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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2469/79**of 9 November 1979****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 1547/79⁽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 1658/79⁽³⁾ and subsequent amending
Regulations;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1658/79 to today's

offer prices and quotations known to the Commission
that the levies at present in force should be altered to
the amounts set out in the Annex hereto,

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 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10
November 1979.

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

Done at Brussels, 9 November 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 193, 1. 8. 1979, p. 5.

ANNEX

to the Commission Regulation of 9 November 1979 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	72.78
10.01 B	Durum wheat	102.90 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	50.90 ⁽⁶⁾
10.03	Barley	61.93
10.04	Oats	68.97
10.05 B	Maize, other than hybrid maize for sowing	83.15 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	40.28 ⁽⁴⁾
10.07 C	Grain sorghum	77.33 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	114.46
11.01 B	Rye flour	84.81
11.02 A I a)	Durum wheat groats and meal	172.66
11.02 A I b)	Common wheat groats and meal	122.97

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

⁽²⁾ Where maize originating in the ACP or OCT is imported into the French overseas departments the levy is reduced by 7.25 ECU/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 1.81 ECU/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 0.60 ECU/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 2470/79**of 9 November 1979****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 1547/79 ⁽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
1659/79 ⁽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 to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The premiums referred to in Article 15 of Regulation
(EEC) No 2727/75 to be added to the import levies
fixed in advance in respect of cereals and malt shall
be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10
November 1979.

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

Done at Brussels, 9 November 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 193, 1. 8. 1979, p. 7.

ANNEX

to the Commission Regulation of 9 November 1979 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 11	1st period 12	2nd period 1	3rd period 2
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	2.18	2.18	2.18
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	9.43
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

(ECU/tonne)

CCT heading No	Description	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2471/79
of 9 November 1979
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 590/79⁽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 2415/79 of 31 October 1979 fixing the amount of the subsidy

on oil seeds⁽⁷⁾, as amended by Regulation (EEC) No 2448/79⁽⁸⁾;

Whereas, if the price system is 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 indent;

Whereas it follows from applying these provisions that the world market price for colza and rape seed should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The world market price referred to in Article 9(4) of Regulation (EEC) No 2300/73 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 November 1979.

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

Done at Brussels, 9 November 1979.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 78, 30. 3. 1979, 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 275, 1. 11. 1979, p. 43.

⁽⁸⁾ OJ No L 279, 8. 11. 1979, p. 12.

ANNEX

to the Commission Regulation of 9 November 1979 fixing the world market price for
colza and rape seed

(ECU/100 kg) (1)

CCT heading No	Description	World market price
ex 12.01	Colza and rape seed	21.656

(ECU/100 kg) (1)

CCT heading No	Description	World market price where the subsidy is fixed in advance for the month of					
		November 1979	December 1979	January 1980	February 1980	March 1980	April 1980
ex 12.01	Colza and rape seed	21.656	21.656	22.019	22.019	22.019	22.745

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

1 ECU = DM	2.48557
1 ECU = FI	2.74748
1 ECU = Bfr/Lfr	39.8456
1 ECU = FF	5.85522
1 ECU = Dkr	7.36594
1 ECU = I £	0.669141
1 ECU = £	0.667557
1 ECU = Lit	1.14513

COMMISSION REGULATION (EEC) No 2472/79

of 7 November 1979

on imports into the Benelux countries and Denmark of dresses (category 26) and skirts (category 27) originating in Thailand

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3059/78 of 21 December 1978 on common rules for imports of certain textile products originating in third countries⁽¹⁾, as amended by Regulation (EEC) No 1176/79⁽²⁾ and in particular Articles 11 and 15 thereof,

Whereas Article 11 of Regulation (EEC) No 3059/78 lays down the conditions on which quantitative limitations may be established; whereas imports into the Benelux countries and Denmark of dresses (category 26) and skirts (category 27) originating in Thailand have exceeded the levels referred to in Article 11 (3);

Whereas, in accordance with Article 11 (5), Thailand was notified on 12 July 1979 of a request for consultations; whereas, following these consultations, the products in question should be subjected to quantitative limits for the period 1979 to 1982;

Whereas Article 11 (13) ensures, by means of a double-checking system in accordance with Annex V to the Regulation in question, that quantitative limits are complied with;

Whereas the products in question exported from Thailand between 1 January 1979 and the date of entry into force of this Regulation must be set off against the quantitative limits for 1979;

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

HAS ADOPTED THIS REGULATION:

Article 1

Importation into the Benelux countries or Denmark of the categories of products originating in Thailand specified in the Annex hereto shall be subject to the quantitative limits given in that Annex, subject to the provisions of Article 2 (1).

Article 2

1. Products as referred to in Article 1 and shipped from Thailand to the Benelux countries or Denmark between 1 January 1979 and the date of entry into force of this Regulation which have not yet been released for free circulation shall be so released subject to submission of a bill of lading or other transport document proving that shipment actually took place during that period.

2. Imports of products shipped from Thailand to the Benelux countries or Denmark after the entry into force of this Regulation shall be subject to the double-checking system laid down in Annex V to Regulation (EEC) No 3059/78.

3. For the purposes of applying the provisions of paragraph 2, the quantities of products shipped from Thailand on or after 1 January 1979 and released for free circulation shall be set off against the quantitative limits established for 1979.

Article 3

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

It shall apply until 31 December 1982.

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

Done at Brussels, 7 November 1979.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 365, 27. 12. 1978, p. 1.

⁽²⁾ OJ No L 149, 18. 6. 1979, p. 1.

ANNEX

Category	CCT heading No	NIMEXE code (1979)	Description	Member States	Units	Quantitative limits from 1 January to 31 December			
						1979	1980	1981	1982
26	60.05	60.05-41, 42, 43, 44 ;	Women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses	BNL DK	1 000 pieces	380 ⁽¹⁾	395.2 ⁽²⁾	411	427.5
	61.02	61.02-48, 52, 53, 54				170 ⁽¹⁾	180.2 ⁽²⁾	191	202.5
27	60.05	60.05-51, 52, 54, 58 ;	Women's, girls' and infants' (other than babies') woven and knitted or crocheted skirts, including divided skirts	DK	1 000 pieces	83	88	93.3	99
	61.02	61.02-57, 58, 62							

⁽¹⁾ An additional quantity of 100 000 pieces for Denmark and 50 000 pieces for Benelux has been fixed for the year 1979.

⁽²⁾ An additional quantity of 50 000 pieces for Denmark and 40 000 pieces for Benelux has been fixed for the year 1980.

COMMISSION REGULATION (EEC) No 2473/79

of 9 November 1979

opening an invitation to tender for the mobilization of rolled oats as food aid
for the Catholic Relief Services

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 1547/79⁽²⁾,

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

Having regard 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 agricul-
tural policy⁽⁴⁾, as last amended by Regulation (EEC)
No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas on 8 May 1979 the Council of the European
Communities declared that it proposed, by way of
Community action, to grant the equivalent of 500
tonnes of oats, in the form of 250 tonnes of rolled
oats, to the Catholic Relief Services under its 1978/79
food-aid programme;

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

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

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

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

Whereas should *force majeure* make it impossible to
complete the operation in question within the time
limits specified, it must be made clear who is to bear
the liability for any resulting costs;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender shall be issued in respect
of the supply of 250 tonnes of rolled oats to the
Catholic Relief Services by way of Community food-
aid action.

2. The tendering procedure shall take place in the
Netherlands in one lot. The product shall be mobi-
lized on the Community market. The product shall be
loaded for departure from a Community port.

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

4. The successful tenderer shall deliver the
products specified in paragraph 1 in sacks of 25 kilo-
grams net according to the conditions laid down in
the Annex hereto.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 23 November 1979.
2. The closing date for submission of tenders shall be 23 November 1979 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.
3. For the purpose of rendering the tenders comparable, the prices shall, where appropriate, be corrected by the monetary compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2. Such correction shall be made by:
 - increasing prices which mention a Member State whose currency has depreciated,
 - reducing prices which mention a Member State whose currency has been revalued.

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

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

Article 4

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

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

Article 5

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

Article 6

1. The tenderer shall give security in an amount of 12 ECU per tonne of goods.

It shall be released:

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
 - in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3 (2),
 - in the case of the successful tenderer for quantities not supplied by reason of *force majeure*.
2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by each Member State.

Article 7

1. The rolled oats referred to in Article 1 to be supplied to the Catholic Relief Services must meet the requirements contained in the Annex hereto.

Oats not meeting these requirements shall be refused.

2. Tenders for supply to the Catholic Relief Services of the rolled oats referred to in Article 1 must relate to a product with the characteristics contained in the Annex hereto.

Article 8

1. The Dutch intervention agency shall be responsible for operations relating to the invitation to tender provided for by this Regulation.
2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.
3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering including payment to the successful tenderer.

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

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

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

- (a) after each shipment a certificate showing the quantities dispatched and the quality of the products ;
- (b) the date of the departure of the vessels, the expected date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

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

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

Article 9

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

Article 10

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

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

Done at Brussels, 9 November 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

SPECIFICATIONS

Production of quick-cooking oat flakes :

Raw oats : First quality high-density oats.

Cleaning and preparation : Oats to be cleaned of extraneous matter, debittered and stabilized by treatment with steam.

Hulling : Oats to be size-classified and hulled. After separation of husks, oat kernels to be scoured and polished.

Groats : Oat kernels to be cut, sorted and air-cleaned. Groats dampened and pre-cooked with steam, then rolled to flakes.

Oat flakes : To be packaged in 25 kg bags (2 % empty bags).

Bag composition :

- four bags of Kraft paper, of a strength corresponding to a weight of at least 70 g/m² ;
- one interposed bag made of tarred paper of a strength corresponding to a weight of at least 140 g/m² ;
- one double-bound polyethylene internal pocket at least 0.06 mm thick ;
- top and bottom seals of bag to be pasted ;
- insect repellent to be applied to outside of bag.

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

Quality of oat-flakes :

Humidity : less than 12 %.

Ash content : less than 2.3 % of dry matter.

Crude fibre : less than 1.5 % of dry matter.

Husk content : less than 0.10 % of dry matter.

Protein content : not less than 14 % of dry matter.

No of lot	Tonnage fas	Loading period	Inscription on the sacks
1	250	1 to 30. 12. 1979	Flocons d'avoine / Don de la Communauté économique européenne / Pour distribution gratuite en Haïti / Cathwell / Port-au-Prince

COMMISSION REGULATION (EEC) No 2474/79**of 9 November 1979****opening an invitation to tender for the mobilization of common wheat flour as food aid for the Catholic Relief Services**

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 1547/79⁽²⁾,

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

Having regard 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⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 8 May 1979 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 500 tonnes of common wheat (in other words 376 tonnes of common wheat flour) to the Catholic Relief Services under its 1978/79 food-aid programme;

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

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

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

should be taken of the effect on each tender of the currency situation in the Member State in which the customs export formalities will be completed;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the Catholic Relief Services, by way of Community action, of 376 tonnes of common wheat flour.

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks lined with cotton sacks of a net capacity of 50 kilograms.

The following shall be printed on the sacks :

'Farine de Froment / Don de la Communauté économique européenne / Pour distribution gratuite en Haïti / Cathwell / Port-au-Prince'.

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

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 23 November 1979.
2. The closing date for submission of tenders shall be 23 November 1979 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.
3. For the purpose of rendering the tenders comparable, the prices shall be corrected by the monetary compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2. Such correction shall be made by :
 - increasing prices which mention a Member State whose currency has depreciated,
 - reducing prices which mention a Member State whose currency has been revalued.

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

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

State in which the invitation to tender is issued during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tender.

Article 4

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

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

Article 5

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

Article 6

1. The tenderer shall give security of a value of 12 ECU per tonne of goods.

It shall be released :

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

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

Article 7

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

- moisture : 12 % maximum,
- protein content : 10.5 % minimum (N × 6.25 on dry matter),
- ash content : 0.62 % maximum referred to dry matter.

Flour not meeting these requirements shall be refused.

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

- moisture : 12 % maximum,
- protein content : 10.5 % minimum ($N \times 6.25$ on dry matter),
- ash content : 0.62 % maximum referred to dry matter.

Article 8

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

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

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

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

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

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

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

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

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

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

Article 9

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

Article 10

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

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

Done at Brussels, 9 November 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2475/79

of 9 November 1979

opening an invitation to tender for the mobilization of common wheat flour as food aid for the International Committee of the Red Cross

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 1547/79⁽²⁾,

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

Having regard 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⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 8 May 1979 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 2 300 tonnes of common wheat (in other words 1 729 tonnes of common wheat flour) to the International Committee of the Red Cross under its 1978/79 food-aid programme;

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

Whereas the proposed invitation to tender should be for supply of the products delivered to Hon Ngu Bay, that is at the moment when the goods are actually placed on the quay or in the lighter where applicable;

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

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

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

Whereas, should *force majeure* make it impossible to complete the operation in question within the time limits specified, it must be made clear who is to bear the liability for any resulting costs;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the International Committee of the Red Cross, by way of Community action, of 1 729 tonnes of common wheat flour.

2. The tendering procedure shall take place in Italy in one lot.

3. The products shall be mobilized on the Community market.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. Shipment shall be from a Community port.

5. The invitation to tender provided for in paragraph 1 is for supply of products delivered to Hon Ngu Bay, that is at the moment when the goods are actually placed on the quay or in the lighter where applicable.

6. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks lined with cotton sacks of a net capacity of 50 kilograms.

Minimum weight of sacks shall be 600 grams.

On the sacks shall be printed a red cross, 15 × 15 cm, as well as the following :

'VTNH-4 / Farine de froment / Don de la Communauté économique européenne / Action du Comité international de la Croix-Rouge / À distribuer gratuitement / Hon Ngu Bay'.

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

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 23 November 1979.

2. The closing date for the submission of tenders shall be 23 November 1979 at 12 noon.

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

Article 3

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

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

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

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

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

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

Article 4

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

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

Article 5

1. The tenderer shall give security in an amount of 12 ECU per tonne of goods.

It shall be released :

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

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

Article 6

1. The common wheat flour referred to in Article 1 to be supplied to the International Committee of the Red Cross must meet the following requirements:

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

Flour not meeting these requirements shall be refused.

2. Tenders for supply to the International Committee of the Red Cross of the common wheat flour referred to in Article 1 must relate to a product with the following characteristics:

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

Article 7

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

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

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

In such case, the intervention agency choosing the successful tenderer shall immediately inform the inter-

vention agency of the Member State concerned and shall supply it with all the information which it may require.

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

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

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

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

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

Article 8

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

Article 9

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

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

Done at Brussels, 9 November 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2476/79

of 9 November 1979

opening an invitation to tender for the mobilization of maize meal as food aid
for the United Nations High Commissioner for Refugees

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 1547/79⁽²⁾,

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

Having regard 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 agricul-
tural policy⁽⁴⁾, as last amended by Regulation (EEC)
No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas on 8 May 1979 the Council of the European
Communities declared that it proposed, by way of
Community action, to grant 1 389 tonnes of maize
meal to the United Nations High Commissioner for
Refugees under its 1978/79 food-aid programme;

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

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

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

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

Whereas, should *force majeure* make it impossible to
complete the operation in question within the time
limits specified, it must be made clear who is to bear
the liability for any resulting costs;

Whereas provision should be made for security to be
given for the purpose of guaranteeing that the obliga-
tions arising by virtue of participation in the invita-
tion to tender will be fulfilled;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the
United Nations High Commissioner for Refugees, by
way of Community action, of 1 389 tonnes of maize
meal.
2. The tendering procedure shall take place in Italy
in one lot. The product shall be mobilized on the
Community market. The product shall be loaded for
departure from any Community port.
3. The invitation to tender provided for in para-
graph 1 is for supply of products on the quay or in
the lighter where applicable, in the port of Beira.
4. The successful tenderer shall deliver the product
specified in paragraph 1 in new jute sacks lined with
cotton sacks of a net capacity of 50 kilograms.

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

(2) OJ No L 188, 26. 7. 1979, p. 1.

(3) OJ No L 281, 1. 11. 1975, p. 89.

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

(5) OJ No L 263, 19. 9. 1973, p. 1.

Minimum weight of the sacks shall be 600 grams.

The following shall be printed on the sacks:

'Maize meal / Gift of the European Economic Community / For free distribution / UNHCR assistance for Zimbabwean refugees / Beira'.

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

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 23 November 1979.
2. The closing date for submission of tenders shall be 23 November 1979 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not later than nine days before the closing date for submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.
3. For the purpose of rendering the tenders comparable, the prices shall be corrected by the monetary compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2. Such correction shall be made by:
 - increasing prices which mention a Member State whose currency has depreciated,
 - reducing prices which mention a Member State whose currency has been revalued.

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

- in the case when the currencies concerned are kept at any given moment within a band of

2.25 %, a conversion rate resulting from their central rate,

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

Article 4

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

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

Article 5

1. The tenderer shall give security in an amount of 12 ECU per tonne of the products.

It shall be released:

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

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

Article 6

The product referred to in Article 1 must meet the following requirements:

- moisture content: 12 % maximum,
- acidity: 0.6 % maximum.

Products not meeting these requirements shall be refused.

Article 7

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

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

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

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

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

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

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

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

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

Article 8

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

Article 9

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

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

Done at Brussels, 9 November 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2477/79

of 9 November 1979

opening an invitation to tender for the mobilization of semi-milled long grain rice as food aid for the United Nations High Commissioner for Refugees

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 amended by Regulation (EEC) No 1552/79⁽²⁾,

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

Having regard 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⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 8 May 1979 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 3 650 tonnes of husked rice (in other words, 2 700 tonnes of semi-milled long grain rice) to the United Nations High Commissioner for Refugees under its 1978/79 food-aid programme;

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

Whereas the proposed invitation to tender should be for supply of the products on the quay or in the lighter where applicable at the port of unloading Ho Chi Minh Ville;

Whereas, in view of the different monetary circumstances in the Member States, the observation of these conditions is not guaranteed by the application of exchange rates applicable in the framework of the

common agricultural policy since monetary compensatory amounts do not apply in the rice sector; whereas it is advisable to take account of the monetary situation as regards different offers;

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

Whereas, should *force majeure* make it impossible to complete the operation in question within the time limits specified, it must be made clear who is to bear the liability for any resulting costs;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the United Nations High Commissioner for Refugees, by way of Community action, of 2 700 tonnes of semi-milled long grain rice.

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

3. The invitation to tender provided for in paragraph 1 is for supply of products on the quay or in the lighter where applicable, in the port of Ho Chi Minh Ville.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 11.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks lined with cotton sacks of a net capacity of 50 kilograms.

The following shall be printed on the sacks:

'Riz semi-blanchi / Don de la Communauté économique européenne / Action humanitaire de l'UNHCR pour les réfugiés'.

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

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 26 November 1979.

2. The closing date for the submission of tenders shall be 26 November 1979 at 12 noon.

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

Article 3

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

2. The rates used for converting into ECU those offers, made in national currencies shall be:

- the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
- in other cases, the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of offers.

Article 4

The contract shall be awarded to the tenderer offering the best terms.

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

Article 5

1. The successful tenderer shall give security of a value of 12 ECU per tonne; the security is intended

to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

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

Article 6

1. The semi-milled long grain rice referred to in Article 1 to be supplied to the United Nations High Commissioner for Refugees must meet the following requirements:

- moisture: 15 %,
- broken rice: 5 % maximum,
- chalky grains: 5 % maximum,
- grains striated with red: 3 % maximum,
- spotted grains: 1.5 % maximum,
- stained grains: 1 % maximum,
- yellow grains: 0.050 % maximum,
- amber grains: 0.20 % maximum.

Rice not meeting these requirements shall be refused.

2. Tenders for supply to the United Nations High Commissioner for Refugees of the semi-milled long grain rice referred to in Article 1 must relate to a product with the following characteristics:

- moisture: 15 %,
- broken rice: 5 % maximum,
- chalky grains: 5 % maximum,
- grains striated with red: 3 % maximum,
- spotted grains: 1.5 % maximum,
- stained grains: 1 % maximum,
- yellow grains: 0.050 % maximum,
- amber grains: 0.20 % maximum.

Article 7

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

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

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

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

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in Article 3 (2) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

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

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging ;
- (b) the date of the departure of the ships ; the expected date of arrival of the products at their destination ;

- (c) all possible contingencies which might occur during transportation of the products.

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

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

Article 8

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

Article 9

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

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

Done at Brussels, 9 November 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2478/79

of 9 November 1979

amending, as regards uncooked dough, Regulation (EEC) No 262/79 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1761/78⁽²⁾, and in particular Article 6(7) thereof,

Whereas with effect from 5 March 1979, Article 4 of Commission Regulation (EEC) No 262/79⁽³⁾, as amended by Regulation (EEC) No 545/79⁽⁴⁾, provides for the possibility of processing butter sold under that Regulation into uncooked dough;

Whereas, in the light of experience acquired in making use of that possibility and in order to encourage the use of butter in the manufacture of the said product, it is advisable to relax the specifications relating to its minimum flour content and to its maximum content in fats originating from milk;

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

Article 4 of Regulation (EEC) No 262/79 is hereby amended as follows:

In point 3 Formula C (a) (aa) the percentage '55 %' in the first indent shall be replaced by '51 %' and the percentage '40 %' in the third indent shall be replaced by '45 %'.

Article 2

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

It shall apply to products manufactured after that date.

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

Done at Brussels, 9 November 1979.

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 41, 16. 2. 1979, p. 1.

⁽⁴⁾ OJ No L 72, 23. 3. 1979, p. 16.

COMMISSION REGULATION (EEC) No 2479/79

of 9 November 1979

on the distillation for the 1979/80 wine year of wines suitable for producing certain potable spirits obtained from wine with a registered designation of origin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1303/79⁽²⁾, and in particular Article 13 (4) thereof,

Whereas Article 13 (1) of Regulation (EEC) No 337/79 provides that in years in which the harvest of wine suitable for producing certain potable spirits obtained from wine with a registered designation of origin exceeds by one million hectolitres the volume of wine used for this purpose in the previous wine year, it may be decided that the wines in question may be distilled; whereas this condition is fulfilled in the case of the 1979/80 wine year; whereas distillation of these wines should therefore be permitted;

Whereas final dates must be set for the submission of applications pursuant to the second subparagraph of Article 1 (1) of Council Regulation (EEC) No 343/79 of 5 February 1979 laying down general rules governing certain distillation operations in the wine sector⁽³⁾, as amended by Regulation (EEC) No 1709/79⁽⁴⁾; whereas final dates should also be set for the approval of applications and for the distillation operation in question, so as to facilitate control measures;

Whereas those wishing to conclude a distillation contract should be informed in good time whether their application has been approved;

Whereas it is necessary to specify what points must be covered by the distillation contract;

Whereas Article 3 of Regulation (EEC) No 343/79 makes provision for limiting distillation to products with an alcoholic strength of 86 % vol or more; whereas this provision should be applied, since the market in potable spirits, on which large quantities will be offered for sale following distillation operations already decided on for this wine year, may be disturbed by additional production of potable spirits; whereas, in order to ensure that distillation carried out under these arrangements is entirely devoted to

production of alcohol, it should be stipulated that the product so obtained must have an alcoholic strength of not less than 92 % vol;

Whereas, in order to allow producers to receive quickly the whole of the buying in price, it should be stipulated that the payments referred to in Article 4 (1) and (3) of Regulation (EEC) No 343/79 should be made not later than 30 days after the conditions laid down therein have been fulfilled;

Whereas the prices of the wines intended for distillation are not such as to permit the sale, under normal conditions, of the products obtained from such distillation; whereas it is therefore necessary to pay an aid and to fix its amounts at a level which, having regard to normal costs, will permit its sale;

Whereas technical criteria for the approval of distillers should be laid down; whereas provision should also be made to enable approval in principle to be withdrawn from the distiller in the event of default on his part, except in case of *force majeure* or inevitable accident;

Whereas the intervention agencies referred to in Article 8 of Regulation (EEC) No 343/79 and the Commission must be informed of the progress of the distillation operations and must in particular receive information as to the quantities of table wine distilled and the quantities of alcohol obtained;

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

HAS ADOPTED THIS REGULATION:

Article 1

Distillation as provided for in Article 13 (1) of Regulation (EEC) No 337/79 is hereby authorized for the 1979/80 wine year in respect of wines suitable for producing certain potable spirits obtained from wine with a registered designation of origin and shall be carried out in accordance with Regulation (EEC) No 343/79 and with this Regulation. The product obtained by distillation in accordance with this Regulation shall have an alcoholic strength of not less than 92 % vol.

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 162, 30. 6. 1979, p. 28.

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 64.

⁽⁴⁾ OJ No L 198, 4. 8. 1979, p. 3.

Applications for the approval of contracts shall be lodged by 31 January 1980. Contracts must be approved by 15 February 1980.

Distillation operations must be carried out between 1 November 1979 and 15 July 1980.

Article 2

1. The intervention agency referred to in Article 8 of Regulation (EEC) No 343/79 shall inform the contracting parties, not later than 15 days after receipt of the application for approval of a distillation contract, of the outcome of the approval procedure.

2. Each contract shall state:

- (a) the quantity, colour and actual alcoholic strength of the wines to be distilled;
- (b) the name and address of the producer;
- (c) the place where the wine is stored;
- (d) the name of the distiller or the business name of the distillery;
- (e) the address of the distillery.

3. 'Distiller' shall mean a person who distils wines on his own account or for the account of another.

Article 3

1. The buying in price, as determined pursuant to Article 13 (2) of Regulation (EEC) No 337/79, shall be 1.19 ECU per % vol alcohol per hectolitre.

2. The amount of the aid provided for in Article 2 of Regulation (EEC) No 343/79 shall be fixed at 0.44 ECU per % vol alcohol per hectolitre.

3. Payment pursuant to Article 4 (1) and (3) of Regulation (EEC) No 343/79 shall be made not later than 30 days after the requisite conditions have been fulfilled.

4. In the case referred to in Article 4 (5) of Regulation (EEC) No 343/79, payment of the minimum buying in price shall be made not later than 30 days after the total quantity of wine referred to in the contract has entered the distillery.

5. In the case referred to in Article 4 (6) of Regulation (EEC) No 343/79, payment of the minimum buying in price shall be made not later than 30 days

after the total quantity of wine referred to in the contract has been distilled. If the competent intervention agency of a Member State has not decided to make general use of the option provided for in the said Article 4 (6), the distiller may make use of that option only after obtaining the producer's agreement.

Article 4

1. In order to be approved within the meaning of Article 7 of Regulation (EEC) No 343/79, distillers must be capable of processing the wine into a product having an alcoholic strength of not less than 92 % vol.

2. Approval shall be withdrawn, except in cases of *force majeure* or inevitable accident, if the distiller does not pay the buying in price to the producer or does not fulfil his obligations under Community provisions.

Article 5

1. Distillers shall send to the intervention agency not later than the 10th day of each month, a list of the quantities of wine distilled during the previous month, indicating the quantities, expressed as pure alcohol, and the products which they have obtained.

2. Member States shall inform the Commission by telex, not later than the 20th day of each month in respect of the previous month, of:

- the quantities of wine covered by approved distillation contracts,
- the quantities of wine distilled and the quantities, expressed as pure alcohol, of products which they have obtained.

3. Member States shall communicate by 10 August 1980 particulars of any cases in which distillers have not fulfilled their obligations and of any measures taken as a result.

Article 6

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

It shall apply with effect from 1 November 1979.

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

Done at Brussels, 9 November 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2480/79
of 9 November 1979
amending Regulation (EEC) No 2426/79 introducing a countervailing charge on
cucumbers originating in Greece

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1301/79⁽²⁾, and in
particular Article 27 (2) thereof,

Whereas Regulation (EEC) No 2426/79⁽³⁾ introduced
a countervailing charge on cucumbers originating in
Greece;

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 cucumbers originating in Greece
must be amended,

HAS ADOPTED THIS REGULATION:

Article 1

The amount '8.48 ECU' appearing in Article 1 of
Regulation (EEC) No 2426/79 is replaced by the
amount '33.89 ECU'.

Article 2

This Regulation shall enter into force on 10
November 1979.

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

Done at Brussels, 9 November 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.
⁽²⁾ OJ No L 162, 30. 6. 1979, p. 26.
⁽³⁾ OJ No L 275, 1. 11. 1979, p. 66.

COMMISSION REGULATION (EEC) No 2481/79

of 9 November 1979

fixing the export refunds 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 1552/79 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 1418/76 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 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice 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 rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Regulation (EEC) No 1361/76 ⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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

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 indent;

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

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 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 November 1979.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 9.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

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

Done at Brussels, 9 November 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 9 November 1979 fixing the export refunds on rice and broken rice

CCT heading No	Description	Amount of refund (ECU/tonne)
10.06	Rice : A. Paddy rice ; husked rice : II. Husked rice : a) Round grain — b) Long grain — for export to : — Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italia 80-00 — Other third countries — B. Semi-milled or wholly milled rice : I. Semi-milled rice : a) Round grain — b) Long grain — II. Wholly milled rice : a) Round grain — b) Long grain — for export to : — Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia as well as destinations mentioned in Article 3 of Commission Regulation (EEC) No 192/75⁽¹⁾ 110-00 — Other third countries 127-00 C. Broken rice —	

⁽¹⁾ OJ No L 25, 17. 1. 1975, p. 1.

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

COMMISSION REGULATION (EEC) No 2482/79

of 9 November 1979

altering the rates of the refunds applicable to sugar and beet or cane syrups
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 organi-
zation of the market in sugar⁽¹⁾, as last amended by
Regulation (EEC) No 1396/78⁽²⁾, and in particular the
second sentence of the sixth subparagraph of Article
19 (2) thereof,

Whereas the rates of the refunds applicable from 1
November 1979 to sugar, to beet or cane syrups and
to molasses exported in the form of goods not covered
by Annex II to the Treaty were fixed by Regulation
(EEC) No 2411/79⁽³⁾;

Whereas it follows from applying the rules and
criteria contained in Regulation (EEC) No 2411/79 to

the information at present available to the Commis-
sion 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 rates of the refunds fixed by Regulation (EEC) No
2411/79 for white sugar, raw sugar and beet or cane
syrups containing by weight in the dry state 98 % or
more of sucrose, exported in the form of goods listed
in the Annex to amended Regulation (EEC) No
3330/74, are hereby altered as shown in the Annex to
this Regulation.

Article 2

This Regulation shall enter into force on 10
November 1979.

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

Done at Brussels, 9 November 1979.

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 275, 1. 11. 1979, p. 34.

ANNEX

to the Commission Regulation of 9 November 1979 altering the rates of the refunds applicable to sugar and beet or cane syrups exported in the form of goods not covered by Annex II to the Treaty

Table I

<i>Rate of refund in ECU/100 kg :</i>	White sugar :	11.84
	Raw sugar :	8.21
	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) :	11.84 $\times \frac{S^{(1)}}{100}$
	Molasses :	—

Table II

<i>Rate of refund in ECU/100 kg :</i>	White sugar :	15.95
	Raw sugar :	11.99
	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) :	15.95 $\times \frac{S^{(1)}}{100}$
	Molasses :	—

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

COMMISSION REGULATION (EEC) No 2483/79**of 9 November 1979****altering 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 organi-
zation 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 syrups and certain other sugar
products were fixed by Regulation (EEC) No
2406/79⁽³⁾.

Whereas it follows from applying the rules, criteria
and other provisions contained in Regulation (EEC)
No 2406/79 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 to be granted on the products listed in
Article 1 (1) (d) of Regulation (EEC) No 3330/74,
exported in the natural state, as fixed in the Annex to
Regulation (EEC) No 2406/79 are hereby altered to
the amounts shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 10
November 1979.

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

Done at Brussels, 9 November 1979.

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 275, 1. 11. 1979, p. 24.

ANNEX

to the Commission Regulation of 9 November 1979 altering the export refunds on syrups and certain other sugar products, exported in the natural state

(ECU/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	 0-1595 0-1595 0-1595
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : IV. Other (than lactose, glucose and isoglucose syrups)	 0-1595

⁽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 2484/79

of 9 November 1979

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 2402/79 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2402/79 to the

information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export 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 2402/79 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 November 1979.

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

Done at Brussels, 9 November 1979.

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 275, 1. 11. 1979, p. 13.

ANNEX

to the Commission Regulation of 9 November 1979 altering the export refunds on white sugar and raw sugar, exported in the natural state

(ECU/100 kg)

CCT heading No	Description	Refund
17.01	Beet sugar and cane sugar, solid :	
	A. White sugar ; flavoured or coloured sugar	15.00
	B. Raw sugar :	
	(a) Candy sugar	14.67 ⁽¹⁾
	(b) Other raw sugar	12.50 ⁽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 2485/79
of 9 November 1979
altering 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 provi-
sions for isoglucose ⁽¹⁾, as last amended by Regulation
(EEC) No 1293/79 ⁽²⁾, and in particular the second
sentence of the third subparagraph of Article 4 (2)
thereof,

Whereas the refunds on isoglucose were fixed by
Regulation (EEC) No 2409/79 ⁽³⁾;

Whereas it follows from applying the rules, criteria
and other provisions contained in Regulation (EEC)
No 2409/79 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 export refunds on the products referred to in
Article 1 of Regulation (EEC) No 1111/77, as fixed in
the Annex to Regulation (EEC) No 2409/79, are
hereby altered to the amounts set out in the Annex
hereto.

Article 2

This Regulation shall enter into force on 10
November 1979.

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

Done at Brussels, 9 November 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 4.

⁽²⁾ OJ No L 162, 30. 6. 1979, p. 10.

⁽³⁾ OJ No L 275, 1. 11. 1979, p. 30.

ANNEX

to the Commission Regulation of 9 November 1979 altering the export refunds on isoglucose

(ECU)

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	15.95 ⁽¹⁾
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : III. Isoglucose	15.95 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 2486/79

of 9 November 1979

altering the rate of the refund applicable to isoglucose exported in the form of
goods not covered by Annex II to 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 1293/79 ⁽²⁾, and in particular the second
sentence of the third subparagraph of Article 4 (2) and
Article 4 (5) thereof,

Whereas the rate of the refund applicable from 1
November 1979 to isoglucose exported in the form of
goods not covered by Annex II to the Treaty was fixed
by Regulation (EEC) No 2412/79 ⁽³⁾;

Whereas it follows from applying the rules and
criteria contained in Regulation (EEC) No 2412/79 to

the information at present available to the Commis-
sion that the export refund applicable to isoglucose at
present in force should be altered as shown in the
Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the refund fixed by Regulation (EEC) No
2412/79 for isoglucose exported in the form of goods
listed in the Annex to Regulation (EEC) No 1111/77
is hereby altered as shown in the Annex to this Regu-
lation.

Article 2

This Regulation shall enter into force on 10
November 1979.

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

Done at Brussels, 9 November 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 4.

⁽²⁾ OJ No L 162, 30. 6. 1979, p. 10.

⁽³⁾ OJ No L 275, 1. 11. 1979, p. 36.

ANNEX

to the Commission Regulation of 9 November 1979 altering the rate of the refund appli-
cable to isoglucose exported in the form of goods not covered by Annex II to the Treaty

(ECU)

CCT heading No	Description	Amount of refund for 100 kg of dry matter
17.02 D I	Isoglucose	15.95

COMMISSION REGULATION (EEC) No 2487/79**of 9 November 1979****fixing the import levies on white sugar and raw sugar**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the import levies on white sugar and raw
sugar were fixed by Regulation (EEC) No 1328/79 ⁽³⁾,
as last amended by Regulation (EEC) No 2461/79 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1328/79 to the
information known to the Commission that the levies

at present in force should be altered to the amounts
set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies referred to in Article 15 (1) of Regu-
lation (EEC) No 3330/74 shall be, in respect of white
sugar and standard quality raw sugar, as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 10
November 1979.

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

Done at Brussels, 9 November 1979.

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 162, 30. 6. 1979, p. 85.

⁽⁴⁾ OJ No L 280, 9. 11. 1979, p. 17.

ANNEX

**to the Commission Regulation of 9 November 1979 fixing the import levies on white sugar
and raw sugar**

(ECU/100 kg)

CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar ; flavoured or coloured sugar	20.81
	B. Raw sugar	18.26 ⁽¹⁾

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 29 October 1979

amending Directive 76/630/EEC concerning surveys of pig production to be made by Member States

(79/920/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas Directive 76/630/EEC⁽²⁾ provided for surveys of pig production to be made by Member States;

Whereas some of the provisions of that Directive must be specified more precisely and supplemented in order to promote the harmonization of forecasts in the pigmeat sector and to improve the forecasting methods used,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Article 8 of Directive 76/630/EEC is hereby replaced by the following:

'Article 8

1. Member States shall provide forecasts of gross domestic production of pigs broken down by two-

monthly periods, for the periods 1 December to 30 November, 1 April to 31 March and 1 August to 31 July. The periods may be altered in accordance with the procedure provided for in Article 11.

Gross domestic production covers all pigs slaughtered, whether of domestic or foreign origin, plus the balance of foreign trade in live pigs.

2. The forecasts referred to in paragraph 1 shall be forwarded to the Commission within time limits to be laid down in accordance with the procedure provided for in Article 11.'

Article 2

This Directive is addressed to the Member States.

Done at Luxembourg, 29 October 1979.

For the Council

The President

B. LENIHAN

⁽¹⁾ Opinion delivered on 26 October 1979 (not yet published in the Official Journal).

⁽²⁾ OJ No L 223, 16. 8. 1976, p. 4.

COUNCIL DECISION**of 29 October 1979****amending the import arrangements applied in Italy and the Federal Republic of Germany for tractors, footwear, umbrellas and wrought plates of aluminium, originating in Romania**

(79/921/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Decision 75/210/EEC of 27 March 1975 on unilateral import arrangements in respect of State-trading countries ⁽¹⁾, and in particular the first indent of Article 7 thereof,

Having regard to the proposal by the Commission,

Whereas, under the terms of Article 3 of Decision 75/210/EEC, the Italian Republic and the Federal Republic of Germany have notified the other Member States and the Commission that they consider that the import arrangements applied to Romania should be amended;

Whereas the amendments requested raise no particular economic problems and they should therefore be adopted,

HAS ADOPTED THIS DECISION:

Article 1

For 1979, Italy shall, by way of exception, open a supplementary import quota for 1 500 tractors falling within heading No 87.01 of the Common Customs

Tariff and originating in Romania and a quota for 1 500 tonnes for flawed wrought plates, sheets and strip, of aluminium, to be blended into bars, falling within heading No 76.03 of the Common Customs Tariff and also originating in Romania.

Article 2

1. The suspension of the quantitative restrictions on imports into the Federal Republic of Germany of footwear falling within NIMEXE codes 64.02-29 and 64.02-31 and originating in Romania shall be extended for 1980.

2. The quantitative restrictions on imports into the Federal Republic of Germany of umbrellas falling within NIMEXE codes 66.01-90 and originating in Romania shall be abolished.

Article 3

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

Done at Luxembourg, 29 October 1979.

For the Council

The President

M. O'KENNEDY

⁽¹⁾ OJ No L 99, 21. 4. 1975, p. 7.

COUNCIL DECISION**of 29 October 1979****on the granting of support for Community projects in the hydrocarbons sector****(79/922/EEC)**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3056/73 of 9 November 1973 on the support of
Community projects in the hydrocarbons sector⁽¹⁾,
and in particular Article 6 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3056/73 provides for
the granting of support for the carrying out of techno-
logical development projects which are of funda-
mental importance in ensuring the Community's
supply of hydrocarbons;

Whereas it is essential to proceed with the carrying
out of projects which are particularly likely to expe-
dite the exploitation of resources and improve storage
and transport conditions for hydrocarbons in the
Community which could not be carried out or would
have to be postponed without Community support,

HAS DECIDED AS FOLLOWS:

Article 1

For the period 1979 to 1981, support shall be granted,
for the Community projects shown in the Annex, in

the form of subsidies, repayable if the results are ex-
ploited commercially, up to a maximum amount of
22 528 739 EUA.

Article 2

The support referred to in Article 1 shall be granted
for each of the projects on the basis of the percentages
shown in the Annex of the actual cost as verified and
accepted by the Commission up to the maximum
amounts also specified in the Annex.

Article 3

The Commission shall negotiate and conclude with
the persons concerned the contracts necessary for the
implementation of this Decision.

The Commission shall administer such contracts.

Done at Luxembourg, 29 October 1979.

For the Council

The President

M. O'KENNEDY

⁽¹⁾ OJ No L 312, 13. 11. 1973, p. 1.

ANNEX

**SUPPORT GRANTED TO COMMUNITY TECHNOLOGICAL
DEVELOPMENT PROJECTS IN THE HYDROCARBONS SECTOR
(1979 to 1981)**

Project		Support	
Definition and promotor	Investment 1979 to 1981 (EUA)	Rate (in %)	Amount (EUA)
GEOPHYSICS AND PROSPECTING (01)			
— 01.15/79 Development of a procedure for the combined application of different geophysical methods PREUSSAG AG	496 197	40	198 479
— 01.18/79 Pulse 8/3 Range (RHO3) Circular positioning system SEA SURVEY LTD	388 949	40	155 580
PRODUCTION SYSTEMS (03)			
— 03.71/79 Development programme for composite offshore jacket structures WIMPEY LTD	4 078 813	40	1 631 525
— 03.72/79 Gravity tower C. G. DORIS	1 333 920	40	533 568
— 03.73/79 Cryogenic separation of CO ₂ from natural gas SNAM PROGETTI	3 813 544	40	1 525 418
— 03.75/79 Concrete articulate tower — Oil production platform CONAT-OPP BILFINGER & BERGER	979 164	40	391 666
— 03.78/79 System of recovery of hydrocarbons from small offshore fields TAYLOR WOODROW CONSTRUCTION LTD	3 329 484	40	1 331 794
— 03.79/79 Development of design techniques for instability problems in offshore structures TAYLOR WOODROW CONSTRUCTION LTD	3 022 388	40	1 208 955
— 03.80/79 Testing of production techniques GERTH	3 840 594	40	1 536 238
— 03.82.79 Sub-surface links for deep sea production GERTH	3 943 467	40	1 577 387

Project		Support	
Definition and promotor	Investment 1979 to 1981 (EUA)	Rate (in %)	Amount (EUA)
— 03.83/79 Mobile floating platform BABCOCK AG/HYDRONAMIC	1 681 506	40	672 602
SECONDARY AND ENHANCED RECOVERY (05)			
— 05.14/79 Field pilot for heavy oil recovery enhancement, Ponte Dirillo field, Italy AGIP SPA	4 301 323	40	1 720 529
— 05.15/79 Seismic fracture location from the surface PRAKLA SEISMOS GMBH	904 666	40	361 866
SERVICE SHIPS AND SUBMERSIBLES (07)			
— 07.33/79 Project 'David III' ZF HERION	1 468 743	40	587 497
LAYING OF PIPELINES (09)			
— 09.17/79 Development of a method for laying pipelines in very deep water joined by means of mechanical connecting TECNOMARE	794 636	30	238 391
— 09.18/79 Technological development regarding off-shore explora- tion and production of oil and natural gas SESAM	367 256	30	110 177
— 09.19/79 Deep sea repair GERTH	6 686 749	30	2 006 025
— 09.20/79 Free swimming pig MATTEVAL CO LTD	1 566 816	30	470 045
— 09.21/79 'Rip-Rap' protection of subsea pipelines with under- water vehicle 'Velpo' C. G. DORIS	2 623 263	30	786 979
PIPELINES TRANSPORT (10)			
— 10.18/79 Investigation of methods for the transfer of natural gas liquids at temperature and pressure to and from subsea containment LIQUID GAS EQUIPMENT LTD	690 339	40	276 136

Project		Support	
Definition and promotor	Investment 1979 to 1981 (EUA)	Rate (in %)	Amount (EUA)
— 10.20/79 Unmanned submersible station for the repair of pipelines in deep water SNAM SPA	10 332 044	30	3 099 613
— 10.21/79 Repairs of under-sea pipelines by mechanical connections GERTH	5 829 474	30	1 748 842
STORAGE (14)			
— 14.07/79 Permanently moored tanker used for deep water storage and off loading OFFSHORE MOORING SYSTEMS	529 583	30	158 875
— 14.08/79 High pressure multi product swivel OFFSHORE MOORING SYSTEMS	501 381	40	200 552
General total	63 504 299		22 528 739

COUNCIL DIRECTIVE
of 30 October 1979
on the quality required of shellfish waters

(79/923/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 100 and 235 thereof,

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

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

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

Whereas the protection and improvement of the environment necessitate concrete measures to protect waters, including shellfish waters, against pollution;

Whereas it is necessary to safeguard certain shellfish populations from various harmful consequences, resulting from the discharge of pollutant substances into the sea;

Whereas the programmes of action of the European Communities on the environment of 1973⁽⁴⁾ and 1977⁽⁵⁾ provide that quality objectives are to be jointly drawn up fixing the various requirements which an environment must meet, *inter alia* the definition of parameters for water, including shellfish waters;

Whereas differences between the provisions already in force or in preparation in the various Member States as regards the quality required of shellfish waters may create unequal conditions of competition and thus directly affect the functioning of the common market; whereas laws in this field should therefore be approximated as provided for by Article 100 of the Treaty;

Whereas it is necessary to couple this approximation of laws with Community action aiming to achieve, by means of wider-ranging provisions, one of the Community's objectives in the field of environmental

protection and the improvement of the quality of life; whereas certain specific provisions must be laid down in this connection; whereas, since the specific powers of action required to this end have not been provided for in the Treaty, it is necessary to invoke Article 235 thereof;

Whereas, in order to attain the objectives of the Directive, the Member States will have to designate the waters to which it will apply and will have to set limit values corresponding to certain parameters; whereas the waters so designated will have to conform to these values within six years of designation;

Whereas for the purpose of checking the quality required of shellfish waters, a minimum number of samples should be taken and the measurements relating to parameters set out in the Annex should be carried out; whereas such sampling may be reduced or discontinued in the light of the results of the measurements;

Whereas certain natural circumstances are beyond the control of the Member States and it is therefore necessary to provide for the possibility of derogating from this Directive in certain cases;

Whereas technical and scientific progress may make necessary the rapid adaptation of some of the requirements laid down in the Annexes; whereas, in order to facilitate the introduction of the measures required for this purpose, a procedure should be laid down establishing close cooperation between the Member States and the Commission; whereas such cooperation should take place in the Committee on Adaptation to Technical and Scientific Progress set up by Article 13 of the Council Directive 78/659/EEC of 18 July 1978 on the quality of fresh waters needing protection or improvement in order to support fish life⁽⁶⁾;

Whereas this Directive cannot, by itself, ensure protection of consumers of shellfish products; whereas proposals to this end should therefore be submitted by the Commission as soon as possible,

⁽¹⁾ OJ No C 283, 30. 11. 1976, p. 3.

⁽²⁾ OJ No C 133, 6. 6. 1977, p. 48.

⁽³⁾ OJ No C 114, 11. 5. 1977, p. 29.

⁽⁴⁾ OJ No C 112, 20. 12. 1973, p. 3.

⁽⁵⁾ OJ No C 139, 13. 6. 1977, p. 3.

⁽⁶⁾ OJ No L 222, 14. 8. 1978, p. 1.

HAS ADOPTED THIS DIRECTIVE :

Article 1

This Directive concerns the quality of shellfish waters and applies to those coastal and brackish waters designated by the Member States as needing protection or improvement in order to support shellfish (bivalve and gasteropod molluscs) life and growth and thus to contribute to the high quality of shellfish products directly edible by man.

Article 2

The parameters applicable to the waters designated by the Member States are listed in the Annex.

Article 3

1. Member States shall, for the designated waters, set values for the parameters listed in the Annex, in so far as values are given in column G or in column I. They shall comply with the comments contained in both columns.

2. Member States shall not set values less stringent than those given in column I of the Annex and shall endeavour to observe the values in column G, while taking into account the principle set out in Article 8.

3. For discharges of effluents falling within parameters 'organohalogenated substances' and 'metals', the emission standards laid down by the Member States pursuant to Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community⁽¹⁾ shall be applied at the same time as the quality objectives and the other obligations arising from this Directive, in particular those relating to sampling.

Article 4

1. Member States shall, initially within a two-year period following the notification of this Directive, designate shellfish waters.

2. Member States may subsequently make additional designations.

3. Member States may revise the designation of certain waters owing in particular to factors unforeseen at the time of designation, taking into account the principle set out in Article 8.

Article 5

Member States shall establish programmes in order to reduce pollution and to ensure that designated waters conform, within six years following designation in

accordance with Article 4, to both the values set by the Member States in accordance with Article 3 and the comments contained in columns G and I of the Annex.

Article 6

1. For the purposes of implementing Article 5, the designated waters shall be deemed to conform to the provisions of this Directive if samples of such waters, taken at the minimum frequency specified in the Annex, at the same sampling point and over a period of 12 months, show that they conform to both the values set by the Member States in accordance with Article 3 and the comments contained in columns G and I of the Annex, as regards :

- 100 % of the samples for the parameters 'organohalogenated substances' and 'metals' ;
- 95 % of the samples for the parameters 'salinity' and 'dissolved oxygen' ;
- 75 % of the samples for the other parameters listed in the Annex.

If, in accordance with Article 7 (2), the sampling frequency for all the parameters in the Annex except 'organohalogenated substances' and 'metals' is lower than that indicated in the Annex, the abovementioned values and comments shall be complied with in the case of all the samples.

2. Instances in which the values set by Member States in accordance with Article 3 or the comments contained in columns G and I of the Annex are not respected shall not be taken into consideration in the calculation of the percentages provided for in paragraph 1 when it is the result of a disaster.

Article 7

1. The competent authorities in the Member States shall carry out sampling operations, the minimum frequency of which is laid down in the Annex.

2. Where the competent authority records that the quality of designated waters is appreciably higher than that which would result from the application of the values set in accordance with Article 3 and the comments contained in columns G and I of the Annex, the frequency of the sampling may be reduced. Where there is no pollution and no risk of deterioration in the quality of the waters, the competent authority concerned may decide that no sampling is necessary.

3. If sampling shows that a value set in accordance with Article 3 or a comment contained in columns G or I of the Annex is not respected, the competent authority shall establish whether this is the result of

⁽¹⁾ OJ No L 129, 18. 5. 1976, p. 23.

chance, a natural phenomenon or pollution and shall adopt appropriate measures.

4. The exact sampling point, the distance from this point to the nearest point where pollutants are discharged and the depth at which the samples are to be taken shall be fixed by the competent authority of each Member State on the basis of local environmental conditions in particular.

5. The reference methods of analysis to be used for calculating the value of the parameters concerned are set out in the Annex. Laboratories which employ other methods shall ensure that the results obtained are equivalent or comparable to those specified in the Annex.

Article 8

Implementation of the measures taken pursuant to this Directive may on no account lead, either directly or indirectly, to increased pollution of coastal and brackish waters.

Article 9

Member States may at any time set more stringent values for designated waters than those laid down in this Directive. They may also lay down provisions relating to other parameters than those provided for in this Directive.

Article 10

Where a Member State considers designating shellfish waters in the immediate vicinity of a frontier with another Member State, these States shall consult each other in order to determine the stretches of such waters to which this Directive might apply and the consequences to be drawn from the common quality objectives; these consequences shall be determined, after formal consultations, by each State concerned. The Commission may participate in these deliberations.

Article 11

The Member States may derogate from this Directive in the event of exceptional weather or geographical conditions.

Article 12

Such amendments as are necessary for adapting to technical and scientific progress the G values for the parameters and the methods of analysis contained in the Annex shall be adopted by the Committee set up by Article 13 of Directive 78/659/EEC in accordance with the procedure laid down in Article 14 thereof.

Article 13

For the purpose of applying this Directive, Member States shall provide the Commission with information concerning:

- the waters designated in accordance with Article 4 (1) and (2), in summary form,
- the revision of the designation of certain waters in accordance with Article 4 (3),
- the provisions laid down in order to establish new parameters in accordance with Article 9.

Where a Member State applies the provisions of Article 11, it shall forthwith notify the Commission thereof, stating its reasons and the periods anticipated.

More generally, Member States shall provide the Commission, on a reasoned request from the latter, with any information necessary for the application of this Directive.

Article 14

1. Member States shall, six years following the initial designation in accordance with Article 4 (1), and at regular intervals thereafter, submit a detailed report to the Commission on designated waters and the basic features thereof.

2. The Commission shall, with the prior consent of the Member State, publish the information obtained.

Article 15

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive within two years of its notification. They shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field governed by this Directive.

Article 16

This Directive is addressed to the Member States.

Done at Luxembourg, 30 October 1979.

For the Council

The President

M. O'KENNEDY

ANNEX

QUALITY OF SHELLFISH WATERS

Parameter	G	I	Reference methods of analysis	Minimum sampling and measuring frequency
1. pH pH unit		7 — 9	— Electrometry Measured <i>in situ</i> at the time of sampling	Quarterly
2. Temperature °C	A discharge affecting shellfish waters must not cause the temperature of the waters to exceed by more than 2 °C the temperature of waters not so affected		— Thermometry Measured <i>in situ</i> at the time of sampling	Quarterly
3. Coloration (after filtration) mg Pt/l		A discharge affecting shellfish waters must not cause the colour of the waters after filtration to deviate by more than 10 mg Pt/l from the colour of waters not so affected	— Filter through a 0.45 µm membrane Photometric method, using the platinum/cobalt scale	Quarterly
4. Suspended solids mg/l		A discharge affecting shellfish waters must not cause the suspended solid content of the waters to exceed by more than 30 % the content of waters not so affected	— Filtration through a 0.45 µm membrane, drying at 105 °C and weighing — Centrifuging (for at least five minutes, with mean acceleration 2 800 to 3 200 g), drying at 105 °C and weighing	Quarterly
5. Salinity ‰	12 to 38 ‰	— ≤ 40 ‰ — Discharge affecting shellfish waters must not cause their salinity to exceed by more than 10 % the salinity of waters not so affected	Conductimetry	Monthly

Parameter	G	I	Reference methods of analysis	Minimum sampling and measuring frequency
6. Dissolved oxygen Saturation %	≥ 80 %	— ≥ 70 % (average value) — Should an individual measurement indicate a value lower than 70 %, measurements shall be repeated — An individual measurement may not indicate a value of less than 60 % unless there are no harmful consequences for the development of shellfish colonies	— Winkler's method — Electrochemical method	Monthly, with a minimum of one sample representative of low oxygen conditions on the day of sampling. However, where major daily variations are suspected, a minimum of two samples in one day shall be taken
7. Petroleum hydrocarbons		Hydrocarbons must not be present in the shellfish water in such quantities as to : — produce a visible film on the surface of the water and/or a deposit on the shellfish, — have harmful effects on the shellfish	Visual examination	Quarterly
8. Organohalogenated substances	The concentration of each substance in shellfish flesh must be so limited that it contributes, in accordance with Article 1, to the high quality of shellfish products	The concentration of each substance in the shellfish water or in shellfish flesh must not reach or exceed a level which has harmful effects on the shellfish and larvae	Gas chromatography after extraction with suitable solvents and purification	Half-yearly
9. Metals Silver Arsenic Cadmium Chromium Copper Mercury Nickel Lead Zinc mg/l	The concentration of each substance in shellfish flesh must be so limited that it contributes in accordance with Article 1, to the high quality of shellfish products	The concentration of each substance in the shellfish water or in the shellfish flesh must not exceed a level which gives rise to harmful effects on the shellfish and their larvae The synergic effects of these metals must be taken into consideration	Spectrometry of atomic absorption preceded, where appropriate, by concentration and/or extraction	Half-yearly

Parameter	G	I	Reference methods of analysis	Minimum sampling and measuring frequency
10. Faecal coliforms/100 ml	≤ 300 in the shellfish flesh and intervalvular liquid ⁽¹⁾		Method of dilution with fermentation in liquid substrates in at least three tubes in three dilutions. Subculturing of the positive tubes on a confirmation medium. Count according to MPN (most probable number). Incubation temperature 44 °C ± 0.5 °C	Quarterly
11. Substances affecting the taste of the shellfish		Concentration lower than that liable to impair the taste of the shellfish	Examination of the shellfish by tasting where the presence of one of these substances is presumed	
12. Saxitoxin (produced by dinoflagellates)				

Abbreviations:

G = guide

I = mandatory

⁽¹⁾ However, pending the adoption of a Directive on the protection of consumers of shellfish products, it is essential that this value be observed in waters in which live shellfish directly edible by man.