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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 3059/74 OF THE COMMISSION
of 3 December 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 2524/74 ⁽³⁾ and subsequent amending Regulations ;

Whereas it follows from applying the provisions contained in Regulation (EEC) No 2524/74 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 4 December 1974.

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

Done at Brussels, 3 December 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 271, 5. 10. 1974, p. 9.

ANNEX

to the Commission Regulation of 3 December 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	6.26 ⁽⁵⁾
10.03	Barley	0
10.04	Oats	0
10.05 B	Maize other than hybrid maize for sowing	0 ⁽²⁾ ⁽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	27.76
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 3060/74 OF THE COMMISSION**of 3 December 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 4 December
1974.

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

Done at Brussels, 3 December 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 3 December 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 12	1st period 1	2nd period 2	3rd period 3
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other	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 12	1st period 1	2nd period 2	3rd period 3	4th period 4
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

REGULATION (EEC) No 3061/74 OF THE COMMISSION

of 3 December 1974

fixing the average producer prices for wine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 816/70⁽¹⁾ of 28 April 1970 laying down additional provisions for the common organization of the market in wine as last amended by Regulation (EEC) No 1532/74⁽²⁾, and in particular Article 4 (1) thereof;

Whereas Article 4 of Regulation (EEC) No 816/70 provides that an average producer price must be fixed for each type of wine for which a guide price is fixed; whereas this average price must be fixed for each marketing centre for the type of wine in question on the basis of all the facts available;

Whereas the marketing centres for table wines are determined in Commission Regulation (EEC) No 1020/70⁽³⁾ of 29 May 1970 on recording quotations and fixing average prices for table wines, as last amended by Regulation (EEC) No 528/74⁽⁴⁾;

Whereas Article 10 of Regulation (EEC) No 1020/70 provides that the average price must be fixed on the basis of the average of the quotations notified, particular account being taken of the extent to which these quotations are representative, the comments of the Member States, and the alcoholic strength and quality of table wines which have been the subject of transactions;

Whereas arrangements for the notification by the Member States of quotations and information related thereto are specified in Regulation (EEC) No 1020/70; whereas, where this information is not avail-

able for any marketing centre, the average price for the preceding week must be maintained;

Whereas the average price for the type of wine in question must be fixed per degree/hl or per hl as appropriate; whereas, if the Tuesday is a public holiday, the average price must be fixed on the following working day;

Whereas, under Article 4 (b) (5) of Council Regulation (EEC) No 974/71⁽⁵⁾ of 12 May 1971, as last amended by Regulation (EEC) No 2497/74⁽⁶⁾, in the case where, when the Regulations laying down the rules for the common organization of the agricultural markets are applied, the prices on the Italian markets are concerned, the influence of the measures foreseen in paragraph 1 of the same Article is taken into consideration;

Whereas it follows from applying these rules to the information at present available to the Commission that the average price should be fixed as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The average prices referred to in Article 4 (1) of Regulation (EEC) No 816/70 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 4 December 1974.

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

Done at Brussels, 3 December 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 166, 21. 6. 1974, p. 1.

⁽³⁾ OJ No L 118, 1. 6. 1970, p. 16.

⁽⁴⁾ OJ No L 64, 6. 3. 1974, p. 8.

⁽⁵⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁶⁾ OJ No L 268, 3. 10. 1974, p. 5.

ANNEX

Average prices for table wines at the various marketing centres

Type	u.a. per degree/hl	Type	u.a. per degree/hl
R I		A I	
Béziers	1-566	Bordeaux	1-520
Montpellier	1-593	Nantes	1-498
Narbonne	1-606	Bari	1-194
Nîmes	1-568	Cagliari	No quotation
Perpignan	1-615	Chieti	1-122
Asti	2-015	Ravenna (Lugo, Faenza)	1-350
Firenze	1-396	Trapani (Alcamo)	1-200
Lecce	No quotation	Treviso	1-621
Pescara	1-396		
Reggio Emilia	1-661		
Treviso	1-631		
Verona (for local wines)	1-631		
			u.a./hl
		A II	
		Rheinfalz (Oberhaardt)	20-06
		Rheinhessen (Hügelland)	24-49
R II		The wine-growing region of the Luxembourg Moselle	No quotation ⁽¹⁾
Bari	1-715		
Barletta	1-745		
Cagliari	No quotation		
Lecce	No quotation		
Taranto	1-715		
		A III	
		Mosel-Rheingau	36-61
R III	u.a./hl	The wine-growing region of the Luxembourg Moselle	No quotation ⁽¹⁾
Rheinfalz-Rheinhessen (Hügelland)	15-07		

⁽¹⁾ Quotation not taken into account in accordance with Article 10 (1) of Regulation (EEC) No 1020/70.

REGULATION (EEC) No 3062/74 OF THE COMMISSION**of 3 December 1974****on a standing invitation to tender to determine subsidies for imports of white and raw sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 1009/67/EEC⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 2476/74⁽²⁾, and in particular Articles 11 (2), 16 (5) and 38 thereof;

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

Having regard to Council Regulation (EEC) No 974/71⁽⁴⁾ of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation in the currencies of certain Member States, as last amended by Regulation (EEC) No 2497/74⁽⁵⁾, and in particular Article 6 thereof;

Whereas the decision to subsidise imports of 200 000 metric tons of sugar, together with the terms of the import procedure, were announced in Council Regulation (EEC) No 2931/74⁽⁶⁾ of 18 November 1974 on the introduction of a subsidy for imports of white and raw sugar; whereas the procedure will be one of tendering, in which the tenderer will be authorized to export from the start of the processing of the 1975 beet harvest a quantity of sugar corresponding to that imported under the said tendering procedure;

Whereas, having regard to the price levels of sugar on the world market and to the situation in respect of the Community's sugar supplies, it is appropriate to provide certain measures of a technical nature to ensure that the tendering system operates as effectively as possible; whereas, for the same reasons, it is appropriate to provide for derogations from, or adaptations of Commission Regulation (EEC) No 2637/70⁽⁷⁾ of 23 December 1970 on detailed rules for applying

the system of import licences and export licences and of prefixation for agricultural products, as last amended by Regulation (EEC) No 2858/74⁽⁸⁾;

Whereas, having regard in particular to the fact that this tendering system concerns both imports of sugar from, and subsequent exports of corresponding quantities of sugar to third countries it would not be appropriate to apply monetary compensatory amounts to the said system;

Whereas the Opinion of the Finance Committee has been sought;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Member States shall issue a standing invitation to tender in respect of subsidies for imports from third countries of white and raw sugar, and during the period of validity of the standing invitation to tender they shall issue partial invitations to tender.

Article 2

The standing invitation to tender and the partial invitations to tender shall be issued in accordance with the provisions of Regulation (EEC) No 2931/74 and the provisions of this Regulation.

Article 3

1. The Member States shall draw up an invitation to tender. The invitation shall be published in the *Official Journal of the European Communities*. The Member States may be publish the invitation to tender or have it published elsewhere.

2. The invitation to tender shall indicate in particular the terms of the invitation.

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 264, 1. 10. 1974, p. 70.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁵⁾ OJ No L 268, 3. 10. 1974, p. 5.

⁽⁶⁾ OJ No L 311, 22. 11. 1974, p. 8.

⁽⁷⁾ OJ No L 283, 29. 12. 1970, p. 15.

⁽⁸⁾ OJ No L 305, 15. 11. 1974, p. 27.

3. The standing invitation to tender shall be published only for the purpose of opening it. The invitation as published may be amended during the period of validity of the standing invitation to tender. It shall be amended if the terms of the invitation to tender are changed during that period.

Article 4

1. The period during which tenders may be submitted in response to the first partial invitation :

- (a) shall begin on the day on which the standing invitation to tender is published in the *Official Journal of the European Communities*, and
- (b) shall expire on 11 December 1974 at 10 a.m.

2. The period during which tenders may be submitted in response to the second and subsequent partial invitations :

- (a) shall begin on the first working day following the day on which the preceding period comes to an end, and
- (b) shall expire on the Wednesday of the following week at 10 a.m.

3. Notwithstanding the provision in paragraph 2 (b) the time limits for the submission of tenders which would otherwise expire on Wednesday, 25 December 1974 or Wednesday, 1 January 1975, shall be Wednesday, 8 January 1975.

4. During the period of Summer Time in Italy, the time limits laid down in the preceding paragraphs shall be extended by one hour in that Member State. Outside the periods of Summer Time in Ireland and in the United Kingdom, the time limits laid down in the preceding paragraphs shall be brought forward by one hour in those Member States.

Article 5

1. Tenderers must either lodge a tender in writing, against a receipt, with the competent authority of the Member State in which the imported sugar will be put into free circulation, or address the tender to that authority by registered letter, telex or telegram.

2. The tender must indicate :

- (a) the invitation to which the tender relates ;
- (b) the name and address of the tenderer ;
- (c) the quantity of white sugar or raw sugar, as appropriate, to be imported. In the case of raw sugar the quantity to be imported must also be expressed as a corresponding quantity of white sugar by reference to a yield calculated by doubling the degree of polarization of the raw sugar and subtracting 100 ;

- (d) the amount of import subsidy sought per 100 kilogrammes of sugar expressed in white value, in the currency of the Member State of the authority to which the tender is submitted ;
- (e) the Member State in whose territory the imported sugar will be put into free circulation and, where appropriate, the anticipated port or ports of importation.

3. A tender shall be valid only if :

- (a) the total quantity of sugar to be imported is not less than 500 metric tons ;
- (b) proof is furnished before the expiry of the time limit for the submission of tenders that the tenderer has lodged the security required for the invitation to tender provided for in Article 6 ;
- (c) it includes a declaration by the tenderer that if his tender is successful he will apply for an import licence in respect of the quantity of product to be imported.

4. A tender may stipulate that it is to be regarded as having been submitted only if :

- (a) the maximum amount of the subsidy provided for in Article 8 (1) is fixed on the day on which the time limit for the submission of tenders expires ;
- (b) the award of the tender relates to the total quantity indicated in the tender or to a specified part of that total quantity.

5. A tender which is not submitted in accordance with the provisions in this Article, or which contains terms other than those indicated in the invitation to tender, shall not be taken into consideration.

6. Once submitted a tender may not be withdrawn.

Article 6

1. The security required for the invitation to tender shall be 25 units of account per 100 kilogrammes of white sugar. In the case of raw sugar the subsidy shall be 25 units of account per 100 kilogrammes of the white sugar equivalent of the raw sugar.

2. The amount to be used in calculating that part of the security which is forfeited shall be three units of account plus the difference between the maximum amount of the subsidy fixed in connection with the partial invitation in response to which the tender was accepted and the maximum amount of the subsidy fixed for the last partial invitation prior to the date on which the validity of the licence expires, where the latter is the greater.

3. The tenderer may lodge the security either in cash or in the form of a guarantee by an establishment complying with criteria laid down by the Member State in which the tender is submitted.

4. Except in cases of *force majeure*, the security required for the invitation to tender shall be released only in respect of the quantity:

(a) for which the tenderer:

- has not withdrawn his tender, and
- has completed the customs import formalities under the import licence issued following the award of the tender, in which case the provisions of Article 16 of Regulation (EEC) No 1373/70⁽¹⁾, as last amended by Regulation (EEC) No 2111/74⁽²⁾, shall apply *mutatis mutandis*;

(b) for which the tender has not been pursued.

The deposit shall be released without delay.

5. In a case of *force majeure*, the competent authority of the Member State concerned shall determine the measures necessary in view of the circumstances invoked by the interested party.

Article 7

1. Tenders shall be examined in private by the competent authority concerned. Subject to paragraph 2, persons present at the examination shall be sworn to secrecy.

2. Tenders shall be communicated to the Commission without delay and in a manner which respects anonymity.

Article 8

1. After examining the tenders received and having regard in particular to the Community's position with regard to sugar supplies and to the levels of sugar prices in the Community and on the world market, the Commission shall fix, in accordance with the procedure laid down in Article 40 of Regulation No 1009/67/EEC, a maximum subsidy for the partial invitation to tender in question. It may also decide to discontinue a partial invitation to tender.

2. After examination of the tenders, a maximum tonnage may be fixed for each partial invitation in accordance with the procedure referred to in paragraph 1.

3. In order to achieve comparability between tenders, and for the award of tenders by Member States, the amount proposed for the subsidy expressed in a national currency shall be converted into units of account by applying the relevant conversion rate currently in operation with the common agricultural policy, weighted by the coefficient referred to in Article 4 (3) of Regulation (EEC) No 1463/73⁽³⁾, as last amended by Regulation (EEC) No 2521/74⁽⁴⁾, and applicable in the Member State in which the sugar will be put into free circulation on the day on which the maximum amount of the subsidy is fixed.

⁽¹⁾ OJ No L 158, 20. 7. 1970, p. 1.

⁽²⁾ OJ No L 220, 10. 8. 1974, p. 5.

⁽³⁾ OJ No L 146, 4. 6. 1973, p. 1.

⁽⁴⁾ OJ No L 270, 5. 10. 1974, p. 70.

Article 9

1. Except where a decision is taken to discontinue a partial invitation to tender, and without prejudice to the provisions of paragraphs 2 and 3, the award shall be made to every tenderer whose tender does not exceed the maximum amount of the subsidy.

2. Where a maximum tonnage has been fixed for a partial invitation to tender, the award shall be made to the tenderer whose tender quotes the lowest subsidy. If the maximum tonnage is not fully used up by that tender, awards shall be made to those applicants whose tenders quote the next lowest subsidies until the maximum tonnage has been accounted for.

3. Where, however, awards under the provisions of paragraph 2 would lead to the maximum tonnage being exceeded as a result, taking a particular tender into consideration, an award shall be made to that tenderer in respect only of the tonnage which would allow the maximum tonnage to be accounted for. Tenders quoting the same subsidy and whose aggregate tonnage exceeds the maximum tonnage will be considered in proportion to the individual quantities in such tenders.

Article 10

1. The competent authority of the Member State concerned shall immediately notify all applicants of the result of their participation in the invitation to tender. That authority shall also send successful tenderers without delay a statement of award.

2. Statement of awards shall, *inter alia*, indicate:

- (a) the invitation to which the tender relates;
- (b) the tonnage, in respect of which the subsidy has been awarded, expressed in white value, and in the case of raw sugar expressed also in *tel quel* value;
- (c) the subsidy to be granted per 100 kilogrammes of sugar, expressed in white value;
- (d) the Member State where the imported sugar will be put into free circulation.

Article 11

1. The tenderer shall have:

- (a) the right to the issue, in respect of the quantity of product to be imported, of an import licence showing the subsidy specified in the tender;
- (b) the obligation:
 - to import that quantity into the Member State indicated in the statement of award,
 - where the sugar is sold for consumption in the Community, to abide by the undertakings, prescribed in Article 12;

- (c) the right to the issue of an export licence in respect of a quantity of sugar corresponding to that put into free circulation under the licence referred to in (a) and in respect of which the subsidy has been paid in accordance with Article 13, provided this licence, is applied for between 15 October 1975 and 31 March 1976. Within the meaning of Article 8 (1) (a) of Regulation (EEC) No 1373/70, this export licence shall be valid for six months from the date of issue ;
- (d) the right to export the quantity of sugar referred to in (c) without the provisions of Article 16 (1) of Regulation No 1009/67/EEC being applied to that quantity.

The obligations arising from an award shall not be transferable.

2. The licence referred to in paragraph 1 (a) shall be issued by the competent authority of the Member State in which the statement of award was issued. Applications for licences must be submitted within 10 days following the day on which the time limit for the submission of tenders expires. In respect of partial invitations to tender issued before 1 January 1975, however, the application must be submitted in the first 10 days of January 1975.

3. By way of derogation from Article 32 (1) of Regulation (EEC) No 2637/70, import licences issued under this tendering procedure shall be valid from the date of issue until the end of the second month following that date within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70.

4. At the request of the tenderer a licence issued in respect of white sugar under the provision in paragraph 1 (a) may be replaced before the customs import formalities have been completed by a licence in respect of raw sugar, and vice versa. The new licence shall be issued only by the authority which issued the original licence and only upon presentation of the statement of award provided for in Article 10. The new licence shall contain the same information as that shown on the original licence except in respect of the nature and quantity of the product to be imported.

Where the new licence relates to :

- white sugar, the quantity to be indicated in the licence shall be the quantity of raw sugar expressed in white value as indicated in the statement of award,
- raw sugar, the quantity to be indicated in the licence shall be expressed in white value and shall be equal to the quantity of white sugar as indicated in the original licence.

5. An application for the export licence referred to in paragraph 1 (c) must be submitted to the authority which issued the corresponding import licence.

"Article 12

1. The undertakings referred to in the second indent of Article 11 (1) (b) shall be the following :

- (a) where a successful tenderer sells the imported white sugar, the price in the contract of sale shall not exceed 32.40 units of account per 100 kilogrammes of products, exclusive of packaging, delivered at the cif stage in the Member State in which the sugar is to be put into free circulation ;
- (b) where the successful tenderer is himself to manufacture products containing the imported white sugar, he may declare an undertaking that such products will be manufactured his own premises. In the absence of such a declaration the provision of subparagraph (a) shall apply ;
- (c) where the successful tenderer sells the imported raw sugar to a refinery or factory for refining, the price in the contract of sale shall not exceed 27.82 units of account per 100 kilogrammes of standard quality raw sugar, exclusive of packaging, delivered at the cif stage in the Member State in which the refined sugar is to be put into free circulation. The contract shall also contain a clause whereby the refiner or the producer who purchases the sugar for refining undertakes to sell the refined sugar at a price not exceeding 32.40 units of account per 100 kilogrammes of product, exclusive of packaging, ex-refinery or ex-factory, no account being taken of any transport costs between the frontier of the Member State in which the sugar is to be put into free circulation and the place of refining ;
- (d) where the successful tenderer is a refiner, or producer, refining the imported sugar he shall declare an undertaking to sell the refined sugar at a price not exceeding 32.40 units of account per 100 kilogrammes of product, exclusive of packaging, ex-refinery or ex-factory, no account being taken of any transport costs between the frontier of the Member State in which the sugar is to be put into free circulation and the place of refining.

2. Furthermore, in the cases referred to in paragraph 1 (c) and (d), where a refiner or producer intends to sell the refined sugar at a mixed price determined by reference to the refining of raw sugar imported from several origins and at various prices, he shall declare an undertaking that, when calculating the mixed selling price he will abide by the maximum price referred to in paragraph 1 (d) in respect of that part of the quantity of refined white sugar corresponding to the raw sugar imported under the tendering procedure.

3. Where appropriate, the maximum price of 32.40 units of account referred to in paragraph 1 shall be increased by the difference between the threshold price applying on the day which the imported white sugar is put into free circulation and the threshold price applying on the day on which is fixed the maximum subsidy for the partial invitation to tender in question.

In that case the maximum price of 27.82 units of account referred to in paragraph 1 (c) shall be increased by 92 % of the difference referred to in the preceding paragraph.

Article 13

1. The subsidy in respect of the quantity put into free circulation shall be paid without delay to the tenderer by the competent authority in the Member State which issued the invitation to tender, in the currency of that Member State, upon the production :

- (a) of proof that the obligation referred to in the first indent of Article 11 (1) (b) has been complied with. This proof shall require the presentation of copy No 1 of the import licence and, where appropriate, of copy No 1 of the extract or extracts from licences bearing attributions entered by the Member State in which the product is to be put in free circulation as indicated in the tender, in accordance with the provisions of Article 8 of Regulation (EEC) No 1373/70 ;
- (b) of the contract or of the declaration referred to in Article 12.

For the purposes of payment of the subsidy in respect of raw sugar the imported quantity of such sugar shall be expressed as a quantity of white sugar, taking into account the effective yield.

2. The right to the subsidy shall be acquired only after the relevant obligations have been fulfilled.

Article 14

Monetary compensatory amounts shall not apply to the imports and exports made under this tendering system.

Article 15

Where the maximum price has been increased under the provisions of Article 12 (3), the subsidy to which entitlement is conveyed by Article 13 shall be reduced by an amount equal to the increase in the maximum price in respect of the product concerned.

Article 16

Where appropriate, and at the request of a person entitled to a subsidy, the Member State referred to in

Article 13 shall pay him without delay a supplementary amount equal to the difference per 100 kilograms between the target price for white sugar applying on the day on which the time limit for the submission of tenders in response to the partial invitation in question expires, and the target price for white sugar on the day on which the customs export formalities are completed following the exercise of the right conveyed by Article 11 (1) (c).

Article 17

1. The provisions of Article 33a of Regulation (EEC) No 2637/70 shall not apply to white sugar or raw sugar which the tenderer can export in accordance with Article 11 (1) (c).

2. By way of derogation from Article 33 (1) (a) of Regulation (EEC) No 2637/70, the rate of the deposit in connection with import licences shall be zero unit of account per 100 kilogrammes net.

Article 18

An Article 30a, as follows, shall be inserted in Regulation (EEC) No 2637/70 :

'Article 30a

1. For the purposes of applying Article 11 (1) (a) of Regulation (EEC) No 3062/74, Section 20 of the import licence shall specify the rate of import subsidy, expressed in the currency of the Member State issuing the licence and contained in one of the following endorsements :

"import subsidy applicable : per 100 kg, to be adjusted as appropriate";

"Einfuhrsubvention : je 100 kg, gegebenenfalls anzupassen";

"subvention à l'importation applicable : par 100 kg, à adapter le cas échéant";

"sovvenzione all'importazione applicabile : per 100 kg, da adattare se necessario";

"invoersubsidie..... per 100 kg, eventueel aan te passen";

"tilskud til indførsel..... pr. 100 kg, tilpasses i givet fald".

2. For the purpose of applying Article 11 (1) (b) of Regulation (EEC) No 3062/74 Section 18 of the export licence shall contain one of the following endorsements :

"for export without levies";

"ohne Abschöpfungen auszuführen";

"à exporter sans prélèvements";

"da esportare senza prelievi";

"uit te voeren zonder heffingen";

"udføres uden afgifter".

Article 19

Member States shall take all measures necessary to facilitate the supervision of the application of this Regulation and the recovery of all or part of the subsidy if the undertakings entered into by the parties are not observed.

Article 20

This Regulation shall enter into force on 4 December 1974.

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

Done at Brussels, 3 December 1974.

For the Commission

The President

François-Xavier ORTOLI

REGULATION (EEC) No 3063/74 OF THE COMMISSION
of 3 December 1974
altering the special export levy on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 1009/67/EEC⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 2476/74⁽²⁾;

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

Whereas the special export levy on white sugar and raw sugar was fixed by Regulation (EEC) No 1791/74⁽⁴⁾, as last amended by Regulation (EEC) No 3040/74⁽⁵⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in the Regulation

(EEC) No 1791/74 to the information at present available to the Commission, that the special export levy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The special export levy on sugar provided for in the second subparagraph of Article 16 (1) of Regulation No 1009/67/EEC fixed in the Annex to amended Regulation (EEC) No 1791/74 is altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 4 December 1974.

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

Done at Brussels, 3 December 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 264, 1. 10. 1974, p. 70.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 187, 11. 7. 1974, p. 23.

⁽⁵⁾ OJ No L 323, 3. 12. 1974, p. 11.

ANNEX

to the Commission Regulation of 3 December 1974 altering the special export levy on white sugar and raw sugar

(u.s./100 kg)		
CCT/heating No	Description of goods	Amount of the special export levy
17.01	Beet sugar and cane sugar, solid :	
	A. Denatured :	
	I. White sugar	88.50
	II. Raw sugar	66.00 ⁽¹⁾
	B. Undenatured :	
	I. White sugar	88.50
	ex II. Raw sugar other than candy sugar	66.00 ⁽¹⁾

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

REGULATION (EEC) No 3064/74 OF THE COMMISSION**of 3 December 1974****altering the import levies on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation 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 14 (4) 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 Regulation (EEC) No 1129/74⁽⁴⁾, and in particular Article 12 (4) thereof;

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 2985/74⁽⁵⁾, as amended by Regulation (EEC) No 3032/74⁽⁶⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 0.25 unit

of account per 100 kilogrammes of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽⁷⁾, the levies at present in force must therefore be altered as shown in the Table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 1052/68⁽⁸⁾, as last amended by Regulation (EEC) No 881/73⁽⁹⁾, as fixed in the Annex to amended Regulation (EEC) No 2985/74 are hereby altered as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 4 December 1974.

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

Done at Brussels, 3 December 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 128, 10. 5. 1974, p. 20.

⁽⁵⁾ OJ No L 318, 28. 11. 1974, p. 11.

⁽⁶⁾ OJ No L 321, 30. 11. 1974, p. 80.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 179, 25. 7. 1968, p. 8.

⁽⁹⁾ OJ No L 86, 31. 3. 1973, p. 30.

ANNEX

to the Commission Regulation of 3 December 1974 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./100 kg	
	Third countries (other than AASM and OCT, Tanzania, Uganda and Kenya)	AASM, OCT, Tanzania, Uganda and Kenya
11.02 A II ⁽¹⁾	1.648	1.148
11.02 B II b) ⁽¹⁾	1.099	0.849
11.02 C II ⁽¹⁾	1.271	1.021
11.02 D II ⁽¹⁾	0.901	0.651
11.02 E II b) ⁽¹⁾	1.648	1.148
11.02 F ⁽¹⁾	1.648	1.148

⁽¹⁾ For the purpose of distinguishing between products falling within headings Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers 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, 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.

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).

Open procedure

1. The Council of the Borough of South Tyneside, Town Hall, Borough of South Tyneside, Tyne and Wear, England, United Kingdom.
2. Public invitation to tender.
3. a) Extensions to Dr. Winterbottom Hall of Residence Marine & Technical College. The site is located south of Westoe Drive, South Shields, Tyne and Wear, England.
b) The contract will comprise the erection of five separate three- and four-storey blocks of study/bedrooms and ancillaries, a separate single storey communal/diningroom block and a small block for staff accommodation complete with external works. Total floor area 4 000 m² approximately.
c) The contract will not be divided into lots.
d) The contract does not involve drawing up of plans.
4. The period for completion of the works will be stated by the contractor in the form of tender and the contractor will be required to submit a programme of works.
5. a) Jas. S. Glover, Quantity Surveyor, 118 Westoe Road, South Shields, Tyne and Wear NE33 3PF, England, United Kingdom.
b) 9 December 1974.
c) A sum of £ 5 is charged for the tender documents to be repaid on receipt of a bona fide tender.
6. a) 13 January 1974.
b) The Solicitor to the Council (tenders to be returned in the envelope provided).
c) English.
7. a)
b)
8. See item 14, third paragraph.
- 9.
10. The contractor must be a registered company.
11. The contractors are required to produce the following information :
proof as required by Article 23 that none of the cases mentioned in Article 23 apply ;
proof of their financial and economic standing as set out in Article 25 (a), (b) and (c) including production of certified copies of the contractor's balance sheets or annual accounts for the three previous financial years whether publication of the balance sheets or annual accounts is required by law or not ;
proof of the contractors technical knowledge and ability as set out in Article 26 (a), (b), (c), (d) and (e).
12. A period of three months.
13. The lowest satisfactory tender will be accepted but the council do not bind themselves to accept the lowest or any tender.
14. The conditions of contract will be the standard form of building contract, local authorities edition with quantities, 1963 edition (July 1973 revision with Clause 31A applicable).
Tenderers will be required to submit priced bills of quantities in a sealed envelope with their tender.
The successful contractor will be required to enter into a contract guarantee bond for the due performance of the contract in a sum amounting to 10 % of the tender amount as provided in the contract documents.
15. 25 November 1974.

Open procedure

1. Ministère des Travaux Publics, Administration des Voies Hydrauliques, Service de la Sambre, rue de Marcinelle 88, 6000 Charleroi, Belgium — Tel : 07/312 396.
 2. Public invitation to tender.
 3. a) Province de Namur — Falemprise (Cerfontaine).
b) Widening and development of the old Cerfontaine road, on the right bank of the Eau d'Heure.
c) Classification : Category C, class 7 (value of work Bfrs 75 000 000 to Bfrs 150 000 000).
d)
 4. 18 calendar months.
 5. a) Bureau de vente et de consultation des cahiers des charges et autres documents concernant les adjudications publiques, rue du Luxembourg 49, 1040 Brussels, Belgium (Tel. 02/513 14 47 — Postal cheque account 9455). The documents may be consulted and further information obtained from the address given in item 1.
b) 31 December 1974.
c) Price of contract documents : specification No H3/74 H24 : Bfrs 380 ; tender form : Bfrs 20 ; eight plans : Bfrs 955. Payable in advance.
 6. a) 31 December 1974 at 11 a.m.
b) See in item 1.
c) French — the forms attached to the specification must be used.
 7. a) In public.
b) 31 December 1974 at 11 a.m. (address as in item 1).
 8. 5 % — guarantee period three years.
 9. Monthly payments. The contract allows for fluctuations in wages and materials costs.
 10. Associations, including consortia, may tender.
 11. See item 3 c).
 12. 75 calendar days from the date on which tenders are opened in public.
 13. The contract will be awarded to the lowest suitable tender.
 14. Since notices of correction may be issued during the publication period contractors from Member States of the EEC are requested to apply to the address in item 1 not later than 10 days before the date on which tenders are opened, to be informed of any changes made.
 15. 27 November 1974.
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