

Official Journal

of the European Communities

Volume 17 No L 218

9 August 1974

English Edition

Legislation

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I Acts whose publication is obligatory

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I

(Acts whose publication is obligatory)

**REGULATION (EEC) No 2087/74 OF THE COUNCIL
of 2 August 1974**

increasing the Community tariff quota opened for 1974 by Regulation (EEC) No 3593/73 for certain plywoods of coniferous species falling within heading No ex 44.15 of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the draft Regulation submitted by the Commission;

Whereas, for certain plywoods of coniferous species falling within heading No ex 44.15 of the Common Customs Tariff, a duty-free Community tariff quota, the amount of which has been fixed at an initial level of 500 000 cubic metres, has been opened by the Council and allocated among the Member States by Regulation (EEC) No 3593/73⁽¹⁾;

Whereas the economic data relative to the consumption and production of these products do not yet permit Community requirements of imports from non-member countries to be evaluated with absolute certainty; whereas it appears that certain Member States have additional requirements which cannot be met by Community production; whereas the tariff quota concerned should therefore be increased by an appropriate amount, approximately 100 000 cubic metres;

Whereas, to take account of future import trends for the products concerned owing to the uncertainty of the additional requirements of Member States, a Community reserve equal to the proposed increase should be set up;

Whereas the initial shares allocated to Member States may be exhausted at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas each time its additional share is almost exhausted a Member State

should draw a further share, and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to keep account of the extent to which the quotas have been used up and to inform the Member States accordingly;

Whereas if at a given date in the quota period a considerable quantity of a Member State's initial share remains unused it is essential, to prevent a part of a quota from remaining unused in one Member State while it could be used in others, that such State should return a significant proportion thereof to the reserve,

HAS ADOPTED THIS REGULATION:

Article 1

1. The volume of the Community tariff quota opened by Regulation (EEC) No 3593/73 for certain plywoods of coniferous species falling within heading No ex 44.15 of the Common Customs Tariff is hereby increased from 500 000 to 600 000 cubic metres.

2. This increase of 100 000 cubic metres shall constitute a reserve.

Article 2

1. As soon as a Member State has used 90 % or more of its share as fixed in Article 2 of Regulation (EEC) No 3593/73, or that share minus any portion returned to the reserve pursuant to Article 4 hereof, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits equal to 10 % of its initial share rounded up as necessary to the next whole number.

⁽¹⁾ OJ No L 365, 31. 12. 1973, p. 45.

2. As soon as a Member State, after exhausting its initial share, has used 90 % or more of the second share drawn by it, that Member State shall forthwith, in the manner and to the extent provided in paragraph 1, draw a third share equal to 5 % of its initial share.

3. As soon as a Member State, after exhausting its second share, has used 90 % or more of the third share drawn by it, that Member State shall forthwith, and in accordance with the same conditions and to the extent provided in paragraph 1, draw a fourth share equal to the third.

It shall continue in this fashion until the reserve is exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, the Member States may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

Article 3

Additional shares drawn pursuant to Article 2 shall be valid until 31 December 1974.

Article 4

Any Member State which on 15 October 1974 has not exhausted its share allocated pursuant to Article 2 of Regulation (EEC) No 3593/73 shall, not later than 10 November 1974, return to the reserve the unused portion in excess of 20 % of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 10 November 1974, notify the Commission of the total quantities of

the products in question imported up to and including 15 October 1974 and charged against the quota and of any portion of their shares returned to the reserve.

Article 5

The Commission shall keep an account of the shares opened by the Member States pursuant to Article 2 of Regulation (EEC) No 3593/73 and Article 2 of this Regulation and shall, as soon as the information reaches it, inform each State of the extent to which the reserves have been used up.

It shall, not later than 10 November 1974, inform the Member State of the amounts still in reserve following any return of shares pursuant to Article 4.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

Article 6

1. Every Member State shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 2 are opened in such a way that importations may be charged without interruption against its accumulated share of the relevant quota.

2. The administration of the additional shares shall be carried out in accordance with Article 3 of Regulation (EEC) No 3593/73.

Article 7

This Regulation shall enter into force on the seventh 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, 2 August 1974.

For the Council

The President

B. DESTREMAU

REGULATION (EEC) No 2088/74 OF THE COUNCIL

of 2 August 1974

on the opening, allocation and administration of an autonomous Community tariff quota for 1974 for ferro-silicon falling within subheading 73.02 C of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the draft Regulation submitted by the Commission;

Whereas, as regards ferro-silicon falling within subheading 73.02 C of the Common Customs Tariff, a conventional duty-free Community tariff quota of 20 000 metric tons has been opened by the Council for 1974 and allocated among the Member States by Regulation (EEC) No 3587/73 (1);

Whereas, bearing in mind present production capacity within the Community and the large increase in ferro-silicon required for the manufacture of steel, the abovementioned quota will not cover the entire Community import requirements of ferro-silicon from third countries; whereas it is therefore desirable that an autonomous Community tariff quota limited to 26 500 metric tons be opened; whereas, so as not to prejudice Community development prospects in the production area concerned, the quota duty applicable should be fixed at 7 %;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of duty for the tariff quota should be applied consistently to all imports until the quota is exhausted; whereas, in the light of these principles, arrangements for the utilization of the tariff quota based on an allocation among Member States would seem to be consistent with the Community nature of the quota; whereas to correspond as closely as possible to the actual trend of the market in the product in question, allocation of the quota should be in proportion to the requirements of the Member States as calculated by reference to statistics of imports from third countries during a representative reference period and to the economic outlook for the quota period in question;

Whereas, on the basis of statistics available at the time and allowing for the foreseeable development of the ferro-silicon market during 1974, the tariff quota of 20 000 metric tons opened by Regulation (EEC) No 3587/73 was allocated in the following percentages:

Benelux	64.75
Denmark	0.75
Germany	15.00
France	0.25
Ireland	1.25
Italy	4.25
United Kingdom	13.75

Whereas, since the quota is an autonomous Community tariff quota intended to cover additional import needs arising in the Community, the allocation of the additional share may be made on the basis of the actual needs expressed by each of the Member States; whereas Denmark, the United Kingdom, Ireland and the three Member States comprising the Benelux Economic Union have stated that they require further supplies of 1 050, 52 250, 100 and 31 050 metric tons respectively; whereas the needs of Germany and Italy may be estimated at 10 000 and 2 000 metric tons respectively; whereas in the case of France, according to the most recently available economic information and statistics, its share of the initial quota opened by the abovementioned Regulation has not been sufficiently used up to justify its participation at present in the proposed supplementary tariff quota;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that Economic Union may be carried out by one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From the date of entry into force of this Regulation until 31 December 1974 a tariff quota of 26 500 metric tons shall be opened in the Community in respect of ferro-silicon falling within subheading 73.02 C of the Common Customs Tariff.

2. Within this quota, the Community Customs Tariff duty shall be suspended at 7 %.

3. Within this quota, new Member States shall apply quota duties calculated in accordance with the relevant provisions of the Act of Accession.

(1) OJ No L 365, 31. 12. 1973, p. 29.

Article 2

The Community tariff quota set out in Article 1 shall be allocated as follows among certain Member States :

Benelux	8 000 metric tons
Denmark	222 metric tons
Germany	5 500 metric tons
Ireland	22 metric tons
Italy	1 756 metric tons
United Kingdom	11 000 metric tons.

Article 3

1. Each Member State shall ensure that importers of the products in question established in its territory have free access to the share allocated to it.
2. Each Member State shall charge importations of the product in question against its share as and when

the product is entered with the customs authorities for home use.

Article 4

Each Member State shall notify the Commission at regular intervals of the importations charged against its share.

Article 5

The Member States and the Commission shall co-operate closely to ensure that this Regulation is complied with.

Article 6

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

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

Done at Brussels, 2 August 1974.

For the Council

The President

B. DESTREMAU

REGULATION (EEC) No 2089/74 OF THE COUNCIL

of 2 August 1974

on the opening, allocation and administration of an autonomous Community tariff quota for 1974 for ferro-silico-manganese falling within subheading 73.02 D of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the draft Regulation submitted by the Commission;

Whereas, as regards ferro-silico-manganese falling within subheading 73.02 D of the Common Customs Tariff, a conventional duty-free Community tariff quota of 50 000 metric tons has been opened by the Council for 1974 and allocated among the Member States by Regulation (EEC) No 3588/73⁽¹⁾;

Whereas, bearing in mind present Community production capacity, the abovementioned quota will not cover the entire Community import requirements of ferro-silico-manganese from third countries; whereas it is therefore desirable that an autonomous Community tariff quota limited to 32 000 metric tons be opened; whereas, so as not to prejudice Community development prospects in the production area concerned, the quota duty applicable should be fixed at 4 %;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of duty for the tariff quota should be applied consistently to all imports until the quota is exhausted; whereas, in the light of these principles, arrangements for the utilization of the tariff quota based on an allocation among Member States would seem to be consistent with the Community nature of the quota; whereas, to correspond as closely as possible to the actual trend of the market in the product in question, allocation of the quota should be in proportion to the requirements of the Member States as calculated by reference to statistics of imports from third countries during a representative reference period and to the economic outlook for the quota period in question;

Whereas, on the basis of statistics available at the time and allowing for the foreseeable development of the ferro-silico-manganese market during 1974, the tariff quota of 50 000 metric tons opened by Regulation (EEC) No 3588/73 was allocated in the following percentages:

Benelux	8.33
Denmark	0.62
Germany	82.20
France	0.10
Ireland	1.04
Italy	3.54
United Kingdom	4.17;

Whereas, since the quota is an autonomous Community tariff quota intended to cover additional import needs arising in the Community, the allocation of the additional share may be made on the basis of the actual needs expressed by each of the Member States; whereas the United Kingdom, Ireland, Germany, the three Member States comprising the Benelux Economic Union and Italy have stated that they require further supplies of 3 400, 200, 35 000, 15 400 and 2 500 metric tons respectively; whereas the other Member States have not used up enough of their share of the initial quota opened by the abovementioned Regulation, according to the most recently available economic information and statistics, to justify at present their participation in the proposed supplementary tariff quota; whereas, moreover, should additional needs arise subsequently in those Member States they may have recourse to the procedure set up under Article 3 of this Regulation; whereas this system of allocation also ensures the uniform application of the Common Customs Tariff;

Whereas, to take account of future import trends for the product concerned, the quota should be divided into two tranches, the first being allocated among the abovementioned Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their new shares and any additional requirements which might arise in the other Member States; whereas, to give importers of Member States some degree of certainty, the first tranche of the tariff quota should be fixed at a relatively high level which could be 30 000 metric tons;

Whereas Member States may exhaust their initial shares at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas each time its additional share is almost exhausted a Member State should draw a further share, and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close

⁽¹⁾ OJ No L 365, 31. 12. 1973, p. 31.

collaboration between the Member States and the Commission, and the Commission must be in a position to keep account of the extent to which the quotas have been used up and to inform the Member States accordingly;

Whereas if at a given date in the quota period a considerable quantity of a Member State's initial share remains unused it is essential that such State should return a significant proportion thereof to the reserve, in order to prevent a part of a quota from remaining unused in one Member State while it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From the date of entry into force of this Regulation until 31 December 1974 a tariff quota of 32 000 metric tons shall be opened within the Community in respect of ferro-silico-manganese falling within subheading 73.02 D of the Common Customs Tariff.

2. Within this quota, Community Customs Tariff duty shall be suspended at 4 %.

3. Within this quota, Member States shall apply quota duties calculated in accordance with the relevant provisions of the Act of Accession.

Article 2

1. A first tranche of 30 000 metric tons of this Community tariff quota shall be allocated among certain Member States; the shares, which subject to Article 6 shall be valid until 31 December 1974, shall be as follows:

Benelux	8 000 metric tons
Germany	18 000 metric tons
Ireland	100 metric tons
Italy	2 000 metric tons
United Kingdom	1 900 metric tons.

2. The second tranche of 2 000 metric tons shall constitute a reserve.

Article 3

Should ferro-silico-manganese be required in Denmark or France, these Member States shall draw a sufficient share from the reserve to the extent that the reserve so permits.

Article 4

1. As soon as one of the Member States referred to in Article 2 has used 90 % or more of its initial share as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 6, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10 % of its initial share rounded up as necessary to the next whole number.

2. As soon as one of the Member States, after exhausting its initial share, has used 90 % or more of the second share drawn by it, that Member State shall forthwith, in the manner and to the extent provided in paragraph 1, draw a third share equal to 5 % of its initial share.

3. As soon as one of the Member States, after exhausting its second share, has used 90 % or more of the third share drawn by it, that Member State shall forthwith, and in accordance with the same conditions, draw a fourth share equal to the third.

It shall continue in this fashion until the reserve is exhausted.

4. By way of derogation from paragraphs 1 to 3, the Member States may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

Article 5

Additional shares drawn pursuant to Article 4 shall be valid until 31 December 1974.

Article 6

Any Member State referred to in Article 2 which on 15 October 1974 has not exhausted its initial share shall not later than 10 November 1974 return to the reserve the unused portion in excess of 20 % of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

Those Member States shall, not later than 10 November 1974, notify the Commission of the total quantities of the product in question imported up to and including 15 October 1974 and charged against the Community quota and of any portion of these initial shares returned to the reserve.

Article 7

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2, 3 and 4 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 November 1974, inform the Member States of the amount still in reserve following any return of shares pursuant to Article 6.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

Article 8

1. The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to either Article 3 or Article 4 are opened in such a way that importations may be charged without interruption against their accumulated shares of the relevant quota.

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

3. The Member States shall charge importations of the product in question against their shares as and

when the product is entered with the customs authorities for home use.

4. The extent to which the Member States have used up their shares shall be determined on the basis of the importations charged against those shares in accordance with paragraph 3.

Article 9

Every Member State shall notify the Commission at regular intervals of the importations charged against its shares.

Article 10

The Member States and the Commission shall co-operate closely to ensure that this Regulation is complied with.

Article 11

This Regulation shall enter into force on the seventh 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, 2 August 1974.

For the Council

The President

B. DESTREMAU

REGULATION (EEC) No 2090/74 OF THE COUNCIL
of 2 August 1974

on the opening, allocation and administration of an autonomous Community tariff quota for 1974 for ferro-chromium containing not more than 0.10 % by weight of carbon and more than 30 % but not exceeding 90 % by weight of chromium (super-refined ferro-chromium) falling within subheading ex 73.02 E I of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the draft Regulation submitted by the Commission;

Whereas as regards ferro-chromium containing by weight not more than 0.10 % of carbon and more than 30 % but not exceeding 90 % of chromium (super-refined ferro-chromium) falling within subheading ex 73.02 E I of the Common Customs Tariff, a conventional duty-free Community Tariff quota of 3 000 metric tons has been opened by the Council for 1974 and allocated among the Member States by Regulation (EEC) No 3589/73⁽¹⁾;

Whereas, bearing in mind present Community production capacity, the abovementioned quota will not cover the entire Community import requirements of this product from third countries; whereas it is therefore desirable, in order that Community development prospects of the production sector concerned should not be affected, that an autonomous Community tariff quota limited to 25 000 metric tons be opened; whereas, for the same reasons, the quota duty applicable should be fixed at 5.5 %;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of duty for the tariff quota should be applied consistently to all imports until the quota is exhausted; whereas, in the light of these principles, arrangements for the utilization of the tariff quota based on an allocation among Member States would seem to be consistent with the Community nature of the quota; whereas, to correspond as closely as possible to the actual trend of the market in the product in question, allocation of the quota should be in proportion to the requirements of the Member States as calculated by reference to the statistics of imports from third countries during a representative reference period and to the economic outlook for the quota period in question;

Whereas, on the basis of statistics available at the time and allowing for the foreseeable development of the market in the product concerned during the current year, the tariff quota of 3 000 metric tons opened by Regulation (EEC) No 3589/73 was allocated in the following percentages:

Benelux	5.66
Denmark	0.34
Germany	6.17
France	0.34
Ireland	0.01
Italy	84.14
United Kingdom	3.34;

Whereas, since the quota is an autonomous Community tariff quota intended to cover additional import needs arising in the Community, the allocation of the additional share may be made on the basis of the actual needs expressed by each of the Member States whereas Denmark, France, the United Kingdom, Germany, the three Member States comprising the Benelux Economic Union and Italy have stated that they require further supplies of 90, 7 000, 6 900, 4 000, 1 685 and 2 000 metric tons respectively; whereas in the case of Ireland it has not used up enough of its share of the initial quota, according to the most recently available economic information and statistics, to justify its participation at present in the proposed increase in the tariff quota; whereas, moreover, should additional needs arise subsequently in that Member State it may have recourse to the procedure set up under Article 3 of this Regulation; whereas this system of allocation also ensures the uniform application of the Common Customs Tariff;

Whereas, to take account of future import trends for the product concerned, the quota should be divided into two tranches, the first being allocated among the Member States concerned and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their new shares and any additional requirements which might arise in Ireland; whereas, to give importers some degree of certainty, the first tranche of the tariff quota should be fixed at a relatively high level which could be 22 500 metric tons;

⁽¹⁾ OJ No L 365, 31. 12. 1973, p. 34.

Whereas Member States may exhaust their initial shares at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas each time its additional share is almost exhausted a Member State should draw a further share, and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to keep account of the extent to which the quotas have been used up and to inform the Member States accordingly;

Whereas if at a given date in the quota period a considerable quantity of a Member State's initial share remains unused it is essential that such State should return a significant proportion thereof to the reserve, in order to prevent a part of a Community quota from remaining unused in one Member State while it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that Economic Union may be carried out by one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From the date of entry into force of this Regulation until 31 December 1974, a tariff quota of 25 000 metric tons shall be opened within the Community in respect of ferro-chromium containing by weight not more than 0.10 % of carbon and more than 30 % but not exceeding 90 % of chromium (super-refined ferro-chromium) falling within subheading ex 73.02 E I of the Common Customs Tariff.

2. Within this quota, the Common Customs Tariff duty shall be suspended at 5.5 % in respect of importations.

3. Within this quota, new Member States shall apply duties calculated in accordance with the relevant provisions of the Act of Accession.

Article 2

1. A first tranche of 22 500 metric tons of this Community tariff quota shall be allocated among certain Member States; the shares, which subject to Article 6 shall be valid until 31 December 1974, shall be as follows:

Benelux	1 540 metric tons
Denmark	85 metric tons
Germany	6 160 metric tons
France	6 400 metric tons
Italy	2 000 metric tons
United Kingdom	6 315 metric tons.

2. The second tranche of 2 500 metric tons shall constitute a reserve.

Article 3

Should the product mentioned in Article 1 be required in Ireland, that Member State shall draw a sufficient share from the reserve to the extent that the reserve so permits.

Article 4

1. As soon as one of the Member States referred to in Article 2 has used 90 % or more of its initial share as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 6, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10 % of its initial share rounded up as necessary to the next whole number.

2. As soon as one of the Member States, after exhausting its initial share, has used 90 % or more of the second share drawn by it, that Member State shall forthwith, in the manner and to the extent provided in paragraph 1, draw a third share equal to 5 % of its initial share.

3. As soon as one of the Member States, after exhausting its second share, has used 90 % or more of the third share drawn by it, that Member State shall, forthwith and in accordance with the same conditions, draw a fourth share equal to the third.

It shall continue in this fashion until the reserve is exhausted.

4. By way of derogation from paragraphs 1 to 3, the Member States may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

Article 5

Additional shares drawn pursuant to Article 4 shall be valid until 31 December 1974.

Article 6

Any Member State referred to in Article 2 which on 15 October 1974 has not exhausted its initial share shall not later than 10 November 1974 return to the reserve the unused portion in excess of 20 % of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

Those Member States shall, not later than 10 November 1974, notify the Commission of the total quantities of the product in question imported up to and including 15 October 1974 and charged against the Community quota and of any portion of their initial shares returned to the reserve.

Article 7

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2, 3 and 4 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 November 1974, inform the Member States of the amounts still in reserve following any return of shares pursuant to Article 6.

It shall ensure that when an amount exhausting one of the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

Article 8

1. The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to either Article 3 or Article 4 are opened in such a way that importations may be charged without interruption against their accumulated shares of the relevant quota.

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

3. The extent to which the Member States have used up their shares shall be determined on the basis of the importations of the product in question entered for home use.

Article 9

The Member States shall notify the Commission at regular intervals of the importations charged against their shares.

Article 10

The Member States and the Commission shall co-operate closely to ensure that this Regulation is complied with.

Article 11

This Regulation shall enter into force on the seventh 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, 2 August 1974.

For the Council

The President

B. DESTREMAU

REGULATION (EEC) No 2091/74 OF THE COUNCIL

of 2 August 1974

on the opening, allocation and administration of a Community tariff quota for 1974 for ferro-chromium containing not less than 4 % by weight of carbon falling within subheading ex 73.02 E I of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the draft Regulation submitted by the Commission;

Whereas Community production of ferro-chromium containing not less than 4 % by weight of carbon falling within subheading ex 73.02 E I of the Common Customs Tariff is inadequate and producers are unable to meet the total requirements of consumer industries in the Community; whereas it is therefore in the Community's interest to suspend totally in respect of this metal the application of the Common Customs Tariff duty until 31 December 1974, within a limited tariff quota which should be fixed at 30 000 metric tons so that Community development prospects of the production sector concerned are not affected;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of duty for the tariff quota should be applied consistently to all imports until the quota is exhausted; whereas, in the light of these principles, arrangements for the utilization of the tariff quota based on an allocation among Member States would seem to be consistent with the Community nature of the quota; whereas, to correspond as closely as possible to the actual trend of the market in the product in question, allocation of the quota should be in proportion to the requirements of the Member States as calculated by reference to statistics of imports from third countries during a representative reference period and to the economic outlook for the quota period in question.

Whereas, however, since the quota is an autonomous Community tariff quota intended to cover import needs arising in the Community, the allocation of the quota may be made on the basis of the actual import needs from third countries expressed by each of the Member States; whereas, on the basis of economic information supplied and allowing for duty-free supplies from the Community or certain third countries, these needs would be as follows:

Benelux	5 718 metric tons
Denmark	240 metric tons
Germany	12 708 metric tons
France	7 146 metric tons
Italy	6 354 metric tons
United Kingdom	27 794 metric tons;

Whereas the most recently available economic information concerning Ireland would not at present justify its participation in the allocation of the quota; whereas, since the quota is a Community tariff quota, it is appropriate to provide for this Member State a commercially exploitable share, which should amount to 20 metric tons; whereas this system of allocation also ensures the uniform application of the Common Customs Tariff;

Whereas, to take account of future import trends for the product concerned, the quota should be divided into two tranches, the first being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial share; whereas, to give importers some degree of certainty, the first tranche of the tariff quota should be fixed at a relatively high level which could be 27 000 metric tons;

Whereas Member States may exhaust their initial shares at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas each time its additional share is almost exhausted a Member State should draw a further share, and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to keep account of the extent to which the quotas have been used up and to inform the Member States accordingly;

Whereas if at a given date in the quota period a considerable quantity of a Member State's initial share remains unused it is essential that such State should return a significant proportion thereof to the reserve, in order to prevent a part of a quota from remaining unused in one Member State while it could be used in others.

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented

by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 September to 31 December 1974 a tariff quota of 30 000 metric tons shall be opened within the Community in respect of ferro-chromium containing not less than 4 % by weight of carbon falling within subheading ex 73.02 E I of the Common Customs Tariff.

2. Imports of the product in question already benefiting from exemption of customs duties by virtue of another preferential tariff arrangement are not chargeable against this tariff quota.

3. Within this quota, the Common Customs Tariff shall be totally suspended in respect of importations.

4. Within this quota, new Member States shall apply in respect of importations duties calculated in accordance with the relevant provisions of the Act of Accession.

Article 2

1. A first tranche of 27 000 metric tons of this Community tariff quota shall be allocated among the Member States; the shares, which subject to Article 6 shall be valid until 31 December 1974, shall be as follows:

Benelux	2 380 metric tons
Denmark	100 metric tons
Germany	8 000 metric tons
France	3 000 metric tons
Ireland	20 metric tons
Italy	2 500 metric tons
United Kingdom	11 000 metric tons.

2. The second tranche of 3 000 metric tons shall constitute a reserve.

Article 3

1. As soon as one of the Member States has used 90 % or more of its initial share as fixed in Article 2(1), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10 % of its initial share rounded up as necessary to the next whole number.

2. As soon as one of the Member States, after exhausting its initial share, has used 90 % or more of the second share drawn by it, that Member State shall forthwith, in the manner and to the extent provided in paragraph 1, draw a third share equal to 5 % of its initial share.

3. As soon as one of the Member States, after exhausting its second share, has used 90 % or more of the third share drawn by it, that Member State shall forthwith, and in accordance with the same conditions, draw a fourth share equal to the third.

It shall continue in this fashion until the reserve is exhausted.

4. By way of derogation from paragraphs 1 to 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1974.

Article 5

Any Member State which on 15 November 1974 has not exhausted one of its initial shares shall not later than 10 December 1974 return to the reserve the unused portion in excess of 20 % of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 10 December 1974, notify the Commission of the total quantities of the products in question imported up to and including 15 November 1974 and charged against the Community quotas and of any portion of their initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 December 1974, inform the Member States of the amounts still in reserve following any return of shares pursuant to Article 5.

It shall ensure that when an amount exhausting the reserve is drawn, the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against their accumulated share of the tariff quota.

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

3. The Member State shall charge importations of the product in question against their shares as and when the product is entered with the customs authorities for home use.

4. The extent to which the Member States have used up their shares shall be determined on the basis of the importations charged against their shares in accordance with paragraph 3.

Article 8

The Member States shall notify the Commission at regular intervals of the importations charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 September 1974.

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

Done at Brussels, 2 August 1974.

For the Council

The President

B. DESTREMAU

REGULATION (EEC) No 2092/74 OF THE COUNCIL

of 2 August 1974

increasing the Community tariff quota opened for 1974 by Regulation (EEC) No 3591/73 for unwrought magnesium falling within subheading 77.01 A of the Common Customs Tariff

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 the proposal from the Commission;

Whereas, for unwrought magnesium falling within subheading 77.01 A of the Common Customs Tariff, a Community tariff quota for 1974 totalling 10 250 metric tons has been opened by the Council and allocated among the Member States by Regulation (EEC) No 3591/73⁽¹⁾;

Whereas the economic data at present available with regard to the consumption and production of unwrought magnesium do not yet permit Community requirements of imports from non-member countries to be evaluated with sufficient precision; whereas it appears that certain Member States have considerable magnesium requirements which cannot be met by Community production; whereas the quota concerned should therefore be increased by an appropriate amount, approximately 6 750 metric tons; whereas the fixing at this level of this supplementary quota does not preclude further adjustments during the quota period; whereas, in view, moreover, on the one hand of the present requirements in unwrought magnesium not in alloy with a pure magnesium content of not less than 99.95 %, not produced within the Community, and on the other hand of the quantities available in the Community and of the possible increase in production by Community industries based principally on unwrought magnesium not in alloy, and also the possibility of duty-free imports under agreements concluded by the Community with certain non-acceding EFTA countries, it can be estimated that short-term requirements for imports of unwrought magnesium may, within the limit of the proposed increase, reach 1 500 metric tons of unwrought magnesium containing 99.95 % or more by weight of pure magnesium (extra-pure magnesium), 1 000 metric tons of unwrought magnesium containing 99.8 % or more by weight and not exceeding 99.95 % of pure magnesium (unwrought magnesium not in alloy), and 4 250 metric tons of unwrought magnesium containing not more than 99.8 % by weight of pure magnesium (unwrought magnesium in alloy);

Whereas as far as the distribution of the above quota volumes between Member States is concerned, it is

necessary to apply the criterion contained in Regulation (EEC) No 3591/73 for unwrought magnesium in alloy; whereas, as far as unwrought magnesium not in alloy is concerned, it is necessary to maintain the pro rata arrangement for supplementary importation requirements; whereas for the volume of extra-pure unwrought magnesium, in the absence of statistical data relating to importations coming from third countries, it is necessary to consider distribution based, in particular, on the specific requirements of processing industries of each Member State; whereas, on the basis of information at present to hand, it appears that the British industry is almost the only one using this special quality of magnesium; whereas, in consequence, it is necessary to allot to the United Kingdom a preponderant share of the quota volume in question, allotting to the other Member States less important shares, while safeguarding the Community character of this quota by setting up an adequate reserve,

HAS ADOPTED THIS REGULATION:

Article 1

The volume of the Community tariff quota opened by Regulation (EEC) No 3591/73 for unwrought magnesium falling within subheading 77.01 A of the Common Customs Tariff is hereby increased from 10 250 to 17 000 metric tons.

This increase of 6 750 metric tons shall be allocated as follows:

- (a) 1 500 metric tons of unwrought magnesium containing 99.95 % or more by weight of pure magnesium (extra-pure magnesium), intended for the nuclear industry and under customs supervision or equivalent administrative supervision;
- (b) 1 000 metric tons of unwrought magnesium containing not less than 99.8 % but less than 99.95 % by weight of pure magnesium (unwrought magnesium not in alloy);
- (c) 4 250 metric tons of unwrought magnesium containing less than 99.8 % by weight of pure magnesium (unwrought magnesium in alloy).

Article 2

1. A first tranche of each of the amounts referred to in Article 1, of 1 200 metric tons of extra-pure magnesium, 830 metric tons of unwrought magnesium

⁽¹⁾ OJ No L 365, 31. 12. 1973, p. 39.

not in alloy and 3 111 metric tons of unwrought magnesium, in alloy, shall be allocated among the Member States as follows:

(a) For extra-pure unwrought magnesium:

Benelux	3 metric tons
Denmark	1 metric ton
Germany	1 metric ton
France	1 metric ton
Ireland	1 metric ton
Italy	1 metric ton
United Kingdom	1 192 metric tons;

(b) for unwrought magnesium not in alloy:

Benelux	152.7 metric tons
Germany	478.5 metric tons
France	98.6 metric tons
Italy	6.2 metric tons
United Kingdom	94.0 metric tons;

(c) for unwrought magnesium in alloy:

Benelux	150 metric tons
Denmark	1 metric ton
Germany	2 904 metric tons
France	1 metric ton
Ireland	1 metric ton
Italy	39 metric tons
United Kingdom	15 metric tons.

2. The second tranche of 300 metric tons, 170 metric tons and 1 139 metric tons respectively shall constitute the reserve.

The amounts of the reserve for the latter two types of unwrought magnesium, provided for in Article 2 (2) of Regulation (EEC) No 3591/73, shall be increased respectively:

- (a) from 150 metric tons to 320 metric tons for unwrought magnesium not in alloy;
- (b) from 1 000 metric tons to 2 139 metric tons for unwrought magnesium in alloy.

Article 3

Should Denmark or Ireland require additional unwrought magnesium not in alloy, they shall draw a sufficient share from the appropriate reserve to the extent that the reserve so permits.

Article 4

This Regulation shall enter into force on the seventh 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, 2 August 1974.

For the Council

The President

B. DESTREMAU

REGULATION (EEC) No 2093/74 OF THE COMMISSION
of 8 August 1974
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 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 1996/74 ⁽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 Regulation (EEC) No 2016/74 ⁽³⁾ and subsequent amending Regulations;

Whereas it follows from applying the provisions contained in Regulation (EEC) No 2016/74 to the

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (a), (b) and (c) of Regulation No 120/67/EEC are hereby fixed as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 9 August 1974.

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

Done at Brussels, 8 August 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 209, 31. 7. 1974, p. 1.

⁽³⁾ OJ No L 210, 1. 8. 1974, p. 1.

ANNEX

to the Commission Regulation of 8 August 1974 fixing the import levies on cereals and on wheat or rye flour groats and meal

CCT heading No	Description of goods	u.a./metric ton
10.01 A	Common wheat and meslin	0
10.01 B	Durum wheat	0 ⁽¹⁾⁽⁴⁾
10.02	Rye	0.75 ⁽⁵⁾
10.03	Barley	0
10.04	Oats	0
10.05 B	Maize other than hybrid maize for sowing	0 ⁽³⁾⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0
10.07 C	Grain sorghum	0
10.07 D	Canary seed ; other cereals	0 ⁽⁴⁾
11.01 A	Wheat or meslin flour	0
11.01 B	Rye flour	19.79
11.02 A I a	Durum wheat groats and meal	0
11.02 A I b	Common wheat groats and meal	0

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.50 u.a./metric ton.

⁽²⁾ Where maize originating in the AASM and OCT is imported into the French Overseas Departments, the levy is reduced by 6 u.a./metric ton.

⁽³⁾ Where maize originating in Tanzania, Uganda and Kenya is imported into the Community, the levy is reduced by 1 u.a./metric ton.

⁽⁴⁾ Where wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.50 u.a./metric ton.

⁽⁵⁾ 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 1234/71 and Commission Regulation (EEC) No 2622/71.

REGULATION (EEC) No 2094/74 OF THE COMMISSION
of 8 August 1974
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 No 120/
67/EEC ⁽¹⁾ of 13 June 1967 on the common organiza-
tion of the market in cereals, as last amended by Regu-
lation (EEC) No 1996/74 ⁽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
2017/74 ⁽³⁾ and subsequent amending Regulations ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The scale of the premiums to be added, pursuant to
Article 15 of Regulation No 120/67/EEC, to the
import levies fixed in advance in respect of cereals
and malt is hereby fixed as shown in the Tables
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 9 August
1974.

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

Done at Brussels, 8 August 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 209, 31. 7. 1974, p. 1.

⁽³⁾ OJ No L 210, 1. 8. 1974, p. 4.

ANNEX

to the Commission Regulation of 8 August 1974 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour ⁽¹⁾

(u.a./metric ton)

CCT heading No	Description of goods	Current 8	1st period 9	2nd period 10	3rd period 11
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

(¹) The period of validity of the licence is limited in accordance with Regulation (EEC) No 2196/71 (OJ No L 231, 14. 10. 1971, p. 28), as last amended by Regulation (EEC) No 3148/73 (OJ No L 321, 22. 11. 1973, p. 13).

B. Malt

(u.a./100 kg)

CCT heading No	Description of goods	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
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

REGULATION (EEC) No 2095/74 OF THE COMMISSION
of 8 August 1974
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 359/67/EEC⁽¹⁾ of 25 July 1967 on the common organization of the market in rice, 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 11 (5) thereof;

Whereas the import levies on rice and broken rice were fixed by Regulation (EEC) No 2365/73⁽⁴⁾ and subsequent amending Regulations;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2365/73

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation No 359/67/EEC are hereby fixed as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 9 August 1974.

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

Done at Brussels, 8 August 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 245, 1. 9. 1973, p. 7.

to the Commission Regulation of 8 August 1974 fixing the import levies on rice and broken rice

CCT heading No	Description of goods	Third countries	AASM/ OCT (%) (*)
10.06	Rice :		
	A. Paddy rice ; husked rice :		
	I. Paddy rice :		
	a) Round grained	0	0
	b) Long grained	0	0
	II. Husked rice :		
	a) Round grained	0	0
	b) Long grained	0	0
	B. Semi-milled or wholly milled rice :		
	I. Semi-milled rice :		
	a) Round grained	0	0
	b) Long grained	0	0
	II. Wholly milled rice :		
	a) Round grained	0	0
	b) Long grained	0	0
	C. Broken rice	0	0

(^b) This levy is applicable only to imports fulfilling the conditions laid down in Article 2 of Regulation (EEC) No 540/70.

REGULATION (EEC) No 2096/74 OF THE COMMISSION

of 8 August 1974

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 359/67/EEC⁽¹⁾ of 25 July 1967 on the common organization of the market in rice, 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 13 (6) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas the premiums to be added to the import levies fixed in advance for rice and broken rice must include a premium for the current month and a premium for each of the following months until the expiry of the period of validity of the import licence; whereas this period of validity was laid down in Article 20 (2) of Commission Regulation (EEC) No 2637/70⁽⁴⁾ of 23 December 1970, as last amended by Regulation (EEC) No 128/73⁽⁵⁾;

Whereas Council Regulation No 365/67/EEC⁽⁶⁾ of 25 July 1967, as last amended by Regulation (EEC) No 2435/70⁽⁷⁾, lays down rules for the advance fixing of levies on rice and broken rice;

Whereas under the terms of Regulation No 365/67/EEC, where the cif price for husked rice for milled rice or for broken rice determined on the day on which the premiums are fixed is higher than the cif forward delivery price for the same product, the premium should as a general rule be equal to the difference between these two prices; whereas the cif price is that determined in accordance with Article 16 of Regulation No 359/67/EEC on the day on which the premiums are fixed; whereas the detailed rules for determining cif prices were laid down in Regulation (EEC) No 1613/71⁽⁸⁾, as last amended by Regulation (EEC) No 363/72⁽⁹⁾; whereas the cif forward delivery price must also be determined in accordance with

Article 16 of Regulation No 359/67/EEC but on the basis of offers at North Sea ports; whereas this price must be the cif price for shipment during the month in which the import licence is issued in the case of imports to be effected during that month; whereas this price must be the cif price for shipment during the month in which importation is expected to take place in the case of imports to be effected during the month following the month in which the import licence is issued; whereas this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place in the case of imports to be effected during the remaining months for which the import licence is valid; whereas, if no offer for forward delivery is made for shipment during a given month, this price should be the price ruling for shipment during the last month in which an offer for forward delivery was made;

Whereas the premium is equal to 0 units of account if the cif price determined on the day on which the scale of the premiums is fixed is equal to the cif forward delivery price or exceeds that price by not more than 0.025 units of account per 100 kilograms;

Whereas the premium may, however, be fixed at a higher level in exceptional circumstances and within certain specified limits;

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

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

Whereas it follows from applying all these provisions that the premiums should be fixed as shown in the Table annexed to this Regulation; whereas the amount of the premiums should be altered only if application of the abovementioned provisions entails a change of more than 0.025 unit of account,

(¹) OJ No 174, 31. 7. 1967, p. 1.

(²) OJ No L 73, 27. 3. 1972, p. 14.

(³) OJ No L 73, 27. 3. 1972, p. 5.

(⁴) OJ No L 283, 29. 12. 1970, p. 15.

(⁵) OJ No L 17, 20. 1. 1973, p. 16.

(⁶) OJ No 174, 31. 7. 1967, p. 32.

(⁷) OJ No L 262, 3. 12. 1970, p. 3.

(⁸) OJ No L 168, 27. 7. 1971, p. 28.

(⁹) OJ No L 46, 22. 2. 1972, p. 9.

HAS ADOPTED THIS REGULATION :

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

Article 1

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

Article 2

This Regulation shall enter into force on 9 August 1974.

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

Done at Brussels, 8 August 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 8 August 1974 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description of goods	Current 8	1st period 9	2nd period 10	3rd period 11
10.06	Rice : A. Paddy rice ; husked rice : I. Paddy rice : a) Round grained b) Long grained II. Husked rice : a) Round grained b) Long grained B. Semi-milled or wholly milled rice : I. Semi-milled rice : a) Round grained b) Long grained II. Wholly milled rice : a) Round grained b) Long grained C. Broken rice :	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0 0 0 0 0 0 0	— 0 — 0 — 0 — 0 — 0 — 0 — 0

(w.s./100 kg)

REGULATION (EEC) No 2097/74 OF THE COMMISSION

of 8 August 1974

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 No 359/67/EEC⁽¹⁾ of 25 July 1967 on the common organization of the market in rice, 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 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 No 359/67/EEC 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 No 366/67/EEC⁽⁴⁾ of 25 July 1967 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds, as amended by Regulation No 1019/67/EEC⁽⁵⁾, 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 disturbance of the Community market;

Whereas Regulation No 669/67/EEC⁽⁶⁾, as amended by Regulation (EEC) No 1057/68⁽⁷⁾, 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 No 366/67/EEC 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 once a week; 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 subparagraph;

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 at the amounts 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 refunds on the products listed in Article 1 of Regulation No 359/67/EEC with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 August 1974.

⁽¹⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No 174, 31. 7. 1967, p. 34.

⁽⁵⁾ OJ No 311, 21. 12. 1967, p. 13.

⁽⁶⁾ OJ No 241, 5. 10. 1967, p. 6.

⁽⁷⁾ OJ No L 179, 25. 7. 1968, p. 31.

The amount by which the refunds may be increased pursuant to Article 1 of Regulation No 719/67/EEC is 0.20 u.a./100 kg.

REGULATION (EEC) No 2098/74 OF THE COMMISSION

of 8 August 1974

fixing the corrective amount applicable to the refund 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 No 359/67/EEC⁽¹⁾ of 25 July 1967 on the common organization of the market in rice, 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 the first subparagraph of Article 17 (4) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas the first subparagraph of Article 17 (4) of Regulation No 359/67/EEC provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence;

Whereas Regulation No 474/67/EEC⁽⁴⁾, as amended by Regulation (EEC) No 1397/68⁽⁵⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than 0.025 unit of account per 100 kilograms; whereas, on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than 0.025 unit of account per 100 kilograms;

Whereas the cif price is that determined in accordance with Article 16 of Regulation No 359/67/EEC; whereas the cif forward delivery price is that determined in accordance with Article 3 (2) of Regulation No 365/67/EEC⁽⁶⁾, as last amended by Regulation (EEC) No 2435/70⁽⁷⁾, based, in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation;

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

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

Whereas it follows from applying all these provisions that the corrective amount applicable on 9 August 1974 must be fixed as shown in the Table annexed 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 corrective amount referred to in Article 17 (4) of Regulation No 359/67/EEC which is applicable to the export refunds fixed in advance in respect of rice and broken rice is hereby fixed as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 9 August 1974.

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

Done at Brussels, 8 August 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

(¹) OJ No 174, 31. 7. 1967, p. 1.

(²) OJ No L 73, 27. 3. 1972, p. 14.

(³) OJ No L 73, 27. 3. 1972, p. 5.

(⁴) OJ No 204, 24. 8. 1967, p. 20.

(⁵) OJ No L 222, 10. 9. 1968, p. 6.

(⁶) OJ No 174, 31. 7. 1967, p. 32.

(⁷) OJ No L 242, 2. 12. 1970, p. 1.

ANNEX

to the Commission Regulation of 8 August 1974 fixing the corrective amount applicable
to the refund on rice and broken rice

(u.a./100 kg)							
CCT heading No	Description of goods	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1
10.06	Rice :						
	A. Paddy rice ; husked rice :						
	I. Paddy rice :						
	a) Round grained	—	—	—	—	—	—
	b) Long grained	—	—	—	—	—	—
	II. Husked rice :						
	a) Round grained	—	—	—	—	—	—
	b) Long grained	—	—	—	—	—	—
	B. Semi-milled or wholly milled rice :						
	I. Semi-milled rice :						
	a) Round grained	—	—	—	—	—	—
	b) Long grained	—	—	—	—	—	—
	II. Wholly milled rice :						
	a) Round grained	—	—	—	—	—	—
	b) Long grained	—	—	—	—	—	—
	C. Broken rice	—	—	—	—	—	—

REGULATION (EEC) No 2099/74 OF THE COMMISSION
of 8 August 1974
fixing the export levies on rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 359/67/EEC⁽¹⁾, of 25 July 1967 on the common organization of the market in rice as last amended by the Act of Accession⁽²⁾;

Having regard to Council Regulation (EEC) No 2737/73⁽³⁾ of 8 October 1973 laying down general rules to be applied in the event of the rice market being disturbed, and in particular Article 4 (2) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas Article 21 of Regulation No 359/67/EEC provides that the necessary measures 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 2737/73 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 rice 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 this product;

Whereas in view of the relationship between the rice and products processed from it and given the market situation for these products, an export levy must also be fixed for all products processed from rice;

Whereas the threshold prices for husked rice, wholly milled rice and broken rice were fixed for the 1973/74 marketing year by Regulations (EEC) No 1962/73⁽⁴⁾ and No 2024/73⁽⁵⁾;

Whereas Article 3 of Regulation (EEC) No 2737/73 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 rice on the Community market on the one hand and prices for rice and products processed from it 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 rice 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 listed in Article 1 (c) of Regulation No 359/67/EEC the specific factors set out in Article 3 (2) of Regulation (EEC) No 2737/73 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;

Whereas it follows from applying the rules outlined above to the present situation on the market in rice, 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 levy referred to in the first indent of Article 2 (1) of Regulation (EEC) No 2737/73 is hereby fixed as shown in the Annex for the products listed therein.

Article 2

This Regulation shall enter into force on 9 August 1974.

⁽¹⁾ OJ No L 174, 31. 7. 1967, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 282, 9. 10. 1973, p. 13.

⁽⁴⁾ OJ No L 201, 21. 7. 1973, p. 1.

⁽⁵⁾ OJ No L 206, 27. 7. 1973, p. 30.

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

Done at Brussels, 8 August 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 8 August 1974 fixing the export levies on rice

CCT heading No	Description of goods	u.a./100 kg
10.06 A I a)	Round grained paddy rice, excluding officially certified seeds ⁽¹⁾	8-000
10.06 A I b)	Long grained paddy rice, excluding officially certified seeds ⁽¹⁾	10-000
10.06 A II a)	Round grained husked rice	10-000
10.06 A II b)	Long grained husked rice	8-000
10.06 B I a)	Round grained semi-milled rice	11-000
10.06 B I b)	Long grained semi-milled rice	10-000
10.06 B II a)	Round grained wholly-milled rice	11-000
10.06 B II b)	Long grained wholly-milled rice	10-000
10.06 C	Broken rice	12-000
11.01 F	Rice flour	—
11.02 A VI	Rice groats and meal	12-000
11.02 E II e) 1	Flaked rice	12-000
11.08 A II	Rice starch	—

⁽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).

REGULATION (EEC) No 2100/74 OF THE COMMISSION**of 8 August 1974****fixing the import levies on calves and adult bovine animals and on beef and veal other than frozen**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 805/68 ⁽¹⁾ of 27 June 1968 on the common organization of the market in beef and veal, as last amended by Regulation (EEC) No 1855/74 ⁽²⁾, and in particular the second line of Article 10 (7), and Article 12 (7) thereof;

Whereas the import levies on calves and adult bovine animals and on beef and veal other than frozen were fixed by Regulation (EEC) No 1095/74 ⁽³⁾, as last amended by Regulation (EEC) No 2047/74 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1095/74 to the quotations and other information known to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Articles 10 and 12 of Regulation (EEC) No 805/68 are hereby fixed as shown in the Annex to this Regulation.

Article 2

To be classified as products falling within subheadings Nos 02.01 A II a) 1 aa) and 02.01 A II a) 1 bb), products must correspond to the definition contained in Article 2 of Regulation (EEC) No 2249/73 ⁽⁵⁾.

Article 3

This Regulation shall enter into force on 12 August 1974.

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

Done at Brussels, 8 August 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 195, 18. 7. 1974, p. 14.

⁽³⁾ OJ No L 122, 4. 5. 1974, p. 13.

⁽⁴⁾ OJ No L 212, 2. 8. 1974, p. 23.

⁽⁵⁾ OJ No L 230, 18. 8. 1973, p. 15.

ANNEX

Levies applicable from 12 August 1974 to imports from third countries ⁽¹⁾

(in u.s./100 kg)

CCT heading No	Description of goods	Austria Sweden Switzerland	Other third countries
01.02	Live animals of the bovine species :	Live weight	
	A. Domestic species :		
	II. Other :		
	a) Calves	30-380 (b)	30-380 (b)
	b) Other :		
02.01	1. Cows for immediate slaughter, the meat of which is intended for processing (a)	30-380	—
	2. Other :		
	aa) Not yet having any permanent teeth, of a weight of not less than 350 kg but not more than 450 kg in the case of male animals, or of not less than 320 kg but not more than 420 kg in the case of female animals (c)	—	30-380
	bb) Other	30-380 (b)	30-380 (b)
		Net weight	
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen :		
	A. Meat :		
	II. Of bovine domestic bovine animals :		
	a) Of domestic bovine animals :		
	1. Fresh or chilled :		
	aa) Of calves :		
	11. Carcases and half-carcases	57-722	57-722
	22. Separated or unseparated forequarters	46-178	46-178
	33. Separated or unseparated hindquarters	69-266	69-266
	bb) Of adult animals :		
	11. Carcases, half-carcases or 'compensated' quarters :		
	aaa) Carcases of a weight of not less than 180 kg but not more than 270 kg and half-carcases or 'compensated' quarters of a weight of not less than 90 kg but not more than 135 kg, with a low degree of ossification of the cartilages (more especially those of the symphysis pubis and the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (c)	—	57-722
	bbb) Other	57-722	57-722
	22. Forequarters :		
	aaa) Of a weight of not less than 45 kg but not more than 68 kg, with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (c)	—	46-178
	bbb) Other	46-178	46-178

(in u.a./100 kg)

CCT heading No	Description of goods	Austria Sweden Switzerland	Other third countries
02.01 (cont'd)	33. Hindquarters :	Net weight	
	aaa) Of a weight of not less than 45 kg but not more than 68 kg (not less than 38 kg but not more than 61 kg in the case of 'Pistola' cuts), with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (c)	—	69-266
	bbb) Other	69-266	69-266
	cc) Other cuts of veal and beef :		
	11. Unboned (bone-in)	86-583	86-583
	22. Boned or boneless	99-039	99-039
	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked :		
	C. Other :		
	1. Of domestic bovine animals :		
	a) Meat :		
02.06	1. Unboned (bone-in)	86-583	86-583
	2. Boned or boneless	99-039	99-039

(¹) Regulation (EEC) No 521/70 provides that the levies are not applied to imports into the French overseas departments of products originating in the AASM and OCT.

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities and to the special conditions at present applicable to cows imported under the bilateral agreement on cattle for the food processing industry between the European Communities and Austria.

(b) Where these products are imported under the conditions set out in Article 11 of Council Regulation (EEC) No 805/68 of 27 June 1968 and in the provisions adopted for its application, the levy is either refunded or not collected in accordance with those provisions.

(c) Entry under this subheading is subject to the production of the certificate referred to in paragraph 2 (c) of Protocol No 1 annex I to the trade agreement between the EEC and the Socialist Federal Republic of Yugoslavia.

REGULATION (EEC) No 2101/74 OF THE COMMISSION
of 8 August 1974
fixing the special export levy on syrups and other sugars

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 1602/74⁽²⁾, and in particular Article 16 (5), second indent;

Whereas the special export levy on syrups and other sugars were introduced by Regulation (EEC) No 403/74⁽³⁾, as last amended by Regulation (EEC) No 2066/74⁽⁴⁾;

Whereas Commission Regulation (EEC) No 389/74⁽⁵⁾ of 14 February 1974, as last amended by Regulation (EEC) No 1383/74⁽⁶⁾, has laid down detailed rules for applying the special export levy on syrups and other sugars;

Whereas it follows from applying the rules and other provisions contained in the amended Regulation (EEC) No 403/74 to the information at present available to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amount of the special export levy on the products specified in Article 1 (1) (d), of Regulation No 1009/67/EEC shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 August 1974.

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

Done at Brussels, 8 August 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 172, 27. 6. 1974, p. 7.

⁽³⁾ OJ No L 44, 16. 2. 1974, p. 12.

⁽⁴⁾ OJ No L 215, 6. 8. 1974, p. 6.

⁽⁵⁾ OJ No L 43, 15. 2. 1974, p. 35.

⁽⁶⁾ OJ No L 148, 5. 6. 1974, p. 10.

ANNEX

to the Commission Regulation of 8 August 1974 fixing the special export levy on syrup and other sugars

CCT heading No	Description of goods	(u.a./100 kg) Basic amount of the special export levy per percentage point of sucrose content (%)
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel : ex D. Invert sugar and other syrups, but not including sucrose syrups which are 97 % or less pure ^(*) and are in packings the contents of which is not more than 25 kg ex F. Caramel made from beet sugar and cane sugar	0-3200 0-3200
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion : ex C. Other, excluding syrups and vanilla sugar in immediate packings the net contents of which do not exceed 2.5 kg, and molasses	0-3200

(¹) Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

(²) The purity of the syrups is determined in accordance with Article 13 (2) of Regulation (EEC) No 394/70.

REGULATION (EEC) No 2102/74 OF THE COMMISSION

of 8 August 1974

fixing the export refunds on poultrymeat for the period beginning 15 August 1974

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 123/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in poultrymeat, as last amended by the Act⁽²⁾ on the conditions of Accession and Adjustments to the Treaties, and in particular the first sentence of the fifth subparagraph of Article 9(2) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas Article 9 of Regulation No 123/67/EEC provides that the difference between prices on the world market for the products listed in Article 1(1) of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas Council Regulation No 176/67/EEC⁽³⁾ of 27 June 1967, as amended by Regulation (EEC) No 2689/72⁽⁴⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas it follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed as indicated below;

Whereas, for the other products listed in the Annex to this Regulation, the refund should be limited to an amount which, while permitting of Community participation in international trade, takes account of the nature of these exports and their importance at the present time;

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 %, at 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, since economically important quantities of other poultrymeat products are not being exported, there is no need to fix a refund for these at present;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The list of products for which the export refund referred to in Article 9 of Regulation No 123/67/EEC is granted, and the amount of that refund, are hereby fixed as shown in the Annex.

2. No refund is fixed for any of the products listed in Article 1(1) of Regulation No 123/67/EEC not included in the Annex.

Article 2

This Regulation shall enter into force on 15 August 1974.

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

Done at Brussels, 8 August 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2301/67.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No 130, 28. 6. 1967, p. 2612/67.

⁽⁴⁾ OJ No L 289, 27. 12. 1972, p. 41.

ANNEX

CCT heading No	Description of goods	Refund
02.02		u.a./100 kg
	Dead poultry (that is to say fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen :	
	A. Whole poultry : For export to European third countries, to Jordan, to third countries on the Mediterranean or on the Persian Gulf and to third countries of the Arabian Peninsula :	
	I. Fowls : a) Plucked and gutted, with heads and feet, known as '83 % chickens' b) Plucked and drawn, without heads and feet but with hearts, livers and gizzards, known as '70 % chickens' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens'	11.00 11.00 11.00

REGULATION (EEC) No 2103/74 OF THE COMMISSION

of 8 August 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 organiza-
tion of the market in cereals, as last amended by Regu-
lation (EEC) No 1996/74 ⁽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 last amended by Regulation (EEC) No
676/74 ⁽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 produc-
tion and market price trends ;

Whereas the high level of prices in international trade
could impede importation of common wheat, barley,
rye, oats, maize, sorghum and rice into the Commu-
nity 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 intro-
duced for common wheat, barley, rye, oats, maize,
sorghum and rice pellets ;

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 certain of these products must also be
fixed ;

Whereas the threshold prices for the 1974/75
marketing year were fixed by Council Regulation
(EEC) No 1427/74 ⁽⁵⁾ of 4 June 1974 ;

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 other
market on the other ; whereas the same article
provides that it is also important to ensure equili-
brium 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 Commu-
nity 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 Regula-
tion (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 %, at 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 curren-
cies referred to in the preceding paragraph over a
specified period ;

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

⁽²⁾ OJ No L 209, 31. 7. 1974, p. 1.

⁽³⁾ OJ No L 201, 21. 7. 1973, p. 10.

⁽⁴⁾ OJ No L 83, 28. 3. 1974, p. 3.

⁽⁵⁾ OJ No L 151, 8. 6. 1974, p. 1.

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 at the amounts shown in the Annex.

Article 2

This Regulation shall enter into force on 9 August 1974.

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

Done at Brussels, 8 August 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

to the Commission Regulation of 8 August 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⁾	40-00
ex 10.02	Rye, excluding officially certified seeds ⁽¹⁾	0
ex 10.03	Barley, excluding officially certified seeds ⁽¹⁾	15-00
ex 10.04	Oats, excluding officially certified seeds ⁽¹⁾	5-00
10.05 B	Maize other than hybrid maize for sowing	30-00
10.07 C	Grain sorghum	15-00
ex 11.01 A	Wheat flour	15-00
11.02 A Ia)	Durum wheat groats and meal	—
11.02 A Ib)	Common wheat groats and meal	15-00
11.01	Flour of cereals :	
	C. Barley flour	—
	D. Oat flour	—
	E. Maize flour :	
	I. Of a fat content not exceeding 1.5 % by weight	—
	II. Other	—
	H. Millet flour	—
	K. Grain sorghum flour	—
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	—
	III. Barley :	
	a) Of an ash content not exceeding 1 % by weight	—
	b) Barley groats and meal not included under No 11.02 A III a)	—
	IV. Oats :	
	a) Of an ash content not exceeding 2.3 % by weight	—
	b) Oat groats and meal not included under No 11.02 A IV a)	—

CCT heading No	Description	u.s./metric ton
11.02 (cont'd)	V. Maize : a) Of a fat content not exceeding 1.5 % by weight : 1. For the brewing industry — 2. Other — b) Other — VIII. Millet — IX. Grain sorghum — 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. Oats : — aa) Clipped oats — bb) Other : — (11) Of an ash content not exceeding 2.3 % by weight (*) — (22) Other (*) — 4. Millet — b) Hulled and sliced or kibbled ('Grütze or grutten') : 1. Barley (*) — 2. Oats : — aa) Of an ash content not exceeding 2.3 % by weight (*) — bb) Other (*) — 4. Millet (*) — II. Other cereals : a) Wheat (*) — b) Rye (*) — c) Maize (*) — d) Grain sorghum (*) — C. Pearled grains : I. Wheat (*) — II. Rye (*) — III. Barley : a) Of an ash content (without talc) not exceeding 1 % by weight — 1st category (*) — b) Other (*) — IV. Oats (*) — V. Maize (*) — VII. Millet (*) — VIII. Grain sorghum (*) —	

CCT heading No	Description	u.s./metric ton
11.02 (cont'd)	D. Grains not otherwise worked than kibbled : I. Wheat — II. Rye — III. Barley — IV. Oats — V. Maize — VII. Millet — VIII. Grain sorghum — E. Rolled grains ; flaked grains : I. Barley, oats, buckwheat and millet : a) Rolled : 1. Barley — 2. Oats — 4. Millet — b) Flaked : 1. Barley — 2. Oats — 4. Millet — II. Other cereals : a) Wheat — b) Rye — c) Maize — d) Grain sorghum — F. Pellets : I. Wheat — II. Rye — III. Barley — IV. Oats — V. Maize — VI. Rice 120.00 VIII. Millet — IX. Grain sorghum — G. Germ of cereals, whole, rolled, flaked or ground : I. Wheat — II. Other —	

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 — b) Other — II. Other : a) In the form of flour 0 b) Other 0 B. Roasted 0	
13.02	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 — b) Other : 1. With a starch content exceeding 35 % but not exceeding 45 % by weight, and having undergone a denaturing process — 2. Other — 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 — b) Other —	
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 : ex I. Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 968/68, of a milk powder content of less than 50 % by weight and of cereal products (*) content by weight : — Exceeding 5 % but not exceeding 15 % — — Exceeding 15 % but not exceeding 30 % — — Exceeding 30 % but not exceeding 50 % — — Exceeding 50 % but not exceeding 65 % — — Exceeding 65 % —	

-
- (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).
- (⁴) 'Cereals products' means the products falling within Chapter 10 and heading Nos 11.01 and 11.02 (excluding subheading No 11.02 G) of the Common Customs Tariff.
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REGULATION (EEC) No 2104/74 OF THE COMMISSION
of 8 August 1974
concerning the rate of conversion to be applied to the Italian lira to goods
covered by Regulation (EEC) No 1059/69

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community;

Having regard to Council Regulation (EEC) No
1059/69 ⁽¹⁾ of 28 May 1969 determining the system of
trade applicable to certain goods processed from agri-
cultural products, as last amended by Regulation
(EEC) No 1491/73 ⁽²⁾, and in particular Article 6
thereof;

Whereas the rate of conversion applicable to the
Italian lira in the agricultural sector was fixed by
Commission Decision No 74/386/EEC ⁽³⁾;

Whereas it is necessary to take this rate into account
when publishing in national currencies for guidance
purposes the amounts of the variable components,
additional duties and price differences in respect of
white sugar, common wheat flour and rye flour
provided for in Regulation (EEC) No 1059/69;

Whereas these amounts have been applied since 22
July 1974,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts shown in Italian lira in Annex I to
Commission Regulation (EEC) No 1924/74 ⁽⁴⁾ of 23
July 1974 in respect of the variable components and
the compensatory amounts, in Annex II to that Regu-
lation in respect of additional duties and in Annex IV
thereto in respect of price differences are replaced by
those set out in the Annex to this Regulation.

Article 2

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, 8 August 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 151, 7. 6. 1973, p. 1.

⁽³⁾ OJ No L 198, 20. 7. 1974, p. 37.

⁽⁴⁾ OJ No L 205, 26. 7. 1974, p. 1.

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

Position tarifaire Position Tarifnummer Voce della tariffa Tariefnummer CCT heading No	Montants compensatoires Udligningsbeløb Ausgleichsbeträge Importi compensativi Compenserende bedragen Compensatory amounts			Éléments mobiles Variable elementer Bewegliche Teilbeträge Elementi mobili Variabele elementen Variable components
	Pays exportateur Udførende Land Ausfuhrland Paese esportatore Land van uitvoer Exporting country			Pays tiers Tredjelande Drittländer Paesi terzi Derde landen Third countries
	DANMARK	IRELAND	UNITED KINGDOM	
1	2	3	4	5
17.04 C		1 234	1 722	1 722
17.04 D II a)		641	3 613	5 943
17.04 D II b) 1		969	4 285	4 301
17.04 D II b) 2		1 169	1 522	1 522
18.06 B II a)		1 001	4 694	7 153
18.06 B II b)		1 386	6 857	12 592
18.06 C I		705	3 973	8 266
18.06 C II b) 3		1 362	1 818	1 818
18.06 C II b) 4		1 554	4 534	4 534
18.06 D I a)			264	9 884
18.06 D I b)			264	9 884
18.06 D II b) 1		2 852	15 619	36 862
18.06 D II b) 2 aa)		1 810	6 440	6 440
18.06 D II b) 2 bb)		2 852	15 619	36 862
18.06 D II c) 1	Régime du no Anvendelse af tarifnummer Regelung in Tarifnummer Vedere regime n. Regeling van post Utilization of Tariff No			21.07 F VI — IX
18.06 D II c) 2				
19.01 A	368	368	368	368
19.01 B	304	304	304	304
19.02 A	649	1 370	2 139	2 139
19.02 B II b)	529	1 530	6 945	6 945
19.05 A		529	529	529
19.07 A		1 354	2 571	2 571
19.08 B II b) 2	673	1 786	8 138	8 138
19.08 B II c) 2	673	1 922	6 512	6 512
19.08 B II d) 2	673	2 123	4 069	4 069
19.08 B III a) 2	1 009	1 946	11 158	15 171
19.08 B III b) 2	929	1 842	9 628	9 628
19.08 B III c) 2	801	2 019	6 440	6 440
19.08 B IV a) 2	1 057	1 434	7 802	7 802
19.08 B IV b) 2	1 041	1 866	10 229	10 381
21.01 A II	256	256	256	256
21.01 B II	465	465	465	465

Position tarifaire Position Tarifnummer Voce della tariffa Tariefnummer CCT heading No	Montants compensatoires Udligningsbeløb Ausgleichsbeträge Importi compensativi Compenserende bedragen Compensatory amounts			Éléments mobiles Variable elementer Bewegliche Teilbeträge Elementi mobili Variabele elementen Variable components
	Pays exportateur Udførende land Ausfuhrland Paese esportatore Land van uitvoer Exporting country			Pays tiers Tredjelande Drittländer Paesi terzi Derde landen Third countries
	DANMARK	IRELAND	UNITED KINGDOM	
1	2	3	4	5
21.07 A I		248	248	248
21.07 C II a)		1 001	4 694	7 153
21.07 C II b)		1 386	6 857	12 592
21.07 D I a) 1				14 802
21.07 D I a) 2		2 884	16 252	40 763
21.07 D I b) 1				1 314
21.07 D I b) 2		352	1 986	4 982
21.07 D I b) 3		2 563	14 450	36 229
21.07 D II a) 1				16 445
21.07 D II a) 2				23 846
21.07 D II a) 3				30 422
21.07 D II a) 4				43 582
21.07 D II b)		3 204	18 063	45 289
21.07 E		1 922	10 838	27 170
21.07 F II a) 1		641	3 613	9 051
21.07 F II a) 2 aa)	328	889	5 102	8 867
21.07 F II a) 2 bb)	497	1 017	5 855	8 779
21.07 F II a) 2 cc)	665	1 137	6 600	8 683
21.07 F II b) 1		825	3 989	6 776
21.07 F II b) 2 aa)	328	1 017	5 375	7 241
21.07 F II b) 2 bb)	497	1 145	6 128	7 145
21.07 F II c) 1		969	4 285	4 982
21.07 F II c) 2 aa)	328	1 218	4 798	4 798
21.07 F II c) 2 bb)	457	1 314	4 726	4 726
21.07 F II d) 1		1 234	1 722	1 722
21.07 F II d) 2	288	1 450	1 562	1 562
21.07 F III a) 1		1 282	7 225	18 111
21.07 F III a) 2 aa)	328	1 530	8 715	17 926
21.07 F III a) 2 bb)	497	1 658	9 468	17 830
21.07 F III b) 1		1 466	7 601	15 836
21.07 F III b) 2	328	1 658	8 987	16 300
21.07 F III c) 1		1 610	7 898	14 042
21.07 F III c) 2	288	1 826	9 203	13 881
21.07 F III d) 1		1 874	8 435	10 781
21.07 F III d) 2		1 970	8 995	10 709
21.07 F III e)		2 075	8 338	8 338
21.07 F IV a) 1		1 922	10 838	27 170
21.07 F IV a) 2	328	2 171	12 327	26 986
21.07 F IV b) 1		2 107	11 214	24 887
21.07 F IV b) 2	208	2 267	12 175	24 775
21.07 F IV c)		2 251	11 510	23 101
21.07 F V a) 1		2 884	16 252	40 763
21.07 F V a) 2		2 940	16 629	40 175

Position tarifaire Position Tarifnummer Voce della tariffa Tariefnummer CCT heading No	Montants compensatoires Udligningsbeløb Ausgleichsbeträge Importi compensativi Compenserende bedragen Compensatory amounts			Eléments mobiles Variable elementer Bewegliche Teilbeträge Elementi mobili Variabele elementen Variable components
	Pays exportateur Udførende land Ausfuhrland Paese esportatore Land van uitvoer Exporting country			Pays tiers Tredjelände Drittländer Paesi terzi Derde landen Third countries
	DANMARK	IRELAND	UNITED KINGDOM	
1	2	3	4	5
21.07 F V b)		3 012	16 525	39 129
21.07 F VI a) 1	1 442	5 046	28 476	51 673
21.07 F VI a) 2	1 770	5 295	29 973	51 488
21.07 F VI b) 1	1 442	5 311	29 012	48 420
21.07 F VI b) 2	1 690	5 495	30 142	48 276
21.07 F VI c)	1 442	5 639	29 693	44 343
21.07 F VII a) 1	2 219	7 770	43 855	79 579
21.07 F VII a) 2	2 411	7 914	44 712	79 475
21.07 F VII b) 1	2 219	8 034	44 391	76 327
21.07 F VII b) 2	2 323	7 978	44 608	77 889
21.07 F VIII a)	2 852	9 988	56 382	102 320
21.07 F VIII b)	2 852	10 117	56 655	100 694
21.07 F IX	3 460	12 111	68 349	124 027
22.02 B II		320	1 081	1 081
22.02 B III		545	2 611	4 253

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

Position tarifaire Position Tarifnummer Voce della tariffa Tariefnummer CCT heading No	Droits additionnels Tillægstold Zusatzzölle Dazi addizionali Invoerrechten Additional duties
19.07 A	4 109
19.07 B	1 242
19.08 B II a)	417
19.08 B III a) 1	729
19.08 B III a) 2	729
19.08 B IV a) 1	1 033
19.08 B IV a) 2	1 033
19.08 B V a)	1 242

ANNEXE IV — ANNEX IV — ANHANG IV — ALLEGATO IV — BIJLAGE IV — BILAG IV

	Différences de prix Prisforskelle Preisunterschiede Differenze di prezzo Prijnsverschillen Differences in prices
	Lit.
farine de blé tendre mel af blød hvede Weichweizenmehl farina di grano tenero meel van zachte tarwe soft wheat flour	1 033
farine de seigle mel af rug Roggenmehl farina di segala roggenmeel rye flour	4 109

REGULATION (EEC) No 2105/74 OF THE COMMISSION

of 8 August 1974

opening an invitation to tender for the mobilization of common wheat as aid
for the Republic of Peru

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 organiza-
tion of the market in cereals, as last amended by Regu-
lation (EEC) No 1976/74⁽²⁾;

Having regard to Council Regulation (EEC) No
1693/72⁽³⁾ of 3 August 1972 laying down the condi-
tions for the mobilization of cereals as food aid, and
in particular Article 6 thereof;

Whereas on 14 May 1973 the Council of the Euro-
pean Communities declared that by way of Commu-
nity action it proposed to grant the Republic of Peru
15 000 metric tons of common wheat under the
1972/73 food aid programme;

Whereas an analysis of the state of the cereals market
with reference to cereals intervention in Germany indi-
cates that the criteria of Article 3 (2) of Council Regu-
lation (EEC) No 1693/72 should be applied and that
the intervention agency of the Member State as speci-
fied should mobilize the cereals from those stocked in
its own stores and should also determine the condi-
tions of mobilization;

Whereas tenders should be invited for the supply of
the product fob; that is to say at the moment when
the goods are loaded into the hold of the vessel in the
port of loading;

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
for the supply of wheat to the Republic of Peru;

Whereas the German intervention agency should be
made responsible for the tendering procedure in ques-
tion;

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, by way of Community food aid action, to the Republic of Peru of 15 000 metric tons of common wheat.
2. The tendering procedure shall take place in the Federal Republic of Germany in one lot.
3. The product shall be mobilized by the German intervention agency from the stores specified in the Annex.
4. Loading shall take place for shipment from one port of the Community.
5. The product referred to in paragraph 1 is to be loaded fob, that is to say at the moment when the goods are loaded into the hold of the vessel in the port of loading in bulk, by the tenderer.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 19 August 1974.
2. The closing date for the receipt of tenders shall be 19 August 1974 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

The contract shall be awarded to the tenderer who makes the most favourable offer.

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

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

⁽²⁾ OJ No L 209, 31. 7. 1974, p. 1.

⁽³⁾ OJ No L 178, 5. 8. 1972, p. 3.

Article 4

If the tenderer is unable to load the product fob 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 5

1. The successful tenderer shall give security of a value of 5 units of account per metric ton of the product; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeited 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 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 common wheat referred to in Article 1 to be supplied to the Republic of Peru must be of fair and sound merchantable quality and correspond at least to the standard quality for which the intervention price is fixed, except that the moisture content shall not exceed 15.5 % and that a maximum tolerance of 3 %

of sprouted grains and 1.5 % of miscellaneous impurities shall be allowed.

Article 7

1. The German 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. 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.

Article 8

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, 8 August 1974.

For the Commission

The President

François-Xavier ORTOLI

ANNEXE / ANHANG / ALLEGATO / BIJLAGE / BILAG / ANNEX

Numéro du lot Nummer der Lose Numero della partita Nummer van de partij Partiets nummer Number of lot	Port d'embarquement Verschiffungshafen Porto d'imbarco Haven van inlading Indskibningshavn Port of shipment	Tonnage à mettre en fob Nach fob zu bringende Menge Tonnellaggio da mettere in fob Fob aan te leveren hoeveelheid Mængde til levering fob Tonnage fob	Nom et adresse du stockeur Name und Adresse des Lagerhalters Nome e indirizzo del detentore Naam en adres van de entrepouhouder Lagerindehaverens navn og adresse Address of store	Lieu de stockage Ort de Lagerhaltung Luogo di accantonamento Adres van de opslagplaats Lagerplads Town at which stored
1	Ports communautaires Gemeinschaftshäfen Porti comunitari Havens van de Gemeenschap Fælleskabshavne Community ports	15 000 Tonnen dont : davon : di cui : waarvan : deraf : whereof :		
		1 256	Rheinumschlag Breisach Lagerhaus-GmbH 7814 Breisach Hafenstraße 11	Breisach
		999	J.H. Königsfeld GmbH 6800 Mannheim Werthallenstraße 15	Mannheim
		1 126	Haniel Sped. GmbH 6800 Mannheim 1 e 7, 21	Mannheim
		1 619	Rhenania Schiff. u. Sped. GmbH 6800 Mannheim 1 b 6, 26	Mannheim
		2 480	Johs. Stelten KG 4150 Krefeld-Rheinhafen Müllerstraße 9	Kempen
		2 520	Heinrich Kraft GmbH 4000 Düsseldorf-Hafen Zollhof 23	Solingen-Wald
		1 030	Carl Preser u. Co. GmbH 6450 Hanau/Main Hafenstraße 10	Hanau
		230	H. Egger KG 8058 Erding Postfach 89	Erding
		375	J.B. Stiersdorfer 8442 Geiselhöring Postfach 21	Geiselhöring
		500	G. Maier jun. Lagereibetr. 8304 Mallerdorf/Ndb. Bahnhofstraße 55	Eggmühl

Numéro du lot Nummer der Lose Numero della partita Nummer van de partij Partiets nummer Number of lot	Port d'embarquement Verschiffungshafen Porto d'imbarco Haven van inlading Indskibningshavn Port of shipment	Tonnage à mettre en fob Nach fob zu bringende Menge Tonnellaggio da mettere in fob Fob aan te leveren hoeveelheid Mængde til levering fob Tonnage fob	Nom et adresse du stockeur Name und Adresse des Lagerhalters Nome e indirizzo del detentore Naam en adres van de entrepouhouder Lagerindehaverens navn og adresse Address of store	Lieu de stockage Ort der Lagerhaltung Luogo di accantonamento Adres van de opslagplaats Lagerplads Town at which stored
		500	Moosburger Lagereibetr. u. Sped., Braun KG 8052 Moosburg Bahnhofstraße 52	Moosburg
		1 035	Lagerbetrieb Lechfeldmühle W. Ploessl 8900 Augsburg 41 Postfach 11	Augsburg
		250	Baywa AG 8000 München 1 Postfach 590	Würzburg
		600	Ges. f. Lag. Betr. mbH Niederlassung 8500 Nürnberg Laufer Torgraben 8	Wildflecken
		480	Baywa AG 8000 München 1 Postfach 590	Wallersdorf

REGULATION (EEC) No 2106/74 OF THE COMMISSION

of 8 August 1974

amending Regulation (EEC) No 834/74 laying down requisite provisions to prevent the sugar market being disturbed as a result of the price increase in this sector for the 1974/75 sugar marketing year

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 1602/74⁽²⁾, and in particular Article 37 (2) thereof;

Whereas Article 6 (3) Commission Regulation (EEC) No 834/74⁽³⁾ of 5 April 1974 laying down requisite provisions to prevent the sugar market being disturbed as a result of the price increase in this sector for the 1974/75 sugar marketing year, as last amended by Regulation (EEC) No 1609/74⁽⁴⁾, provides a notification at the latest on 10 July 1974 of the stocks of sugar existing in Italy at 00-00 hours on 1 July 1974; whereas difficulties have arisen requiring the postponement of this time limit until 30 August 1974;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 6 (3) of Regulation (EEC) No 834/74 the terms 'shall declare at the latest on 10 July 1974' are replaced by the terms 'shall declare at the latest on 30 August 1974'.

Article 2

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

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

Done at Brussels, 8 August 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 172, 17. 6. 1974, p. 7.

⁽³⁾ OJ No L 99, 9. 4. 1974, p. 15.

⁽⁴⁾ OJ No L 170, 27. 6. 1974, p. 40.

REGULATION (EEC) No 2107/74 OF THE COMMISSION

of 8 August 1974

laying down protective measures applicable to imports of preserved mushrooms

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 865/68⁽¹⁾ of 28 June 1968 on the common organization of the market in products processed from fruit and vegetables, as last amended by Regulation (EEC) No 2429/72⁽²⁾;

Having regard to Council Regulation (EEC) No 1427/71⁽³⁾ of 2 July 1971 introducing protective measures for products processed from fruit and vegetables, and in particular Article 1 (2) thereof;

Whereas imports into the Community of preserved mushrooms during the 1973 marketing year amounted to some 40 000 metric tons; whereas this figure is considerably higher than the figure for previous years; whereas, furthermore, the figure for the first six months of 1974 is some 50 % higher than the figure for the corresponding period of 1973;

Whereas the offer prices from third countries are 20 to 30 % less than the cost price within the Community industry for preserved mushrooms; whereas, consequently, the trend of imports from third countries may aggravate the difficulties facing Community producers as regards production and marketing;

Whereas massive imports from third countries at very low prices create a situation on the Community market where products of Community origin lose trade outlets; whereas during the first half of 1974 stocks of some 20 000 metric tons of preserved mushrooms produced in the Community were in fact found to exist on the Community market; whereas these stocks are considerably larger than those recorded in previous years; whereas, furthermore, by reason of the increased volume of imports stocks are likely to increase in the coming months;

Whereas an assessment of the situation on the market, the main points of which are outlined above, leads to

the conclusion that imports threaten the Community market with serious disturbances which could jeopardize the objectives of Article 39 of the Treaty; whereas, in these circumstances, it is necessary to take protective measures;

Whereas the effect of the protective measures should be to restrict imports so that they can be absorbed by the Community market without worsening the situation thereon;

Whereas for this purpose imports should be restricted by recourse to a system of import licences which will be issued as the situation on the Community market allows; whereas, in order to cope with a difficult situation on the Community markets, the period of validity of these licences should be limited;

Whereas imports originating in third countries willing to maintain a certain price level should not be included in the system of import licences;

Whereas recourse to a system of import licences makes it necessary for Member States to make prior provision for its establishment; whereas consequently this system may not be applied immediately but only with effect from 26 August 1974;

Whereas, in order to take account of existing trade relations and to ensure that the Community importers concerned are fairly treated, the restriction on issuing licences to applicants should be based on factors relating to a reference period; whereas for this purpose use should be made either of the month of 1973 for which applications are lodged or of the average of the corresponding months from 1971 to 1973 if this average exceeds the quantity imported in 1973;

Whereas the system of import licences must not result in excluding from the trade persons who have not carried out commercial transactions in preserved mushrooms during 1971, 1972 and 1973; whereas, consequently, it should be possible, within limits, to grant them import licences,

⁽¹⁾ OJ No L 153, 1. 7. 1968, p. 8.

⁽²⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽³⁾ OJ No L 151, 7. 7. 1971, p. 5.

HAS ADOPTED THIS REGULATION :

Article 1

1. From 26 August 1974 all imports into the Community of preserved mushrooms (subheading 20.02 A of the Common Customs Tariff) from third countries shall be subject to the submission of an import licence.

2. Member States shall issue the licence under the conditions laid down in Article 2, on application by the party concerned, irrespective of the place of his establishment within the Community.

The licence shall be issued for imports to be effected during the month for which it was drawn up. It may, however, cover the month preceding or the month following the month in question in respect of the quantity for which it was issued. It shall be valid for imports to be effected in the Member State which issued it.

3. When application for a licence is made, the quantities of products to which it relates shall be indicated.

Each application shall be accompanied by the lodging of a deposit of 1 unit of account per 100 kilogrammes net weight, which secures the obligation to import during the period of validity of the licence and which shall, except in case of *force majeure*, be forfeited in whole or in part if importation is not effected within this period or is only partly effected.

4. The import licences shall not be required for imports originating in third countries to be specified which are willing and in a position to guarantee that on importation into the Community of products originating in their territory the price will not be below a certain minimum level and that all deflection of trade will be prevented.

Article 2

1. At the end of each week Member States shall notify the Commission by telex of :

- (a) the quantities, shown for each month, in respect of which import licences have been applied for during the week ;
- (b) the quantities, shown for each month, in respect of which import licences have been issued during the week.

The information required under (a) shall be notified for the first time on 16 August 1974.

2. On the basis of the notifications provided for in paragraph 1 the Commission shall assess the situation and decide as provided in Article 3 on the quantities of products for which licences shall be issued.

3. The Commission shall reach a decision during the week following that in which the quantities applied for are notified to it. If, however, during the week in question the Commission has not acted on this, the conditions in force before the import licences were issued shall be maintained.

4. Up to the quantity specified in the application, import licences shall be issued for the quantities laid down by the Commission. They shall be issued during the second week following that during which the quantities applied for are notified to the Commission.

Applications for quantities exceeding those specified by the Commission shall for this reason be rejected.

Article 3

The Commission shall lay down the quantities of products for which the licences are issued by fixing a percentage to be applied to the reference quantity laid down each month for each particular applicant.

This reference quantity shall be equal to :

- the quantity of preserved mushrooms imported by the Community in 1973 during each month specified in the application, or
- the average quantity of this product imported into the Community during each month specified in the application for 1971, 1972 and 1973 if this average exceeds that specified in the first indent.

Imports originating in third countries fulfilling the conditions of Article 1 (4) shall not be taken into account when the reference quantity is being determined.

Article 4

When applications for licences are made by persons who have not imported the products in question into the Community during the period 1971—1973, these applications shall, by way of derogation from the abovementioned provisions, be granted in respect of not more than 5 % of the average quantities of products imported into the Member State and converted to the authorities of the latter in each month of 1971, 1972, and 1973 corresponding to those specified in the application. Imports originating in countries fulfilling the conditions of Article 1 (4) shall be excluded when these average quantities are being calculated.

Import licences corresponding to these applications shall be issued within 10 working days following the lodging of the applications and in the chronological order in which they were lodged. One and the same applicancy may not be allotted quantities exceeding 2 % of the average quantities of products imported into the Member State and mentioned in the preceding subparagraph.

Article 5

1. Each Member State shall lay down the reference quantities :

- (a) for the quantities of products which were imported into that Member State during the reference period corresponding to each month specified in the application :
 - (aa) by reference to the documents supplied by the applicant certifying these operations and,
 - (bb) by reference to the documents which he has at his disposal and which relate to these operations ;
- (b) for the quantities of products which have been imported into another Member State during the reference period corresponding to each month specified in the application :
 - (aa) by reference to the document supplied by the applicant certifying these operations and giving an undertaking that an application for these quantities has not been and will not be made in a Member State other than that for which the documents are provided, and
 - (bb) by reference to the documents issued immediately, on application by the party concerned, by the authorities of the importing Member States certifying these operations.

2. Member States which issue the documents mentioned in paragraph 1 (b) (bb) shall ensure that applications for licences have not been made previously to their own authorities for the quantities of products imported during the reference period for which the documents were requested.

They shall take all necessary measures to ensure that the quantities of products which are the subject of these documents are not taken into consideration for laying down the reference quantity used for calculating the quantities for which import licences will be issued by their own authorities.

Article 6

The issue of the import licence shall include :

- the right to import not more than 105 %,
- the obligation to import not less than 95 %

of the specific quantity of the product chosen during the period of validity of the licence.

The rights and obligations arising from the licences shall be transferable.

Article 7

The import licence shall mention :

- (a) the name and address of the applicant ;
- (b) the description of the product, the Common Customs Tariff subheading within which it falls and its reference number in the goods nomenclature for foreign trade statistics of the Member State in question ;
- (c) the country of origin of the product ;
- (d) the quantity of the product expressed in kilograms, net weight ;
- (e) the month for which it was issued.

Article 8

The deposit referred to in Article 1 (3) may be lodged in cash or in the form of a guarantee given by an establishment complying with the criteria laid down by the Member State from which the issue of the licence is requested.

Article 9

1. Without prejudice to Article 10 :

- (a) the deposit shall be forfeited in whole when the obligation to import has not been fulfilled during the period of validity of the licence ;
- (b) the deposit shall be forfeited in part if the quantity imported is more than 5 % less than the quantity indicated in the licence. The amount of the deposit withheld shall be calculated by reference to the difference between the quantity indicated in the licence less 5 % and the quantity actually imported.

2. The deposit shall be immediately released :

- (a) in respect of applications withdrawn no later than the week following that during which they were lodged ;
- (b) if Article 2 (2) applies, in proportion to the quantity for which an application has not been granted.

Article 10

1. On application by the party concerned, the Member State which issued the import licence shall decide that the obligation to import is cancelled and that the deposit shall not be forfeited :

- (a) when importation cannot be effected during the period of validity of the licence as a result of circumstances considered to constitute a case of *force majeure*, or
 - (b) for quantities of products which the party concerned has imported or has had imported into the territory of the Community free of customs duties or charges having equivalent effect and which have left the territory of the Community for consumption in a third country.
2. The importer shall, by means of the appropriate documents, furnish proof:
- (a) of the circumstances considered to be a case of *force majeure*;
 - (b) of the period during which the products were brought into Community territory while customs

duties or other charges having equivalent effect were suspended, of their departure from Community territory and their free circulation in a third country.

3. Member States shall inform the Commission of circumstances recognized as a case of *force majeure*.

Article 11

For the purposes of this Regulation, 'net weight' means the weight of the product excluding immediate packaging.

Article 12

This Regulation shall enter into force on 9 August 1974.

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

Done at Brussels, 8 August 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

REGULATION (EEC) No 2108/74 OF THE COMMISSION

of 8 August 1974

amending the amounts applicable as compensatory amounts for cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty ⁽¹⁾ concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels 22 January 1972;

Having regard to Council Regulation (EEC) No 229/73 ⁽²⁾ of 31 January 1973 laying down general rules for a system of compensatory amounts for cereals and fixing these amounts for certain products, as last amended by Regulation (EEC) No 1860/74 ⁽³⁾, and in particular Article 7 thereof;

Having regard to Council Regulation (EEC) No 243/73 ⁽⁴⁾ of 31 January 1973 laying down general rules for a system of compensatory amounts for rice and fixing these amounts for certain products, as amended by Regulation (EEC) No 1999/74 ⁽⁵⁾, and in particular Article 5 thereof;

Whereas compensatory amounts for cereals and rice have been fixed pursuant to Regulation (EEC) No 2023/74 ⁽⁶⁾, as last amended by Regulation (EEC) No 2086/74 ⁽⁷⁾;

Whereas the application of the rules referred to in Regulation (EEC) No 2023/74 requires that the amounts at present in force should be amended as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts applicable as compensatory amounts shown in the Annexes to amended Regulation (EEC) No 2023/74 are amended as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 August 1974.

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

Done at Brussels, 8 August 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No L 27, 1. 2. 1973, p. 25.

⁽³⁾ OJ No L 197, 19. 7. 1974, p. 1.

⁽⁴⁾ OJ No L 29, 1. 2. 1973, p. 26.

⁽⁵⁾ OJ No L 209, 31. 7. 1974, p. 5.

⁽⁶⁾ OJ No L 210, 1. 8. 1974, p. 17.

⁽⁷⁾ OJ No L 217, 8. 8. 1974, p. 20.

ANNEXE A — BILAG A — ANHANG A — ALLEGATO A — BIJLAGE A — ANNEX A

Montants applicables au titre des montants compensatoires pour les céréales

Beløb, der skal anvendes som udligningsbeløb for korn

Für Getreide als Ausgleichsbeträge anzuwendende Beträge

Importi applicabili a titolo di importi di compensazione per i cereali

Als compenserende bedragen toe te passen bedragen voor granen

Amounts applicable as compensatory amounts for cereals

(RE/UC/u.a./1 000 kg.

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolltarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief CCT heading No	DK	IRL	UK
11.02	—	2.00	2.00

ANNEXE C — BILAG C — ANHANG C — ALLEGATO C — BIJLAGE C — ANNEX C

Montants applicables au titre des montants compensatoires pour les produits transformés à base de céréales et de riz

Beløb, der skal anvendes som udligningsbeløb for produkter, der er forarbejdet på basis af korn og ris

Für Getreide- und Reisverarbeitungserzeugnisse als Ausgleichsbeträge anzuwendende Beträge

Importi applicabili a titolo di importi di compensazione per i prodotti trasformati dei cereali e del riso

Als compenserende bedragen toe te passen bedragen voor op basis van granen en rijst verwerkte produkten

Amounts applicable as compensatory amounts for products processed from cereals or rice

(RE/UC/u.a./100 kg)

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolltarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief CCT heading No	DK	IRL	UK
11.01 B ⁽¹⁾	—	0-200	0-200
11.02 A II ⁽¹⁾	—	0-280	0-280
11.02 B II b) ⁽¹⁾	—	0-266	0-266
11.02 C II ⁽¹⁾	—	0-280	0-280
11.02 D II ⁽¹⁾	—	0-204	0-204
11.02 E II b) ⁽¹⁾	—	0-280	0-280
11.02 F II ⁽¹⁾	—	0-204	0-204

⁽¹⁾ Pour la distinction entre les produits des n°s 11.01 et 11.02, d'une part, et ceux de la sous-position 23.02 A, d'autre part, sont considérés comme relevant des n°s 11.01 et 11.02 les produits ayant simultanément :

- une teneur en amidon (déterminée d'après la méthode polarimétrique Ewers modifiée) supérieure à 45 % (en poids) sur matière sèche.
- une teneur en cendres (en poids) sur matière sèche (déduction faite des matières minérales ayant pu être ajoutées) inférieure ou égale à 1,6 % pour le riz, 2,5 % pour le froment et le seigle, 3 % pour l'orge, 4 % pour le sarrasin, 5 % pour l'avoine et 2 % pour les autres céréales.

Les germes de céréales, même en farines, relèvent en tout cas du n° 11.02.

⁽¹⁾ Med henblik på sondringen mellem varer tariferet under pos. 11.01 og 11.02 på den ene side og under pos. 23.02 A på den anden side anses som tariferet under pos. 11.01 og 11.02 varer, der samtidig har

- et indhold af stivelse (bestemt ved Ewers modificerede polarimetriske metode) på over 45 vægtprocent, beregnet på grundlag af tørsubstansen,
- et askeindhold (efter fradrag af eventuelle tilsatte mineralske stoffer) på 1,6 vægtprocent eller derunder for ris, 2,5 vægtprocent eller derunder for hvede og rug, 3 vægtprocent eller derunder for byg, 4 vægtprocent eller derunder for boghvede, 5 vægtprocent eller derunder for havre og 2 vægtprocent eller derunder for de øvrige kornsorter, beregnet på grundlag af tørsubstansen.

Korn af korn samt mel deraf tariferes under alle omstændigheder under pos. 11.02.

⁽¹⁾ Für die Abgrenzung der Erzeugnisse der Tarifnummern 11.01 und 11.02 von denen der Tarifstelle 23.02 A gelten als Erzeugnisse der Tarifnummern 11.01 und 11.02 Erzeugnisse, die gleichzeitig folgendes aufweisen :

- einen auf den Trockenstoff bezogenen Stärkegehalt (bestimmt nach dem abgeänderten polarimetrischen Ewers-Verfahren) von mehr als 45 Gewichts Hundertteilen,
- einen auf den Trockenstoff bezogenen Aschegehalt (abzüglich etwa zugesetzter Mineralstoffe) der bei Reis 1,6 Gewichts Hundertteile oder weniger, bei Weizen und Roggen 2,5 Gewichts Hundertteile oder weniger, bei Gerste 3 Gewichts Hundertteile oder weniger, bei Buchweizen 4 Gewichts Hundertteile oder weniger, bei Hafer 5 Gewichts Hundertteile oder weniger und bei anderen Getreidearten 2 Gewichts Hundertteile oder weniger beträgt.

Getreidekeime, auch gemahlen, gehören auf jeden Fall zur Tarifnummer 11.02.

- (¹) Per la distinzione tra i prodotti delle voci nn. 11.01 e 11.02 da un lato, e quelli della sottovoce 23.02 A dall'altro, si considerano come appartenenti alle voci nn. 11.01 e 11.02 i prodotti che abbiano simultaneamente :
- un tenore in amido (determinato in base al metodo polarimetrico Ewers modificato), calcolato sulla materia secca, superiore al 45 % (in peso),
 - un tenore in ceneri (in peso), calcolato sulla materia secca (dedotte le sostanze minerali che possono essere state aggiunte), inferiore o pari a 1,6 % per il riso, a 2,5 % per il frumento e la segala, a 3 % per l'orzo, a 4 % per il grano saraceno, a 5 % per l'avena ed a 2 % per gli altri cereali.

I germi di cereali, anche sfarinati, rientrano comunque nella voce n. 11.02.

- (²) Voor het onderscheid tussen de produkten van de nummers 11.01 en 11.02 enerzijds en die van de onderverdeling 23.02 A anderzijds, worden geacht onder de nummers 11.01 en 11.02 te vallen de produkten die tegelijkertijd :

- een zetmeelgehalte hebben (bepaald volgens de gewijzigde polarimetrische methode van Ewers) van meer dan 45 gewichtspercenten, berekend op de droge stof, en
- een asgehalte hebben (onder aftrek van eventueel toegevoegde minerale stoffen) berekend op de droge stof, van ten hoogste : 1,6 gewichtspercent voor rijst, 2,5 gewichtspercenten voor tarwe en rogge, 3 gewichtspercenten voor gerst, 4 gewichtspercenten voor boekweit, 5 gewichtspercenten voor haver en 2 gewichtspercenten voor andere granen.

Graankiemen ook indien gemalen, vallen in elk geval onder nummer 11.02.

- (³) For the purpose of distinguishing between products falling within headings Nos. 11.01 and 11.02 and those falling within subheading No 23.02 A, products falling within headings Nos 11.01 and 11.02 shall be those meeting the following specifications :

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

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

REGULATION (EEC) No 2109/74 OF THE COMMISSION

of 8 August 1974

altering the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation 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 1996/74⁽²⁾, and in particular the second sentence of the fourth subparagraph of Article 16(2) thereof;

Having regard to Council Regulation No 359/67/EEC⁽³⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by the Act⁽⁴⁾ annexed to the Treaty⁽⁵⁾ 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 the second sentence of the fourth subparagraph of Article 17(2) thereof;

Whereas the export refunds on products processed from cereals and rice were fixed by Regulation (EEC) No 2026/74⁽⁶⁾, amended by Regulation (EEC) No 2030/74⁽⁷⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in Regulation (EEC) No 2026/74 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;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation No 120/67/EEC and in Article 1 (1) (c) of Regulation No 359/67/EEC and subject to Regulation (EEC) No 1052/68⁽⁸⁾, as fixed in the Annex to amended Regulation (EEC) No 2026/74, are hereby altered to the amounts shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 August 1974.

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

Done at Brussels, 8 August 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

(2) OJ No L 209, 31. 7. 1974, p. 1.

(3) OJ No 174, 31. 7. 1967, p. 1.

(4) OJ No L 73, 27. 3. 1972, p. 14.

(5) OJ No L 73, 27. 3. 1972, p. 5.

(6) OJ No L 210, 1. 8. 1974, p. 32.

(7) OJ No L 210, 1. 8. 1974, p. 44.

(8) OJ No L 179, 25. 7. 1968, p. 8.

ANNEX

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund in u.a./100 kg (third countries)
11.01 C (I)	Barley flour, of an ash content, referred to dry matter, not exceeding 0.9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight	0
11.01 C (II)	Barley flour not included under No 11.01 C (I)	—
11.01 D (I)	Oat flour, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a crude fibre content, referred to dry matter, not exceeding 1.8 % by weight, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	0
11.01 D (II)	Oat flour not included under No 11.01 D (I)	—
11.01 E (I)	Maize flour, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight	0
11.01 E (II)	Maize flour, of a fat content, referred to dry matter, exceeding 1.3 % but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	0
11.01 E (III)	Maize flour not included under No 11.01 E (I) and (II)	—
11.01 F	Rice flour	—
11.01 H	Millet flour	—
11.02 A III (a)	Barley groats and meal, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight	0
11.02 A III (b)	Barley groats and meal not included under No 11.02 A III (a)	—
11.02 A IV (a)	Oat groats and meal, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	0
11.02 A IV (b)	Oat groats and meal not included under No 11.02 A IV (a)	—
11.02 A V (a)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 0.9 % by weight and a crude fibre content, referred to dry matter, not exceeding 0.6 % by weight ⁽¹⁾	0
11.02 A V (b)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight ⁽¹⁾	0
11.02 A V (c)	Maize groats and meal, of a fat content, referred to dry matter, exceeding 1.3 % by weight but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1.0 % by weight ⁽¹⁾	—
11.02 A VI	Rice groats and meal	—
11.02 B I a) 1 (aa)	Hulled (shelled or husked) barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight ⁽²⁾	0
11.02 B I a) 1 (bb)	Hulled (shelled or husked) barley not included under No 11.02 B I a) 1 (aa) ⁽²⁾	—
11.02 B I a) 2 (aa)	Clipped oats	—
11.02 B I a) 2 bb) (11)	Hulled (shelled or husked) oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.5 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ⁽²⁾	0
11.02 B I a) 2 bb) (22)	Hulled (shelled or husked) oats, not included under No 11.02 B I a) 2 bb) (11) ⁽²⁾	—

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund in u.a./100 kg (third countries)
11.02 B I b) 1 (aa)	Hulled and sliced or kibbled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight ('Grütze' or 'Grutten') ⁽²⁾	0
11.02 B I b) 1 (bb)	Hulled and sliced or kibbled barley, not included under No 11.02 B I b) 1 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B I b) 2 (aa)	Hulled and sliced or kibbled oats, of an ash content, referred to dry matter, not exceeding 2.3 % weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ('Grütze' or 'Grutten') ⁽²⁾	0
11.02 B I b) 2 (bb)	Hulled and sliced or kibbled oats not included under No 11.02 B I b) 2 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B II a) (1)	Hulled (shelled or husked) wheat, not sliced or kibbled ⁽²⁾	—
11.02 C III (a)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 1st category ⁽³⁾	0
11.02 C III (b)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 2nd category ⁽³⁾	0
11.02 C IV	Pearled oats ⁽³⁾	—
11.02 D II	Rye not otherwise worked than kibbled	—
11.02 E I b) 1 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight	0
11.02 E I b) 1 (bb)	Flaked barley not included under 11.02 E I b) 1 (aa)	—
11.02 E I b) 2 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	0
11.02 E I b) 2 (bb)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content exceeding 0.1 % but not exceeding 1.5 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	0
11.02 E I b) 2 (cc)	Flaked oats not included under Nos 11.02 E I b) 2 (aa) and 11.02 E I b) 2 (bb)	—
ex 11.02 E II c) (1)	Flaked maize, of a fat content, referred to dry matter, not exceeding 0.9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.7 % by weight	0
ex 11.02 E II c) (2)	Flaked maize, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight	0
ex 11.02 E II c) (3)	Flaked maize, of a fat content, referred to dry matter, exceeding 1.3 % but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % weight	—
11.02 E II c) 1	Flaked rice	—
11.02 F III	Barley pellets	—
11.02 F IV	Oat pellets	—
11.02 F V	Maize pellets	—
11.02 G I	Wheat germ, whole, rolled, flaked or ground	0
11.02 G II	Germ of cereals other than wheat, whole, rolled, flaked or ground	0
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	0

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund in u.a./100 kg (third countries)
11.07 A I b)	Unroasted malt, obtained from wheat, other than in the form of flour	0
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	—
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	—
11.07 B	Roasted malt	—
11.08 A I	Maize starch	—
11.08 A III	Wheat starch	—
11.08 A IV	Potato starch	—
11.08 A V	Starches other than maize, rice, wheat, or potato starch	—
11.09 A	Dried wheat gluten, of a protein content, referred to dry matter, not exceeding 82 % by weight ($N \times 6.25$)	—
17.02 B II a)	Glucose other than glucose containing, in the dry state, 99 % or more by weight of the pure product, in the form of white crystalline powder, whether or not agglomerated (*)	—
17.02 B II b)	Glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product, other than glucose in the form of white crystalline powder, whether or not agglomerated (*)	—
17.05 B I	Flavoured or coloured glucose, in the form of white crystalline powder, whether or not agglomerated	—
17.05 B II	Flavoured or coloured glucose and glucose syrup, other than in the form of white crystalline powder, whether or not agglomerated	—
23.02 A I a)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice of a starch content not exceeding 35 % by weight	0
23.02 A I b) 1	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content exceeding 35 % but not exceeding 45 % by weight, and having undergone a denaturing process	0
23.02 A I b) 2	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content exceeding 35 % by weight, and not having undergone a denaturing process, or of a starch content exceeding 45 % by weight and having undergone denaturing process	0
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content not exceeding 28 % by weight and of which the percentage which passes through a sieve with an aperture of 0.2 mm does not exceed 10 % by weight or of which the sifted product has an ash content, calculated on dry matter, not exceeding 1.5 % by weight	0
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not included under No 23.02 A II a)	0
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on dry matter, not exceeding 63 % by weight ($N \times 6.25$)	—

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

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

(*) '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).

(*) '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).

(*) Pursuant to Regulation No 189/66/EEC the product falling within subheading 17.02 B I enjoys the same export refund as the product falling within subheading 17.02 B II.

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. Deutsche Bundespost, Oberpostdirektion Bremen, Referat 46 C, Dienststelle 46 C — 1, 2800 Bremen 1, Bahnhofplatz 20, Postfach 10 12 80, Federal Republic of Germany.
2. Public invitation to tender.
3. a) New post office building in D — 2900 Oldenburg.
b) Carcass work for approximately 84 000 m³ cubic content.
The project comprises :
1 basement 4.45 m high ;
1 ground floor 5.34 m high ;
2 upper stories each 6.40 m high.
The following approximate quantities will be required :
790 m³ cast *in situ* concrete Bn 250 ;
6 100 m³ cast *in situ* concrete Bn 350 ;
400 m³ cast *in situ* concrete Bn 450 ;
22 000 m² formwork ;
40 t round reinforcing bar 22/34 ;
700 t round reinforcing bar 42/50 ;
200 t reinforcing mats 50/55 ;
40 t prestressed steel 150/170 ;
200 m³ masonry ;
3 500 m² foundation layer ;
4 600 m² sealine for tanking ;
1 150 m² outer wall for tanking ;
3 000 m³ foundation slab of cast *in situ* concrete.
c)
d)
4. Work to commence : 25 October 1974. Completion period : 15 months.
5. a) Postbauleitung 2900 Oldenburg, Moslestraße — Tel. 0441/23 43 37/8.
b) 13 August 1974.
c) The fee of DM 50 is to be paid to postal cheque account No 15-203 of the Oberpostkasse Bremen at the Hamburg Postal Cheque Office, quoting 'Rohbauarbeiten, Neubau für das Postamt am Bahnhof in 29 Oldenburg'.
Suitable firms, who wish to take part in the competition, are requested to inform the above office in writing, stating whether the documents are to be collected or sent by post and enclosing their receipt for the fee.
6. a) 24 September 1974.
b) Address as in item 5 a), section I-6, Room 124.
c) German.
7. a) Tenderers and their authorized representatives.
b) 25 September 1974, for place see item 6 b).
8. A guarantee of 5 % of the contract value from a credit institution or credit insurer approved in the Federal Republic of Germany is required for contract performance and satisfactory performance of the work.
9. Payments in accordance with § 16 of general regulations governing construction work contracts (VOB/B).
- 10.
11. Only contractors, who have already completed similar projects of equivalent scope competently and to schedule, will be considered. They must further prove that they are in a position to execute a project to this size according to the latest methods and the recognized rules of structural engineering. The following information should be enclosed with the application to take part in the competition (VOB, Part A DIN 1960, October 1973 edition § 8) :
— turnover in construction work in the past three financial years ;
— similar projects completed in the past three financial years, stating principal, method of execution and completion period ;
— manpower divided into management staff and categories of trades and skills ;
— technical equipment available to the tenderer for completion of the work put out to tender ;
— inscription in the trade register and registration with the building inspectorate.
A right to take part in the competition does not exist. Nor can information be given as to whether the application to take part has been successful.
12. 31 October 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. The tenderer must enclose with his tender a list of the subcontractors he will employ if awarded the contract. Approval must be obtained from the awarding authority for work by any subcontractors not mentioned in this list.
Construction plans of the statics will be enclosed with the tender documents.
Architect's plans (scale 1 : 100) working drawings (1 : 50) be inspected at the OPD 2800 Bremen 1, Referat 46 C and the Postbauleitung 2900 Oldenburg.
The documents may be collected, on presentation of a certificate of authority from the Postbauleitung 2900 Oldenburg, Moslestraße — Tel. 0441/23 43 37/8 between 8 a.m. and 3 p.m. on 15 August 1974.
15. 31 July 1974.

Open procedure

1. Justitsministeriet, Slotsholmsgade 10, 1216 Copenhagen K, Denmark.
2. Public invitation to tender for main contract at a fixed price, in accordance with the Ministry of Housing circulars dated 9 May 1971 and 30 January 1974.
3. a) Between Hillerød County Goal and Østergade.
b) Erection of Hillerød Police Headquarters (Stage I). The work will comprise all building construction, except fittings, from earthworks to the completed structure. The building will have two and a half floors and a cellar and the enclosed area will be approximately 735 m². The gross floor area, including the cellar, will be approximately 2 910 m². The structure will be of reinforced concrete with brick facing.
c)
d)
4. 18 months. The work is expected to commence in December 1974.
5. a) Alex Poulsens Arkitektkontor, Blegdamsvej 6B³, 2200 Copenhagen N, Denmark.
b) 22 August 1974.
c) A deposit of Dkr 5 000 is to be enclosed with the request. This deposit will be refunded when the tender documents have been returned complete.
6. a) 30 September 1974.
b) Alex Poulsens Arkitektkontor, Blegdamsvej 6B³, 2200 Copenhagen N, Denmark.
c) The tender must be submitted in Danish on the schedules enclosed with the tender documents and delivered in a sealed envelope marked 'Tilbud, Hillerød politibygning'.
7. a) Tenderers who may wish to be present.
b) At 2 p.m. on Monday, 30 September 1974, at Alex Poulsens Arkitektkontor, Blegdamsvej 6B³, 2200 Copenhagen N.
8. A performance bond in accordance with section 25 of Almindelige betingelser for arbejder og leverancer i bygge- og anlægsvirksomhed (general conditions for works and supplies in the building and construction industry) (AB 72).
9. Payments will be made in accordance with section 26, paragraph B, of AB 72.
10. The tenderer will be the main contractor for all works and will be solely responsible for the subcontractors to the principal.
11. Firms which are unknown to the principal must be able to give evidence of their economic and technical qualifications for constructing a building of this kind.
12. The tender must be kept open for four weeks from the date of opening the tenders. The principal will announce within four weeks which tender has been chosen and the tender chosen must be kept open for two months.
13. The principal reserves the right to make a free choice from among the tenders received.
- 14.
15. 1 August 1974.

Open procedure

1. Department of the Environment for Northern Ireland, Roads Service, English Street, Downpatrick, Co Down, Northern Ireland.
2. Lowest acceptable offer in open competition subject to the application of the appropriate Northern Ireland Economic Development Aids.
3. a) County Down on the Route T4, Belfast — Newry Road, at Edenordinary approximately 40 km from Belfast.
b) The works consist of the construction in bituminous macadam of a 7.5 m wide dual carriageway with hard shoulders together with several large concrete pipe culverts and other ancillary works. The earthworks include excavation of 137 000 m³ of suitable materials, 48 000 m³ of unsuitable and 48 000 m³ of rock with an imported rock fill of 80 000 metric tons.
c)
d)
4. 104 weeks from the date of the engineer's written notice to commence the work.
5. a) Divisional Roads Manager, address as in item 1.
b) 23 August 1974.
c) An application for documents must be accompanied by a deposit of £ 20 sterling which is returnable on receipt of a bona fide tender.
6. a) Not later than 12 noon on Friday, 6 September 1974.
b) Divisional Roads Manager, address as in item 1.
c) English.
7. a) Special Tender Committee.
b) Friday, 6 September 1974 at 12 noon in English Street, Downpatrick.
8. The successful tenderer will be required to enter into a contract guarantee bond with the Department of the Environment for Northern Ireland; the sum representing 5 % of the tender total.
9. Monthly payments based on the valuation of the work executed, (Clause 60 of the conditions of contract). Variation in wages and the price of specified materials will be covered in the contract.
10. A group of contractors submitting a tender on the basis of a temporary association shall be required to become jointly and severally responsible for the due performance of the contract.
11. Tenderers are advised to furnish :
 - appropriate statements from bankers ;
 - a statement of annual turnover and the turnover on construction works for the previous three financial years ;
 - a list of the works carried out over the past five years accompanied by certificates of satisfactory execution for works over one million units of account. These certificates should indicate the value, type of work, site and the name and address of the authority for whom the work was executed.
12. 56 calendar days from the date on which tenders are opened.
13. Details of the appropriate Northern Ireland Economic Development Aids will be shown in the tender documents.
14. The contract will be based on the Institution of Civil Engineers conditions of contract (fifth edition dated June 1973), for the use in connection with works of civil engineering construction as modified by the Department of the Environment for Northern Ireland.
15. 30 July 1974.

Open procedure

1. Tiefbauamt Abt. Straßen- und Brückenbau der Stadtverwaltung Ludwigshafen am Rhein, 67 Ludwigshafen/Rh., Denisstraße 8, Federal Republic of Germany.
2. Public invitation to tender pursuant to the regulations governing construction work contracts — Part A (VOB/A) and the special terms of contract (BVStra).
3. a) Ludwigshafen am Rhein.
b) The work comprises :
 Lot 'A' Construction work for the city railway :
 52 000 m³ building pit excavation ;
 1 200 m² building pit timbering according to the Berliner method temporary ;
 3 000 m² sheet piling, permanent ;
 1 500 m³ non-reinforced concrete Bn 80 to Bn 150 ;
 17 400 m³ reinforced concrete Bn 350 to Bn 450 ;
 1 740 t reinforcing steel St 42/50 ;
 23 000 m² sealing.
 Lot 'B' Foundations and pillars for the Hochstraße Nord (overhead highway) :
 8 500 m³ building pit excavation ;
 480 m³ non-reinforced concrete Bn 100 to Bn 150 ;
 4 650 m³ reinforced concrete Bn 350 to Bn 450 ;
 380 t reinforcing steel St 42/50,
 for the 'Danziger Platz' city railway station, city railway tunnel C₁ — C₁ and foundations for the Hochstraße Nord.
c)
d)
4. Planned completion period : 30 months.
5. a) Stadtverwaltung — Tiefbauamt — 67 Ludwigshafen/Rhein, Denisstraße 8 — Tel. (0621)-5040-2396.
b) From 10 a. m. on Tuesday, 13 August 1974.
c) It is possible for the documents to be sent after advance payment of the fee of DM 500 to postal cheque account No 690 Ludwigshafen/Rh., quoting Code No 1.6520.211000.1.
The fee will not be refunded after the documents have been sent.
6. a) 10 a. m. on 24 September 1974.
b) To be delivered or sent to the Stadtverwaltung — Tiefbauamt — Ludwigshafen/Rh, Denisstraße 8, Room 122.
c) German.
7. a) Tenderers and their authorized representatives.
b) 10 a. m. on Tuesday 24 September 1974, Stadtverwaltung — Tiefbauamt — 67 Ludwigshafen am Rhein, Denisstraße 8, Room 122.
8. As security for fulfilment of the performance guarantee, the contractor is to provide a guarantee of 5 % of the contract value from a credit insurer or credit institution approved in the Federal Republic of Germany in accordance with the additional terms of contract (ZTB) enclosed with the bill of quantities.
9. Interim and final payments in accordance with the regulations governing construction work contracts — Part B (VOB/B).
- 10.
11. The contractor's financial, economic and technical capacity is to be proved by the following documents :
 — Statement of the contractor's total turnover and turnover in construction projects in the past three full financial years, in so far as it concerns construction and other work comparable with that being put out to tender, including work done as part of a consortium or with other joint bidders ;
 — List of construction projects completed in the past five years enclosing certificates that the work was executed in due order for the most important projects. These certificates must include the following information :
 — value of the project ;
 — time and place of execution ;
 — whether the work was executed in accordance with the recognized rules of the art and
 — whether it was executed in due order ;
 — Statement of average manpower per year over the past three full financial years and the number of management staff divided into categories of trades and skills ;
 — Statement of the technical equipment available to the contractor for completion of the work put out to tender ;
 — proof of inscription in the trade register at the tenderer's registered offices or place of residence.
12. Until three months after submission of the tender.
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. 31 July 1974.

Restricted procedure

1. Leeds City Council, Civic Hall, Leeds LS1 1UU, Yorkshire, United Kingdom.
 2. Restricted procedure.
 3. a) Hunslet Hall 3B, Leeds 10.
b) Erection of 131 dwellings in traditional brick construction, and also 24 garages. There will also be the usual external works and services. The allocation of dwellings is :
1 bedroom 2 person flat = 42.
2 bedroom 4 person house = 63.
3 bedroom 5 person house = 18.
4 bedroom 7 person house = 8.
c)
d)
 4. 18 months.
 5. Standard form of building contract issued by the Joint Contracts Tribunal — local authorities 1963 edition, latest revision where quantities form part of the contract, clauses 31 A, C, D and 23 (j) will apply.
 6. a) 30 August 1974.
b) The Department of Architecture & Landscape, Selecta-post 13, Dudley House, Albion Street, Leeds LS2 8PS, Yorkshire, United Kingdom.
c) English.
 7. Late October.
 8. — Proof that none of the cases quoted in Article 23 (a), (b), (c), (e) of (f) applies to the contractor.
— Proof of the contractor's financial and economic capacity as set out in Article 25 (a), (b) and (c).
— Proof of the contractor's technical capacity as set out in Article 26 (a), (b), (c), (d) and (e).
 9. Restricted tendering procedure, and the successful tender will be the lowest acceptable offer in competition amongst selected contractors.
 10. Date for receipt of tenders : Early December 1974.
 11. 29 July 1974.
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Restricted procedure

1. Greater London Council, The County Hall, London SE1 7PB, United Kingdom.
2. Lowest acceptable offer in competition among selected contractors.
3. a) Gilmore Road, Phase I. London Borough of Lewisham.
Map reference: National Grid OS 3874 NE, 3875 NW, 3875 SW.
b) Construction of 73 dwellings at an estimated cost of £ 950 000.
Foundations: Concrete strip foundations.
Floors: Ground floor — suspended reinforced concrete slabs. Upper floors — timber joists and floor boards.
Structure: Load bearing Calcular crosswall construction. Reinforced concrete lintels over window openings.
Cladding: Cavity walls of facing brickwork and blockwork.
Roof: Timber trussed rafters suspended on timber purlins with concrete single lap interlocking tiles on felt and battens.
Partitions: Blockwork and patent self-finished partitioning.
Principal nominated subcontracts:
Electrical installations £ 26 000;
Heating, hot and cold water installation £ 70 240;
Tenders for these subcontracts will have been obtained before the main tender is accepted;
Roof trusses £ 15 000;
Timber windows £ 12 000.
Conditions of contract to be GLC standard form based on Royal Institute of British Architects (1963 edition as revised) with full fluctuations clause for both labour and materials. Bills of quantities will be supplied to be fully priced and returned by tenderers.
A further phase of 212 dwellings of similar construction due to commence in December 1975.
c)
d)
4. 18 calendar months from the date of the architect's order to commence work, expected to be in December 1974.
5. Should a group of contractors in temporary association be successful each firm to become jointly and severally responsible for the contract before acceptance.
6. a) 22 August 1974.
b) The Architect (Ref. AR/F/C), Room 218, as in item 1.
c) English.
7. 26 August 1974.
8. — Name and address of the contractor's bankers from whom the Council's bankers can enquire as to the contractor's financial standing.
— Balance sheets for the past three years.
— Overall turnover on construction works for the past three years.
— List of works completed over the past five years.
— Details of resources of labour and plant.
— Details of proposed organization and management techniques for handling the contract.
9. Lowest acceptable offer in competition subject to relationship of the price to the comparable estimate prepared by the architect, to approval by the Department of the Environment, and establishment of the contractor's financial stability.
10. — Six weeks will be allowed for tendering.
— The work will be supervised by the Council's architect. Directions on site may be given by a full time clerk of works.
— The preparation of the final account will be by the Council's quantity surveyor.
— A copy of the conditions of contract will be supplied to each tenderer together with two unbound copies of the bills of quantities. Additional unbound copies of the bills, not exceeding two, will be supplied free of charge if requested.
— The tender and bills of quantities must be completed in sterling and payment will be made only in sterling.
— No right exists to participate in the competition, nor can information be given as to the progress of the tenderer's application.
11. 31 July 1974.

Restricted procedure

1. City of Bristol.
 2. Restricted invitation to tender.
 3. a) S.E. Bristol Drainage Stage Two.
b) Airport Road Stormwater Interceptor Tunnel.
It is proposed to invite tenders from selected experienced civil engineering contractors for the Airport Road Stormwater Interceptor Scheme.
The work will include the construction of a 2 m diameter tunnel lined with pre-cast concrete segments, with a foul water sewer concreted in the invert.
Length approximately 1 500 m. Excavation will be in Keuper Marl and the Lower Lias Clay.
Five manhole shafts depths up to 26 m, together with ancillary drainage works in trench, are also required.
c)
d)
 - 4.
 - 5.
 6. a) 26 August 1974.
b) The City Engineer, Cabot House, Deanery Road, Bristol BS1 5TZ, United Kingdom.
c) English.
 7. Those selected to tender will receive specification and other tender documents, contractors not selected will be notified.
 8. Contractors willing to submit tenders for this contract should give the names of three referees in making their application.
 - 9.
 - 10.
 11. 30 July 1974.
-

Restricted procedure

1. City of Bristol.
 2. Restricted invitation to tender.
 3. a) Southern foul water interceptor (Stage One).
b) Main foul water drainage scheme.
It is proposed to invite tenders from selected experienced civil engineering contractors for the Southern foul water interceptor scheme.
The work will include the construction of culvert in tunnel as follows :
1 100 m length of 2 590 mm diameter precast concrete segmental lined culvert ;
234 m length 2 200 mm high, 2 600 mm wide of *in situ* concrete lined culvert ;
335 m length 2 150 mm high, 2 000 mm wide of *in situ* concrete lined culvert ;
An inverted siphon under an existing culvert ;
Eight manhole shafts, depths up to 7 m, together with ancillary works are also required.
c)
d)
 - 4.
 - 5.
 6. a) 26 August 1974.
b) The City Engineer, Cabot House, Deanery Road, Bristol BS1 5TZ, United Kingdom.
c) English.
 7. Those selected to tender will receive specifications and other tender documents ; contractors not selected will be notified.
 8. Contractors, who should be specialized in the heading of tunnels through both soft and hard ground in difficult conditions and are willing to submit tenders for this 'target type' contract, should give the names of three referees in making their application.
 - 9.
 - 10.
 11. 30 July 1974.
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Restricted procedure

1. Contracts Section, North East Region, PSA Department of the Environment, Government Buildings, Lawnswood, Leeds LS16 5PX, Yorkshire, United Kingdom.
2. Lowest acceptable offer in competition among selected tenderers.
3. a) The site is at Howard Road on the north side of Queen Elizabeth Barracks, Strensall, approximately 6 miles NNE of York. The National Grid reference is 633596.
b) The project is for the design, development and construction of housing to the department's layouts (specification) and in accordance with the (British) National Building Agency Metric House Shells, together with all site works, roads, paths, fences etc. The estimated cost of the whole project is £ 800 000.
c)
d)
4. Contract period is 18 months from date of possession of the site.
5. In the event of a group of contractors submitting an acceptable offer it will be necessary for each member of the group to sign an undertaking that each firm or company in the group will be jointly and severally responsible for the contract.
6. a) 17 September 1974.
b) As in item 1.
c) English.
7. Approximately 16 October 1974.
8. The following are required :
 - Proof of inscriptions of the company on a professional register or the company's register in the United Kingdom or Ireland ;
 - Balance sheets for the past three years including a statement of turnover on construction works ;
 - A statement of the technical qualifications of the managerial and supervisory staff who would be responsible for executing the work and any previous experience of construction practice in the United Kingdom ;
 - A list of jobs of over one million units of account carried out during the past five years, the value and location of each job and the authority for whom executed ;
 - Details of plant and machinery for executing the work ;
 - Does the tenderer propose to use his own labour force or rely on locally recruited work people ?
9. See item 2.
10. Tenderers and all supporting documents must be priced in sterling. The contract will be based on the general conditions of Government contracts for building and civil engineering works, technical specifications, drawings and bills of approximate quantities. Price fluctuations on labour rates and materials will be permitted. Progress payments will be made monthly or fortnightly on the basis of a valuation of certified work done and materials delivered to site. Payments under the Contract will be made in sterling.
11. 2 August 1974.

Restricted procedure ⁽¹⁾

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| 1. Stadt Marl (437), Kreis Recklinghausen, BRD. | c) Deutsch. |
| 2. Nicht offenes Verfahren. | 7. |
| 3. a) Stadtkern Stadt Marl. | |
| b) Rohbauarbeiten für | |
| — ein 3geschossiges Parkhaus, ca. 44 000 cbm, | 8. Die Anträge auf Teilnahme mit ausreichenden Unterlagen über die bautechnischen und wirtschaftlichen Kapazitäten und Bonität ihres Unternehmens sowie Referenzen über selbst ausgeführte Projekte sind beizufügen. |
| — darauf ein 2geschossiges Haus für Erwachsenenweiterbildung, ca. 26 000 cbm. | |
| c) | Es wollen sich nur Firmen melden, die die vorgeschriebenen Ausführungszeiten unbedingt einhalten und garantieren können. |
| d) | |
| 4. Ausführungszeit: Erste Woche Februar 1975 bis zur ersten Woche November 1975. | 9. |
| 5. | 10. |
| 6. a) 19. August 1974. | |
| b) Herrn Amtsdirektor der Stadt Marl (437) — Stadtkernprojekt Stadt Marl, BRD. | 11. 6. August 1974. |

⁽¹⁾ See Council Directive No 71/305/EEC, Article 12 (3), and Article 15 (OJ No L 185, 16. 8. 1971, p. 8).

Restricted procedure ⁽¹⁾

1. Städt. Hochbauamt Osnabrück, D 45 Osnabrück, Bierstraße 33-36.
2. Beschränkte Ausschreibung.
3. a) Osnabrück.
b) Schlüsselfertige Herstellung für den 1. Bauabschnitt der Integrierten Gesamtschule Haste-Dodeshaus durch einen Generalunternehmer nach vorgegebenem Raumbuch, Raumprogramm und Leistungsbeschreibung, als 2- bis 3geschossige Anlage in Massivbauweise, mit ca. 3 300 qm Geschoßfläche.
c)
d) Der Auftrag schließt Architekten- und Ingenieurleistungen ein. Für die Abgabe des schlüsselfertigen Angebotes einschl. der Architekten- und Ingenieurleistungen (Teilleistungen) wird an den Generalunternehmer eine Entschädigung von 8 000 DM gezahlt. Eingeschlossen in diese Leistung ist der Vorentwurf i.M. 1:500 für die Gesamtbaumaßnahme mit rd. 13 300 qm Geschoßfläche.
4. 34 Kalenderwochen einschl. Planung und Baugenehmigungsverfahren. Auftragserteilung Mitte Dezember 1974, Fertigstellung am 1. August 1975. Abgabe des Angebotes Anfang November 1974.
- 5.
6. a) 2. September 1974.
b) Städt. Hochbauamt Osnabrück.
c) Deutsch.
7. 23. September 1974.
8. Nachweise
 - des Umsatzes an Bauleistungen in den letzten drei Geschäftsjahren,
 - der in den letzten drei Geschäftsjahren ausgeführten vergleichbaren Bauleistungen mit Angabe des Auftraggebers, der Ausführungsarten und der Ausführungszeit,
 - der verfügbaren technischen Ausrüstung.
9. Der Zuschlag wird nach § 25 VOB/A auf das Angebot erteilt, das unter Berücksichtigung aller technischen und wirtschaftlichen Gesichtspunkte als das annehmbarste erscheint.
10. Auskünfte werden erteilt vom Städt. Hochbauamt, Tel. (0541) 323/2665 (Durchwahlnummer).
11. 5. August 1974.

⁽¹⁾ See Council Directive No 71/305/EEC, Article 12 (3), and Article 15 (OJ No L 185, 16. 8. 1971, p. 8).

Restricted procedure ⁽¹⁾

1. Städt. Hochbauamt Osnabrück, D 45 Osnabrück, Bierstraße 33-36.
2. Beschränkte Ausschreibung.
3. a) Osnabrück.
b) Schlüsselfertige Herstellung für den 1. Bauabschnitt des Sekundar-I-Zentrums Osnabrück-Voxtrup durch einen Generalunternehmer nach vorgegebenem Raumbuch, Raumprogramm und Leistungsbeschreibung, als 2geschossige Anlage in Massivbauweise, mit ca. 2 800 qm Geschoßfläche.
c)
d) Der Auftrag schließt Architekten- und Ingenieurleistungen ein. Für die Abgabe des schlüsselfertigen Angebotes einschl. der Architekten- und Ingenieurleistungen (Teilleistungen) wird an den Generalunternehmer eine Entschädigung von 8 000 DM gezahlt. Eingeschlossen in diese Leistung ist der Vorentwurf i.M. 1:500 für die Gesamtbaumaßnahme mit rd. 11 200 qm Geschoßfläche.
4. 34 Kalenderwochen einschl. Planung und Baugenehmigungsverfahren. Auftragserteilung Mitte Dezember 1974, Fertigstellung am 1. August 1975. Abgabe des Angebotes Anfang November 1974.
- 5.
6. a) 2. September 1974.
b) Städt. Hochbauamt Osnabrück.
c) Deutsch.
7. 23. September 1974.
8. Nachweise
 - des Umsatzes an Bauleistungen in den letzten drei Geschäftsjahren,
 - der in den letzten drei Geschäftsjahren ausgeführten vergleichbaren Bauleistungen mit Angabe des Auftrages, der Ausführungsarten und der Ausführungszeit,
 - der verfügbaren technischen Ausrüstung.
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11. 5. August 1974.

⁽¹⁾ See Council Directive No 71/305/EEC, Article 12 (3), and Article 15 (OJ No L 185, 16. 8. 1971, p. 8).