one or more months the average forward world market price cannot be determined by applying the criteria specified in Articles 1 and 2 of Regulation (EEC) No 1417/78 the correcting amount is to be fixed for the month(s) in question to give a nil rate for the supplementary aid;

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

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

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, in the absence of the guide price for the 1979/80 marketing year for dried fodder, in the case of advance fixing for the months of April, May, June, July, August, September and October 1979, the amount of subsidy on these products has been obtainable only on the basis of the guide price; whereas, therefore this amount may be applied on a temporary basis and should be confirmed or replaced when the guide price for the 1979/80 marketing year is known;

Whereas as a result of the application of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

Article 2

2. The amount of the subsidy for the months of April, May, June, July, August, September and October 1979 will, however, as for dried fodder, be confirmed or replaced as from 1 January 1979 to take into account the guide price which is fixed for these products for the 1979/80 marketing year.

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 29 December 1978 fixing the rate of the additional aid for dried fodder

Additional aid applicable from 1 January 1979 to dried fodder

(u.a./tonne)

CCT heading No	Dehydrated fodder ex 12.10 B Protein concentrates ex 23.07 C	Fodder otherwise dried ex 12.10 B
Additional aid	18.775	10.729

Additional aid in case of advance fixing for the month of:

February 1979	18.709	10.691
March 1979	18.571	10.612
April 1979	18.503	10.573
May 1979	18.186	10.393
June 1979	17.358	9.919
July 1979	17.358	9.919
August 1979	17.358	9.919
September 1979	17.358	9.919
October 1979	17.358	9.919

COMMISSION REGULATION (EEC) No 3124/78**of 29 December 1978****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Regulation (EEC) No 3070/78⁽³⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in Regulation (EEC) No 3070/78 to the information at present available to

the Commission that the export refunds at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 3330/74, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 3070/78 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 366, 28. 12. 1978, p. 18.

ANNEX

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

(u.a./100 kg)

CCT heading No	Description	Refund
17.01	Beet sugar and cane sugar, solid :	
	A. White sugar ; flavoured or coloured sugar	21.00
	B. Raw sugar :	
	(a) Candy sugar	22.04 ⁽¹⁾
	(b) Other raw sugar	17.00 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 3125/78
of 29 December 1978
fixing the import levies on isoglucose

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1111/77 of 17 May 1977 laying down common provi-
sions for isoglucose ⁽¹⁾, as last amended by Regulation
(EEC) No 1298/78 ⁽²⁾, and in particular Article 3 (4)
thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas, pursuant to Article 3 of Regulation (EEC)
No 1111/77, a levy is to be charged on imports of the
products specified in Article 1 of that Regulation;
whereas this levy is to consist of a fixed component
and a variable component;

Whereas these components are defined in Article 3 (1)
of Regulation (EEC) No 1111/77; whereas, pursuant
to Commission Regulation (EEC) No 1469/77 of 30
June 1977 laying down rules for applying the levy
and the refund in respect of isoglucose and amending
Regulation (EEC) No 192/75 ⁽³⁾, the fixed component
referred to in Article 3 of Regulation (EEC) No
1111/77 must be equal to that used for fixing the
import levy on products falling within subheading
17.02 B II a) of the Common Customs Tariff;

Whereas the levy must be fixed each month;

Whereas, to enable the system of levies to function
normally, the levies should be calculated using:

- 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 of the Community currencies referred to
in the previous subparagraph;

Whereas in view of the foregoing the levies on isoglu-
cose shall be fixed as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 3 (4) of Regulation
(EEC) No 1111/77 shall be fixed as indicated in the
Annex hereto.

Article 2

This Regulation shall enter into force on 1 January
1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 4.

⁽²⁾ OJ No L 160, 17. 6. 1978, p. 9.

⁽³⁾ OJ No L 162, 1. 7. 1977, p. 9.

ANNEX

to the Commission Regulation of 29 December 1978 fixing the import levies on isoglucose

(in u.a.)		
CCT heading No	Description	Levies per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel : D. Other sugars and syrups : I. Isoglucose	36.07
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : III. Isoglucose	36.07

COMMISSION REGULATION (EEC) No 3126/78

of 29 December 1978

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1562/78⁽²⁾,

Having regard to Council Regulation (EEC) No 2749/78 of 23 November 1978 on trade in oils and fats between the Community and Greece⁽³⁾,

Having regard to Council Regulation (EEC) No 1794/76 of 20 July 1976 derogating from Regulation (EEC) No 155/71 on the production refund on olive oil used in the manufacture of certain preserved foods⁽⁴⁾, as amended by Regulation (EEC) No 269/77⁽⁵⁾, and in particular Article 1 (2) thereof,

Whereas Article 2 of Council Regulation (EEC) No 155/71 of 26 January 1971⁽⁶⁾ provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas, by way of derogation from Article 3 of Regulation (EEC) No 155/71, where the import levy is

determined by tender, the production refund is to be fixed by reference to the minimum levies so determined in respect of oil falling within subheading 15.07 A II a) of the Common Customs Tariff;

Whereas the production refund must be fixed every two months;

Whereas, for the period 1 November to 31 December 1978, the minimum levies have been fixed by Regulations (EEC) No 2583/78⁽⁷⁾, (EEC) No 2620/78⁽⁸⁾, (EEC) No 2685/78⁽⁹⁾, (EEC) No 2726/78⁽¹⁰⁾, (EEC) No 2796/78⁽¹¹⁾, (EEC) No 2885/78⁽¹²⁾, (EEC) No 2939/78⁽¹³⁾, (EEC) No 3014/78⁽¹⁴⁾ and (EEC) No 3094/78⁽¹⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of January and February 1979, the production refund referred to in Article 2 of Regulation (EEC) No 155/71 shall be 55 units of account per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

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

(2) OJ No L 185, 7. 7. 1978, p. 1.

(3) OJ No L 331, 28. 11. 1978, p. 1.

(4) OJ No L 201, 27. 7. 1976, p. 3.

(5) OJ No L 39, 10. 2. 1977, p. 1.

(6) OJ No L 22, 28. 1. 1971, p. 5.

(7) OJ No L 310, 4. 11. 1978, p. 5.

(8) OJ No L 316, 10. 11. 1978, p. 5.

(9) OJ No L 323, 17. 11. 1978, p. 5.

(10) OJ No L 329, 24. 11. 1978, p. 7.

(11) OJ No L 334, 1. 12. 1978, p. 9.

(12) OJ No L 344, 8. 12. 1978, p. 8.

(13) OJ No L 351, 15. 12. 1978, p. 5.

(14) OJ No L 359, 22. 12. 1978, p. 5.

(15) OJ No L 369, 29. 12. 1978, p. 23.

COMMISSION REGULATION (EEC) No 3127/78

of 29 December 1978

altering the corrective amount applicable to the refund on cereals

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 2560/77 ⁽²⁾, and in particular the
fourth sentence of the second subparagraph of Article
16 (4) thereof,

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⁾,

Whereas the corrective amount applicable to the
refund on cereals was fixed by Regulation (EEC) No
3028/78 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif
forward delivery prices, taking foreseeable develop-
ments on the market into account, the corrective
amount at present applicable to the refund on cereals
should be altered,

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 16 (4) of
Regulation (EEC) No 2727/75, fixed in the Annex to
Regulation (EEC) No 3028/78, which is applicable to
the export refunds fixed in advance in respect of
cereals, is hereby altered as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 1 January
1979.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 359, 22. 12. 1978, p. 34.

ANNEX

to the Commission Regulation of 29 December 1978 altering the corrective amount applicable to the refund on cereals

(u.a. / tonne)

CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6	6th period 7
10.01 A	Common wheat, and meslin	0	0	0	0	0	—	—
10.01 B	Durum wheat	0	0	0	—	—	—	—
10.02	Rye	0	0	0	0	0	—	—
10.03	Barley :							
	— for exports to :							
	— Zones II b), III a) and Poland	0	0	+ 1.50	+ 1.50	+ 1.50	—	—
	— other third countries	0	0	0	0	0	—	—
10.04	Oats	0	0	0	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	—	—	—	—	—	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	0	0	0	—	—
11.01 B	Rye flour	0	0	0	0	0	—	—
11.02 A I a)	Durum wheat groats and meal	0	0	0	0	0	—	—
11.02 A I b)	Common wheat groats and meal	0	0	0	0	0	—	—

N.B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977).

COMMISSION REGULATION (EEC) No 3128/78

of 29 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 1815/78⁽³⁾, and subsequent amending
Regulations ;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 1815/78 to the

offer prices and today's quotations known to the
Commission that the levies at present in force should
be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the 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 1 January
1979.

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

Done at Brussels, 29 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 210, 1. 8. 1978, p. 4.

ANNEX

to the Commission Regulation of 29 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	84.76
10.01 B	Durum wheat	122.71 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	87.57 ⁽⁶⁾
10.03	Barley	90.61
10.04	Oats	85.14
10.05 B	Maize, other than hybrid maize for sowing	81.92 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	3.59
10.07 B	Millet	70.72 ⁽⁴⁾
10.07 C	Grain sorghum	79.86 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	130.15
11.01 B	Rye flour	134.08
11.02 A I a)	Durum wheat groats and meal	201.19
11.02 A I b)	Common wheat groats and meal	139.66

⁽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 3129/78**of 29 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 organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78⁽²⁾ and in particular
Article 15 (6) thereof,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
1816/78⁽³⁾, and subsequent amending Regulations ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 January
1979.

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

Done at Brussels, 29 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 210, 1. 8. 1978, p. 6.

ANNEX

to the Commission Regulation of 29 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 of goods	Current 1	1st period 2	2nd period 3	3rd period 4
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	3.05
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(u.a. / tonne)

CCT heading No	Description of goods	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3130/78
of 28 December 1978
determining intervention centres for olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1562/78⁽²⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation (EEC) No 2754/78 of 23 November 1978 on intervention in the olive oil sector⁽³⁾,

Whereas rules for the determination of intervention centres for olive oil were laid down in Regulation (EEC) No 2754/78 ; whereas application of these rules

leads to the choice of the places listed in the Annex as intervention centres ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The intervention centres for olive oil shall be those places listed in the Annex to this Regulation.

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, 28 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 185, 7. 7. 1978, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 13.

ANNEX

ITALY :

Liguria :	Imperia, Savona, La Spezia
Toscana :	Firenze, Lucca, Pistoia, Pisa, Arezzo, Siena, Grosseto
Lazio :	Frosinone, Viterbo, Rieti, Roma, Latina
Campania :	Salerno, Caserta, Benevento, Napoli, Montecorvino Rovella, Avellino
Abruzzo :	Chieti, Mosciano Sant'Angelo, Pescara
Molise :	Campobasso
Puglia :	Foggia, Bari, Taranto, Brindisi, Lecce, Manduria
Calabria :	Cosenza, Catanzaro, Reggio Calabria, Rossano Calabro, Gioia Tauro
Sicilia :	Agrigento, Trapani, Messina, Palermo, Sant'Agata Militello, Catania, Caltanissetta, Ragusa, Siracusa
Sardegna :	Sassari, Cagliari, Nuoro
Veneto :	Rivoli Veronese
Emilia-Romagna :	Forlì
Lombardia :	Rodengo-Saiano
Marche :	Pesaro, Macerata, Ascoli Piceno
Basilicata :	Pisticci, Rionero
Umbria :	Spoletto, Terni.

FRANCE :

Aix-en-Provence
Clermont-l'Hérault.

COMMISSION REGULATION (EEC) No 3131/78
of 28 December 1978
on the use of tendering to fix levies in the olive oil sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1562/78⁽²⁾,

Having regard to Council Regulation (EEC) No 2749/78 of 23 November 1978 on trade in oils and fats between the Community and Greece⁽³⁾,

Having regard to Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽⁴⁾, and in particular Article 1 (1) thereof,

Whereas the present situation of the world and Greek markets in olive oil is characterized by a lack of clarity which is preventing the Commission from accurately discerning the real trend of these markets and consequently from correctly fixing the import levies ;

whereas, as the conditions specified in Article 6 (1) of Regulation No 136/66/EEC and in Article 5 (1) of Regulation (EEC) No 2749/78 are met, the procedure for fixing the levies in question by tender should immediately be used,

HAS ADOPTED THIS REGULATION :

Article 1

The levies on imports from third countries and from Greece of the products listed in the Annex shall be fixed by tender.

Article 2

The minimum levies shall be fixed for the first time so that they can enter into force on 1 January 1979.

Article 3

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 28 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 185, 7. 7. 1978, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 1.

⁽⁴⁾ OJ No L 331, 28. 11. 1978, p. 6.

*ANNEX***Products subject to import levies fixed as specified in Article 16 of Regulation No 136/66/EEC and Article 5 of Regulation (EEC) No 2749/78**

15.07 A I a)	Virgin olive oil
15.07 A I b)	Virgin olive oil, lampante
15.07 A I c)	Other untreated olive oil
15.07 A II a)	Treated olive oil obtained by processing oils falling within subheadings 15.07 A I a) or 15.07 A I b), whether or not blended with virgin olive oil
15.07 A II b)	Other treated olive oil

COMMISSION REGULATION (EEC) No 3132/78

of 28 December 1978

amending Annex VIII to Regulation (EEC) No 1058/77 on the characteristics of olive oil and of certain products containing olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1562/78⁽²⁾, and in particular Articles 14 (4) and 20 (3) thereof,

Having regard to Council Regulation (EEC) No 2749/78 of 23 November 1978 on trade in oils and fats between the Community and Greece⁽³⁾, and in particular the second subparagraph of Article 3 (4) and Article 10 thereof,

Whereas in Annex VIII to Regulation (EEC) No 1058/77⁽⁴⁾, dealing with testing for the presence of other oils in olive oil by analysis of the sterol fraction of the oil or fat, section D, under the 'Procedure' heading, 'Reporting of results', covers only determina-

tion of the β -sitosterol content of the sterol fraction analysed;

Whereas in the opinion of the expert chemists recently consulted determination of the β -sitosterol content is not enough to guarantee that an olive oil has not been mixed with other types of oil; whereas to guarantee this it is indispensable also to set maximum contents for other sterols in the sterol fraction analysed; whereas Annex VIII to Regulation (EEC) No 1058/77 should consequently be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Section D under the heading 'Procedure' in Annex VIII to Regulation (EEC) No 1058/77 shall read as follows:

'D. Reporting of results:

1. In interpreting the composition of the sterol fraction analysed, ignore any peaks having different retention times from those determined experimentally for the six sterols mentioned above.

The percentage β -sitosterol content is given by the formula:

$$\frac{\text{Area of the } \beta\text{-sitosterol peak}}{\text{Sum of the areas of the six sterol peaks}} \times 100$$

2. The analysis of the sterol fraction must yield the following results:

- (a) the β -sitosterol content is not less than 93 %;
- (b) neither the cholesterol nor Δ 7-stigmasterol contents are more than 0.5 %;
- (c) the campesterol content is not more than 4 %;
- (d) the stigmasterol content is lower than the campesterol content.'

Article 2

This Regulation shall enter into force on 1 January 1979.

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

⁽²⁾ OJ No L 185, 7. 7. 1978, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 1.

⁽⁴⁾ OJ No L 128, 24. 5. 1977, p. 6.

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

Done at Brussels, 28 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 3133/78

of 28 December 1978

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1562/78⁽²⁾, and in particular Article 11 (5) thereof,

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

— the unsold quantities of olive oil put up for sale under Regulation (EEC) No 2696/78, being approximately:

- 1 235 tonnes fine virgin olive oil,
- 1 440 tonnes lampante virgin olive oil,
- 2 100 tonnes olive-residue oil,

out of intervention purchases made during the 1975/76 marketing year;

- the remaining stock of extra virgin olive oil out of intervention purchases during the 1975/76 marketing year, being approximately 900 tonnes;
- approximately 1 000 tonnes of extra virgin olive oil out of intervention purchases made during the 1976/77 marketing year.

Article 2

The invitation to tender shall be published on 4 January 1979.

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

Article 3

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

Article 4

Tenders shall reach AIMA, Via Palestro 81, Rome, Italy, not later than 2 p.m. (local time) on 16 January 1979.

Article 5

The oil shall be sold by AIMA on 18 January 1979.

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

Article 6

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

Article 7

The storage charge shall be Lit 1 300 per 100 kilograms.

Article 8

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

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

⁽²⁾ OJ No L 185, 7. 7. 1978, p. 1.

⁽³⁾ OJ No L 348, 30. 12. 1977, p. 46.

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

Done at Brussels, 28 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

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

1. Extra virgin olive oil, 1° : Lit 185 000 per 100 kilograms.
2. Fine virgin olive oil, 1.5° : Lit 177 000 per 100 kilograms.
3. Lampante virgin olive oil, 3° : Lit 158 000 per 100 kilograms.
4. Olive-residue oil, 15° : Lit 72 000 per 100 kilograms.

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

COMMISSION REGULATION (EEC) No 3134/78
of 28 December 1978

**laying down detailed rules for the application of the system of production aid
for olive oil for the 1978/79 marketing year**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 136/66/EEC
of 22 September 1966 on the establishment of a
common organization of the market in oils and
fats⁽¹⁾, as last amended by Regulation (EEC) No
1562/78⁽²⁾, and in particular Article 5 (5) thereof,

Whereas under Article 6 of Council Regulation (EEC)
No 2753/78 of 23 November 1978 laying down
general rules in respect of production aid for olive oil
for the 1978/79 marketing year⁽³⁾ each producer
Member State shall set up a system of administrative
checks designed to guarantee that the product for
which an aid application is submitted is eligible for
aid; whereas consequently the crop declarations and
aid application to be presented by applicants must
include a minimum amount of information necessary
for the carrying out of these checks;

Whereas the aid to be granted to growers who are not
members of a producer organization must be calcu-
lated from the standard olive and oil yields of olive
trees; whereas the use of standard yields is also neces-
sary for determination of the aid to be given to
growers who are members of an organization in cases
where they sell their olives;

Whereas by Article 5 (2) of Regulation (EEC) No
2753/78 if pressing of the olives is done in a mill not
belonging to a producer organization the organization
must check the actual production of a certain percent-
age of its members; whereas it is necessary to lay
down that the checks should cover a sufficiently repre-
sentative number of growers; whereas in order for the
checks to be properly carried out it should be laid
down that the organizations will have access to the
stock records of these mills;

Whereas to ensure that the aid system functions prop-
erly the minimum information to be given in the

stock record of each mill and the checks to be made
with regard to these records by the Member State
concerned should be specified;

Whereas rules for determining the amount of aid to
be granted to members of producer organizations who
have had their olives pressed in a mill which has not
complied with the obligations on stock records should
be determined;

Whereas it is specified in Articles 8 and 10 of Regula-
tion (EEC) No 2753/78 that the producer Member
States shall carry out for each producer organization
random on-the-spot checks on the accuracy of the
crop declarations and applications for aid of a deter-
mined percentage of their members; whereas these
checks must cover a sufficiently representative
number of growers, due account being taken of the
control guarantees given by the organization;

Whereas doubts may arise on the quantity of oil eli-
gible for aid because of a discordance between the
quantity for which aid is demanded and that recorded
in the stock records of the mill; whereas principles of
good management dictate that it should be paid for
the smallest quantity;

Whereas the checks specified in Article 6 (3) of the
abovementioned Regulation must cover a sufficiently
representative number of growers who are not
members of organizations, due account being taken of
control possibilities in the Member State concerned;

Whereas in order to ensure that the aid system is
correctly applied for growers who are not members of
an organization it is necessary that the yields to be
used be determined for production zones having deter-
mined characteristics;

Whereas to facilitate the fixing of yields it is advisable
that Commission officials take part in the preparatory
work;

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

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

⁽²⁾ OJ No L 185, 7. 7. 1978, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 8.

HAS ADOPTED THIS REGULATION :

Article 1

1. The crop declaration referred to in Article 3 of Regulation (EEC) No 2753/78 shall be submitted by 30 June 1979 at the latest.

Producer organizations may however submit the crop declaration at the latest when they present the aid application.

2. Each crop declaration shall include :

- (a) if it is submitted by the olive grower, his name, forenames and address ;
- (b) if it is submitted by a producer organization, the name and address of the organization and the names, forenames and addresses of each of its members ;
- (c) the location of the holding or holdings ;
- (d) the cadastral reference of the holding or holdings ;
- (e) for each holding :
 - the number of plots and if possible the area under olives,
 - the total number of trees,
 - the total number of bearing trees whose olives are used for oil production.

Declarations submitted by growers who are not members of an organization must also include :

- where the olives are pressed on behalf of the declarant, the address of the mills and the date of pressing,
- where the olives are sold, the name and address of the purchaser ; a copy of the invoice for the sale or of any equivalent document must be attached.

3. Producer Member States may decide that crop declarations submitted during the previous marketing year are valid for the 1978/79 marketing year provided that :

- the holdings concerned have not undergone changes such as to affect their olive and olive oil production potential,
- the declarations include all the information specified in paragraph 2.

Article 2

1. The application for aid to be submitted by each producer organization shall contain at least the following information :

- (a) the name and address of the organization ;
- (b) the names, forenames and addresses of each of the members who completed their production of oil during the month preceding submission of the application ;

- (c) the quantity of oil produced by each member, with an explicit statement that the product is virgin olive oil ;
- (d) the location of the holdings where the olives were harvested, with reference to the crop declaration ;
- (e) the mill or mills in which the oil was produced, indicating in each case the quantity of olives used and the quantity of oil produced.

2. Where the growers have sold their olives, the application for aid shall contain the following information in addition to the particulars specified in 1 (a), (b) and (d) :

- (a) in the case of sale of olives before harvesting, the number of olive trees concerned ;
- (b) in the case of sale of a specified quantity of olives, the weight of the olives sold ;
- (c) the names, forenames and address of the purchaser ;
- (d) a copy of the invoice for the sale of the olives or of any equivalent document.

Article 3

1. Where olive growers who are members of a producer organization have sold their olives before harvesting, the quantity of virgin olive oil eligible for aid shall be determined by calculating for the number of olive trees referred to in Article 2 (2) (a) the yields of olives and oil as fixed for the production area concerned pursuant to Article 11.

2. Where olive growers who are members of an organization have sold a specified quantity of olives, and where the quantity of oil produced from these olives cannot be determined, the quantity of virgin olive oil eligible for aid shall be determined by calculating for the quantity of olives sold the oil yield as fixed for the production area concerned pursuant to Article 11.

3. In the case of olive growers who are not members of an organization, the quantity of virgin olive oil eligible for aid shall be determined by calculating for the number of olive trees referred to in Article 1 (2) (g) the yields of olives and oil as fixed for the production area concerned pursuant to Article 11.

4. The quantity of olive-residue oil eligible for aid shall be equal to 9 % of the quantity of virgin olive oil produced from the olives from which the residue is obtained and in respect of which entitlement to the aid has been established in accordance with the preceding paragraphs.

Article 4

The control referred to in Article 5 (2), second indent, of Regulation (EEC) No 2753/78 concerns at least 10 % of the members of producer organizations.

Article 5

For the purposes of the check referred to in Article 4 the producer organizations shall have access to the stock records of the mills which pressed the olives referred to in that paragraph.

Article 6

The mills shall keep daily stock records which show the following at least :

- (a) the quantities of olives received, consignment by consignment, giving the producer and owner of each consignment ;
- (b) the quantities of olives pressed ;
- (c) the quantities of oil obtained ;
- (d) the quantities of oil leaving the mill, consignment by consignment, indicating the consignee.

If the oil obtained is sold, the invoice for the sale of each consignment must be submitted by the miller at the request of the authorities who control the stock records.

Article 7

1. The producer Member States shall check :

- that the stock records of the mills are being kept as required by Article 6,
- that the quantities of oil obtained shown in the stock records for a specified period correspond to the quantities that could have been produced by the mill as a result of the actual use made of its pressing capacity.

2. The checks referred to in paragraph 1, second indent, shall be random and shall concern in particular mills not belonging to producer organizations or mills not subject to control by a trade association.

3. Should it emerge from the checks specified in paragraph 1 :

- that the stock records do not contain the information required under Article 6, or
- that the quantities referred to in the second indent do not correspond,

the Member State concerned shall determine the quantity for which aid may be granted to the members of any producer organization who have had their olives pressed by the mill in question. The Member State shall work out this quantity from the information

given in the growers' crop declarations and from the data used to determine the olive and olive oil yields for the production zone concerned.

Article 8

The producer Member States shall verify the checking procedures followed by the producer organizations in order to comply with the obligations arising from Articles 4 and 5. The producer Member States shall take all the necessary measures to ensure that the oil produced in any one undertaking has been the subject of one aid application only.

Article 9

The Member State shall check by random sampling that the quantities of olives and of oil shown in the application for aid submitted by a producer organization and the quantities shown in the stock records of the mill which pressed the olives agree. If they do not agree the Member State concerned shall determine the quantity of oil eligible for aid on the basis of the smallest possible quantities indicated by the check.

Article 10

The yields of olives and of oil shall be fixed in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

To this end, the producer Member States shall supply the Commission with data established by production area taking into account in particular :

- the geography and the geology of the region concerned,
- the main varieties of olive tree, their age, and the most frequent type of shape pruning.

Commission officials shall participate in the establishment of these data.

Article 11

The advance payment referred to in Article 12 of Regulation (EEC) No 2753/78 is only granted for quantities of oil obtained from olives pressed by producers who belong to a producer organization or who press the olives for their own account.

Article 12

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, 28 December 1978.

For the Commission

Franz GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 3135/78

of 28 December 1978

on the fixing of the levy on olives and olive oil production residues

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1562/78⁽²⁾, and in particular Article 17 (5) thereof,

Having regard to Council Regulation (EEC) No 2749/78 of 23 November 1978 on trade in oil and fats between the Community and Greece⁽³⁾, and in particular Article 6 (5) thereof,

Whereas it is specified in Article 17 of Regulation No 136/66/EEC that the import levy on olives to be used for the production of oil is to be calculated from the levy on olive oil; whereas the levy to be charged may not be less than an amount equal to 8 % of the value of the imported product; whereas this value must be fixed at a standard rate based on the world market price of olives for the production of oil;

Whereas the levies applicable on oilcakes and other residues containing olive oil must be determined on the basis of their normal oil content, which should be fixed at a flat-rate amount, and the necessity to take precautions against practices which could disturb the olive oil market;

Whereas, as regards importations of products wholly obtained in Greece and directly transported from Greece to the Community, Article 6 of Regulation (EEC) No 2749/78 provides for the adoption of the necessary provisions for the application of levies on olives to be used for the production of oil and on oilcakes and other residues; whereas a levy system on such imports analogous to the general system referred to above should be established;

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

HAS ADOPTED THIS REGULATION:

Article 1

Import levies on:

— olives falling within subheading 07.01 N II and 07.03 A II of the Common Customs Tariff, and

— products falling within subheadings 23.04 A II and 15.17 B I of the Common Customs Tariff

shall be fixed by the Commission on the same dates and shall be applicable during the same period as those laid down for the levy applicable on untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff.

Article 2

1. The levy applicable on olives as referred to in Article 1, on importation from third countries, or on importation of olives not entirely produced in Greece or not directly transported from Greece to the Community, shall on 100 kilograms be equal as appropriate to the levy specified in Article 14 of Regulation No 136/66/EEC or to the minimum levy specified in Article 16 of that Regulation applicable on 22 kilograms of untreated olive oil falling within subheading 15.07 A I b) of the Common Customs Tariff.

However, the levy may not be less than 1.70 u.a./100 kilograms.

2. On importation of olives as referred to in Article 1 harvested in Greece and directly transported from Greece to the Community the levy applicable on 100 kilograms shall be equal as appropriate to the levy specified in Article 3 of Regulation (EEC) No 2749/78 or the minimum levy specified in Article 5 of that Regulation applicable on 22 kilograms of untreated olive oil falling within subheading 15.07 A b) of the Common Customs Tariff.

Article 3

1. The levy applicable on 100 kilograms of product shall be equal:

— for products falling within subheading 15.17 B I a) of the Common Customs Tariff, to the levy specified in Article 14 of Regulation No 136/66/EEC or to the minimum levy specified in Article 16 of that Regulation applicable on 50 kilograms of untreated olive oil falling within subheading 15.07 A I b) of the Common Customs Tariff,

— for products falling within subheading 15.17 B I b) of the Common Customs Tariff, to the levy specified in Article 14 of Regulation No 136/66/EEC or to the minimum levy specified in Article 16 of that Regulation applicable on 80 kilograms of

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

⁽²⁾ OJ No L 185, 7. 7. 1978, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 1.

untreated olive oil falling within subheading 15.07 A I b) of the Common Customs Tariff,

- for products falling within subheading 23.04 A II of the Common Customs Tariff, to the levy specified in Article 14 of Regulation No 136/66/EEC or to the minimum levy specified in Article 16 of that Regulation applicable on 8 kilograms of untreated olive oil falling within subheading 15.07 A I c) of the Common Customs Tariff.

2. If the abovementioned products have not been wholly obtained in Greece or have not been directly transported from Greece to the Community the levy shall be calculated in accordance with the provisions of that paragraph.

Article 4

The levy on the importation of products falling within subheadings 23.04 A II and 15.17 B I of the Common Customs Tariff wholly obtained in Greece and transported directly from that country to the Community shall on 100 kilograms be equal:

- for products falling within subheading 15.17 B I a) of the Common Customs Tariff, to the levy speci-

fied in Article 3 of Regulation (EEC) No 2749/78 or to the minimum levy specified in Article 5 of that Regulation applicable on 50 kilograms of untreated olive oil falling within subheading 15.07 A I b) of the Common Customs Tariff,

- for products falling within subheading 15.17 B I b) of the Common Customs Tariff, to the levy specified in Article 3 of Regulation (EEC) No 2749/78 or to the minimum levy specified in Article 5 of that Regulation applicable on 80 kilograms of untreated olive oil falling within subheading 15.07 A I b) of the Common Customs Tariff,
- for products falling within subheading 23.04 A II of the Common Customs Tariff, to the levy specified in Article 3 of Regulation (EEC) No 2749/78 or to the minimum levy specified in Article 5 of that Regulation applicable to 8 kilograms of untreated olive oil falling within subheading 15.07 A I c) of the Common Customs Tariff.

Article 5

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, 28 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 3136/78

of 28 December 1978

laying down detailed rules for fixing the import levy on olive oil by tender

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1562/78⁽²⁾, and in particular Article 16 (6) thereof,

Having regard to Council Regulation (EEC) No 2749/78 of 23 November 1978 on trade in oils and fats between the Community and Greece⁽³⁾, and in particular Article 5 (6) thereof,

Whereas Commission Regulation (EEC) No 2041/75 of 25 July 1975⁽⁴⁾, as last amended by Regulation (EEC) No 3020/75⁽⁵⁾, laid down special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats; whereas the special provisions necessary for the application of the system of levies fixed by tender in the olive oil sector need to be added to that Regulation;

Whereas those special provisions either complement or derogate from those of Commission Regulation (EEC) No 193/75 of 17 January 1975 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽⁶⁾, as last amended by Regulation (EEC) No 1624/78⁽⁷⁾;

Whereas, under Article 2 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽⁸⁾, tenderers must submit an application for an import licence on the dates fixed by the Commission; whereas, for ease of administration these applications should be submitted in such a way that the minimum levy is calculated once a week;

Whereas the special security should be fixed at a level permitting the system for fixing the levy by tender to function properly; whereas, for the sake of administrative simplicity, this special security should replace that provided for in Article 7 of Regulation (EEC) No 2041/75;

Whereas all imports of the products in question become subject to the tendering procedure from the time when the Commission decides to apply it;

Whereas, under Article 10 of Regulation (EEC) No 2041/75, no application for an import licence is required in respect of imports of products in the olive oil sector not exceeding 100 kilograms, although such imports remain subject to the levy; whereas, for the sake of administrative simplicity, this provision should be retained;

Whereas in certain Member States traders import only small quantities; whereas, if such traders had to submit their offers under the tendering procedure, the administrative burden on the competent bodies in the Member States would be increased without any improvement in their knowledge of the market situation; whereas the tendering procedure should apply only to applications for licences relating to quantities of a product in excess of 20 000 kilograms;

Whereas, in order to avoid any risk of disturbance of the Community market, a levy should be charged in the two cases referred to above; whereas imports not exceeding 21 000 kilograms should be made subject to the minimum levy applicable on the day of importation for each category of olive oil in question; whereas, in order to ensure that the levy system functions correctly, the number of applications for licences in respect of the quantities referred to above which may be submitted by any one importer should be limited; whereas to this same end such licences should be made non-transferable;

Whereas, under Article 5 of Commission Regulation (EEC) No 2041/75, import licences applied for otherwise than under the tendering procedure are subject to a waiting period of four days; whereas experience has shown that such applications for licences are rare; whereas the abovementioned waiting period is therefore unnecessary;

Whereas, when olive oils or olives intended for the production of oil are covered either by the arrangements provided for in Council Directive 69/73/EEC of 4 March 1969 on the harmonization of provisions laid down by law, regulation or administrative action in respect of inward processing⁽⁹⁾, as last amended by Directive 76/119/EEC⁽¹⁰⁾, or by the system described in Article 9 of Commission Regulation (EEC) No

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

(2) OJ No L 185, 7. 7. 1978, p. 1.

(3) OJ No L 331, 28. 11. 1978, p. 1.

(4) OJ No L 213, 11. 8. 1975, p. 1.

(5) OJ No L 299, 19. 11. 1975, p. 11.

(6) OJ No L 25, 31. 1. 1975, p. 10.

(7) OJ No L 190, 13. 7. 1978, p. 14.

(8) OJ No L 331, 28. 11. 1978, p. 6.

(9) OJ No L 58, 8. 3. 1969, p. 1.

(10) OJ No L 24, 30. 1. 1976, p. 58.

645/75 of 13 March 1975 laying down common detailed rules for the application of the export levies and charges on agricultural products⁽¹⁾, special provisions should be laid down to take account of the existence of a system of fixing levies by tender in the olive oil sector;

Whereas, in view of the relaxation of the arrangements applicable to the import of small quantities, it is desirable to monitor more closely trade movements in respect of such quantities; whereas Commission Regulation (EEC) No 205/73 on communications between Member States and the Commission concerning oils and fats⁽²⁾, as last amended by Regulation (EEC) No 2413/77⁽³⁾, should therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Where the tendering procedure referred to in Article 16 (1) of Regulation No 136/66/EEC or in Article 5 (1) of Regulation (EEC) No 2749/78 applies, applications for import licences in respect of olive oil shall be submitted to the competent agencies in the Member States on the Monday or Tuesday of each week.

The time limit for the lodging of applications shall be 4 p.m. This time limit shall expire:

- one hour earlier in Ireland and the United Kingdom outside the period known as Summer Time in those Member States;
- one hour later in the other Member States during the period known as Summer Time in those Member States.

Any applications submitted after the deadline on the Tuesday, or on any other subsequent day of the week, shall be deemed to have been submitted on the Monday of the following week.

However, the provisions of the preceding subparagraph shall not apply to applications submitted after the deadline on the Tuesday unless the applicant has stated in his application that he wishes them to apply.

2. Where the applicant wishes to qualify for special arrangements arising from agreements concluded between the Community and certain non-member

countries, he must indicate the said non-member country in accordance with Article 2 of Regulation (EEC) No 2041/75 within 30 days of the entry into force of the minimum levy; however, in the case of Greece this information must be furnished on the licence application.

In cases other than those referred to above, the applicant may supplement his licence application at any time within 30 days following the entry into force of the minimum levy by entering the words 'non-member countries' in Sections 13 and 14.

3. The statement referred to in Article 2 of Regulation (EEC) No 2751/78 shall include:

- (a) the description of the product concerned, the relevant tariff heading or subheading, and, in the case of a product produced entirely in Greece and transported direct from that country to the Community, the word 'Greece';
- (b) the quantity, the quality of olive oil, and, where Article 1 (2) of Regulation (EEC) No 2751/78 applies, the presentation in respect of which application is made,
- (c) the rate of the gross levy per 100 kilograms of product which the applicant undertakes to pay at the time of importation. This rate shall be expressed in the national currency of the Member State in which the application is lodged.

4. The Member States shall communicate to the Commission by telex, on the first working day following the final date for the submission of applications, the number of applications as referred to in paragraph 1, broken down by origin, and, in respect of each such application, all the information required under paragraph 3.

Article 2

1. The rate of the special security referred to in Article 2 of Regulation (EEC) No 2751/78 shall be equal to 20 % of the levy offered by each applicant in respect of the quantity of the product to be imported. This security shall replace the one provided for in Article 7 of Regulation (EEC) No 2041/75.

2. The security shall be released forthwith where no import licence is issued.

Article 3

The minimum levy shall be so fixed that it enters into force once a week.

⁽¹⁾ OJ No L 67, 17. 3. 1975, p. 16.

⁽²⁾ OJ No L 23, 29. 1. 1973, p. 15.

⁽³⁾ OJ No L 279, 1. 11. 1977, p. 55.

Article 4

1. Section 20 of the licence shall contain one of the following endorsements :

- rate of levy applicable (in national currency) per 100 kg,
- gültiger Abschöpfungssatz (in Landeswährung) per 100 kg,
- tasso del prelievo applicabile (in moneta nazionale) per 100 kg,
- toe te passen heffing (in nationale valuta) per 100 kg,
- gældende afgiftssats (i national valuta) pr. 100 kg,
- taux du prélèvement (en monnaie nationale) par 100 kg.

2. The rate indicated on the licence shall be that referred to in Article 2 (4) (c). However, where Sections 13 and 14 of the licence issued contain the name of a non-member country with which the Community has signed an agreement, the levy actually paid by the importer shall be that referred to above adjusted pursuant to the provisions of Council Regulations :

- (EEC) No 2164/70 of 27 October 1970 on imports of olive oil from Spain⁽¹⁾, as last amended by Regulation (EEC) No 2277/71⁽²⁾,
- (EEC) No 1180/77 of 17 May 1977 on imports of olive oil from Turkey⁽³⁾, as amended by Regulation (EEC) No 2387/77⁽⁴⁾;
- (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁵⁾,
- (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽⁶⁾,
- (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁷⁾,
- (EEC) No 2750/78 of 23 November 1978 on the standard amount for unrefined olive oil produced entirely in Greece and transported direct from that country to the Community⁽⁸⁾.

Article 5

1. If the licence application contains the word 'Greece' the licence shall be issued on the entry into force of the minimum levy with the word 'Greece' in Sections 13 and 14.

2. For imports from non-member countries other than Greece, the licence shall be issued as soon as the

applicant has furnished the information referred to in Article 2 of Regulation (EEC) No 2041/75 to the competent agency, or has requested that Sections 13 and 14 of the licence contain the words 'non-member countries'.

Where the applicant fails to furnish the above information within 15 days following the entry into force of the minimum levy, the licence shall be issued upon the expiration of this period. In this event Sections 13 and 14 shall contain the words 'all non-member countries'.

3. The licence shall be valid with effect from its actual date of issue until the expiry of a period of three months from the date on which the minimum levy enters into force.

4. The issue of a licence shall carry with it the obligation to import from the non-member country indicated in Sections 13 and 14.

Article 6

1. The provisions of the preceding Articles shall not apply to imports of 21 000 kilograms or less.

Subject as provided in paragraph 3 hereof, such imports, excluding imports of 100 kilograms or less, shall be subject to the system of licences laid down in Regulations (EEC) No 193/75 and (EEC) No 2041/75.

2. For as long as the tendering procedure referred to in Article 1 applies, the imports referred to in the first sentence of the preceding paragraph shall be subject to the last minimum levy fixed prior to the day of importation.

3. Each applicant may each week submit only one application for a licence relating to a quantity greater than 100 kilograms but not exceeding 20 000 kilograms. By way of derogation from Article 3 of Regulation (EEC) No 193/75, such licences shall not be transferable. Article 5 of Regulation (EEC) No 2041/75 shall not apply thereto.

Article 7

1. When olive oils which have been made subject either to inward processing arrangements or to the system described in Article 9 of Regulation (EEC) No 645/75 are put into free circulation either as such or after processing, the levy to be charged shall be :

(1) OJ No L 238, 29. 10. 1970, p. 3.

(2) OJ No L 241, 27. 10. 1971, p. 2.

(3) OJ No L 142, 9. 6. 1977, p. 10.

(4) OJ No L 278, 29. 10. 1977, p. 13.

(5) OJ No L 169, 28. 6. 1976, p. 9.

(6) OJ No L 169, 28. 6. 1976, p. 24.

(7) OJ No L 169, 28. 6. 1976, p. 43.

(8) OJ No L 331, 28. 11. 1978, p. 5.

- the levy stated on the import licences issued under the tendering procedure, subject to the provisions of Article 4 (2), or
- the last minimum levy fixed by the Commission before they were put into free circulation, when the licence referred to in Article 5 is submitted or the quantities put into free circulation do not exceed 100 kilograms.

2. The provisions of the preceding paragraph shall apply when olives falling under subheadings 07.01 N II and 07.03 A II of the Common Customs Tariff which have been made subject either to inward processing arrangements or to the system described in Article 9 of Regulation (EEC) No 645/75 are put into free circulation after processing into oil.

Article 8

Article 6a of Regulation (EEC) No 205/73 is amended as follows :

'Article 6a

With regard to the system of import levies referred to in Article 16 of Regulation No 136/66/EEC, Member States shall inform the Commission, not later than the Wednesday of each week, of the number of import licences for quantities not exceeding 20 000 kilograms applied for in the preceding week and of the quantities involved, broken down by quality.'

Article 9

The Commission shall inform the Member States once a month of the application of the system of fixing levies by tender.

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, 28 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 3137/78
of 29 December 1978

amending Regulation (EEC) No 3008/78 introducing a countervailing charge on mandarins (including tangerines and satsumas), clementines, wilkings and other similar citrus hybrids originating in Algeria

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 Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 3008/78 of 20 December 1978⁽³⁾, introduced a countervailing charge on mandarins (including tangerines and satsumas), clementines, wilkings and other similar citrus hybrids originating in Algeria;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge introduced in application of Article 25 of that

Regulation is amended; whereas, if these conditions are taken into consideration, the countervailing charge on the import of mandarins (including tangerines and satsumas), clementines, wilkings and other similar citrus hybrids originating in Algeria must be amended,

HAS ADOPTED THIS REGULATION:

Article 1

The amount '6.94 units of account' appearing in Article 1 of Regulation (EEC) No 3008/78 is replaced by the amount '16.16 units of account'.

Article 2

This Regulation shall enter into force on 30 December 1978.

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

Done at Brussels, 29 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 12.

⁽³⁾ OJ No L 357, 21. 12. 1978, p. 48.

COMMISSION REGULATION (EEC) No 3138/78**of 29 December 1978****altering the import levies on products processed from cereals and rice**

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⁾, and in particular Article 14 ⁽⁴⁾ thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 1260/78 ⁽⁴⁾, and in particular Article 12 ⁽⁴⁾ thereof,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 3095/78 ⁽⁵⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 2.5 units of

account per tonne of basic product ; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74 ⁽⁶⁾, the levies at present in force must therefore be altered as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 ⁽⁷⁾, as last amended by Regulation (EEC) No 1603/78 ⁽⁸⁾, as fixed in the Annex to Regulation (EEC) No 3095/78, are hereby altered as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽⁵⁾ OJ No L 369, 29. 12. 1978, p. 25.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 188, 11. 7. 1978, p. 1.

ANNEX

to the Commission Regulation of 29 December 1978 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./tonne	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 D ⁽²⁾	156.22	151.22
11.01 F ⁽²⁾	68.43	65.93
11.02 A IV ⁽²⁾	156.22	151.22
11.02 A VI ⁽²⁾	68.43	65.93
11.02 B I a) 2 aa)	88.19	85.69
11.02 B I a) 2 bb) ⁽²⁾	153.72	151.22
11.02 B I b) 2 ⁽²⁾	153.72	151.22
11.02 B II a) ⁽²⁾	116.08	113.58
11.02 C I ⁽²⁾	139.14	136.64
11.02 C IV ⁽²⁾	136.92	134.42
11.02 D I ⁽²⁾	89.61	87.11
11.02 D IV ⁽²⁾	88.19	85.69
11.02 E I a) 2 ⁽²⁾	88.19	85.69
11.02 E I b) 2 ⁽²⁾	173.02	168.02
11.02 E II a) ⁽²⁾	158.72	153.72
11.02 E II d) 1 ⁽²⁾	116.96	111.96
11.02 F I ⁽²⁾	158.72	153.72
11.02 F IV ⁽²⁾	156.22	151.22
11.02 F VI ⁽²⁾	68.43	65.93
11.02 G I	69.05	64.05
11.07 A I a)	161.01	152.01
11.07 A I b)	122.58	113.58
11.08 A II	88.29	62.79
11.08 A III	151.44	134.44
11.09	394.44	244.44
23.02 A I a)	25.61	25.61
23.02 A I b)	81.96	81.96
23.02 A II a)	20.49	20.49
23.02 A II b)	81.96	81.96

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polametric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

COMMISSION DECISION No 3139/78/ECSC

of 29 December 1978

fixing minimum prices for hot-rolled wide strip, merchant bars and concrete reinforcing bars

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 61 thereof,

Having regard to High Authority Decisions No 30-53 and No 31-53⁽¹⁾, as last amended by Commission Decisions 72/440/ECSC and 72/441/ECSC of 22 December 1972⁽²⁾,

Having regard to Commission Decisions No 3073/73/ECSC⁽³⁾ and No 911/75/ECSC⁽⁴⁾,

Whereas the European steel industry is still in serious difficulty, with supply substantially in excess of demand and the financial situation still precarious in most undertakings, although a certain strengthening in steel prices has been noted;

Whereas, since May 1977, the Commission has taken measures in the price sector; whereas it first fixed minimum prices for concrete reinforcing bars by Decision No 962/77/ECSC⁽⁵⁾, and then at the end of 1977, by Decision No 3000/77/ECSC⁽⁶⁾, it extended these prices into 1978 and in addition introduced minimum prices for merchant bars and hot-rolled wide strip; whereas this Decision was subsequently amended by Decisions No 656/78/ECSC⁽⁷⁾ and No 1483/78/ECSC⁽⁸⁾;

Whereas the situation in the concrete reinforcing bar market is unstable; whereas demand for merchant bars has slackened off for dimensions less than 80 mm; whereas on the other hand a certain strengthening of demand has taken place for the higher dimensions; whereas for this reason the minimum price for the smaller dimensions has been slightly reduced and that for the higher dimensions slightly increased; whereas the market weakness persists in hot-rolled wide strip and demand is insufficient to support the market; whereas the Commission therefore considers that the conditions for the application of Article 61 are met in respect of the products referred to;

Whereas in order to secure the success of this measure it is essential that the minimum price be applied in

all cases, that rebates and discounts be limited and that the derogation provided for contracts concluded before the decisions on minimum prices be completely abandoned after a period of two months; whereas otherwise prices actually applied would be below the level of the minimum prices on such a scale that serious dislocations would arise;

Whereas the special situation of some non-integrated producers of re-rolled products, tubes or cold-rolled sections may justify exceptions, especially if these producers are dependent on integrated undertakings for the purchase of their hot-rolled wide strip and are in competition with them in the sale of their finished products; whereas in this situation the aims of the structural policy followed by the Commission may be jeopardized; whereas it is up to the Commission to determine whether this is so and how far an exception from the obligation to adhere to the minimum prices is justified;

Whereas the limitation of rebates and discounts to a specified maximum considerably eases the task of effecting controls; whereas the limitation of rebates does not include rebates for indirect exports, so that a certain elasticity in price structure remains in those cases in which products are exported to third countries after further processing;

After consulting the Consultative Committee and the Council both on the advisability of introducing minimum prices for these products and on the level of these prices and having regard to studies carried out in conjunction with the undertakings and associations of undertakings,

HAS ADOPTED THIS DECISION:

Article 1

1. This Decision shall apply to undertakings in the iron and steel industry of the European Coal and Steel Community and to their selling agencies and commission agents as referred to in Decisions No 30-53 and No 31-53.

⁽¹⁾ OJ No C 29, 12. 5. 1973, pp. 30 and 32, for the updated version.

⁽²⁾ OJ No L 297, 30. 12. 1972, pp. 39 and 42.

⁽³⁾ OJ No L 314, 15. 11. 1973, p. 1.

⁽⁴⁾ OJ No L 88, 9. 4. 1975, p. 7.

⁽⁵⁾ OJ No L 114, 5. 5. 1977, p. 1.

⁽⁶⁾ OJ No L 352, 31. 12. 1977, p. 1.

⁽⁷⁾ OJ No L 87, 1. 4. 1978, p. 1.

⁽⁸⁾ OJ No L 176, 30. 6. 1978, p. 44.

2. The Commission hereby fixes the following minimum prices per tonne for sales of hot-rolled wide strip, merchant bars and concrete reinforcing bars as defined in the Annex hereto :

(a) for hot-rolled wide strip of commercial quality :

640	German marks,
167.50	pounds sterling and Irish pounds,
1 450	French francs,
280 000	Italian lire,
685	Dutch guilders,
10 000	Belgian and Luxembourg francs,
1 775	Danish kroner ;

(b) for merchant bars in ordinary mild steel of size less than 80 mm :

620	German marks,
162	pounds sterling and Irish pounds,
1 405	French francs,
271 000	Italian lire,
665	Dutch guilders,
9 660	Belgian and Luxembourg francs,
1 700	Danish kroner ;

(c) for merchant bars in ordinary mild steel of size 80 mm and over :

630	German marks,
165	pounds sterling and Irish pounds,
1 425	French francs,
275 000	Italian lire,
675	Dutch guilders,
9 850	Belgian and Luxembourg francs,
1 730	Danish kroner ;

(d) for smooth concrete reinforcing bars in ordinary mild steel :

505	German marks,
132.50	pounds sterling and Irish pounds,
1 150	French francs,
220 000	Italian lire,
540	Dutch guilders,
7 900	Belgian and Luxembourg francs,
1 385	Danish kroner ;

(e) for improved adhesion concrete reinforcing bars with a minimum elastic limit of 40 kilograms per square millimetre and a tensile strength of 50 kilograms per square millimetre :

525	German marks,
137.50	pounds sterling and Irish pounds,
1 190	French francs,
228 000	Italian lire,
560	Dutch guilders,
8 200	Belgian and Luxembourg francs,
1 435	Danish kroner.

3. In order to maintain a uniform minimum price level within the common market, the Commission

may adjust these prices in accordance with fluctuations in exchange rates.

Article 2

1. The minimum prices shall be basic prices ex-basing point for the abovementioned basic qualities.

2. Where price lists show effective prices including extras for quality or size, the differences between such exclusive prices and the minimum prices shall be treated as extras for quality or size.

3. The minimum prices shall be compulsory for transactions effected after the entry into force of this Decision and shall replace lower list prices as from that date until such prices have been changed by undertakings in accordance with Article 4.

4. For transactions effected prior to the entry into force of this Decision and specifying in absolute values firm prices and final tonnages, the minimum prices shall be compulsory for deliveries to take place on or after 1 March 1979.

5. For transactions involving deliveries of hot-rolled wide strip to independent undertakings for re-rolling or the production of tubes or cold-rolled sections, the minimum prices shall be compulsory for deliveries to take place on or after 1 March 1979. For the purpose of this provision, 'independent undertakings' shall mean undertakings which do not themselves produce the hot-rolled wide strip required for the abovementioned activities and which are not concentrated, within the meaning of Article 66 of the ECSC Treaty and Decision No 24-54 of 6 May 1954⁽¹⁾, with undertakings producing these products.

In so far as is justified by the aims of the structural policy, these transactions may be exempted from the obligation to adhere to the minimum prices. The Commission shall give a ruling at the request of one of the undertakings concerned. Reasoned requests must be submitted by 1 February 1979.

Article 3

1. Rebates and discounts of any sort published in price lists and conditions of sale or notified to the Commission at the date of entry into force of this Decision shall not be increased. The introduction of new rebates or discounts shall be prohibited. The sum

⁽¹⁾ OJ (ECSC) No 9, 11. 5. 1954, p. 345.

of all discounts and rebates of any kind may not be such that the resultant price falls by more than :

- 30 German marks,
- 8 pounds sterling and Irish pounds,
- 70 French francs,
- 13 500 Italian lire,
- 32.50 Dutch guilders,
- 475 Belgian and Luxembourg francs,
- 85 Danish kroner,

in the case of hot-rolled wide strip and :

- 20 German marks,
- 5.50 pounds sterling and Irish pounds,
- 45 French francs,
- 9 000 Italian lire,
- 21.50 Dutch guilders,
- 325 Belgian and Luxembourg francs,
- 55 Danish kroner,

in the case of merchant bars and concrete reinforcing bars

below the minimum price plus any extras for qualities and dimensions and all other surcharges and price extras in accordance with Article 2. Rebates allowed by iron and steel producing undertakings for indirect exports are not included in the abovementioned sums.

2. Surcharges or extras of any sort published in price lists and conditions of sale at the date of entry into force of this Decision may not be cancelled or reduced.

3. The terms and times allowed for payment published in price lists at the date of entry into force of this Decision may not be changed.

Article 4

Undertakings whose published prices are lower than the prices given in this Decision shall publish new prices in conformity with this Decision within 15 days following its entry into force.

Article 5

This Decision shall apply to sales to customers in the Community and in Austria, Finland, Norway, Sweden and the European territory of Portugal.

Article 6

The minimum prices shall not preclude alignments on more favourable delivered prices based on the price lists of other producers in the Community.

Article 7

1. This Decision shall enter into force on 1 January 1979 and shall remain valid until 31 December 1979 unless repealed before that date.

2. Without prejudice to the adjustment provided for in Article 1 (3), the Commission may adjust the level of the minimum prices during the period of validity of this Decision if it considers that the development of the situation on the market so requires.

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

Done at Brussels, 29 December 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

ANNEX**to Decision No 3139/78/ECSC fixing minimum prices for hot-rolled wide strip, merchant bars and concrete reinforcing bars**

The iron and steel products referred to in the abovementioned Decision are defined in accordance with their commercial designation :

A. By shape and dimensions, in accordance with Euronorm 79-69**1. *Hot-rolled wide strip***

Hot-rolled flat product wound in coils having regular turns, of width equal to or greater than 600 mm.

This includes hot-rolled wide strip with grooved or tear-drop patterns or with some other relief produced in the rolling process.

2. *Merchant bars*

Hot-rolled solid bars of round, half-round, square, hexagonal or octagonal cross section (excluding concrete reinforcing bars). Flat bars of rectangular cross section, the width of which does not exceed 150 mm.

Bars profiled to the shapes of letters L (angles), T (tees) or Z (zeds).

Small sections the cross section of which is in the shape of the letters I, H or U, the height of which is less than 80 mm.

This category does not include :

- products for seamless tubes of round or polygonal cross section,
- tees produced by longitudinally cut I or H beams,
- strip supplied in straight lengths or flattened coils,
- bulb flats and angles, known as shipbuilding sections,
- special sections rolled in straight lengths, usually of small cross sections or of highly specialized shape with very strict dimension tolerances.

3. *Concrete reinforcing bars*

Reinforcing bars for cement or concrete, hot-rolled, of round or square cross section with rounded corners, the surface of which is smooth or ribbed ; these bars may have been subjected to a regular twisting process about their longitudinal axis. Concrete reinforcing bars are normally supplied in straight lengths or in coils.

B. By steel qualities or categories

The qualities or categories of steels concerned here are those appearing in Decision No 31-53, in its present version, on obligations with regard to the publication of prices and conditions of sale for basic or quality steels. Steel qualities or categories covered by Decision No 37-54, as amended by Decision No 33-58, on obligations with regard to the publication of prices and conditions of sale for special steels are excluded ; these qualities and categories are :

- (a) manganese-silicon spring steels ;
- (b) free-cutting sulphur, lead and lead-sulphur steels ;
- (c) electrical sheet, irrespective of wattage loss ;
- (d) non-alloy construction steels containing 0.60 % or more of carbon ;
- (e) alloy construction steels ;
- (f) bearing steels ;
- (g) stainless and heat-resisting steels ;
- (h) tool steels ;
- (i) high-speed steels.

The following are included : carbon steels containing less than 0.60 % carbon for heat treatment or case hardening, provided their phosphorus and sulphur contents do not exceed 0.035 % and that they are not governed by any of the special requirements laid down in paragraph 5.2.3.1 of Euronorm 20-74 (guaranteed impact value, depth of hardening or of case hardening, surface condition, limiting content of non-metallic inclusions, machinability).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMUNICATION FROM THE COMMISSION

concerning the publication of guidance prices for certain iron and steel products

The Commission of the European Communities published in *Official Journal of the European Communities* No L 114 of 5 May 1977, No C 174 of 22 July 1977, No L 352 of 31 December 1977, No L 87 of 1 April 1978 and No L 176 of 30 June 1978 guidance prices for certain iron and steel products with the intention of alleviating the inadequacy of undertakings' receipts, which is jeopardizing the restructuring necessary to the sector and is likely to have serious repercussions on both the social and regional situations.

The Commission is publishing the following guidance prices, which are to be interpreted as being the lowest possible prices to be applied from, at the latest, 1 January 1979, according to the conditions below :

(Price per tonne)

Products	DM	FF	£	Lit	Bfrs/Lfrs	Fl	Dkr
Cold reduced sheets of a thickness of less than 3 mm	825	1 870	216.00	361 000	12 900	885	2 270
Medium and heavy plate of a thickness of 3 mm and over, cut from hot-rolled wide strip	660	1 490	172.50	289 000	10 300	705	1 810
Hot-rolled heavy and medium plates of a thickness of 3 mm and over	645	1 455	168.00	281 000	10 000	690	1 765
Narrow strip	660	1 490	172.50	289 000	10 300	705	1 810
Sections, beams and equivalent products :							
≤ 220 mm	650	1 495	170.00	284 000	10 150	695	1 785
> 220 mm and broad-flanged beams	675	1 525	176.50	295 000	10 550	720	1 850
Wire rod	665	1 535	173.50	291 000	10 400	710	1 825
Smooth concrete reinforcing bars	535	1 220	140.00	234 000	8 350	570	1 465
Improved adhesion concrete reinforcing bars with an elastic limit of 40 kg/mm ² and minimum tensile strength of 50 kg/mm ²	555	1 260	145.00	242 000	8 650	590	1 515
Merchant bars :							
< 80 mm	645	1 485	168.00	282 000	10 050	690	1 765
≥ 80 mm	675	1 525	176.50	295 000	10 550	720	1 850
Hot-rolled wide strip	660	1 490	172.50	289 000	10 300	705	1 810

The above prices take into account a slight increase of demand for concrete reinforcing bars.

In addition, currency adjustments have also been introduced to take into account variations in rates of exchange which have taken place since the previous publication.

These guidance prices correspond to the concept of basis prices calculated from a basing point, to which extras for dimension, quality extras, etc., are added. They presuppose that currently published extras cannot be reduced or withdrawn. Terms and conditions of payment at present in force remain unchanged.

Some price lists publish several effective basis prices for different specifications within a product group. In

such cases, the differentials between the effective prices resulting from quality and dimension differences should be regarded as extras.

The Commission is asking steel undertakings, where appropriate, to raise their list prices accordingly and to adhere, within the framework of the pricing rules set out in Article 60, to these guidance prices when aligning on the delivered prices of other Community undertakings.

The Commission regards these guidance prices as being in line with the current situation. The Commission will be publishing revised guidance prices if its continuous market study leads it to draw fresh conclusions.

CORRIGENDA

**Corrigendum to Commission Regulation (EEC) No 3095/78 of 28 December 1978 fixing
the import levies on products processed from cereals and rice**

(Official Journal of the European Communities No L 369 of 29 December 1978)

Page 28, Annex, subheadings 11.08 A IV and 11.08 A V:

for: '177·82',

read: '117·82'.
