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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 2709/76
of 9 November 1976**

fixing the import levies on cereals and on wheat or rye flour groats and meal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1143/76 ⁽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 1882/76 ⁽³⁾ and subsequent amending
Regulations ;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 1882/76, 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 products listed in
Article 1 (a), (b) and (c) of Regulation (EEC) No
2727/75 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 10
November 1976.

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

Done at Brussels, 9 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 130, 19. 5. 1976, p. 1.

⁽³⁾ OJ No L 206, 31. 7. 1976, p. 62.

ANNEX

to the Commission Regulation of 9 November 1976 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	74.47
10.01 B	Durum wheat	126.20 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	56.73 ⁽⁶⁾
10.03	Barley	40.64
10.04	Oats	39.33
10.05 B	Maize other than hybrid maize for sowing	55.32 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	55.24 ⁽⁴⁾
10.07 C	Grain sorghum	56.00 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	115.43
11.01 B	Rye flour	90.58
11.02 A I a	Durum wheat groats and meal	206.29
11.02 A I b	Common wheat groats and meal	124.16

⁽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 tons as provided for in Regulation (EEC) No 706/76.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.50 u.a./metric ton.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽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 2754/75 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 2710/76**of 9 November 1976****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1143/76 ⁽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
1883/76 ⁽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 (EEC) No 2727/75, 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 10
November 1976.

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

Done at Brussels, 9 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 130, 19. 5. 1976, p. 1.

⁽³⁾ OJ No L 206, 31. 7. 1976, p. 64.

ANNEX

to the Commission Regulation of 9 November 1976 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.a./metric ton)

CCT heading No	Description of goods	Current 11	1st period 12	2nd period 1	3rd period 2
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	2.28	2.28	2.28
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

B. Malt

(u.a./metric ton)

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

COMMISSION REGULATION (EEC) No 2711/76
of 9 November 1976
fixing the minimum import levies on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1707/73⁽²⁾,

Having regard to Council Regulation No 162/66/EEC of 27 October 1966 on trade in oils and fats between the Community and Greece⁽³⁾,

Having regard to Council Regulation (EEC) No 601/76 of 15 March 1976 laying down special measures in particular for the determination of the offers of olive oil on the world market⁽⁴⁾, and in particular Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 602/76 of 15 March 1976 laying down special measures in particular for the determination of the offers of olive oil on the Greek market⁽⁵⁾, and in particular Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil from Algeria⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil from Morocco⁽⁷⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil from Tunisia⁽⁸⁾, and in particular Article 5 thereof,

Whereas, in Regulation (EEC) No 1362/76 of 14 June 1976⁽⁹⁾, the Commission decided to use the tendering procedure to fix the levies on olive oil;

Whereas Article 4 of Commission Regulation (EEC) No 1046/76 of 4 May 1976 on detailed rules for the implementation of the special measures for the determination of offers of olive oil on the world market

and the Greek market⁽¹⁰⁾, lays down the criteria for fixing the rate of the minimum levy;

Whereas that rate must be fixed for each of the products concerned on the basis of an examination of the world or Greek markets and of the Community market, and also of the levy rates indicated by the tenderers;

Whereas account should be taken of the oil content of products other than olive oil; whereas, however, no levies are applied to imports of oil-cake and other residues falling within subheading 23.04 A of the Common Customs Tariff and having an oil content of not more than 3 %;

Whereas account should be taken in applying the levy of the provisions of the agreements between the Community and certain non-member countries; whereas, in particular, the levy must be calculated on the basis of the levy to be collected on imports from non-member countries;

Whereas Commission Regulation (EEC) No 2661/76 of 29 October 1976⁽¹¹⁾, has foreseen special conditions for tendering procedures for fixing the levy on olive oil during November 1976;

Whereas the application of the rules described above to the levy rates submitted by tenderers between 1 and 8 November 1976 results in the fixing of the minimum levies as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on imports of olive oil shall be as shown in the Annex.

Article 2

This Regulation shall enter into force on 10 November 1976.

⁽¹⁰⁾ OJ No L 119, 6. 5. 1976, p. 7.

⁽¹¹⁾ OJ No L 300, 30. 10. 1976, p. 60.

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No 197, 29. 10. 1966, p. 3393/66.

⁽⁴⁾ OJ No L 72, 18. 3. 1976, p. 1.

⁽⁵⁾ OJ No L 72, 18. 3. 1976, p. 3.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁸⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁹⁾ OJ No L 154, 15. 6. 1976, p. 13.

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

Done at Brussels, 9 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

(u.a. / 100 kg)

CCT heading No	Greece	Non-member countries
07.01 N II	7.00	9.00
07.03 A II	7.00	8.00
15.07 A I a)	36.00	50.00 ⁽¹⁾
15.07 A I b)	56.00	103.00 ⁽²⁾
15.07 A II a)	32.50	42.00 ⁽³⁾
15.07 A II b)	37.50	65.00 ⁽³⁾
15.17 A I	16.00	21.00
15.17 A II	26.00	34.00
23.04 A	3.00	3.00 ⁽⁴⁾

⁽¹⁾ For imports of oil falling within this tariff subheading and produced entirely in Algeria, Morocco or Tunisia and transported directly from those countries to the Community, the levy to be collected is reduced by 3.20 u.a. / 100 kg.

⁽²⁾ For imports of oil falling within this tariff subheading and produced entirely in Algeria, Morocco or Tunisia and transported directly from those countries to the Community, the levy to be collected is reduced by 6 u.a. / 100 kg.

⁽³⁾ For imports of oil falling within this tariff subheading and produced entirely in one of the countries listed below and transported directly from those countries to the Community, the levy to be collected is reduced by:

(a) Greece and Spain: 0.50 u.a. / 100 kg;

(b) Turkey: 0.50 u.a. / 100 kg; in addition, and provided that the operator furnishes proof of having paid the export tax applied by Turkey, the levy is reduced by 4.5 u.a. / 100 kg;

(c) Algeria, Morocco, Tunisia: 20.50 u.a. / 100 kg provided that the operator furnishes proof of having paid the export tax applied by those countries; however, the repayment may not exceed the amount of the tax in force.

⁽⁴⁾ Pursuant to Article 3 of Regulations (EEC) No 601/76 and (EEC) No 602/76, no import levy is collected on oil-cake and other residues falling within subheading 23.04 A of the Common Customs Tariff and having an oil content of not more than 3 %.

COMMISSION REGULATION (EEC) No 2712/76**of 9 November 1976****amending Regulation (EEC) No 221/72 as regards the qualifying date for the takeover of intervention beef meat for which the maximum tolerance for weight losses resulting from storage applies**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2788/72⁽²⁾,

Having regard to Council Regulation (EEC) No 2305/70 of 10 November 1970 on the financing of intervention expenditure in respect of the domestic market in beef and veal⁽³⁾, as last amended by Regulation (EEC) No 1174/75⁽⁴⁾, and in particular Article 3 (2) (c) thereof,

Whereas Commission Regulation (EEC) No 221/72 of 31 January 1972 fixing the coefficients for determining the book value and the margin of tolerance for the quantity loss resulting from the storage of beef under intervention⁽⁵⁾, as last amended by Regulation (EEC) No 785/76⁽⁶⁾, has fixed 1 January 1976 as the date before which beef must be taken over by the intervention agencies in order for the margin of tolerance to apply;

Whereas this date should be deferred to 1 January 1977 in the light of the experience of the Member States during intervention and the rate of the margin of tolerance should be maintained for the time being;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 (2) of Regulation (EEC) No 221/72 the date '1 January 1976' is hereby replaced by '1 January 1977'.

Article 2

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

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

Done at Brussels, 9 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 295, 30. 12. 1972, p. 1.

⁽³⁾ OJ No L 249, 17. 11. 1970, p. 1.

⁽⁴⁾ OJ No L 117, 7. 5. 1975, p. 7.

⁽⁵⁾ OJ No L 27, 1. 2. 1972, p. 54.

⁽⁶⁾ OJ No L 92, 7. 4. 1976, p. 7.

COMMISSION REGULATION (EEC) No 2713/76

of 9 November 1976

concerning an invitation to tender for the costs of delivery of skimmed-milk powder as food aid to India

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 559/76⁽²⁾, and in particular Article 7 (5) thereof,

Whereas Council Regulation (EEC) No 1299/76 of 1 June 1976 on the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1976 programme⁽³⁾, provides *inter alia* for 5 000 metric tons of skimmed-milk powder to be made available to India; whereas this country has made a request of delivery of the abovementioned quantity;

Whereas under Article 5 of Council Regulation (EEC) No 1298/76 of 1 June 1976 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1976 programme⁽⁴⁾, as last amended by Regulation (EEC) No 2017/76⁽⁵⁾, invitations to tender must be issued for the delivery costs in respect of these quantities;

Whereas the tendering procedure should essentially be that laid down 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. In accordance with the provisions of Regulations (EEC) No 1298/76 and (EEC) No 1299/76, tenders shall be invited for the costs of delivery of 5 000 metric tons of skimmed-milk powder for India and divided into the following lots:

— lot A 1: 1 000 metric tons to be delivered to the unloading port of Calcutta,

- lot A 2: 1 000 metric tons to be delivered to the port of unloading of Calcutta,
- lot B 1: 1 000 metric tons to be delivered to the port of unloading of Bombay,
- lot B 2: 1 000 metric tons to be delivered to the port of unloading of Bombay,
- lot B 3: 1 000 metric tons to be delivered to the port of unloading of Bombay.

2. The skimmed-milk powder shall meet the requirements for quality and packing set out in the Annex to Commission Regulation (EEC) No 1108/68 of 27 July 1968 on detailed rules of application for public storage of skimmed-milk powder⁽⁶⁾, as last amended by Regulation (EEC) No 1457/75⁽⁷⁾.

3. The skimmed-milk powder shall be taken from the German intervention agency.

4. The intervention agency shall supply 2 % extra empty bags identical to those containing the goods. The tenderer undertakes to have these bags mentioned on the bill of lading.

5. Loading shall take place:

- as regard to lots A 1 and A 2: not later than 15 January 1977;
- as regard to lots B 1, B 2 and B 3: after 1 and before 15 March 1977.

6. The packing of the skimmed-milk powder shall bear the following in letters at least one centimetre high:

'Skimmed-milk powder non-enriched / Gift of the European Economic Community to the Republic of India'.

Article 2

1. The German intervention agency 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.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 146, 4. 6. 1976, p. 5.

⁽⁴⁾ OJ No L 146, 4. 6. 1976, p. 3.

⁽⁵⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁶⁾ OJ No L 184, 29. 7. 1968, p. 24.

⁽⁷⁾ OJ No L 145, 6. 6. 1975, p. 17.

2. The closing date for the submission of tenders shall be 23 November 1976 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. A tender shall be valid only if it relates to the entire quantity of a lot put out to tender.

A tender shall relate only to the lots designated by the same capital letter. The tenderer shall make precise in his tender for how many lots — under these conditions — it is valid.

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 German marks, at which the tenderer undertakes to supply, in accordance with the specifications, the entire quantity which is the subject of his tender.

Such price shall be inclusive of transport insurance costs until the stage fixed for the delivery.

4. A tender shall be valid only if the 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. The tender may not be withdrawn.

Article 4

1. The tendering and delivery security shall be two 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 are received, the award shall be made by drawing lots.

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.

5. The German intervention agency shall immediately inform the Commission of the successful tenderer's name and address.

Article 7

1. The successful tenderer shall deliver the skimmed-milk powder satisfying the requirements as to quality and packing referred to in Article 1 (2).

2. Delivery at the port of unloading shall be considered as completed when the goods are actually deposited in the hold of the ship at the port of unloading.

3. The country of destination shall bear all expenditure incurred after delivery including unloading costs (as unstowing, hoisting, acceptance) as well as eventual lighterage.

Article 8

Any demurrage costs or dispatch money at the port of unloading shall be borne or at the benefit of the recipient country. 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 country of destination's agent.

Article 9

1. The intervention agency concerned shall as soon as possible after the putting on board of the goods, notify the country of destination of the name of the vessel, the date of loading, the quantity and the quality of the goods as recorded at the time of loading and the port of unloading.

2. The successful tenderer shall inform the country of destination at least 10 clear days in advance of the expected date of arrival of the ship in the port of unloading.

3. The successful tenderer shall have included in the terms of the charter-party a provision stipulating that the ship's captain shall inform the country of destination at least 72 hours in advance of the ship's probable date of arrival in port.

Article 10

1. At the time of taking over, the successful tenderer shall check that the quantity of skimmed-milk powder collected satisfies the quantity to be supplied.

Moreover, he shall check that the packing of the skimmed-milk powder satisfies the requirements fixed in Article 1 (2).

2. On delivery effected within the meaning of Article 7 (2), the country of destination shall issue a certificate proving taking delivery of that quantity of skimmed-milk powder at the stage specified in Article 1 (1).

Article 11

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

- (a) the tender has not been awarded;
- (b) the tenderer:
 - has not withdrawn his tender before the contract is awarded,
 - has furnished the certificates provided for in Article 10 (2).

2. Release of the security shall take place immediately.

Article 12

In cases of *force majeure*, the selling 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 (3) (c) shall be paid only on production of the certificates provided for in Article 10 (2).

Article 14

Except in cases for *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 Article 1 (5).

Costs incurred by reason of failure to deliver the skimmed-milk powder as a result of *force majeure* shall be borne by the German intervention agency.

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, 9 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2630/76 of 29 October 1976 altering the monetary compensatory amounts for pigmeat

(Official Journal of the European Communities, No L 301 of 30 October 1976)

Page 29, Annex, column 'Italia', CCT heading No 02.01 A III a) 2 :

for : '24 592',

read : '24 692'.
