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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 302/74 OF THE COUNCIL

of 4 February 1974

on the conclusion of an Agreement in the form of an exchange of letters amending Article 5 of Annex 1 to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 238 thereof;

Having regard to the recommendation from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas an Agreement in the form of an exchange of letters amending Article 5 of Annex 1 to the Agreement ⁽¹⁾ establishing an Association between the European Economic Community and the Kingdom of Morocco was signed at Brussels on 20 July 1973,

Annex 1 to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco is hereby concluded.

The text of the exchange of letters is annexed to this Regulation.

Article 2

As regards the Community, the President of the Council of the European Communities shall, in pursuance of the provisions laid down in the exchange of letters, announce when the procedures necessary for the entry into force of the Agreement have been completed.

HAS ADOPTED THIS REGULATION:

Article 3

Article 1

On behalf of the Community, the Agreement, constituted by an exchange of letters amending Article 5 of

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

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

Done at Brussels, 4 February 1974.

For the Council

The President

W. SCHEEL

⁽¹⁾ OJ No L 197, 8. 8. 1969, p. 3.

EXCHANGE OF LETTERS**amending Article 5 of Annex 1 to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco**

Your Excellency,

During the negotiations that took place on 16 January 1973 the Parties to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco agreed to replace the provisions of Article 5 of Annex 1 to the said Agreement by the provisions annexed to this letter.

It was agreed that the new provisions of Article 5 of Annex 1 to the Agreement would enter into force on the first day of the month following the date on which the Contracting Parties notified each other that the procedures necessary to this end had been completed.

We should be grateful if you would be good enough to acknowledge this letter and confirm that your Government is in agreement with its contents.

Please accept, Your Excellency, the assurance of our highest consideration.

*On behalf of the Council
of the European Communities*

ANNEX**New Article 5 of Annex 1 to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco**

1. Provided that Morocco applies a special export charge in respect of olive oil other than refined olive oil, falling within subheading No 15.07 A II of the Common Customs Tariff and provided that this special charge is reflected in the import price, the Community shall take the necessary measures to ensure that:
 - (a) the levy on imports into the Community of the said oil, wholly produced in Morocco and transported direct from that country to the Community, shall be the import levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, applicable upon importation, less 0.50 unit of account per 100 kg;
 - (b) the amount of the levy resulting from the calculation mentioned under (a) shall be reduced by an amount equal to that of the special charge of not more than 5 units of account per 100 kg that has been paid.
2. If Morocco does not apply the charge referred to in paragraph 1, the Community shall take the necessary measures to ensure that the levy on imports into the Community of olive oil, other than refined olive oil, falling within subheading No 15.07 A II of the Common Customs Tariff shall be the levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, applicable upon importation, less 0.50 unit of account per 100 kg.
3. Each Contracting Party shall take the measures necessary to ensure application of paragraph 1 and shall supply, in the event of difficulties, the information necessary to the proper operation of the arrangements at the request of the other Party.
4. Consultations on the operation of the arrangements provided for in this Article may be held within the Association Council.

Your Excellencies,

You were good enough to make the following communication to me in your letter of today's date :

'During the negotiations that took place on 16 January 1973 the Parties to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco agreed to replace the provisions of Article 5 of Annex 1 to the said Agreement by the provisions annexed to this letter.

It was agreed that the new provisions of Article 5 of Annex 1 to the Agreement would enter into force on the first day of the month following the date on which the Contracting Parties notified each other that the procedures necessary to this end had been completed.

We should be grateful if you would be good enough to acknowledge this letter and confirm that your Government is in agreement with its contents.'

I have the honour to acknowledge receipt of your communication and to confirm that my Government is in agreement with its contents.

Please accept, Your Excellencies, the assurance of my highest consideration.

*For the Government
of His Majesty the King of Morocco*

ANNEX

New Article 5 of Annex 1 to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco

- '1. Provided that Morocco applies a special export charge in respect of olive oil other than refined olive oil, falling within subheading No 15.07 A II of the Common Customs Tariff and provided that this special charge is reflected in the import price, the Community shall take the necessary measures to ensure that:
 - (a) the levy on imports into the Community of the said oil, wholly produced in Morocco and transported direct from that country to the Community, shall be the import levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, applicable upon importation, less 0.50 unit of account per 100 kg;
 - (b) the amount of the levy resulting from the calculation mentioned under (a) shall be reduced by an amount equal to that of the special charge of not more than 5 units of account per 100 kg that has been paid.
 2. If Morocco does not apply the charge referred to in paragraph 1, the Community shall take the necessary measures to ensure that the levy on imports into the Community of olive oil, other than refined olive oil, falling within subheading No 15.07 A II of the Common Customs Tariff shall be the levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, applicable upon importation, less 0.50 unit of account per 100 kg.
 3. Each Contracting Party shall take the measures necessary to ensure application of paragraph 1 and shall supply, in the event of difficulties, the information necessary to the proper operation of the arrangements at the request of the other Party.
 4. Consultations on the operation of the arrangements provided for in this Article may be held within the Association Council.'
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REGULATION (EEC) No 303/74 OF THE COUNCIL
of 4 February 1974
on imports of olive oil from Morocco

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 Articles 5 and 6 of Annex 1 to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco, as last amended by the Agreement signed in Brussels on 20 July 1973, make provision for special treatment to be accorded to imports of olive oil falling within subheading No 15.07 A of the Common Customs Tariff, obtained entirely in Morocco and transported directly from that country into the Community; whereas, before that treatment can be accorded, rules for its application must be adopted, in particular with respect to oil falling within subheading No 15.07 A II;

Whereas, in the case of oil falling within subheading No 15.07 A II, on condition that Morocco imposes a special charge on exports, the special treatment provides for a standard rebate of 0.50 unit of account per 100 kilogrammes on the levy charged on such oil, and a reduction of the levy by the amount of the special charge, up to 5 units of account per 100 kilogrammes;

Whereas it is necessary to ensure that, in accordance with the Agreement, the special export charge has the effect of increasing the price of oil on importation into the Community; whereas, to ensure that the treatment in question is correctly applied, the necessary steps must be taken to ensure that the special export charge has been paid when the oil is imported,

HAS ADOPTED THIS REGULATION:

Article 1

Where Morocco imposes the special export charge on olive oil other than refined olive oil falling within subheading No 15.07 A II of the Common Customs Tariff, obtained entirely in Morocco and transported

directly from that country into the Community, the levy on imports of such oil into the Community shall be the levy calculated in accordance with Article 13 of Council Regulation No 136/66/EEC⁽²⁾ of 22 September 1966 on the establishment of a common organization of the market in oils and fats, as last amended by Regulation (EEC) No 1707/73⁽³⁾, less:

- 0.50 unit of account per 100 kilogrammes, and
- an amount equal to the special export charge levied on the oil in Morocco, up to 5 units of account per 100 kilogrammes.

Article 2

The arrangements provided for in Article 1 shall be applied to all imports in respect of which the importer can prove that the special export charge referred to in that Article is duly reflected in the import price.

Article 3

Where Morocco does not impose the special export charge, the levy on imports into the Community of oil as defined in Article 1 shall be the levy calculated in accordance with Article 13 of Regulation No 136/66/EEC, less 0.50 unit of account per 100 kilogrammes.

Article 4

Without prejudice to the charging of the variable component of the levy determined in accordance with Article 14 of Regulation No 136/66/EEC, the fixed component of that levy shall not be charged on importation into the Community of refined olive oil falling within subheading No 15.07 A I of the Common Customs Tariff, obtained entirely in Morocco and transported directly from that country into the Community.

Article 5

The levy referred to in Article 4 shall be fixed by the Commission.

Article 6

Detailed rules for the application of this Regulation, and of Article 2 in particular, shall be adopted in

⁽¹⁾ OJ No C 2, 9. 1. 1974, p. 72.

⁽²⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽³⁾ OJ No L 175, 29. 6. 1973, p. 5.

accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 7

Council Regulation (EEC) No 463/71 ⁽¹⁾ of 1 March 1971 on imports of olive oil from Morocco is repealed.

Article 8

This Regulation shall enter into force on the day of the entry into force of the Agreement in the form of an exchange of letters signed on 20 July 1973 amending Article 5 of Annex 1 to the Agreement ⁽²⁾ establishing an Association between the European Economic Community and the Kingdom of Morocco.

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

Done at Brussels, 4 February 1974.

For the Council

The President

W. SCHEEL

⁽¹⁾ OJ No L 53, 5. 3. 1971, p. 9.

⁽²⁾ The date of the entry into force of this Agreement will be published in the *Official Journal of the European Communities*.

REGULATION (EEC) No 304/74 OF THE COUNCIL

of 4 February 1974

extending the period of application of Council Regulation (EEC) No 228/72 on imports into the Community of certain fishery products originating in Morocco

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;

Whereas the arrangements for the importation into the Community of fishery products originating in Morocco, as laid down by Regulation (EEC) No 1705/71⁽¹⁾, do not cover trout, carp, preserved sardines or tunny, since no Community import arrangements have as yet been established for such products;

Whereas by Regulation (EEC) No 228/72⁽²⁾ the Council laid down transitional arrangements for the importation of such products originating in Morocco;

Whereas by Regulation (EEC) No 2828/72⁽³⁾ the Council, in order to avoid disrupting trade in these products between the Community and Morocco, extended these transitional arrangements; whereas there are still no Community arrangements in force for the importation of the products in question into the Community; whereas, to avoid any disruption in the trade in these products between the Community and Morocco, the transitional arrangements should therefore be again extended;

Whereas provision should be made to ensure that the arrangements applied by Member States to the importation of the products in question originating in Morocco be no less favourable than those applied from 1 January 1974 to the like products originating in other third countries, taking account of the provisions of the Act of Accession,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 3 of Regulation (EEC) No 228/72, the date '31 December 1973' shall be replaced by the date '31 December 1974'. However, the arrangements applied to the import of those products originating in Morocco to which Article 2 of Regulation (EEC) No 228/72 applies may in no case be less favourable than those applied to the like products originating in other third countries.

Article 2

The import arrangements provided for in this Regulation shall be extended for the duration of 1974.

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

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

Done at Brussels, 4 February 1974.

For the Council

The President

W. SCHEEL

⁽¹⁾ OJ No L 176, 5. 8. 1971, p. 2.

⁽²⁾ OJ No L 28, 1. 2. 1972, p. 8.

⁽³⁾ OJ No L 298, 31. 12. 1972, p. 15.

REGULATION (EEC) No 305/74 OF THE COUNCIL**of 4 February 1974****on the conclusion of the Agreement in the form of an exchange of letters amending Article 7 of Annex 6 to the Additional Protocol to the Agreement establishing an Association between the European Economic Community and Turkey**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 238 thereof;

Having regard to the recommendation from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the Agreement, in the form of an exchange of letters, amending Article 7 of Annex 6 to the Additional Protocol to the Agreement⁽¹⁾ establishing an Association between the European Economic Community and Turkey was signed at Brussels on 23 November 1973,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement, in the form of an exchange of letters, amending Article 7 of Annex 6 to the Additional

Protocol to the Agreement establishing an Association between the European Economic Community and Turkey is concluded, on behalf of the Community.

The text of the exchange of letters is annexed to this Regulation.

Article 2

As regards the Community, the President of the Council of the European Communities shall notify, in accordance with the provisions of the exchange of letters, the completion of the procedures necessary for the entry into force of the Agreement.

Article 3

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

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

Done at Brussels, 4 February 1974.

For the Council

The President

W. SCHEEL

⁽¹⁾ OJ No L 293, 29. 12. 1972, p. 3.

EXCHANGE OF LETTERS**amending Article 7 of Annex 6 to the Additional Protocol annexed to the Agreement establishing an Association between the European Economic Community and Turkey**

Brussels, . . .

Sir,

During the negotiations which took place on 22 May 1973, the parties to the Agreement establishing an Association between the European Economic Community and Turkey agreed to substitute the text annexed to this letter for the text of Article 7 of Annex 6 to the Additional Protocol annexed to the said Agreement.

It was agreed that the new Article 7 of Annex 6 to the Additional Protocol would enter into force on the first day of the month following the day on which the Contracting Parties notify each other that the procedures necessary to this end have been completed.

I should be obliged if you would acknowledge receipt of this letter and confirm that your Government is in agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council
of the European Communities*

ANNEX**New Article 7 of Annex 6 to the Additional Protocol annexed to the Agreement establishing an Association between the European Economic Community and Turkey**

1. Provided that Turkey applies a special export charge on olive oil other than refined olive oil, falling within subheading No 15.07 A II of the Common Customs Tariff, and provided that this special charge is reflected in the import price, the Community shall take the measures necessary to ensure that:
 - (a) the levy on imports into the Community of the said oil wholly produced in Turkey and transported direct from that country to the Community is the levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, and applicable upon importation, less 0.50 unit of account for 100 kilogrammes;
 - (b) the amount of the levy calculated in accordance with (a) is reduced by an amount equal to that of the special charge paid while not exceeding 4.5 units of account for 100 kilogrammes.
2. If Turkey does not apply the special charge referred to in paragraph 1, the Community shall take the measures necessary to ensure that the levy on imports into the Community of olive oil other than refined olive oil, falling within subheading No 15.07 A II of the Common Customs Tariff, is the levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, and applicable upon importation, less 0.50 unit of account for 100 kilogrammes.

3. Each Contracting Party shall take the necessary measures for the implementation of paragraph 1 and, in the event of difficulties or at the request of the other Party, shall supply the information necessary for the proper operation of the arrangements.
4. Consultations on the operation of the arrangements provided for in this Article may be held in the Association Council.

Brussels, . . .

Sirs,

You were good enough to make the following communication to me in your letter of today's date :

'During the negotiations which took place on 22 May 1973, the parties to the Agreement establishing an Association between the European Economic Community and Turkey agreed to substitute the text annexed to this letter for the text of Article 7 of Annex 6 to the Additional Protocol annexed to the said Agreement.

It was agreed that the new Article 7 of Annex 6 to the Additional Protocol would enter into force on the first day of the month following the day on which the Contracting Parties notify each other that the procedures necessary to this end have been completed.

I should be obliged if you would acknowledge receipt of this letter and confirm that your Government is in agreement with the contents of this letter.'

I have the honour to acknowledge receipt of your communication and to confirm that my Government is in agreement with its contents.

Please accept, Sirs, the assurance of my highest consideration.

*For the President
of the Republic of Turkey*

ANNEX

New Article 7 of Annex 6 to the Additional Protocol annexed to the Agreement establishing an Association between the European Economic Community and Turkey

1. Provided that Turkey applies a special export charge on olive oil other than refined olive oil, falling within subheading No 15.07 A II of the Common Customs Tariff, and provided that this special charge is reflected in the import price, the Community shall take the measures necessary to ensure that :
 - (a) the levy on imports into the Community of the said oil wholly produced in Turkey and transported direct from that country to the Community is the levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, and applicable upon importation, less 0.50 unit of account for 100 kilogrammes ;
 - (b) the amount of the levy calculated in accordance with (a) is reduced by an amount equal to that of the special charge paid while not exceeding 4.5 units of account for 100 kilogrammes.

2. If Turkey does not apply the special charge referred to in paragraph 1, the Community shall take the measures necessary to ensure that the levy on imports into the Community of olive oil other than refined olive oil, falling within subheading No 15.07 A II of the Common Customs Tariff, is the levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, and applicable upon importation, less 0.50 unit of account for 100 kilogrammes.
 3. Each Contracting Party shall take the necessary measures for the implementation of paragraph 1 and, in the event of difficulties or at the request of the other Party, shall supply the information necessary for the proper operation of the arrangements.
 4. Consultations on the operation of the arrangements provided for in this Article may be held in the Association Council.
-

REGULATION (EEC) No 306/74 OF THE COUNCIL**of 4 February 1974****on imports of olive oil from Turkey**

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 Article 7 of Annex 6 to the Additional Protocol signed in Brussels on 23 November 1970, amended by the Agreement in the form of an exchange of letters, signed in Brussels on 23 November 1973, makes provision for special treatment to be accorded to imports of olive oil falling within subheading No 15.07 A II of the Common Customs Tariff, obtained entirely in Turkey and transported directly from that country into the Community; whereas, before that treatment can be accorded, rules for its application must be adopted;

Whereas on condition that Turkey imposes a special export charge, the special treatment provides for a standard rebate of 0.50 unit of account per 100 kilogrammes on the levy charged on such oil, and a reduction of the levy by the amount of the special charge, up to 4.5 units of account per 100 kilogrammes;

Whereas it is necessary to ensure that, in accordance with the Agreement, the special import charge has the effect of increasing the price of oil on importation into the Community; whereas, to ensure that the treatment in question is correctly applied, the necessary steps must be taken to ensure that the special export charge has been paid when the oil is imported,

HAS ADOPTED THIS REGULATION:

Article 1

Where Turkey imposes the special export charge on olive oil other than refined olive oil falling within subheading No 15.07 A II of the Common Customs Tariff, obtained entirely in Turkey and transported directly from that country into the Community, the levy on imports of such oil into the Community shall

be the levy calculated in accordance with Article 13 of Council Regulation No 136/66/EEC⁽²⁾ of 22 September 1966 on the establishment of a common organization of the market in oils and fats, as last amended by Regulation (EEC) No 1707/73⁽³⁾, less:

- 0.50 unit of account per 100 kilogrammes, and
- an amount equal to the special export charge levied upon the oil in Turkey, up to 4.5 units of account per 100 kilogrammes.

Article 2

The arrangements provided for in Article 1 shall be applied to all imports in respect of which the importer can prove that the special export charge referred to in that Article is duly reflected in the import price.

Article 3

Where Turkey does not impose the special charge, the levy on imports into the Community of oil as defined in Article 1 shall be the levy calculated in accordance with Article 13 of Regulation No 136/66/EEC, less 0.50 unit of account per 100 kilogrammes.

Article 4

Detailed rules for the application of this Regulation, and of Article 2 in particular, shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 5

Council Regulation (EEC) No 1235/71⁽⁴⁾ of 7 June 1971 on imports of olive oil from Turkey is repealed.

Article 6

This Regulation shall enter into force on the day of the entry into force of the Agreement in the form of an exchange of letters, signed on 23 November 1973, amending Article 7 of Annex 6 to the Additional Protocol to the Agreement⁽⁵⁾ establishing an Association between the European Economic Community and Turkey.

⁽²⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽³⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽⁴⁾ OJ No L 130, 16. 6. 1971, p. 55.

⁽⁵⁾ The date of the entry into force of this Agreement will be published in the *Official Journal of the European Communities*.

⁽¹⁾ OJ No C 2, 9. 1. 1974, p. 75.

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

Done at Brussels, 4 February 1974.

For the Council

The President

W. SCHEEL

REGULATION (EEC) No 307/74 OF THE COUNCIL**of 4 February 1974****extending the period of application of Regulation (EEC) No 227/72 on imports
into the Community of certain fishery products originating in Tunisia**

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 Parlia-
ment;

Whereas the arrangements for the importation into
the Community of fishery products originating in
Tunisia, as laid down by Regulation (EEC) No
1706/71⁽¹⁾, do not cover trout, carp, preserved
sardines or tunny, since no Community import ar-
rangements have as yet been established for such
products;

Whereas by Regulation (EEC) No 227/72⁽²⁾ the
Council laid down transitional arrangements for the
importation of such products originating in Tunisia;

Whereas by Regulation (EEC) No 2827/72⁽³⁾ the
Council, in order to avoid disrupting trade in these
products between the Community and Tunisia,
extended these transitional arrangements; whereas
there are still no Community arrangements in force
for the importation of the products in question into
the Community; whereas, to avoid any disruption in
the trade in these products between the Community
and Tunisia, the transitional arrangements should
therefore again be extended;

Whereas provision should be made to ensure that the
arrangements applied by Member States to the impor-
tation of the products in question originating in
Tunisia be no less favourable than those applied from
1 January 1974 to the like products originating in
other third countries, taking account of the provisions
of the Act of Accession,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 3 of Regulation (EEC) No 227/72, the date
'31 December 1973' shall be replaced by the date '31
December 1974'. However, the arrangements applied
to the import of those products originating in Tunisia
to which Article 2 of Regulation (EEC) No 227/72
applies may in no case be less favourable than those
applied to the like products originating in other third
countries.

Article 2

The import arrangements provided for in this Regula-
tion shall be extended for the duration of 1974.

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

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

Done at Brussels, 4 February 1974.

For the Council

The President

W. SCHEEL

⁽¹⁾ OJ No L 176, 5. 8. 1971, p. 3.

⁽²⁾ OJ No L 28, 1. 2. 1972, p. 6.

⁽³⁾ OJ No L 298, 31. 12. 1972, p. 14.

REGULATION (EEC) No 308/74 OF THE COMMISSION**of 6 February 1974****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 No 1009/
67/EEC⁽¹⁾ of 18 December 1967 on the common
organization of the market in sugar, as last amended
by Regulation (EEC) No 1928/73⁽²⁾, and in particular
Article 14 (7) thereof;

Having regard to the Opinion of the Monetary
Committee;

Whereas the import levies on white sugar and raw
sugar were fixed by Regulation (EEC) No 1738/73⁽³⁾
and subsequent amending Regulations;

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

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

of these currencies recorded for a given period, in
relation to the Community currencies referred to
in the previous subparagraph;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 1738/73
to the information at present available to the Commis-
sion that the levies at present in force should be
altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 14 (1) of Regulation
No 1009/67/EEC are, in respect of white sugar and
standard quality raw sugar, hereby fixed as shown in
the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 7 February
1974.

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

Done at Brussels, 6 February 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

(1) OJ No 308, 18. 12. 1967, p. 1.

(2) OJ No L 199, 19. 7. 1973, p. 7.

(3) OJ No L 176, 30. 6. 1973, p. 30.

ANNEX

(u.a./100 kg)		
CCT heading No	Description of goods	Levy
17 01	Beet sugar and cane sugar, solid :	
	A. Denatured :	
	I. White sugar	0
	II. Raw sugar	0
	B. Undenatured :	
	I. White sugar	0
	II. Raw sugar	0

REGULATION (EEC) No 309/74 OF THE COMMISSION

of 6 February 1974

fixing the import levy on molasses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 1009/67/EEC⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1928/73⁽²⁾, and in particular Article 14 (7) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas the import levy on molasses was fixed by Regulation (EEC) No 1739/73 and subsequent amending Regulations⁽³⁾;

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

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

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

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1739/73 to the information at present available to the Commission that the levy at present in force should be altered as shown in the Annex to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 (1) of Regulation No 1009/67/EEC is, in respect of molasses, hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 7 February 1974.

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

Done at Brussels, 6 February 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ OJ No L 176, 30. 6. 1973, p. 32.

ANNEX

(u.a./100 kg)		
CCT heading No	Description of goods	Levy
17.03	Molasses, whether or not decolourized	0

REGULATION (EEC) No 310/74 OF THE COMMISSION
of 5 February 1974
establishing the standard average values for the valuation of imported citrus
fruits

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community;

Having regard to Commission Regulation (EEC) No
1570/70 ⁽¹⁾ of 3 August 1970 establishing a system of
standard average values for citrus fruits, as last
amended by the Act ⁽²⁾ annexed to the Treaty ⁽³⁾ on
the Accession of new Member States to the European
Economic Community and the European Atomic
Energy Community, signed at Brussels on 22 January
1972, and in particular Article 2 thereof;

Whereas it follows from the application of the notes
and criteria laid down by Regulation (EEC) No
1570/70 to the elements communicated to the

Commission in accordance with Article 4 (1) of that
Regulation that the standard average values should be
fixed as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard average values provided for in Article 2
(1) of Regulation (EEC) No 1570/70 shall be as shown
in the table in the Annex.

Article 2

This Regulation shall enter into force on 8 February
1974.

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

Done at Brussels, 5 February 1974.

For the Commission

F. O. GUNDELACH

Member of the Commission

⁽¹⁾ OJ No L 171, 4. 8. 1970, p. 10.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

ANNEX

Code	Description of goods	(u.a./100 kg gross) Amount of standard average values
1.	Lemons :	
1.1	— Spain	27.87
1.2	— Tunisia, Morocco, Algeria	12.24
1.3	— Countries in southern Africa	34.84
1.4	— Other African countries and countries on the Medi- terranean	21.76
1.5	— USA	25.70
1.6	— Other countries	—
2.	Sweet oranges :	
2.1	— Countries on the Mediterranean :	
2.1.1	— Navels (with the exception of Navel sanguines), Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese blondes, Shamoutis, Ovalis, Trovita, Hamlins	13.00
2.1.2	— Sanguines and semi-sanguines, including Navel sanguines and Maltese sanguines	13.57
2.1.3	— Other	9.70
2.2	— Countries in southern Africa	—
2.3	— USA	—
2.4	— Brazil	—
2.5	— Other countries	12.84
3.	Grapefruit and pomelos :	
3.1	— Tunisia, Morocco, Algeria	—
3.2	— Cyprus, Israel, Gaza, Egypt, Turkey	14.97
3.3	— Countries in southern Africa	—
3.4	— USA	24.17
3.5	— Other American countries	12.05
3.6	— Other countries	—
4.	Clementines	23.30
5.	Mandarines including Wilkings	17.47
6.	Monreales and Satsumas	17.37
7.	Tangerines	— ⁽¹⁾

⁽¹⁾ The standard average value for this code number is established by Regulation (EEC) No 2680/73 of 1 October 1973 (OJ No L 275, 2. 10. 1973).

REGULATION (EEC) No 311/74 OF THE COMMISSION

of 6 February 1974

fixing the export levies on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 120/67/EEC ⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73 ⁽²⁾ ;

Having regard to Council Regulation (EEC) No 1968/73 ⁽³⁾ of 19 July 1973 laying down general rules to be applied in the event of the cereals market being disturbed, as amended by Regulation (EEC) No 2632/73 ⁽⁴⁾ and in particular Article 4 (2) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas Article 19 of Regulation No 120/67/EEC provides that the necessary measure may be taken if the cif price of one or more products is appreciably higher than the threshold price and if that situation is likely to continue thereby disturbing or threatening to disturb the Community market ;

Whereas Regulation (EEC) No 1968/73 specifies that the cif price may be regarded as appreciably higher than the threshold price when it exceeds it by at least 2 % ; whereas this excess may be regarded as being likely to continue where an imbalance between supply and demand is established and where this imbalance is likely to persist having regard to foreseeable production and market price trends ;

Whereas the high level of prices in international trade could impede importation of common wheat, maize, rye, barley, sorghum and wheat groats and meal into the Community or provoke exportation from the Community ;

Whereas the situation described above can be said to exist at the present time ; whereas to ensure supplies in the Community an export levy should be introduced for these products ;

Whereas, in view of the relationship between the basic product and the products processed from it

and given the market situation for certain processed products, an export levy for these products must also be fixed ;

Whereas the threshold prices for the 1973/74 marketing year were fixed by Council Regulation (EEC) No 1964/73 ⁽⁵⁾ of 17 July 1973 ;

Whereas Article 3 of Regulation (EEC) No 1968/73 specifies that when the export levy is being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the 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 cereal markets and furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market ;

Whereas for the products, other than starches, listed in Article 1 (c) and (d) of Regulation No 120/67/EEC the specific factors set out in Article 3 (2) of Regulation (EEC) No 1968/73 must also be taken into account ;

Whereas the export levy may be varied if the world market situation or the specific requirements of certain markets make this necessary ;

Whereas, if the levy system is to operate normally, the following should be used to calculate the levies :

- for currencies the exchange rates for which are kept at any given moment within a band of 2.25 %, a conversion rate based on their actual parity ;
- for other currencies a conversion rate based on the arithmetic mean of the spot market rates for each of these currencies against the Community currencies referred to in the preceding paragraph over a specified period ;

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 201, 21. 7. 1973, p. 10.

⁽⁴⁾ OJ No L 272, 29. 9. 1973, p. 18.

⁽⁵⁾ OJ No L 201, 21. 7. 1973, p. 3.

Whereas it follows from applying the rules outlined above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the export levies, should be fixed as shown in the Annex to this Regulation ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The export levies referred to in the first indent of Article 2 (1) of Regulation (EEC) No 1968/73 are hereby fixed as shown in the Annex for the products listed therein.

Article 2

This Regulation shall enter into force on 7 February 1974.

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

Done at Brussels, 6 February 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 6 February 1974 fixing the export levy in the cereal sector

CCT heading No	Description	u.a./metric ton
ex 10.01 A	Common wheat and meslin, excluding officially certified seeds ⁽¹⁾	90-00
ex 10.02	Rye, excluding officially certified seeds ⁽¹⁾	10-00
ex 10.03	Barley, excluding officially certified seeds ⁽¹⁾	25-00
ex 10.04	Oats, excluding officially certified seeds ⁽¹⁾	20-00
10.05 B	Maize other than hybrid maize for sowing	35-00
10.07 C	Grain sorghum	20-00
ex 11.01 A	Wheat flour	50-00
11.02 A I a)	Durum wheat groats and meal	50-00
11.02 A I b)	Common wheat groats and meal	50-00
11.01	Flour of cereals :	
	C. Barley flour	12-50
	D. Oat flour	10-00
	E. Maize flour :	
	I. Of a fat content not exceeding 1.5 % by weight	17-50
	II. Other	35-00
	H. Millet flour	—
	K. Grain sorghum flour	20-00
11.02	Cereal groats and cereal meal ; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice ; germ of cereals, whole, rolled, flaked or ground :	
	A. Cereal groats and cereal meal :	
	II. Rye	10-00
	III. Barley :	
	a) Of an ash content not exceeding 1 % by weight	12-50
	b) Barley groats and meal not included under No 11.02 A III a)	25-00
	IV. Oats :	
	a) Of an ash content not exceeding 2.3 % by weight	10-00
	b) Oat groats and meal not included under No 11.02 A IV a)	20-00

CCT heading No	Description	u.a./metric ton
11.02 (cont'd)	V. Maize : a) Of a fat content not exceeding 1.5 % by weight : 1. For the brewing industry 17.50 2. Other 17.50 b) Other 35.00 VIII. Millet — IX. Grain sorghum 20.00 B. Hulled grains (shelled or husked), whether or not sliced or kibbled : I. Barley, oats, buckwheat and millet : a) hulled (shelled or husked) : 1. Barley ⁽²⁾ 25.00 2. Oats : aa) Clipped oats 20.00 bb) Other ⁽²⁾ 20.00 4. Millet — b) Hulled and sliced or kibbled ('Grütze or grutten') : 1. Barley ⁽²⁾ 25.00 2. Oats ⁽²⁾ 20.00 4. Millet ⁽²⁾ — II. Other cereals : a) Wheat ⁽²⁾ 90.00 b) Rye ⁽²⁾ 10.00 c) Maize ⁽²⁾ 35.00 d) Grain sorghum ⁽²⁾ 20.00 C. Pearled grains : I. Wheat ⁽³⁾ 90.00 II. Rye ⁽³⁾ 10.00 III. Barley : a) Of an ash content (without talc) not exceeding 1 % by weight — 1st category ⁽³⁾ 12.50 b) Other ⁽³⁾ 25.00 IV. Oats ⁽³⁾ 20.00 V. Maize ⁽³⁾ 35.00 VII. Millet ⁽³⁾ — VIII. Grain sorghum ⁽³⁾ 20.00	

CCT heading No	Description	u.a./metric ton
11.02 (cont'd)	D. Grains not otherwise worked than kibbled :	
	I. Wheat	90-00
	II. Rye	10-00
	III. Barley	25-00
	IV. Oats	20-00
	V. Maize	35-00
	VII. Millet	—
	VIII. Grain sorghum	20-00
	E. Rolled grains ; flaked grains :	
	I. Barley, oats, buckwheat and millet :	
	a) Rolled :	
	1. Barley	25-00
	2. Oats	20-00
	4. Millet	—
	b) Flaked :	
	1. Barley	12-50
	2. Oats	10-00
	4. Millet	—
	II. Other cereals :	
	a) Wheat	90-00
	b) Rye	10-00
	c) Maize	35-00
	d) Grain sorghum	20-00
	F. Pellets :	
	I. Wheat	90-00
	II. Rye	10-00
	III. Barley	25-00
	IV. Oats	20-00
	V. Maize	35-00
	VI. Rice	204-00
	VIII. Millet	—
	IX. Grain sorghum	20-00
	G. Germ of cereals, whole, rolled, flaked or ground :	
	I. Wheat	22-50
	II. Other	8-75

CCT heading No	Description	u.a./metric ton
11.07	Malt, roasted or not :	
	A. Unroasted :	
	I. Obtained from wheat :	
	a) In the form of flour	45.00
	b) Other	45.00
	II. Other :	
	a) In the form of flour	12.50
	b) Other	12.50
	B. Roasted	12.50
23.02	Bran, sharps and other residues derived from the sifting, milling or working of cereals or of leguminous vegetables :	
	A. Of cereals :	
	I. Of maize or rice :	
	a) With a starch content not exceeding 35 % by weight	48.00
	b) Other :	
	1. With a starch content exceeding 35 % but not exceeding 45 % by weight, and having undergone a denaturing process	48.00
	2. Other	48.00
	II. Of other cereals :	
	a) Of which the starch content does not exceed 28 % by weight, and of which the percentage which passes through a sieve with an aperture of 0.2 mm does not exceed 10 % by weight or of which the sieved product has an ash content, calculated on the dry product, of 1.5 % or more by weight	48.00
	b) Other	48.00
23.07	Sweetened forage, other preparations of a kind used in animal feeding :	
	B. Other, containing starch, glucose or glucose syrup falling within subheading Nos 17.02 B and 17.05 B, or milk products, mixed with other products too :	
	I. Containing starch or glucose or glucose syrup :	
	a) Containing no starch or containing 10 % or less by weight of starch :	
	1. Containing no milk products or containing less than 10 % by weight of such products	26.25
	2. Containing not less than 50 % by weight of milk products	26.25

CCT heading No	Description	u.a./metric ton
23.07 (cont'd)	b) Containing more than 10 % but not more than 30 % by weight of starch :	
	1. Containing no milk products or containing less than 10 % by weight of such products	26.25
	2. Containing not less than 10 % but less than 50 % by weight of milk products	26.25
	c) Containing more than 30 % by weight of milk products :	
	1. Containing no milk products or containing less than 10 % by weight of such products	26.25
	2. Containing not less than 10 % but less than 50 % by weight of milk products	26.25

(¹) Officially certified seeds are understood to be those seeds contained in the packages officially sealed and officially labelled as 'basic seed', 'certified seed, first generation', 'certified seed, second generation' conforming to the provisions of the Council Directive of 14 June 1966 on the marketing of cereal seed (OJ No 125, 11. 7. 1966, p. 2309/66) and of the Council Decision of 26 March 1973 on the equivalence of seed produced in Denmark, Ireland and the United Kingdom (OJ No L 106, 20. 4. 1973, p. 12).

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

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

REGULATION (EEC) No 312/74 OF THE COMMISSION
of 6 February 1974
altering the special export levy 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 No 1009/67/EEC⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1928/73⁽²⁾;

Having regard to Council Regulation (EEC) No 608/72⁽³⁾ of 23 March 1972 laying down rules to be applied in cases of considerable price rises on the world sugar market, and in particular Article 1 (2) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas the special export levy on white sugar and raw sugar was fixed by Regulation (EEC) No 176/74⁽⁴⁾, as last amended by Regulation (EEC) No 296/74⁽⁵⁾;

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

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

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

Whereas it follows from applying the rules, criteria and other provisions contained in the Regulation (EEC) No 176/74 to the information at present available to the Commission that the special export levy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The special export levy on sugar provided for in the second subparagraph of Article 16 (1) of Regulation No 1009/67/EEC fixed in the Annex to amended Regulation (EEC) No 176/74 is altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 7 February 1974.

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

Done at Brussels, 6 February 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 20, 24. 1. 1974, p. 29.

⁽⁵⁾ OJ No L 32, 5. 2. 1974, p. 6.

ANNEX

(u.a./100 kg)		
CCT heading No	Description of goods	Amount of the special export levy
17.01	Beet sugar and cane sugar, solid :	
	A. Denatured :	
	I. white sugar	19.00
	II. raw sugar	19.50 ⁽¹⁾
	B. Undenatured :	
	I. White sugar	19.00
	ex II. Raw sugar other than candy sugar	19.50 ⁽¹⁾

⁽¹⁾ This amount applies to raw sugar with a 92 % yield. If the yield of the exported raw sugar is different from 92 % the levy to be applied shall be calculated in conformity with Article 2 of Regulation (EEC) No 1076/72.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 22 January 1974

conferring powers to carry out measures of control in Member States in respect
of Community revenue and expenditure

(74/55/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing a Single
Council and a Single Commission of the European
Communities ;

Having regard to the provisional Rules of Procedure
of the Commission of 6 July 1967, as last amended by
the Decision of 6 January 1973 ;

Whereas Council Regulation (EEC) No 729/70 ⁽¹⁾ of
21 April 1970 on the financing of the common agri-
cultural policy provides in subparagraphs 3 and 4 of
Article 9 (2) that the Commission can request
Member States to carry out verifications or inquiries in
which it may, in certain circumstances, invite adminis-
trative authorities of other Member States to partici-
pate ;

Whereas Council Regulation (EEC, Euratom, ECSC)
No 2/71 ⁽²⁾ of 2 January 1971 implementing the Deci-
sion of 21 April 1970 on the replacement of financial
contributions from Member States by the Communi-
ties' own resources provides in the first subparagraph
of Article 14 (2) that the Commission can ask Member
States to carry out additional measures of control or
ask to be associated with measures of control which
they are carrying out ;

Whereas Council Regulation (EEC) No 283/72 ⁽³⁾ of 7
February 1972 concerning irregularities and the
recovery of sums wrongly paid in connection with the

financing of the common agricultural policy and the
organization of an information system in this field
provides in the first subparagraph of Article 6 (1) that,
where it considers that irregularities or negligence
have taken place, the Commission may request the
Member State concerned to hold an administrative
inquiry ;

Whereas Council Regulation (EEC) No 858/72 ⁽⁴⁾ of
24 April 1972 on certain administrative and financial
procedures for the operation of the European Social
Fund provides in Article 5 (3) that the Commission
may request Member States to carry out verifications
or inquiries in which it may, in certain circumstances,
invite administrative authorities of other Member
States to participate ;

Whereas, if these powers are to be effectively utilized,
the Commission must be able to take the necessary
measures within a very short time ; whereas, to this
end powers should be conferred on the Member of
the Commission with responsibility for financial
control, acting on behalf and under the responsibility
of the Commission and with the approval of the Presi-
dent and of the Member of the Commission with
responsibility for Community revenue and expendi-
ture concerned and the drawing up of the applicable
customs provisions ;

Whereas such powers shall be subject to Commission
supervision and exercised in accordance with guide-
lines laid down by the Commission ;

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 3, 5. 1. 1971, p. 1.

⁽³⁾ OJ No L 36, 10. 2. 1972, p. 1.

⁽⁴⁾ OJ No L 101, 28. 4. 1972, p. 3.

Whereas the Commission shall be informed whenever the powers conferred are exercised;

Whereas this conferring of powers shall not preclude discussion of any matter by the whole Commission whenever it shall consider this to be necessary,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Member of the Commission with responsibility for financial control, acting with the approval of the President, the Member with responsibility for the auditing of the revenue and expenditure concerned, and of the Member with responsibility for drawing up the applicable customs provisions, shall be empowered, in accordance with guidelines laid down by the Commission, to take the implementing measures under Article 9 (2), subparagraphs 3 and 4 of Regulation (EEC) No 729/70, under Article 14 (2), subparagraph 1 of Regulation (EEC, Euratom, ECSC) No 2/71, under Article 6 (1), subparagraph 1 of Regulation (EEC) No 283/72, and under Article 5 (3) of Regulation (EEC) No 858/72.

Where the matter is urgent and in the absence of the Members thus empowered, with the exception of the

Member with responsibility for financial control, approval may be given by the Directors-General or heads of department with responsibility for the revenue and expenditure concerned and the drawing up of the applicable customs provisions.

In the absence of the President, approval may be given by the President's Chef de Cabinet.

2. The Member of the Commission empowered under paragraph 1 shall act on behalf and under the responsibility of the Commission. He shall inform the Commission of the decision taken.

3. Each measure taken under paragraph 1 of this Article shall be communicated to the Commission.

Article 2

This Decision shall enter into force on 23 January 1974.

Done at Brussels, 22 January 1974.

For the Commission

The Vice-President

W. HAFERKAMP

PUBLIC WORKS CONTRACTS

(Publication of notices of public works contracts and licences in conformity with Council Directive 71/305/EEC of 26 July 1971 supplemented by Council Directive 72/277/EEC of 26 July 1972)

MODEL NOTICES OF CONTRACTS**A. Open procedures**

1. Name and address of the authority awarding the contract (Article 16e)⁽¹⁾:
2. The award procedure chosen (Article 16b):
3. a) The site (Article 16c):
b) The nature and extent of the services to be provided and the general nature of the work (Article 16c):
c) If the contract is subdivided into several lots, the size of the different lots and the possibility of tendering for one, for several, or for all of the lots (Article 16c):
d) Information relating to the purpose of the contract if the contract entails the drawing up of projects (Article 16c):
4. Any time limit for the completion of the works (Article 16d):
5. a) Name and address of the service from which the contract documents and additional documents may be requested (Article 16f):
b) The final date for making such request (Article 16f):
c) Where applicable, the amount and terms of payment of any sum payable for such documents (Article 16f):
6. a) The final date for receipt of tenders (Article 16g):
b) The address to which they must be sent (Article 16g):
c) The language or languages in which they must be drawn up (Article 16g):
7. a) The persons authorized to be present at the opening of tenders (Article 16h):
b) The date, time and place of this opening (Article 16h):
8. Any deposits and guarantees required (Article 16i):
9. The main procedure for financing and payment and/or references to the instruments regulating these (Article 16j):
10. Where applicable, the specific legal form which must be assumed by the group of contractors to whom the contract is awarded (Article 16k):
11. The minimum economic and technical standards required of the contractors (Article 16l):
12. Period during which the tenderer is bound to keep open his tender (Article 16m):
13. Criteria for the award of the contract. Criteria other than that of the lowest price shall be mentioned if they do not appear in the contract documents (Article 29):
14. Other information:
15. The date of despatch of the notice (Article 16a):

⁽¹⁾ The Articles in brackets refer to Council Directive No 71/305/EEC of 26 July 1971 (OJ No L 185, 16. 8. 1971, p. 5).

B. Restricted procedures

1. Name and address of the authority awarding the contract (Article 17a)⁽¹⁾ :
2. The award procedure chosen (Article 17a) :
3. a) The site (Article 17a) :
b) The nature and extent of the services to be provided and the general nature of the work (Article 17a) :
c) If the contract is subdivided into several lots, the size of the different lots and the possibility of tendering for one, for several or for all of the lots (Article 17a) :
d) Information relating to the purpose of the contract if the contract entails the drawing up of projects (Article 17a) :
4. Any time limit for the completion of the works (Article 17a) :
5. Where applicable, the specific legal form which must be assumed by the group of contractors to whom the contract is awarded (Article 17a) :
6. a) The final date for the receipt of requests to participate (Article 17b) :
b) The address to which they must be sent (Article 17b) :
c) The language or languages in which they must be drawn up (Article 17b) :
7. The final date for the dispatch of invitations to tender (Article 17c) :
8. Information concerning the contractor's personal position, and the minimum economic and technical standards required of him (Article 17d) :
9. The criteria for the award of the contract if these are not stated in the invitation to tender (Article 18d) :
10. Other information :
11. The date of despatch of the notice (Article 17a) :

⁽¹⁾ The Articles in brackets refer to Council Directive No 71/305/EEC of 26 July 1971 (OJ No L 185, 16.8.1971, p. 5).

Open procedure

1. Wasser- und Schiffsamt Brake, 288 Brake/Unterweser, Hinrich-Schnitger-Straße 20, Federal Republic of Germany.
 2. Public invitation to tender pursuant to the regulations governing construction works contracts — Part A (VOB/A) — 1973 edition.
 3. a) Dredging work in the lower Weser between km 58 and km 56.5 (dredging section No 1) and between km 53 and km 47 (dredging section No 2).
b) 3 000 000 m³ (barge load) earth to be dredged and loaded into the barges, transported and emptied into prepared sites.
c)
d)
 4. 40 weeks after award of contract.
 5. a) Wasser- und Schiffsamt Brake, 288 Brake/Unterweser, Hinrich-Schnitger-Straße 20.
b) From 5 February 1974.
c) Written applications for tender documents must be accompanied by the receipt for payment of the DM 50 fee. Payment must be made only to the Bundeskasse Bremen, 28 Bremen, Haus des Reichs, Richtweg 25, postal cheque account: Hamburg No 170 10-204 or bank account: Landeszentralbank Bremen No 29001511 (BLZ 29000000). The documents, including a second copy of the contract, will be sent by post; they cannot be collected against cash payment.
 6. a) 13 March 1974 by 11 a.m.
b) See under 5 a).
 - c) German.
 7. a) Tenderers and their authorized representatives.
b) 11 a.m. on 13 March 1974, in the Dienstgebäude of the Wasser- und Schiffsamt, Brake.
 8. A surety in the form of a guarantee must be provided for the completion of the work according to specification and compliance with the performance requirements.
Only guarantees from a credit insurer or credit institution approved in the Federal Republic of Germany will be accepted.
 9. Interim and final payments in accordance with the regulations governing construction work contracts — Part B (VOB/B).
 - 10.
 11. Enterprises will not be considered unless they provide proof that they have completed comparable projects either alone or as the directing enterprise of a consortium, and that they have the necessary equipment and technical personnel available.
 12. 10 April 1974 inclusive.
 13. In accordance with § 25 VOB/A the contract will be awarded to the tender which appears the most acceptable when all technical and economic aspects are taken into account.
 - 14.
 15. 29 January 1974.
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Open procedure

1. Hess. Straßenbauamt Bensheim, 614 Bensheim a.d.B., Gärtnerweg 29, Federal Republic of Germany.
2. Public invitation to tender pursuant to the regulations governing construction works contracts — Part A (VOB/A).
 3. a) Federal highway 47, Bensheim — Worms.
Reconstruction of the Bürstadt bypass between km 33.168 and km 38.940.
b) The principal items are :
approx. 60 000 m³ topsoil work,
approx. 83 000 m³ earth excavation and replacement,
approx. 470 000 m³ earth supply and placing,
approx. 58 000 m³ gravel frost protection layer 0/56,
approx. 91 000 m² cement stabilization,
approx. 69 000 m² bituminous wearing course 0/32, 18 cm,
approx. 21 000 m² bituminous wearing course 0/32, 12 cm,
approx. 84 000 m² asphalt binder 0/22, 5 cm,
approx. 21 000 m² asphalt binder 0/16, 3.5 cm,
approx. 82 000 m² bitumen concrete 0/8, 3.5 cm,
approx. 2 500 m² bitumen concrete 0/5, 2.5 cm,
approx. 400 m² mastic asphalt 0/12, 3.5 cm,
and several ancillary items.
c)
d)
4. Work to start in summer 1974, completion date for all work autumn 1976.
5. a) Hess. Straßenbauamt Bensheim, 614 Bensheim, Gärtnerweg 29.
b) 15 February 1974.
c) DM 25 must be paid into the Staatskasse Darmstadt account No 355 99-602 with the Frankfurt/Main post office. This payment will not be refunded.
Evidence of this payment must accompany applications for tender documents.
6. a) 10 a.m. on 23 April 1974.
b) Hess. Straßenbauamt Bensheim, 614 Bensheim, Gärtnerweg 29.
c) German.
7. a) Tenderers and their authorized representatives.
b) 10 a.m. on 23 April 1974.
8. 5 % of the contract price. Only guarantees from a credit insurer or credit institution approved in the Federal Republic of Germany will be accepted.
9. Interim and final payments in accordance with the regulations governing construction work contracts — Part B (VOB/B).
- 10.
11. Tenderers must have completed projects in the past three years comparable in scale and technical complexity with the present project. A list of references must accompany the tender.
Proof of inscription in the trade register at the tenderer's registered offices or place of residence must be supplied. Tenderers must fulfil the 'Land Hessen' conditions governing tenders.
12. 23 August 1974.
13. In accordance with § 25 VOB/A the contract will be awarded to the tender which appears the most acceptable when all technical and economic aspects are taken into account.
14. Tenders will only be considered if all sections have been fully completed.
15. 28 January 1974.

Open procedure

1. Intercommunale pour les Autoroutes des Ardennes, Administration des Routes. Service des Autoroutes, 3ème Direction, rue de l'Industrie 37, 1040 Brussels, Belgium — Tel. 02/12 50 95.
 2. Public invitation to tender.
 3. a) Province of Luxembourg; Municipalities of Courrière, Durnal.
b) Motorway E 40 : Brussels-Namur-Luxembourg. Courrière-Achêne section, Lot 12 : Courrière-Durnal. Earthworks phase. Construction of three bridges (Nos 23, 24 and 25). Development of secondary roads.
c) Classification : Category C or G, Class 8. Value of work : over Bfrs 150 000 000.
d)
 4. 760 calendar days.
 5. a) Office for sale and inspection of specifications : 49 rue du Luxembourg, 1040 Brussels — Tel. 02/13 14 47. Postal cheque account No 94 55.
Further information may be obtained at the address given in 1.
b) 7 March 1974.
c) Specification No Z/73H 52 (price : Bfrs 410). Tender form (price : Bfrs 20). 31 plans (price : Bfrs 3 190). Payable in advance.
 6. a) 11 a.m. on 7 March 1974.
b) Address as 1.
c) French — forms attached to the specification must be used.
 7. a) Public.
b) 11 a.m. on 7 March 1974, rue de l'Industrie 37, 1040 Brussels.
 8. 5 % — three-year guarantee period.
 9. Monthly payments. Adjustment will be made for fluctuations in wage and material costs.
 10. Associations, including consortia, may tender.
 11. See 3 c)
 12. 150 days from the date on which tenders are opened.
 13. The contract will be awarded to the lowest acceptable tender.
 14. Since notices of correction may be issued during the publication period, contractors from Member States of the EEC are requested to apply to the address given in 1 not later than 10 days before the date on which tenders are opened, for information of any changes made.
 15. 30 January 1974.
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Open procedure

1. Ministerie van Openbare Werken, Bestuur der Waterwegen, Dienst der Kust, Christinastraat, 113, 8400 Ostend, Belgium — Tel. 059/710 09 — 730.62).
 2. Public invitation to tender.
 3. a) Province of West Flanders — Zeebrugge.
b) Erection of quay walls for a container dock in the rear harbour.
c) Classification : Category B, Class 8 (Value of work : exceeding Bfrs 150 000 000.)
d)
 4. 48 months.
 5. a) Office for sale and inspection of specifications : 49 rue du Luxembourg, 1040 Brussels (Tel. : 02/13.14.47 — postal cheque account No 94 55).
Further information may be obtained at the address given in 1.
b) 7 March 1974.
c) Specification No A3/74 A 12 : Price Bfrs 140. Tender form : Price Bfrs 20. 5 plans : Price Bfrs 360. Payable in advance.
 6. a) 11 a.m. on 7 March 1974.
b) Address as 1.
c) Dutch — forms attached to the specification must be used.
 7. a) Public.
b) 11 a.m. on 7 March 1974, Christinastraat, 113, 8400 Ostend.
 8. 5 % — one-year guarantee period.
 9. Monthly instalments as the work progresses. Adjustment will be made for fluctuations in wage and material costs.
 10. Associations, including consortia, may tender.
 11. See 3 c).
 12. 100 days from the date on which tenders are opened.
 13. The contract will be awarded to the lowest acceptable tender.
 14. Since notices of correction may be issued during the publication period, contractors from Member States of the EEC are requested to apply to the address given in 1, not later than 10 days before the date on which tenders are opened, for information of any changes made.
 15. 30 January 1974.
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Open procedure

1. Ministerie van Openbare Werken, Bestuur der Waterwegen, Dienst der Zeeschelde, Tunnelplein, 1, 2000 Antwerp — Tel. 03/319 801-5.
 2. Public invitation to tender.
 3. a) Province of East Flanders — Dendermonde.
b) Bridge over the Scheldt at Dendermonde and approach roads.
c) Classification : Category B, Class 7 (Value of work : Bfrs 75 000 000 to Bfrs 150 000 000).
d)
 4. 15 calendar months.
 5. a) Office for sale and inspection of specifications : 49 rue du Luxembourg, 1040 Brussels (Tel. 02/13.14.47 — postal cheque account No 94 55).
Further information may be obtained at the address given in 1.
b) 14 March 1974.
c) Specification No C4/74 B 84 : Price Bfrs 170. Tender form : Price Bfrs 40. Plans : Price Bfrs 1 800. Payable in advance.
 6. a) 11 a.m. on 14 March 1974.
b) Address as 1.
c) Dutch — forms attached to the specification must be used.
 7. a) Public.
b) 11 a.m. on 14 March 1974, Tunnelplaats, 1, 2000 Antwerp.
 8. 5 % — three-year guarantee period, and an additional guarantee for specified work.
 9. Monthly instalments as the work progresses. Adjustment will be made for fluctuations in wage and material costs.
 10. Associations, including consortia, may tender.
 11. See 3 c).
 12. 75 days from the date on which tenders are opened.
 13. The contract will be awarded to the lowest acceptable tender.
 14. Since notices of correction may be issued during the publication period, contractors from Member States of the EEC are requested to apply to the address given in 1, not later than 10 days before the date on which tenders are opened, for information of any changes made.
 15. 30 January 1974.
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Restricted procedure

1. Direction Générale des Impôts (Bureau I C 2), 93, rue de Rivoli, 75001 Paris, France — Tel. 233 66 33 ext. 29 13 or 46 19 M. Mathieu).
 2. Restricted invitation to tender.
 3. a) Metropolitan France.
b) Maximum/minimum price contracts, valid for a specified period, for the erection of tax offices by industrialized building methods in 1975/76.
The contracts will cover all the work necessary for the erection of the buildings, including all trades.
Only applications from general enterprises or consortia forming a general enterprise will be considered.
c)
d)
 4. To be specified by each enterprise in its application ; but not exceeding eight months for each operation.
 5. See under 3 b).
 6. a) 19 February 1974.
b) Direction Générale des Impôts, Bureau I C 2, 93, rue de Rivoli, 75001 Paris, France.
 - c) French.
 - 7.
 8. Applications should be accompanied by :
 - all the technical details necessary to enable the construction method to be evaluated ;
 - a data sheet based on the model which will be sent by the department shown under 1 on request ;
 - the declaration to be signed by enterprises tendering for public works contracts, conforming to the model declaration which will be sent by the department shown under 1 on request.
 9. Criteria for awarding the contracts in decreasing order of importance :
Price ; quality ; construction period ; appearance.
 10. Only enterprises or consortia operating in at least four regions of France may apply. These same conditions also apply to French enterprises.
 11. 30 January 1974.
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CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3493/73 of 21 December 1973 repealing Regulation (EEC) No 1411/71 concerning the establishment of a uniform fat content for whole milk

(Official Journal of the European Communities No L 357 of 28 December 1973)

Page 34, in the title :

instead of : 'repealing'

read : 'providing a derogation to'.
