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I

(Acts whose publication is obligatory)

**REGULATION (EEC) No 2537/75 OF THE COMMISSION
of 6 October 1975**

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 organiza-
tion of the market in cereals, as last amended by Regu-
lation (EEC) No 665/75 ⁽²⁾, and in particular Article
13 (5) thereof ;

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 1976/75 ⁽³⁾ and subsequent amending
Regulations ;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 1976/75 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 7 October
1975.

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

Done at Brussels, 6 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 72, 20. 3. 1975, p. 14.

⁽³⁾ OJ No L 202, 1. 8. 1975, p. 1.

ANNEX

to the Commission Regulation of 6 October 1975 fixing the import levies on cereals and on wheat or rye flour groats and meal

(u.a./metric ton)

CCT heading No	Description of goods	Levies
10.01 A	Common wheat and meslin	6.65
10.01 B	Durum wheat	5.91 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	18.48 ⁽⁶⁾
10.03	Barley	0
10.04	Oats	11.91
10.05 B	Maize other than hybrid maize for sowing	16.62 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	7.08 ⁽⁴⁾
10.07 C	Grain sorghum	15.22 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	28.33
11.01 B	Rye flour	44.91
11.02 A I a	Durum wheat groats and meal	27.88
11.02 A I b	Common wheat groats and meal	29.65

⁽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 originated in the ACP or OCT is imported into the French overseas departments, the levy is reduced by 6 u.a./metric ton as provided for in Regulation (EEC) No 1599/75.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.50 u.a./metric ton subject to the application of the provisions of Article 22 of Regulation (EEC) No 1599/75.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 % subject to the application of the provisions of Article 22 of Regulation (EEC) No 1599/75.

⁽⁵⁾ 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.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1234/71 and Commission Regulation (EEC) No 2622/71.

REGULATION (EEC) No 2538/75 OF THE COMMISSION**of 6 October 1975****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 organization of the market in cereals, as last amended by Regulation (EEC) No 665/75⁽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 1977/75⁽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 Regulation,

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 7 October 1975.

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

Done at Brussels, 6 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 72, 20. 3. 1975, p. 14.

⁽³⁾ OJ No L 202, 1. 8. 1975, p. 4.

ANNEX

to the Commission Regulation of 6 October 1975 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 10	1st period 11	2nd period 12	3rd period 1
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./metric ton)

CCT heading No	Description of goods	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
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 2539/75 OF THE COMMISSION**of 3 October 1975****concerning the issue of an invitation to tender for the supply to UNICEF for use as food aid of skimmed-milk powder to be purchased on the Community market**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 740/75⁽²⁾, and in particular Article 7(5) thereof;

Having regard to Council Regulation (EEC) No 1347/75⁽³⁾ of 26 May 1975 laying down the general rules for the supply of skimmed-milk powder under the 1975 food-aid programme to certain developing countries and certain international organizations, and in particular Article 6 thereof;

Whereas Council Regulation (EEC) No 1348/75⁽⁴⁾ of 26 May 1975 on the supply of skimmed-milk powder under the 1975 food-aid programme to certain developing countries and certain international organizations provides for the supply of 2 910 metric tons of skimmed-milk powder to UNICEF; whereas UNICEF has requested the supply of 2 335 metric tons of vitaminized skimmed-milk powder for various developing countries;

Whereas Article 2(2) of Regulation (EEC) No 1347/75 provides that if there is not enough skimmed-milk powder available in public stocks with the characteristics necessary for the particular destination where this requires, in particular, the addition of vitamins, supplies shall be obtained by purchase on the Community market;

Whereas Article 5 of Regulation (EEC) No 1348/75 provides that for the purposes of the supply and shipment of skimmed-milk powder invitations to tender are to be issued;

Whereas the procedure to be adopted for this tendering should in the main be the procedure used hitherto in similar cases;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders shall be invited in accordance with Regulations (EEC) No 1347/75 and (EEC) No 1348/75 for the costs of supplying to UNICEF 2 335 metric tons of skimmed-milk powder divided into the following lots and to the destinations mentioned in Annex I to this Regulation.
2. Deliveries shall be effected following the manner specified in Annex I.
3. The skimmed-milk powder shall meet the requirements as to quality and packaging set out in Annex II to this Regulation.

Article 2

1. The intervention agencies shall frame a notice of invitation to tender which shall be published in the *Official Journal of the European Communities* not less than 10 days before the closing date for the submission of tenders.
2. The closing date for the submission of tenders shall be 28 October 1975, at 12 noon.

Article 3

1. Tenders, which shall be in writing, shall be submitted either by delivery by hand to an intervention agency against acknowledgement of receipt or by registered letter addressed to an intervention agency. Intervention agencies may also authorize the use of telex.
2. Each tender shall bear only on one lot.
3. The tender shall indicate *inter alia*:
 - (a) the name and address of the tenderer;
 - (b) the port or ports of loading, chosen from among Community ports;
 - (c) the price, exclusive of taxes, expressed in the currency of the Member State in which the tender is presented, at which the tenderer undertakes to supply, in accordance with the specifications laid down in the Annexes, the entire quantity of a lot put out to tender;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 74, 22. 3. 1975, p. 1.

⁽³⁾ OJ No L 138, 29. 5. 1975, p. 1.

⁽⁴⁾ OJ No L 138, 29. 5. 1975, p. 3.

Such price shall be inclusive of transport insurance costs to the stage stipulated in Annex I for delivery.

4. A tender shall be valid only if:

- (a) it relates to the entire lot put out to tender;
- (b) proof is given before expiry of the period set for the submission of tenders that the security referred to in Article 4 has been provided.

5. No tender may be withdrawn.

Article 4

1. The tendering security shall be 20 units of account per metric ton of skimmed-milk powder.

2. It shall take the form, at the discretion of the Member State concerned, either of a cheque made out in favour of the intervention agency, or of a bank guarantee which satisfies the criteria fixed by the Member State.

Article 5

In the light of the tenders received and in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68 a maximum price, expressed in units of account, shall be fixed or alternatively a decision shall be taken to make no award.

Article 6

1. A tender shall be refused if the price proposed, converted into units of account, is more than the maximum price fixed for the lot in question.

2. Subject as provided in paragraph 1, the successful tenderer shall be the one whose offer, converted into units of account, is the lowest. Where two or more valid offers specifying identical amounts, as converted into units of account, are received by a given intervention agency, the award shall be made by drawing lots. Where such offers are made to different intervention agencies, the award shall be made by the intervention agency selected in accordance with the procedure referred to in Article 5.

3. The intervention agency shall immediately inform each tenderer whether he has been awarded the contract.

4. Rights and obligations arising in connection with the invitation to tender shall not be transferable.

Article 7

1. The successful tenderer, acting in accordance with the specifications of Annex I to this Regulation, shall deliver a quantity of skimmed-milk powder satisfying the requirements as to quality and packaging laid down in Annex II.

The successful tenderer shall also supply a further 5 % of empty bags identical to those containing the goods.

2. Delivery *cif* shall be completed when the goods are actually deposited on the quayside or on board a lighter at the port of unloading.

Article 8

Any demurrage costs at the port of unloading attributable to the recipient shall be borne by it. The rates and other details concerning such costs shall be laid down in the contract between the successful tenderer and the carrier and must have been previously agreed upon by the successful tenderer acting as Community agent and the recipient's delivery agent.

Article 9

1. The intervention agency concerned shall as soon as possible notify the recipient body of the name of the vessel, the date of loading, the quantity and the quality of the goods as recorded at time of loading and the port of unloading.

2. The successful tenderer shall inform the recipient at least 10 clear days in advance of the expected date of arrival of the ship in the port of unloading. The successful tenderer shall have included in the terms of the charter-party a provision stipulating that the ship's captain shall inform the recipient at least 72 hours in advance of the ship's probable date of arrival in port.

Article 10

1. The competent agency of the Member State in which the contract is awarded shall check that the skimmed-milk powder in question satisfies requirements as to quality and packaging laid down in Annex II.

2. If the goods are found to satisfy those requirements, the agency shall, before completion of the customs formalities referred to in Article 11(1), provide the successful tenderer with a certificate to that effect.

3. On delivery of the quantity to the recipient country in question, the recipient shall issue a certificate stating that delivery of that quantity of skimmed-milk has been taken at the stage specified in Annex I.

Article 11

1. Customs export formalities shall be carried out in the Member State in which the award of contract is made.

2. If the port of loading specified in the tender is situated in a Member State other than that in which the customs export formalities are carried out, the goods shall, on completion of such formalities, be placed under customs control with the object of ensuring that they are loaded at the port specified in the tender.

Proof of loading can be furnished only by production of the control copy referred to in Article 1 of Commission Regulation (EEC) No 2315/69⁽¹⁾ of 19 November 1969 on the use of Community transit documents for the purpose of applying Community measures for verifying the use and/or destination of goods, as amended by Regulation (EEC) No 690/73⁽²⁾.

Sections 101, 103 and 104 of the control copy shall be completed.

Section 104 shall be completed by deleting as necessary and entering against the second indent one of the following endorsements:

- 'delivery of skimmed-milk powder as food aid (Regulation (EEC) No 2539/75) to be shipped from the port of...';
- 'Livraison de lait écrémé en poudre à titre d'aide alimentaire (règlement (CEE) n° 2539/75) destinée à être embarquée au port de ...';
- 'Lieferung von Magermilchpulver als Nahrungsmittelhilfe (Verordnung (EWG) Nr. 2539/75) Verschiffung im Hafen von ... bestimmt';
- 'Fornitura di latte scremato in polvere a titolo di aiuto alimentare (regolamento (CEE) n. 2539/75) destinata ad essere imbarcata del porto di ...';
- 'Levering van magere-melkpoeder als voedselhulp (Verordening (EEG) nr. 2539/75) bestemd om te worden verscheept in de haven van ...';
- 'Levering af skummetmælkspulver som fødevarehjælp (forordning (EØF) nr. 2539/75) bestemt til lastning i havnen i ...'.

Article 12

1. Except in cases of *force majeure*, the tendering security shall be released only if:

- (a) the tender has not been accepted;
- (b) the tenderer:
 - has not withdrawn his tender before the contract is awarded,

— has furnished the certificates provided for in Article 10 (2) and (3).

2. Release of the security shall take place immediately.

3. In cases of *force majeure*, the intervention agency shall decide on the measures to be taken having regard to the circumstances invoked.

Article 13

The amount referred to in Article 3 (2) (c) shall be paid only on production of the certificates provided for in Article 10 (2) and (3).

Concerning lot A referred to in Annex I, the payment of this amount may be divided following the quantities for which the abovementioned certificates are provided.

Article 14

Except in cases of *force majeure*, the successful tenderer shall accept all financial liability devolving upon the Community by reason of failure to load the skimmed-milk powder by the date specified in Annex I.

Costs incurred by reason of failure to deliver the skimmed-milk powder as a result of *force majeure* shall be borne by the competent agency of the Member State in which the award of contract is made.

Article 15

No refund or compensatory amount (whether monetary or accession) shall be applicable in respect of skimmed-milk powder supplied under this Regulation.

Article 16

This Regulation shall enter into force on the 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, 3 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 295, 24. 11. 1969, p. 14.

⁽²⁾ OJ No L 66, 13. 3. 1973, p. 23.

ANNEX I

Designation of each lot	Total quantity of the lot (metric tons)	Partial quantities (metric tons)	Recipient countries	Method of delivery	Date of loading, at the latest
A	700	500	Bangladesh	250 t cif Chittagong	15 December 1975
				250 t cif Chalna	15 December 1975
		200	Burma	100 t cif Rangoon	15 December 1975
				100 t cif Rangoon	15 March 1976
B	1 635	—	India	cif Bombay	31 December 1975

ANNEX II

I. Skimmed-milk powder requirements

(a) fat content :	1.5 % maximum
(b) water content :	4.0 % maximum
(c) total acidity in lactic acid :	0.15 % maximum (18° Cornic)
(d) test for neutralization agents :	negative
(e) authorized additives	none
(f) phosphatase test :	negative
(g) solubility :	0.5 ml maximum (99 % minimum)
(h) degree of purity :	disc B (15.0 mg minimum)
(i) germ content :	50 000 per g maximum
(k) colon bacillus titer :	negative in 0.1 g
(l) taste and smell :	clean
(m) appearance :	white or slightly yellowish colour, free from impurities or coloured particles
(n) vitamin enrichment	(aa) vitamin A — 5 000 i.u. per 100 g (bb) vitamin D — 500 i.u. per 100 g.

II. Packing

- (a) New bags of a net weight content of 25 kg (5 % empty bags).
- (b) Composition :
- four Kraft paper bags of a strength representing at least 70 g/m² ;
 - one interposed tar-lined paper bag, of a strength representing at least 140 g/m² ;
 - one polyethylene inner bag at least 0.06 mm thick, double bound.
- (c) The following marking to appear on the packaging in at least 1 cm high :
- ‘FORTIFIED SKIMMED-MILK POWDER — GIFT OF THE EUROPEAN ECONOMIC COMMUNITY — ACTION OF THE UNITED NATIONS CHILDREN’S FUND (UNICEF)’.

REGULATION (EEC) No 2540/75 OF THE COMMISSION**of 6 October 1975****defining the event in which the payment of aid to hop growers becomes due and payable**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 1696/71 ⁽¹⁾ of 26 July 1971 on the common organization of the market in hops, as amended by the Act of Accession ⁽²⁾, and in particular Article 13 (4) thereof ;

Whereas Article 4 (2) of Council Regulation (EEC) No 1134/68 ⁽³⁾ of 30 July 1968 laying down rules for the implementation of Regulation (EEC) No 653/68 on conditions for alterations to the value of the unit of account used for the common agricultural policy provides that for transactions carried out pursuant to provisions on the common agricultural policy the sums owed by a Member State or a duly authorized body, expressed in national currency and representing amounts fixed in units of account, are to be paid on the basis of the relationship between the unit of account and the national currency which obtained at the time when the transaction or part transaction was carried out ;

Whereas Article 6 of the said Regulation provides that the time when a transaction is carried out is to be considered as being the date on which occurs the event, as defined by Community rules or, in the absence of and pending the adoption of such rules, by the rules of the Member State concerned, in which the amount involved in the transaction becomes due and payable ;

Whereas Article 12 (2) of Regulation (EEC) No 1696/71 provides that aid may be granted to hop

growers ; whereas the granting of such aid is not obligatory but is decided upon for each harvest by the Council ; whereas the entitlement to that aid does not exist until after such decision ; whereas therefore, in order to ensure that the system of aid shall be applied in a uniform manner, the conversion rate to be used to calculate the amounts of such aid in the relevant national currency should be the rate applicable on the date of the Regulation fixing the amount of aid to growers ; whereas the Council may therefore take into account any alteration in monetary parities occurring after the Commission proposal ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The event within the meaning of Article 6 of Regulation (EEC) No 1134/68 in which the payment of aid to hops growers becomes due and payable shall be considered to have occurred on the date of the adoption by the Council of the Regulation fixing the amount of aid to growers for the harvest in question.

Article 2

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

It shall apply from the 1974 harvest.

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

Done at Brussels, 6 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 175, 4. 8. 1971, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 188, 1. 8. 1968, p. 1.

REGULATION (EEC) No 2541/75 OF THE COMMISSION
of 6 October 1975

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 3330/74⁽¹⁾ of 19 December 1974 on the common organization of the market in sugar, and in particular Article 15 (7) thereof;

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1675/75⁽²⁾, as last amended by Regulation (EEC) No 2522/75⁽³⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1675/75 to the information at present available to the Commis-

sion that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 15 (1) of Regulation (EEC) No 3330/74 are, in respect of white sugar and standard quality raw sugar, hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 7 October 1975.

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

Done at Brussels, 6 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1975, p. 61.

⁽³⁾ OJ No L 257, 3. 10. 1975, p. 16.

ANNEX

to the Commission Regulation of 6 October 1975 fixing the import levies on white sugar and raw sugar

(u.a./100 kg)		
CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid:	
	A. Denatured:	
	I. White sugar	6.81
	II. Raw sugar	3.06 ⁽¹⁾
	B. Undenatured:	
	I. White sugar	6.81
	II. Raw sugar	3.06 ⁽¹⁾

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

REGULATION (EEC) No 2542/75 OF THE COMMISSION
of 6 October 1975
altering the 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 (EEC) No 3330/74⁽¹⁾ of 19 December 1974 on the common organization of the market in sugar, and in particular Article 17 (6) thereof;

Having regard to Council Regulation (EEC) No 608/72⁽²⁾ 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, pursuant to Article 17 (1) of Regulation (EEC) No 3330/74, where the Community or any region thereof cannot be supplied with sugar at prices within the limit of the threshold price, provision may be made for charging a special export levy on sugar;

Whereas the threshold price for white sugar and raw sugar was fixed by Regulation (EEC) No 660/75⁽³⁾;

Whereas the list of products subject to the special levy is given in Commission Regulation (EEC) No

825/75⁽⁴⁾ of 25 March 1975 laying down detailed rules for applying export levies on sugar;

Whereas the export levy on white sugar and raw sugar was fixed by Regulation (EEC) No 1702/75⁽⁵⁾, as last amended by Regulation (EEC) No 2523/75⁽⁶⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in the Regulation (EEC) No 1702/75 to the information at present available to the Commission, that the export levy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The export levy on sugar provided for in the first subparagraph of Article 17 (1) of Regulation (EEC) No 3330/74 is fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 7 October 1975.

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

Done at Brussels, 6 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽³⁾ OJ No L 72, 20. 3. 1975, p. 7.

⁽⁴⁾ OJ No L 79, 28. 3. 1975, p. 17.

⁽⁵⁾ OJ No L 172, 3. 7. 1975, p. 15.

⁽⁶⁾ OJ No L 257, 3. 10. 1975, p. 17.

ANNEX

to the Commission Regulation of 6 October 1975 altering the export levy on white sugar and raw sugar

(u.a./100 kg)		
CCT heading No	Description of goods	Amount of the export levy
17.01	Beet sugar and cane sugar, solid :	
	A. Denatured :	
	I. White sugar	0
	II. Raw sugar	2.07 ⁽¹⁾
	B. Undenatured :	
	I. White sugar	0
	ex II. Raw sugar other than candy sugar	2.07 ⁽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 2543/75 OF THE COMMISSION**of 6 October 1975****altering the basic amount of the import levy on syrups and certain other sugar products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 3330/74⁽¹⁾ of 19 December 1974 on the common organization of the market in sugar, and in particular Article 15 (7) thereof;

Whereas the basic amount of the import levy on syrups and certain other sugar products was fixed by Regulation (EEC) No 2491/75⁽²⁾, as last amended by Regulation (EEC) No 2524/75⁽³⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2491/75 to the information at present available to the Commis-

sion that the basic amount of the levy at present in force should be altered as shown in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) d) of Regulation (EEC) No 3330/74 is hereby fixed, per 100 kilogrammes of product, at 0.0681 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 7 October 1975.

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

Done at Brussels, 6 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 254, 1. 10. 1975, p. 25.

⁽³⁾ OJ No L 257, 3. 10. 1975, p. 19.

REGULATION (EEC) No 2544/75 OF THE COMMISSION**of 6 October 1975****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 of Accession⁽¹⁾;

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 1602/75⁽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

2488/75⁽⁶⁾, as last amended by Regulation (EEC) No
2534/75⁽⁷⁾;

Whereas the application of the rules referred to in
Regulation (EEC) No 2488/75 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 Annex to amended Regulation (EEC)
No 2488/75 are amended as shown in the Annex to
this Regulation.

Article 2

This Regulation shall enter into force on 7 October
1975.

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

Done at Brussels, 6 October 1975.

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 164, 27. 6. 1975, p. 2.

⁽⁴⁾ OJ No L 29, 1. 2. 1973, p. 26.

⁽⁵⁾ OJ No L 209, 31. 7. 1974, p. 5.

⁽⁶⁾ OJ No L 254, 1. 10. 1975, p. 15.

⁽⁷⁾ OJ No L 258, 4. 10. 1975, p. 23.

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/UCiu.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
10.01 B	7,60	6.00	6.00

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./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 A I a) ⁽¹⁾	10,66	10-00	10-00

⁽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⁾ 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 Gewichtshundertteilen,
- einen auf den Trockenstoff bezogenen Aschegehalt (abzüglich etwa zugesetzter Mineralstoffe), der bei Reis 1,6 Gewichtshundertteile oder weniger, bei Weizen und Roggen 2,5 Gewichtshundertteile oder weniger, bei Gerste 3 Gewichtshundertteile oder weniger, bei Buchweizen 4 Gewichtshundertteile oder weniger, bei Hafer 5 Gewichtshundertteile oder weniger und bei anderen Getreidearten 2 Gewichtshundertteile 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 all'1,6 % per il riso, al 2,5 % per il frumento e la segala, al 3 % per l'orzo, al 4 % per il grano saraceno, al 5 % per l'avena e al 2 % per gli altri cereali.

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

⁽¹⁾ 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 gewichtspersenten, 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 gewichtspersenten voor rijst, 2,5 gewichtspersenten voor tarwe en rogge, 3 gewichtspersenten voor gerst, 4 gewichtspersenten voor boekweit, 5 gewichtspersenten voor haver en 2 gewichtspersenten voor andere granen.

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

⁽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 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.

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 10 July 1975

on the conclusion of the Agreement between the European Economic Community and the Republic of Zambia on the supply of common wheat as food aid

(75/590/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113, 114 and 228 thereof;

Having regard to the recommendation from the Commission;

Whereas the European Economic Community has concluded the 1971 food-aid convention;

Whereas the Republic of Zambia has requested food aid;

Whereas in view of the cereal supply situation in that country the latter should be accorded, under the Community food-aid programme for 1972/73, and by way of gift, 5 000 metric tons of common wheat,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Economic Community and the Republic of Zambia on the supply of common wheat as food aid is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement and to confer on them the necessary powers to bind the Community.

Done at Brussels, 10 July 1975.

For the Council

The President

E. COLOMBO

AGREEMENT

**between the European Economic Community and the Republic of Zambia on
the supply of common wheat as food aid**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,
of the one part,

THE GOVERNMENT OF THE REPUBLIC OF ZAMBIA,
of the other part,

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries :

THE COUNCIL OF THE EUROPEAN COMMUNITIES :

THE GOVERNMENT OF THE REPUBLIC OF ZAMBIA :

WHO HAVE AGREED AS FOLLOWS :

Article I

As part of its food-aid programme (Cereals) for 1972/73, the European Economic Community, hereinafter referred to as the 'Community', shall supply the Republic of Zambia, hereinafter referred to as the 'country of destination', by way of gift, with 5 000 metric tons of common wheat.

Article II

Deliveries will be made in new jute sacks with a net weight of 50 kg each cif to African ports of unloading.

Article III

The obligations and responsibilities of the Community and of the country of destination relating to delivery and receipt are defined in the Annex, which forms an integral part of this Agreement.

Article IV

The country of destination undertakes to make all necessary arrangements for the transport and insurance of the product from ports of unloading to places of destination.

Article V

The country of destination undertakes to use the product received as aid for purposes of consumption

and to apply, for the sale of the product on its market, the prices normally charged on that market for products of comparable quality.

The proceeds from this sale, less the costs of internal transport, of insurance and the normal cost of selling the product on the market of the country of destination, shall be paid into a special account at the Central Bank of that country and allocated to the financing of one or more development schemes proposed by the country of destination and approved by the Community.

Article VI

The Contracting Parties undertake to implement this Agreement in such a way as to avoid any prejudice to the normal structure of domestic production and international trade. To this end they shall take any measures required to ensure that aid supplies are in addition to, and do not replace, commercial transactions which might reasonably be expected in the absence of such supplies. In particular, the country of destination undertakes to import commercially from whatever source between 1 July 1974 and 30 June 1975 a minimum quantity of 87 000 metric tons of common wheat, or its equivalent in common wheat flour.

Article VII

The country of destination shall take all appropriate measures to prevent :

- the re-export of the product received as aid and of products and by-products resulting from such supplies ;
- the export, commercially or otherwise, within six months of the last delivery, either of local produce of the same nature as that received as aid or of any products and by-products resulting from it.

Article VIII

The country of destination undertakes to inform the Community of the mode of implementation of this Agreement. To this end it shall provide the Commission of the European Communities with the following information :

1. not later than 30 days after the discharge of each cargo : port and date of arrival of the vessel ; nature, quantity and quality of the products discharged ; date on which discharge was completed ;

2. every three months until the quantities received as aid have been fully used : quantities sold, manner of sale, selling prices ; normal selling costs on the market of the country of destination ;
3. on 15 January every year until the special account has been fully used :
 - (a) state of this account (deposits and withdrawals) as at 31 December of the preceding year ;
 - (b) progress achieved in the project or projects, with an indication of the total amount of financing carried out at that stage.

Article IX

At the request of either of them, the Contracting Parties shall consult each other on any questions concerning the implementation of this Agreement.

Article X

This Agreement shall be drawn up in duplicate in Danish, Dutch, English, French, German and Italian, each of these texts being authentic.

*ANNEX***PROCEDURES FOR DELIVERY AND RECEIPT***Article 1*

Delivery shall be effected and all risk shall pass from the Community to the country of destination at the moment at which the goods are actually taken in charge in the ship's hold at the port of discharge.

The country of destination shall bear all costs subsequent to delivery of the goods, including the costs of discharge (such as breaking bulk, hoisting, taking delivery) as well as any lighterage costs.

Any demurrage or dispatch money at the port of discharge shall be borne by or paid to the country of destination. The rates and conditions of payment laid down in the contract between the authorized agent of the Community referred to in Article 5 and the carrier must have been agreed in advance between that agent and the receiving agent of the country of destination referred to in Article 5.

Article 2

The Community shall forward to the country of destination, as soon as possible after the goods have been shipped, a notice giving the name of the ship, the date of loading, the quantity and quality of the goods on loading and the port of discharge.

Article 3

The Community shall inform the country of destination of the ship's estimated date of arrival at the port of discharge at least 10 clear days before that date.

It shall have inserted in the charter party an undertaking by the captain to give the country of destination at least 72 hours' notice of the probable date of the ship's arrival in the port of discharge.

Article 4

On delivery of the cargo, an allowance of 5 % less than the quantity laid down under Article I of the Agreement shall be permitted.

Article 5

To implement this Annex, the Community shall appoint an authorized agent whose name and address it shall make known in good time to the country of destination.

At each port of discharge the country of destination shall nominate a receiving agent whose name and address it shall make known to the Community before the Agreement is implemented.

Information concerning the signing of the Agreement between the European Economic Community and the Republic of Zambia on the supply of food aid

The Agreement between the European Economic Community and Zambia on the supply of common wheat as food aid, which the Council decided to conclude on 10 July 1975, was signed in Brussels on 15 July 1975, on behalf of the Council of the European Communities by :

Mr Enrico Macchia, Minister Plenipotentiary, Chairman of the Committee of Deputy Permanent Representatives and Mr Corrado Cornelli, Director in the Directorate Operations of the Commission of the European Communities ;

and on behalf of the Republic of Zambia by : Mr E. C. Chibwe, Ambassador of the Republic of Zambia in Belgium.

COUNCIL DECISION

of 22 July 1975

on the conclusion of the Agreement between the European Economic Community and the Office of the United Nations High Commissioner for Refugees on the supply of butteroil and flour of common wheat as emergency food aid for the populations affected by the events in Cyprus

(75/591/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113, 114 and 228 thereof;

Having regard to the recommendation from the Commission;

Whereas the European Economic Community has concluded the 1971 food-aid convention;

Whereas in Regulation (EEC) No 865/75⁽¹⁾, the Council has decided to make available to the Office of the United Nations High Commissioner for Refugees 300 metric tons of butteroil;

Whereas the Office of the United Nations High Commissioner for Refugees has made known the requirements in cereal products of the populations affected by the events in Cyprus; whereas, under the 1974/75 food-aid programme (cereals), 5 000 metric tons of common wheat, in the form of 3 311 metric tons of flour of common wheat, should consequently be allocated to this body as emergency food aid,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Economic Community and the Office of the United Nations High Commissioner for Refugees on the supply of butteroil and flour of common wheat as emergency food aid for the populations affected by the events in Cyprus, is hereby concluded on behalf of the European Economic Community.

The text of the Agreement is annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement and to confer on them the necessary powers to bind the Community.

Done at Brussels, 22 July 1975.

For the Council

The President

M. RUMOR

⁽¹⁾ OJ No L 84, 4. 4. 1975, p. 1.

AGREEMENT

between the European Economic Community and the Office of the United Nations High Commissioner for Refugees on the supply of butteroil and flour of common wheat as emergency food aid for the populations affected by the events in Cyprus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,
of the one part,

THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES,
of the other part,

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries :

THE COUNCIL OF THE EUROPEAN COMMUNITIES :

THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES :

WHO HAVE AGREED AS FOLLOWS :

Article I

The European Economic Community, hereinafter referred to as the 'Community', shall supply by way of gift to the Office of the United Nations High Commissioner for Refugees, hereinafter referred to as the 'recipient body', 300 metric tons of butteroil and 5 000 metric tons of common wheat under the 1974/75 food-aid programme (cereals), to be supplied in the form of 3 311 metric tons of flour of common wheat to be delivered in new cotton sacks having a net weight of 50 kg each.

The quality and packaging requirements for the butteroil are set out in Annex I, which forms an integral part of this Agreement.

Article II

Deliveries shall be made in accordance with the provisions of Annex II, which forms an integral part of this Agreement.

Article III

The recipient body undertakes to make all necessary arrangements for the transport and the insurance of the products from the point of delivery to the places of destination.

It undertakes to exercise the greatest possible care to ensure that the tendering arrangements for the transport by sea are not prejudicial to the free play of fair competition.

It reserves the right to transport the products supplied as aid free of charge if means of transport are made available to it without charge.

Any problems arising in this connection shall be the subject of consultations under Article VI.

Article IV

The recipient body undertakes to use the products received as aid for purposes of consumption and to distribute them free of charge to the populations affected by the events in Cyprus.

Article V

The recipient body undertakes to inform the European Economic Community on the method of implementation of this Agreement. To this end, it shall provide the Commission of the European Communities with the following information :

- (1) immediately after unloading of each cargo : port and date of arrival of the vessel ; nature and quantity of the products unloaded and any comments on the quality ; date on which unloading was completed ;
- (2) one month after completion of the delivery, and thereafter every three months until the quantities received as aid have been fully used : quantities distributed ; number and description of the beneficiaries ; places, time-table and method of distribution.

Article VI

At the request of either of them, the Contracting Parties shall consult each other on any questions concerning implementation of this Agreement.

Article VII

This Agreement shall be drawn up in duplicate in Danish, Dutch, English, French, German and Italian, each of these texts being authentic.

*ANNEX I***QUALITY AND PACKAGING REQUIREMENTS****BUTTEROIL****I. Quality***(a) Characteristics of the product:*

Concentrated milk fat containing not less than 99.8 % of pure fat.

(b) Standard ingredients:

(Analysis made at time of manufacture and packing)

— Moisture and non-fat ingredients of milk: not more than 0.2 %

— Fat: not less than 99.8 %

— Free fatty acids: not more than 0.5 % (expressed as oleic acid)

— Peroxide level/kg: not more than 1 unit (in milli equivalents of active oxygen per kg)

— Taste: pure

— Smell: absence of smell extraneous to butteroil.

II. Packaging*(a) Metal cans of 5 kg — four cans per carton**(b) Details on the packaging (in English):*

BUTTEROIL / GIFT FROM THE EUROPEAN ECONOMIC COMMUNITY / TO THE
OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES / FOR
FREE DISTRIBUTION TO THE PEOPLE OF CYPRUS

ANNEX II

PROCEDURES FOR DELIVERY AND RECEIPT

CHAPTER I

General Provisions

Article 1

Delivery shall be effected and all risk shall pass from the Community to the recipient body at the moment when the goods are put down at the point of exportation named by the Commission of the European Communities at the berth specified by the recipient body or its agent referred to in Article 2 and under the terms specified in this Annex. Without prejudice to Articles 7 and 8, the Community shall bear all costs prior to delivery and the recipient body all costs after delivery.

Article 2

For the purpose of implementing the provisions of this Annex, the Community shall appoint — if necessary for each consignment — an agent whose name and address it shall make known to the recipient body immediately following his appointment. For each port of shipment the recipient body shall appoint an agent whose name and address it shall make known to the Community with all despatch and if possible before the appointment of the agent of the Community.

Article 3

Before implementing the procedure for appointing the agent of the Community referred to in Article 2, the Commission of the European Communities and the recipient body shall establish by joint agreement the period during which delivery must begin.

CHAPTER II

Obligations of the Community

Article 4

Where the Community is not in a position to carry out delivery on the date, and, if applicable, according to the schedule laid down in Article 6, all costs arising for the recipient body — for example, demurrage, void freight and dead freight — shall be borne by the Community.

The charges and the arrangements relating to demurrage laid down in the contract concluded between the recipient body and the carrier must have previously been agreed by the recipient body and the agent of the Community.

The other costs referred to in the first paragraph shall be refunded by the Community only if they have been paid by the recipient body with the approval of the Community.

Article 5

Where it is impossible for the Community to supply all or part of the goods on the date and within the time-limits

provided for in Article 6, the agents of the Community and of the recipient body may, without prejudice to Article 4, agree on a new date and a new time-limit for the delivery of all the goods or of the undelivered part thereof.

CHAPTER III

Obligations of the recipient body

Article 6

After contacting the Community, the recipient body shall procure, to transport the goods provided for in Article I of the Agreement, one or more vessels of dimensions corresponding to the normal capacity of the port of shipment; these vessels must be ready for loading on a date falling within the period referred to in Article 3.

The agent of the recipient body shall inform the Community of this date and of the date for commencement of delivery as soon as he knows them, if possible 20 clear days in advance and in any case 10 clear days before the date for commencement of delivery.

He shall establish with the agent of the Community the schedule according to which delivery shall take place.

Article 7

Where the recipient body is unable to begin loading on the date provided for in the first paragraph of Article 6, the agent of the recipient body shall inform the agent of the Community without delay.

In this event the agents of the Community and of the recipient body may agree on a new date for the commencement of delivery and, if applicable, a new schedule. Save in cases of *force majeure*, the costs arising from the delay in loading shall be borne by the recipient body.

Should the new date provided for in the second paragraph be more than 30 clear days after the date for loading provided for in the first paragraph of Article 6, the Community may dispose of the goods without prejudice to its commitment under Article I of the Agreement.

Article 8

Where the quantity intended for loading on a vessel cannot be loaded on board in its entirety, the recipient body shall inform the Community as soon as possible, and no later than 15 clear days after loading has been completed, whether it intends to accept or to renounce the balance.

In the former case the second and third paragraphs of Article 7 shall apply to the balance, if delivery has not yet taken place.

In the latter case, the Community may consider that it has discharged its commitment to the recipient body under Article I of the Agreement and shall bear the costs resulting from renunciation.

In any event, after an interval of 15 clear days and in the absence of any notice on the part of the recipient body, renunciation shall be deemed to have taken place.

Article 9

Upon delivery of the goods, the recipient body shall hand over to the authorized agent of the Community a certificate of acceptance which shall set out the port of shipment, date of acceptance and the nature and quantity of the goods accepted, together with any comments on the quality of the goods. A copy of the certificate shall be sent to the Commission of the European Communities.

Information concerning the signing of the Agreement between the European Economic Community and the Office of the United Nations High Commissioner for Refugees on the supply of food aid

The Agreement between the European Economic Community and the Office of the United Nations High Commissioner for Refugees on the supply of butteroil and flour of common wheat as food aid, which the Council decided to conclude on 22 July 1975, was signed in Brussels on 23 July 1975, on behalf of the Council of the European Communities by :

Mr Enrico Macchia, Minister Plenipotentiary, Chairman of the Committee of Deputy Permanent Representatives and Mr Corrado Cornelli, Director in the Directorate Operations of the Commission of the European Communities ;

and on behalf of the Office of the United Nations High Commissioner for Refugees by :
Mr Gilbert Jaeger, Aid Program Director at the Office of the United Nations High Commissioner for Refugees in Geneva.

COMMISSION

COMMISSION DECISION

of 18 September 1975

fixing the maximum export refund for common wheat under the invitation to tender issued in Regulation (EEC) No 1841/75

(75/592/EEC)

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 665/75⁽²⁾;

Having regard to Council Regulation No 139/67/EEC⁽³⁾ of 21 June 1967 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds, as last amended by Regulation (EEC) No 87/75⁽⁴⁾, and in particular Article 4a thereof;

Having regard to Commission Regulation (EEC) No 1841/75⁽⁵⁾ of 17 July 1975 on an invitation to tender for the levy and/or the refund for the export of common wheat to the countries of Zone I and Portugal, and in particular Article 10 (1) thereof;

Whereas an invitation to tender for the export levy and/or refund on common wheat was issued under Regulation (EEC) No 1841/75; whereas the notice of invitation to tender⁽⁶⁾ associated with this Regulation specified that the total tonnage for which the export levy and/or refund could be fixed was approximately 600 000 metric tons;

Whereas Article 10 (1) of Regulation (EEC) No 1841/75 allows the Commission, in accordance with the procedure laid down in Article 26 of Regulation No 120/67/EEC, to fix a maximum export refund; whereas, when this maximum refund is being fixed, account must be taken of the criteria set out in Articles 2 and 3 of Regulation No 139/67/EEC; whereas

Article 10 (2) of Regulation (EEC) No 1841/75 stipulates that the award is made to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy;

Whereas it follows from applying these rules to the present situation on the market for the cereal in question that the maximum export refund should be fixed as shown in Article 1; whereas the tonnage to which this maximum applies is 20 000 metric tons;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for common wheat fixed on the basis of tenders submitted for 18 September 1975 is hereby fixed at 0.74 unit of account per metric ton.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 72, 20. 3. 1975, p. 14.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2453/67.

⁽⁴⁾ OJ No L 11, 16. 1. 1975, p. 3.

⁽⁵⁾ OJ No L 187, 18. 7. 1975, p. 20.

⁽⁶⁾ OJ No C 162, 18. 7. 1975, p. 7.

COMMISSION DECISION

of 18 September 1975

fixing the minimum export levy for barley under the invitation to tender issued
in Regulation (EEC) No 1916/75

(75/593/EEC)

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 665/75⁽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
86/75⁽⁴⁾, and in particular Article 4 (2) thereof;Having regard to Council Regulation No 139/
67/EEC⁽⁵⁾ of 21 June 1967 laying down general rules
for granting export refunds on cereals and criteria for
fixing the amount of such refunds, as last amended by
Regulation (EEC) No 87/75⁽⁶⁾, and in particular
Article 4a thereof;Having regard to Commission Regulation (EEC) No
1916/75⁽⁷⁾ of 25 July 1975 on an invitation to tender
for the levy and/or the refund for the export of barley
to the countries of Zones I, II and III, and in parti-
cular Article 10 (1) thereof;Whereas an invitation to tender for the export levy
and/or refund on barley was issued under Regulation
(EEC) No 1916/75; whereas the notice of invitation to
tender⁽⁸⁾ associated with this Regulation specified that
the total tonnage for which the export levy and/or
refund could be fixed was approximately 300 000
metric tons;Whereas Article 10 (1) of Regulation (EEC) No
1916/75 allows the Commission, in accordance with
the procedure laid down in Article 26 of RegulationNo 120/67/EEC, to fix a minimum export levy;
whereas, when this minimum levy is being fixed,
account must be taken of the criteria set out in Article
3 (1) (b) and (d) of Regulation (EEC) No 1968/73;Whereas Article 10 (2) of Regulation (EEC) No
1916/75 stipulates that the award shall be made to the
tenderer or tenderers whose tenders quote a levy equal
to or higher than the minimum;Whereas it follows from applying these rules to the
present situation on the market for the cereal in ques-
tion that the minimum export levy should be fixed as
shown in Article 1; whereas the tonnage to which
this minimum applies is 35 000 metric tons;Whereas the measures provided for in this Decision
are in accordance with the Opinion of the Manage-
ment Committee for Cereals,

HAS ADOPTED THIS DECISION:

*Article 1*The minimum export levy for barley fixed on the
basis of tenders submitted for 18 September 1975 is
hereby fixed at 2.59 units of account per metric ton.*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 18 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.⁽²⁾ OJ No L 72, 20. 3. 1975, p. 14.⁽³⁾ OJ No L 201, 21. 7. 1973, p. 10.⁽⁴⁾ OJ No L 11, 16. 1. 1975, p. 2.⁽⁵⁾ OJ No 125, 26. 6. 1967, p. 2453/67.⁽⁶⁾ OJ No L 11, 16. 1. 1975, p. 3.⁽⁷⁾ OJ No L 195, 26. 7. 1975, p. 15.⁽⁸⁾ OJ No C 169, 26. 7. 1975, p. 14.

COMMISSION DECISION**of 24 September 1975****fixing the minimum export levy for the fifth partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75****(75/594/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 3330/74⁽¹⁾ of 19 December 1974 on the common organization of the market in sugar, and in particular Article 17 (5) thereof ;

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

Whereas Commission Regulation (EEC) No 2101/75⁽³⁾ of 11 August 1975 on a standing invitation to tender to determine levies and/or refunds on export of white sugar requires Member States to carry out partial invitations to tender for the export of white sugar ;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2101/75 a minimum export levy shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question ;

Whereas, following an examination of the tenders submitted in response to the fifth partial invitation to tender, the provisions set out in Article 1 should be adopted ;

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

HAS ADOPTED THIS DECISION :

Article 1

The minimum export levy for the fifth partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75 is hereby fixed at 0.250 unit of account per 100 kilogrammes.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 24 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽³⁾ OJ No L 214, 12. 8. 1975, p. 5.

COMMISSION DECISION

of 25 September 1975

fixing the maximum export refund for common wheat under the invitation to tender issued in Regulation (EEC) No 1841/75

(75/595/EEC)

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 665/75⁽²⁾;

Having regard to Council Regulation No 139/67/EEC⁽³⁾ of 21 June 1967 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds, as last amended by Regulation (EEC) No 87/75⁽⁴⁾, and in particular Article 4a thereof;

Having regard to Commission Regulation (EEC) No 1841/75⁽⁵⁾ of 17 July 1975 on an invitation to tender for the levy and/or the refund for the export of common wheat to the countries of Zone I and Portugal, and in particular Article 10 (1) thereof;

Whereas an invitation to tender for the export levy and/or refund on common wheat was issued under Regulation (EEC) No 1841/75; whereas the notice of invitation to tender⁽⁶⁾ associated with this Regulation specified that the total tonnage for which the export levy and/or refund could be fixed was approximately 600 000 metric tons;

Whereas Article 10 (1) of Regulation (EEC) No 1841/75 allows the Commission, in accordance with the procedure laid down in Article 26 of Regulation No 120/67/EEC, to fix a maximum export refund; whereas, when this maximum refund is being fixed, account must be taken of the criteria set out in Articles 2 and 3 of Regulation No 139/67/EEC; whereas

Article 10 (2) of Regulation (EEC) No 1841/75 stipulates that the award is made to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy;

Whereas it follows from applying these rules to the present situation on the market for the cereal in question that the maximum export refund should be fixed as shown in Article 1; whereas the tonnage to which this maximum applies is 15 000 metric tons;

Whereas the Management Committee for Cereals has not issued any opinion within the time allowed for by its Chairman,

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for common wheat fixed on the basis of tenders submitted for 25 September 1975 is hereby fixed at 6.95 units of account per metric ton.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 72, 20. 3. 1975, p. 14.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2453/67.

⁽⁴⁾ OJ No L 11, 16. 1. 1975, p. 3.

⁽⁵⁾ OJ No L 187, 18. 7. 1975, p. 20.

⁽⁶⁾ OJ No C 162, 18. 7. 1975, p. 7.

COMMISSION DECISION

of 25 September 1975

to take no action on tenders submitted for 25 September 1975 in response to the invitation to tender issued in Regulation (EEC) No 1916/75

(75/596/EEC)

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 665/75⁽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 86/75⁽⁴⁾, and in particular Article 4 (2) thereof;

Having regard to Council Regulation No 139/67/EEC⁽⁵⁾ of 21 June 1967 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds, as last amended by Regulation (EEC) No 87/75⁽⁶⁾, and in particular Article 4a thereof;

Having regard to Commission Regulation (EEC) No 1916/75⁽⁷⁾ of 25 July 1975 on an invitation to tender for the levy and/or the refund for the export of barley to the countries of Zones I, II and III, and in particular Article 10 (1) thereof;

Whereas an invitation to tender for the export levy and/or refund on barley was issued under Regulation (EEC) No 1916/75;

Whereas Article 10 (1) of Regulation (EEC) No 1916/75 allows the Commission to decide, in accordance with the procedure laid down in Article 26 of Regulation No 120/67/EEC, and on the basis of tenders submitted, either to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation No 139/

67/EEC, or to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 1968/73, or to discontinue the invitation to tender;

Whereas none of the tenders submitted make it possible, given the present market situation for the cereal in question, to fix a maximum refund in accordance with the criteria laid down in Articles 2 and 3 of Regulation No 139/67/EEC or a minimum levy in accordance with the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 1968/73; whereas the invitation to tender should therefore be discontinued;

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

HAS ADOPTED THIS DECISION:

Article 1

No action shall be taken on the tenders submitted for 25 September 1975 in response to the invitation to tender for the export levy and/or refund on barley referred to in Regulation (EEC) No 1916/75.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 72, 20. 3. 1975, p. 14.

⁽³⁾ OJ No L 201, 21. 7. 1973, p. 10.

⁽⁴⁾ OJ No L 11, 16. 1. 1975, p. 2.

⁽⁵⁾ OJ No 125, 26. 6. 1967, p. 2453/67.

⁽⁶⁾ OJ No L 11, 16. 1. 1975, p. 3.

⁽⁷⁾ OJ No L 195, 26. 7. 1975, p. 15.