

Official Journal

of the European Communities

Volume 19 No L 325

24 November 1976

English Edition

Legislation

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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 2822/76
of 23 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 24
November 1976.

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

Done at Brussels, 23 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 23 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	76.74
10.01 B	Durum wheat	128.48 ⁽¹⁾ ⁽³⁾
10.02	Rye	57.49 ⁽⁶⁾
10.03	Barley	44.43
10.04	Oats	43.13
10.05 B	Maize other than hybrid maize for sowing	56.84 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	56.00 ⁽⁴⁾
10.07 C	Grain sorghum	56.95 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	117.81
11.01 B	Rye flour	91.64
11.02 A I a	Durum wheat groats and meal	209.82
11.02 A I b	Common wheat groats and meal	126.73

⁽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 2823/76**of 23 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 24
November 1976.

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

Done at Brussels, 23 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 23 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	3.61	3.61	3.61
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 2824/76**of 23 November 1976****amending for the tenth time Regulation (EEC) No 2042/75 on special detailed rules for the application of the system of import and export licences for cereals and rice**

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 organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1143/76⁽²⁾, and in particular Article 12 (2) thereof,

Whereas Commission Regulation (EEC) No 2042/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾, as last amended by Regulation (EEC) No 2325/76⁽⁴⁾, provides that the export licence for products falling within heading No 11.07 of the Common Customs Tariff shall be valid until the end of the fourth month following that of issue; whereas, to take account of international practice in the malt trade, Article 9 (a) thereof makes provision for a longer period of validity; whereas experience has shown that this derogation is not necessary for malt in the form of flour falling within subheadings 11.07 A I a) and 11.07 A II a) which is used solely in the food sector; whereas the terms of international trade in these products are the same as those for trade in other processed cereal products, and therefore licences for these products should be granted in accordance with the general provisions;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 9 (a) (1) of Regulation (EEC) No 2042/75 is hereby amended to read as follows:

'1. By way of derogation from Article 9, the export licence for products falling within Common Customs Tariff subheadings 11.07 A I b), 11.07 A II b) and 11.07 B be valid from the day of issue, within the meaning of Article 9 (1) of Regulation (EEC) No 193/75 until the end of the eleventh month following that of issue, where the application is made for export to:

- (a) Zone VI as defined in Regulation (EEC) No 306/76,
- (b) as sub-zone defined in the abovementioned Regulation, in the case of destinations not provided for under (c),
- (c) a third country of destination in Europe, including Malta, Turkey and the Soviet Union.

In this case, the destination shall be indicated in section 13 of the licence, and the licence shall carry the obligation to export the said destination.'

Article 2

The Regulation shall enter into force on 1 December 1976.

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

Done at Brussels, 23 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 213, 11. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 261, 25. 9. 1976, p. 33.

COMMISSION REGULATION (EEC) No 2825/76

of 23 November 1976

on a standing invitation to tender for the mobilization of Community white sugar for UNRWA as food aid

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 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1487/76⁽²⁾, and in particular Articles 17, 19 and 34 thereof,

Having regard to Council Regulation (EEC) No 1034/76 of 30 April 1976 on the supply of white sugar to UNRWA as food aid⁽³⁾, and in particular Article 1 (3) and (4) thereof,

Whereas Article 1 (1) of Regulation (EEC) No 1034/76 provides for the supply to the United Nations Relief and Works Agency, hereinafter referred to as 'UNRWA', for Palestine refugees of white sugar produced and in free circulation within the Community; whereas, in view of its destination, that white sugar should be of Grade 1 as defined in Commission Regulation (EEC) No 1280/71 of 18 June 1971 laying down detailed rules for the buying-in of sugar by intervention agencies⁽⁴⁾, as last amended by Regulation (EEC) No 1763/76⁽⁵⁾;

Whereas Article 2 of Regulation (EEC) No 1034/76 lays down that the Community shall meet the costs of the sugar and of its transport to the port of destination;

Whereas, for purposes of mobilization of the goods by tender, the appropriate rules of the common organization of the market in sugar governing invitations to tender should be followed;

Whereas Commission Regulation (EEC) No 1380/75 of 29 May 1975 laying down detailed rules for the application of monetary compensatory amounts⁽⁶⁾, as last amended by Regulation (EEC) No 1834/76⁽⁷⁾, provides that no monetary compensatory amounts shall apply where products which are the subject of Community food aid operations and mobilized on the Community market, are exported to third countries;

Whereas it should be laid down that export refunds and levies are not applicable to this invitation to tender;

Whereas tenders may be submitted by tenderers established in various Member States of the Community and may relate to sugar to be mobilized in those Member States; whereas, in view of the situation regarding the currencies of Member States and in order to ensure that tenders are closely comparable, account should be taken of the effect upon each tender of the position of the currency of the Member State where the customs export formalities will be completed;

Whereas the Monetary Committee will be consulted; whereas, owing to the urgency of the matter, the proposed measures should be adopted under the conditions laid down in Article 3 (2) of Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁸⁾, as last amended by Regulation (EEC) No 2543/73⁽⁹⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Member States shall issue a standing invitation to tender for the supply to UNRWA, as Community food aid, of a total of 6 102 metric tons of white sugar produced and in free circulation within the Community, and during the period of validity of the standing invitation they shall each week organize partial tenders.

The said quantity shall be divided into three lots, A 1, A 2 and A 3.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1976, p. 9.

⁽³⁾ OJ No L 118, 5. 5. 1976, p. 1.

⁽⁴⁾ OJ No L 133, 19. 6. 1971, p. 34.

⁽⁵⁾ OJ No L 197, 23. 7. 1976, p. 32.

⁽⁶⁾ OJ No L 139, 30. 5. 1975, p. 37.

⁽⁷⁾ OJ No L 203, 29. 7. 1976, p. 30.

⁽⁸⁾ OJ No 106, 30. 12. 1962, s. 2553/62.

⁽⁹⁾ OJ No L 263, 19. 9. 1973, p. 1.

2. The standing invitation shall relate to the price of each of lots A 1, A 2 and A 3 delivered to the port of destination, on quayside or in lighter. The composition of the lots shall be as stated in the Annex hereto. The sugar must be of Grade 1 as defined in Article 11 (1) of Regulation (EEC) No 1280/71.

3. No export levy or refund shall apply in respect of the quantity referred to in paragraph 1.

Article 2

Partial tenders during the period of validity of the standing invitation shall be organized in accordance with Regulation (EEC) No 1034/76 and with the following provisions.

Article 3

The standing invitation to tender shall remain open until the date of the partial tender at which are awarded contracts for the prices of the lots referred to in Article 1 or, as the case may be, at which is awarded a contract for the remaining lot. The standing invitation shall thereupon automatically close with effect from that date.

Article 4

1. Tenders in respect of the first partial award may be submitted from the day of publication of the standing invitation to tender in the *Official Journal of the European Communities* until 1 December 1976 at 10 a.m.

2. For subsequent partial awards tenders may be submitted:

- (a) from the first working day following the expiry of the preceding period for the submission of tenders,
- (b) until the Wednesday of the following week at 10 a.m.

3. By way of derogation from paragraph 2 (b), the time limit for tenders due by Wednesday, 8 December 1976 shall be advanced to Tuesday, 7 December 1976 at 10 a.m.

4. By way of derogation from paragraph 2, no partial award will be made on Wednesday 29 December 1976.

5. The time limits set in this Article shall be advanced by one hour in Ireland and the United Kingdom in the period during which summer time does not apply in those Member States.

Article 5

1. Member States shall draw up a notice of invitation to tender. That notice shall be published in the *Official Journal of the European Communities*.

Member States may also publish it or arrange for it to be published elsewhere.

2. The said notice shall be published only for the purpose of opening the standing invitation to tender. The notice may be amended during the period of validity of the standing invitation. It shall be amended if the terms of the invitation to tender are amended during that period of validity.

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

Article 6

1. Tenderers may either deliver written tenders in person to the competent authority of the Member State in question against a receipt, or address them to the competent authority by registered letter, telex or telegram.

2. Tenders shall state:

- (a) the reference number of the invitation to tender;
- (b) the lot number;
- (c) the name and address of the tenderer;
- (d) the price proposed for the lot in question, expressed in the currency of the Member State referred to in (e);
- (e) the Member State in which the tenderer, in the event of his being successful, intends to complete the customs formalities for the export of the sugar.

3. A tender shall be valid only if:

- (a) it relates to the price referred to in Article 1 (2);
- (b) before the time limit for the submission of tenders proof is furnished that the security for tender referred to in Article 7 has been provided;
- (c) it includes a declaration by the tenderer that, if awarded a contract, he will deliver the sugar in accordance with the provisions of this Regulation and export it from the Member State referred to in paragraph 2 (e).

4. Any tender which is not submitted in accordance with the provisions of this Article, or which contains terms other than those indicated in the notice of invitation to tender, shall not be considered.

5. Once submitted a tender may not be withdrawn.

Article 7

1. The security for tender shall be 56 000 units of account for lot A 1, 88 000 units of account for lot A 2, and 100 080 units of account for lot A 3.

2. The security shall be provided, at the tenderer's choice, either in cash or in the form of a guarantee by an establishment complying with the criteria laid down by the Member State in which the tender is submitted.

3. Except in case of *force majeure*, the security shall be released only if:

- (a) the successful tenderer has delivered the sugar to the port of destination, on quayside or in lighter, in accordance with the prescribed conditions, and after production of copy No 1 of the export licence duly endorsed and stamped by the competent authority of the Member State referred to in Article 6 (2) (e);
- (b) the tender is not accepted.

4. In case of *force majeure*, the competent authority shall take such action as it considers necessary having regard to the circumstances invoked by the tenderer.

5. In the case referred to in paragraph 3 (a), the security shall be released when final payment is made as provided in Article 10 (1); in the case referred to in paragraph 3 (b) the security shall be released forthwith.

Article 8

1. Tenders shall be examined in private session by the competent authority. Subject to paragraph 2, persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. The tenders shall be communicated, without names attached thereto, to the Commission without delay.

3. In order that the tenders may be directly comparable, each one shall be adjusted as necessary by the monetary compensatory amount applicable to exports of white sugar from the Member State referred to in Article 6 (2) (e) on the closing date for the submission of tenders. Such adjustment shall be made by:

- increasing the price in the case of tenders specifying a Member State whose currency has depreciated,
- reducing the price in the case of tenders specifying a Member State whose currency has appreciated.

The rates used for converting the tenders thus corrected into units of account shall be:

- in the case of currencies held at any given moment within a band of 2.25 %, the central rate;
- in all other cases, the average spot exchange rate during a week ending on the Tuesday immediately preceding the final date for the submission of tenders.

Article 9

1. The price shall be for delivery on quayside or in lighter at the appropriate port of destination as specified in the Annex hereto.

2. The sugar shall be supplied in new jute bags having the following specifications:

- (a) of a minimum weight of 450 g and a net content of 50 kg lined inside with polyethylene of a minimum thickness of 0.04 mm, or
- (b) of a minimum weight of 420 g and a net content of 50 kg lined inside with polyethylene of a minimum thickness of 0.05 mm; or
- (c) of a minimum weight of 700 g and a net content of 100 kg lined inside with polyethylene of a minimum thickness of 0.07 mm.

The bags shall be clearly and indelibly marked on the outside: 'White sugar / Gift of the European Economic Community to UNRWA / For the benefit of Palestine refugees'.

3. The sugar in question must have been produced and put into free circulation within the Community.

4. The sugar must be delivered to the ports of destination by the date specified in the Annex. For the purposes of this paragraph delivery shall be considered as having been effected when the ship has entered the specified port of destination with the goods still on board.

If a contract is not awarded for any lot of sugar at the first partial award, the date of delivery shall be deferred for a period equal to that running from the date of the first partial award until the date of the partial award at which a contract is awarded.

5. Sampling and analysis shall be carried out by experts approved by the authorities of the Member State referred to in Article 15 (1). All costs of weighing, sampling and quality control at the time of loading shall be paid by that Member State. That State shall collect from the successful tenderer fixed charges in respect of the said costs of 1 400 units of account for lot A 1, 2 200 units of account for lot A 2 and 2 502 units of account for lot A 3, which charges the tenderer should therefore include in his tender. The appropriate fixed charge shall be paid at the time of exportation.

Article 10

1. Without prejudice to Article 15 (2), the competent authority of the exporting Member State shall make a provisional payment to the successful tenderer equal to 90 % of the price quoted in his tender, on production by him of proof that the lot of sugar in question has been delivered, within the meaning of Article 9 (4), to the specified port of destination. This proof shall consist of a certificate from a specialized international control and surveillance agency approved by UNRWA.

In addition, the tenderer shall submit one copy of the shipping document to the competent authority referred to in the previous subparagraph.

Final payment shall be made as soon as the said authority has received the documents drawn up by UNRWA certifying that the sugar has been delivered to the stipulated port of destination on quayside or in lighter, in accordance with the prescribed conditions. Those documents shall be sent directly by UNRWA to the said authority as soon as possible.

2. If the export formalities in respect of the sugar are completed in a Member State other than that in which the contract was awarded to the successful tenderer, the competent authority of the exporting Member State shall for purposes of Article 7 immediately inform the authority which awarded the contract of final payment in accordance with paragraph 1.

Article 11

After examination of the tenders, the maximum price for each lot of sugar for delivery shall be fixed in accordance with the procedure laid down in Article 36 of Regulation (EEC) No 3330/74. A decision may, however, be taken to make no award in respect of a partial tender.

Article 12

1. Except where a decision is taken to make no award in respect of a partial tender, and without prejudice to paragraph 2, the contract shall be awarded to the tenderer whose tender, when converted into units of account, is the lowest for the lot in question, after taking into account the adjustment referred to in Article 8 (3).

2. Where there is more than one acceptable tender at the same price for the same lot, the successful tenderer shall be chosen by drawing lots.

Article 13

1. Every successful tenderer shall have :

- (a) the right to receive from the Member State in which the tender was submitted an export licence in respect of the relevant quantity specifying that the monetary compensatory amounts on exports to third countries do not apply and bearing the endorsement 'Supplies to UNRWA for export from (exporting Member State indicated in the tender) without levy or refund — Regulation (EEC) No 2825/76';
- (b) subject as otherwise provided in this Regulation, the right to receive payment of the price quoted in the tender for the lot in question;

(c) the obligation to apply to the Member State referred to in (a) for a licence as aforesaid for the sugar in question and to deliver, that sugar in accordance with the terms of the notice of invitation to tender.

2. The rights and obligations arising from the award of a contract shall not be transferable.

Article 14

1. The competent authorities shall immediately notify all tenderers of the outcome of their tenders and shall also send a statement of award to every successful tenderer.

2. The statement of award shall specify at least :

- (a) the reference number of the invitation to tender;
- (b) the lot number;
- (c) the price accepted, expressed in the currency of the exporting Member State.

Article 15

1. The successful tenderer shall be responsible for all operations arising from the award of a contract pursuant to this Regulation, and must in particular inform the competent authority of the exporting Member State and UNRWA as soon as possible of :

- (a) the name of the vessel and the date of loading;
- (b) the expected date of arrival of the vessel at the port of destination.

The said authority must communicate that information to the Commission as quickly as possible and, where appropriate, to the authority which awarded the contract.

2. Without prejudice to Article 7 (3) the price accepted shall be reduced by :

- (a) 0.60 unit of account per 100 kg of sugar if the sugar is of Grade 2 as defined in Regulation (EEC) No 793/72⁽¹⁾;
- (b) 0.10 unit of account per 100 kg of sugar per day if the sugar is delivered after the prescribed date, except where late delivery is recognized by the competent authority which awarded the tender as due to *force majeure*.

3. If the sugar is of a grade lower than that stipulated in paragraph 2 (a) it shall be rejected at tenderer's risk.

Article 16

This Regulation shall enter into force on 24 November 1976.

⁽¹⁾ OJ No L 94, 21. 4. 1972, p. 1.

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

Done at Brussel, 23 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

Lot	Port of loading	Quantity (metric tons)	Quality	Port of destination	Latest date for delivery ⁽¹⁾
A 1	Community ports	1 400	Grade 1	Lattakia or Tartous (Syria)	24 January 1977
A 2	Community ports	2 200	Grade 1	Aqaba (Jordan)	24 January 1977
A 3	Community ports	2 502	Grade 1	Ashdod or Haifa (Israel)	24 January 1977

⁽¹⁾ Without prejudice to the second subparagraph of Article 9 (4) of this Regulation.

COMMISSION REGULATION (EEC) No 2826/76
of 23 November 1976
amending the export refunds on beef and veal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
805/68 of 27 June 1968 on the common organization
of the market in beef and veal ⁽¹⁾, as last amended by
Regulation (EEC) No 568/76 ⁽²⁾, and in particular the
first sentence of Article 18 (5) thereof,

Whereas the export refunds on beef and veal were
fixed by Commission Regulation (EEC) No
2492/76 ⁽³⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2492/76
to the information at present available to the Commis-
sion that the export refunds at present in force in
respect of the products listed in the Annex to this
Regulation should be altered as shown in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on beef and veal as fixed in the
Annex to Regulation (EEC) No 2492/76 are hereby
altered, in respect of the products listed in the Annex
to this Regulation, to the amounts shown therein.

Article 2

This Regulation shall enter into force on 24
November 1976.

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

Done at Brussels, 23 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 28.

⁽³⁾ OJ No L 283, 14. 10. 1976, p. 17.

ANNEX

CCT heading No	Description of goods	Refund in u.a./100 kg (net weight)
ex 02.01 A II a) 2 dd) ex 22	Boned or boneless excluding the thin flanks and the shin : — For export to the United States of America	58.00 ⁽¹⁾

⁽¹⁾ For Ireland and the United Kingdom the refund fixed above must be reduced by the compensatory amount pursuant to Article 12
(1) of Regulation (EEC) No 181/73 (OJ No L 25, 30.1.1973, p. 9).

COMMISSION REGULATION (EEC) No 2827/76**of 23 November 1976****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 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1487/76⁽²⁾, 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 2649/76⁽³⁾, as last amended by Regulation (EEC) No 2774/76⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2649/76

to the information at present available to the Commission 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 0.1844 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 24 November 1976.

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

Done at Brussels, 23 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1976, p. 9.

⁽³⁾ OJ No L 300, 30. 10. 1976, p. 37.

⁽⁴⁾ OJ No L 317, 17. 11. 1976, p. 9.

COMMISSION REGULATION (EEC) No 2828/76
of 23 November 1976
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 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1487/76⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1564/76⁽³⁾, as last amended by Regulation (EEC) No 2821/76⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1564/76 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 24 November 1976.

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

Done at Brussels, 23 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1976, p. 9.

⁽³⁾ OJ No L 172, 1. 7. 1976, p. 31.

⁽⁴⁾ OJ No L 324, 23. 11. 1976, p. 8.

ANNEX

to the Commission Regulation of 23 November 1976 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. White sugar	18.44
	B. Raw sugar	17.91 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 15 November 1976

fixing the minimum selling price for butter for the 40th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 232/75

(76/876/EEC)

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 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream⁽³⁾, as last amended by Regulation (EEC) No 2714/72⁽⁴⁾, and in particular Article 7a thereof,

Whereas, pursuant to Commission Regulation (EEC) No 232/75 of 30 January 1975 on the sale of butter at reduced prices for use in the manufacture of pastry products and ice cream⁽⁵⁾, as last amended by Regulation (EEC) No 1980/76⁽⁶⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

Whereas Article 9 of that Regulation provides that, in the light of the tenders received, a minimum selling price must be fixed which may vary according to the use to which the butter is to be put and according to the fat content of the butter; whereas alternatively a decision may be taken not to proceed with the invitation to tender; whereas the amount of the processing

security must be fixed in the light of the difference between the minimum selling price and the market price of the butter;

Whereas Commission Regulation (EEC) No 777/76 of 5 April 1976⁽⁷⁾ reduces the scope of Regulation (EEC) No 232/75 to the butter to be used when processed into pastry products (formula A);

Whereas, in the light of the tenders received in response to the 40th individual invitation to tender, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

For the 40th individual invitation to tender under Regulation (EEC) No 232/75, in respect of which the time limit for the submission of tenders expires on 9 November 1976, the minimum selling price and, without prejudice to the provisions of the second subparagraph of Article 12 (1) of the said Regulation, the processing security shall be as follows:

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 15.

⁽⁵⁾ OJ No L 24, 31. 1. 1975, p. 45.

⁽⁶⁾ OJ No L 217, 10. 8. 1976, p. 14.

⁽⁷⁾ OJ No L 91, 6. 4. 1976, p. 13.

Fat content of the butter	Use to which the butter is to be put (Article 6 (1) (c) of Regulation (EEC) No 232/75)	Minimum selling price in u.a. per 100 kg butter	Processing security in u.a. per 100 kg butter
82 % or more	Formula A	88	155

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION DECISION**of 16 November 1976****fixing the maximum export refund for the 56th partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75****(76/877/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 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1487/76⁽²⁾ and in particular Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 2101/75 of 11 August 1975 on a standing invitation to tender to determine levies and/or refunds on export of white sugar⁽³⁾, as last amended by Regulation (EEC) No 2042/76⁽⁴⁾, 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 maximum export refund 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 56th 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 maximum export refund for the 56th partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75 is hereby fixed at 16.090 units of account per 100 kilogrammes.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 16 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1976, p. 9.

⁽³⁾ OJ No L 214, 12. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 227, 19. 8. 1976, p. 11.

COMMISSION DECISION

of 16 November 1976

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 2592/76, the maximum amount for the costs of delivery of skimmed-milk powder

(Only the English text is authentic)

(76/878/EEC)

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, pursuant to Commission Regulation (EEC) No 2592/76 of 25 October 1976 concerning the invitation to tender for the costs of delivery, as food aid, of skimmed-milk powder to Sri Lanka⁽³⁾, the Irish intervention agency invites tenders for the delivery of one lot of 1 300 metric tons of skimmed-milk powder;

Whereas Article 5 of Commission Regulation (EEC) No 2557/74 of 4 October 1974 concerning the invitation to tender for the costs of delivery, as food aid, of skimmed-milk powder to certain third countries⁽⁴⁾, provides that, in the light of the tenders received, the maximum amount is to be fixed or the tendering procedure is to be cancelled;

Whereas, on the basis of the tenders received, the maximum amount should be that specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 2592/76 shall be 4 688 units of account.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 16 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 296, 27. 10. 1976, p. 5.

⁽⁴⁾ OJ No L 274, 9. 10. 1974, p. 7.

COMMISSION DECISION

of 16 November 1976

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 2584/76, the maximum amount for the costs of delivery of vitaminized skimmed-milk powder to be purchased on the Community market as food aid

(76/879/EEC)

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, pursuant to Commission Regulation (EEC) No 2584/76 of 22 October 1976 concerning the issue of an invitation to tender for the supply to the Yemen Arab Republic for use as food aid, of vitaminized skimmed-milk powder to be purchased on the Community market⁽³⁾, the intervention agencies of the Member States have invited tenders for the costs of supplying 1 500 metric tons of vitaminized skimmed-milk powder divided into three lots of 500 metric tons; whereas Article 5 of this Regulation provides that, in the light of the tenders received, a maximum amount is to be fixed for each lot put up to tender or the tendering procedure is to be cancelled;

Whereas, on the basis of the offers received, the maximum amount for each lot shall be fixed at the following level;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 2584/76 shall be 468 925 units of account for each lot of 500 metric tons.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 16 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 295, 26. 10. 1976, p. 9.

COMMISSION DECISION

of 16 November 1976

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 2573/76, the maximum amounts for the costs of delivery of vitaminized skimmed-milk powder to be purchased on the Community market as food aid

(76/880/EEC)

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, pursuant to Commission Regulation (EEC) No 2573/76 of 22 October 1976 concerning the issue of an invitation to tender for the supply to the Catholic Relief Service and to UNICEF, for use as food aid, of vitaminized skimmed-milk powder, to be purchased on the Community market⁽³⁾, the intervention agencies of the Member States have invited tenders for the costs of supplying a lot of 500 metric tons and a lot of 4 375 metric tons of vitaminized skimmed-milk powder to the Catholic Relief Service and UNICEF respectively; whereas Article 5 of this Regulation provides that in the light of the tenders received, for each lot offered for tender a maximum amount is to be fixed or the tendering procedure is to be cancelled;

Whereas, on the basis of the tenders received, the tendering procedure should be cancelled for Lots A, B, C, D, E, F, H 2, H 3 and H 4 and for the remaining lots the maximum amounts should be those specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The maximum amounts to be set for the purpose of awarding a contract pursuant to Regulation (EEC) No 2573/76 shall be set as follows:

- Lot D: 222 433 units of account,
- Lot G: 224 450 units of account,
- Lot H 1: 549 155 units of account,
- Lot H 5: 517 065 units of account,
- Lot I: 443 748 units of account.

2. The tendering procedure shall be cancelled for Lots A, B, C, E, F, H 2, H 3 and H 4.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 16 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 293, 23. 10. 1976, p. 14.

COMMISSION DECISION

of 16 November 1976

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 2583/76, the maximum amounts for the delivery of butteroil as food aid

(Only the Dutch text is authentic)

(76/881/EEC)

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 6 (7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 2583/76 of 22 October 1976 concerning an invitation to tender for the supply of butteroil as food aid to the World Food Programme for certain third countries⁽³⁾, the Dutch intervention agency has invited tenders for the manufacture and delivery of 675 metric tons of butteroil;

Whereas Article 7 of Commission Regulation (EEC) No 2247/75 of 29 August 1975 concerning conditions for invitations to tender for the costs of manufacture and delivery of butteroil as food aid to certain developing countries and to the World Food Programme⁽⁴⁾, as last amended by Regulation (EEC) No 2212/76⁽⁵⁾, provides that in the light of the tenders received a maximum amount for each lot put out for tender is to be fixed or the tendering procedure is to be cancelled;

Whereas, on the basis of the tenders received, the maximum amounts should be those specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be set for the purpose of awarding a contract pursuant to Regulation (EEC) No 2583/76 shall be fixed as follows:

- | | |
|----------|-----------------------------|
| — Lot A: | 28 302 units of account, |
| — Lot B: | 423 106 units of account, |
| — Lot C: | 1 452 298 units of account. |

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 16 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 295, 26. 10. 1976, p. 7.

⁽⁴⁾ OJ No L 229, 30. 8. 1975, p. 60.

⁽⁵⁾ OJ No L 249, 11. 9. 1976, p. 5.

COMMISSION DECISION

of 16 November 1976

excluding from admission free of Common Customs Tariff duties the scientific apparatus described as 'Tracor 560 Gas Chromatograph'

(76/882/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3195/75 of 2 December 1975 laying down provisions for the implementation of Regulation (EEC) No 1798/75 ⁽²⁾, and in particular Articles 4 and 5 thereof,

Whereas, by letter dated 11 June 1976, the Belgian Government requested the Commission to invoke the procedure laid down in paragraphs 3 to 7 of Article 4 of Regulation (EEC) No 3195/75 in order to determine whether or not the apparatus described as 'Tracor 560 Gas Chromatograph' should be considered to be a scientific apparatus, and where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently manufactured in the Community;

Whereas, in accordance with the provisions of Article 4 (5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all of the Member States met on 28 October 1976 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination shows that the apparatus in question is a high performance gas chromatograph, equipped with a specialized sulphur detector for deter-

mining the degree of atmospheric pollution; whereas, taking account of its special characteristics and the purpose for which it is used, it must in consequence be considered to be a scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of equivalent scientific value capable of use for the same purpose is currently manufactured in the Community,

HAS ADOPTED THIS DECISION:

Article 1

1. The apparatus described as 'Tracor 560 Gas Chromatograph' must be considered to be a scientific apparatus.
2. The conditions referred to in Article 3 (1) (b) of Council Regulation (EEC) No 1798/75 of 10 July 1975 for admission free of Common Customs Tariff duties of the apparatus described in paragraph 1 are not fulfilled.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 16 November 1976.

For the Commission

Finn GUNDELACH

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 316, 6. 12. 1975, p. 17.