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Contents

I *Acts whose publication is obligatory*

- ★ Council Regulation (EEC) No 2994/76 of 9 December 1976 increasing the Community tariff quota opened for 1976 by Regulation (EEC) No 2876/75 for certain plywoods of coniferous species falling within heading No ex 44.15 of the Common Customs Tariff 1
- ★ Council Regulation (EEC) No 2995/76 of 9 December 1976 on the opening, allocation and administration of tariff quotas for certain types of paper and paperboard, falling within subheadings ex 48.01 C II and 48.01 E of the Common Customs Tariff, originating in Portugal (1977) 2
- ★ Council Regulation (EEC) No 2996/76 of 9 December 1976 fixing the activating prices for table wines for the period 16 December 1976 to 15 December 1977 5
- ★ Council Regulation (EEC) No 2997/76 of 9 December 1976 amending for the third time Regulation (EEC) No 1876/74 concerning the addition of alcohol to products in the wine sector 6
- Commission Regulation (EEC) No 2998/76 of 10 December 1976 fixing the import levies on cereals and on wheat or rye flour groats and meal 7
- Commission Regulation (EEC) No 2999/76 of 10 December 1976 fixing the premiums to be added to the import levies on cereals, flour and malt 9
- Commission Regulation (EEC) No 3000/76 of 10 December 1976 opening an invitation to tender for the mobilization of common wheat flour as aid for the Arab Republic of Syria 11
- Commission Regulation (EEC) No 3001/76 of 10 December 1976 concerning the issue of an invitation to tender for the supply to the Comoro Islands, for use as food aid, of vitaminized skimmed-milk powder to be purchased on the Community market 14

Contents (continued)

★ Commission Regulation (EEC) No 3002/76 of 10 December 1976 laying down detailed rules for export refunds in the wine sector	18
★ Commission Regulation (EEC) No 3003/76 of 10 December 1976 amending Regulation No 91/66/EEC of 29 June 1966 as regards the number of returning holdings per division for the 1976 and 1977 accounting years	20
Commission Regulation (EEC) No 3004/76 of 10 December 1976 altering the monetary compensatory amounts for milk and milk products	23
★ Commission Regulation (EEC) No 3005/76 of 10 December 1976 re-establishing the levying of customs duties on builders' carpentry and joinery (including prefabricated and sectional buildings and assembled parquet flooring panels) falling within heading No 44.23, originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3010/75 of 17 November 1975 apply	26
★ Commission Regulation (EEC) No 3006/76 of 10 December 1976 re-establishing the levying of customs duties on building board of wood pulp or of vegetable fibre, etc., falling within heading No 48.09, originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3010/75 of 17 November 1975 apply	27
★ Commission Regulation (EEC) No 3007/76 of 10 December 1976 re-establishing the levying of the customs duties on electric filament lamps for lighting, falling within subheading 85.20 A, originating in Hong Kong to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3010/75 of 17 November 1975 apply	28
★ Commission Regulation (EEC) No 3008/76 of 10 December 1976 re-establishing the levying of customs duties on certain appliances, apparatus, accessories and requisites for gymnastics or athletics, or for sports and outdoor games (other than articles falling within heading No 97.04), falling within subheadings 97.06 B and C, originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3010/75 of 17 November 1975 apply	29
Commission Regulation (EEC) No 3009/76 of 10 December 1976 altering the import levies on products processed from cereals and rice	30

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 2994/76
of 9 December 1976**

increasing the Community tariff quota opened for 1976 by Regulation (EEC) No 2876/75 for certain plywoods of coniferous species falling within heading No ex 44.15 of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Articles 28
and 113 thereof,

Having regard to the proposal from the Commission,

Whereas in Regulation (EEC) No 2876/75⁽¹⁾, the
Council opened and allocated among the Member
States, for certain plywoods of coniferous species
falling within heading No ex 44.15 of the Common
Customs Tariff, a Community tariff quota with zero
duty, the volume of which was fixed at a level of
635 000 m³;

Whereas, on the basis of the most recent data on
these products for 1976, it may be estimated that the
additional imports from non-member countries
required by the Community will amount to 50 000
m³; whereas the size of the quota should be increased
by this quantity to take account of these require-
ments; whereas, in order to safeguard the Community
character of the tariff quota in question, the proposed

increase should be added to the Community reserve
set up under the abovementioned Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The volume of the Community tariff quota
opened by Regulation (EEC) No 2876/75 for certain
plywoods of coniferous species falling within heading
No ex 44.15 of the Common Customs Tariff is hereby
increased from 635 000 to 685 000 m³.

2. This increase of 50 000 m³ shall be added to the
reserve set up by virtue of Article 2 (3) of Regulation
(EEC) No 2876/75 which is thus increased from
20 200 to 70 200 m³.

Article 2

This Regulation shall enter into force on the seventh
day after 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 December 1976.

For the Council

The President

P. J. J. MERTENS

⁽¹⁾ OJ No L 292, 12. 11. 1975, p. 1.

COUNCIL REGULATION (EEC) No 2995/76
of 9 December 1976

**on the opening, allocation and administration of tariff quotas for certain types
of paper and paperboard, falling within subheadings ex 48.01 C II and 48.01 E of
the Common Customs Tariff, originating in Portugal (1977)**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 113
thereof,

Having regard to the proposal from the Commission,

Whereas Article 4 of the Interim Agreement between
the European Economic Community and the Portu-
guese Republic⁽¹⁾ lays down that the Community as
originally constituted and Ireland should open annual
duty-free tariff quotas for Kraftliner and for other
paper and paperboard falling within subheadings ex
48.01 C II and 48.01 E of the Common Customs
Tariff, originating in Portugal, of 42 000 and 1 500
metric tons respectively, which should be increased
yearly by 5 % as from 1 January 1977; whereas the
tariff quotas concerned should be opened for 1977;

Whereas equal and uninterrupted access to the said
quotas should be ensured for all Community impor-

ters and the rates of duty for these quotas should be
applied consistently to all imports of the products in
question into the Member States concerned until the
quotas have been used up; whereas, in the light of the
principles outlined above, arrangements for the utiliza-
tion of the Community tariff quotas based on an allo-
cation among Member States would seem consistent
with the Community nature of the quotas; whereas,
in order that it may correspond as closely as possible
to the actual market trends in the products in ques-
tion, allocation of the quotas should be in proportion
to the requirements of the Member States as calcu-
lated by reference to statistical data on imports of the
said products from Portugal during a representative
reference period and to the economic prospects for
the quota period in question;

Whereas, during the last three years for which statis-
tics are available, the corresponding imports into each
of the Member States represent the following percen-
tages of total imports of the product in question, origi-
nating in Portugal:

Member States	Subheading ex 48.01 C II			Subheading 48.01 E		
	1973	1974	1975	1973	1974	1975
Benelux	—	15.6	20.1	—	—	2.8
Germany	—	24.8	34.7	—	0.1	—
France	38.1	22.6	21.4	99.9	99.9	73.1
Ireland	—	2.9	6.7	0.1	—	24.1
Italy	61.9	34.1	17.1	—	—	—

⁽¹⁾ OJ No L 266, 29. 9. 1976, p. 1.

Whereas, in view of these factors and of market forecasts for the products concerned during the quota period in question, the percentage shares in the quota volumes may be expressed roughly as follows :

Member States	Subheading ex 48.01 C II	Subheading 48.01 E
Benelux	20.1	4
Germany	34.7	6
France	22.4	76
Ireland	5.8	11
Italy	17.0	3

Whereas, in order to take account of future trends in imports of the products in question into the various Member States, each of the quotas should be divided into two tranches, the first to be allocated among all the Member States and the second to form a reserve intended to cover any subsequent requirements of Member States which have used up their initial shares ; whereas, in order to ensure a certain degree of security for importers in each Member State, the first tranche of the tariff quota should be set at a level which in this case might be 75 % of each of the quota volumes ;

Whereas Member States may use up their initial shares at different rates ; whereas, to provide for this eventuality and to avoid disruption of supplies, any Member State which has almost used up any of its initial shares should draw an additional share from the corresponding reserve ; whereas this should be done by each Member State when each of its additional shares has been almost used up, as many times as the reserve allows ; whereas each of the initial and additional shares should be valid until the end of the quota period ; whereas this form of administration requires close collaboration between Member States and the Commission, in which the latter must, in particular, be able to keep a record of the extent to which the quota has been used up and inform the Member States accordingly ;

Whereas, if at a given date in the quota period a considerable quantity of a Member State's initial share remains unused, it is essential that that Member State should return a significant proportion to the corresponding reserve, so as to avoid a part of any of the tariff quotas remaining unused in one Member State when it could be used in others ;

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

HAS ADOPTED THIS REGULATION :

Article 1

For the period 1 January to 31 December 1977 duty-free tariff quotas shall be opened in the Community as originally constituted and Ireland for products originating in Portugal and within the limits shown below :

(in metric tons)

CCT heading No	Description of goods	Tariff quota
48.01	Paper and paperboard (including cellulose wadding), machine-made, in rolls or sheets : C. Kraft paper and kraft board : ex II. Other : — Kraftliner E. Other	 44 100 1 575

Article 2

1. The tariff quotas laid down in Article 1 shall be divided into two tranches.
2. A first tranche shall be allocated among the Member States ; the shares, which subject to Article 5 shall be valid until 31 December 1977, shall be as follows :

(in metric tons)

Member States	Subheading ex 48.01 C II	Subheading 48.01 E
Benelux	6 648	48
Germany	11 478	72
France	7 408	896
Ireland	1 918	130
Italy	5 623	36

3. The second tranche of each quota, i.e. 11 025 and 393 metric tons respectively, shall constitute the corresponding reserve.

Article 3

1. If 90 % or more of any of a Member State's initial shares — as fixed in Article 2 (2) — or of that share minus any portion returned to the corresponding reserve, where Article 5 has been applied, has been used up, that Member State shall forthwith, by

notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 15 % of its initial share, rounded off upwards to the next whole number, if necessary.

2. If, after any of its initial shares has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, under the conditions laid down in paragraph 1 and to the extent that the reserve so permits, draw a third share equal to 7.5 % of its initial share, rounded off upwards to the next whole number, if necessary.

3. If, after any of its second shares has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, under the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This procedure shall apply until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw shares less than those specified therein if there are grounds for believing that those specified may not be fully used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1977.

Article 5

Member States shall return to the reserve, not later than 1 October 1977, the unused portions of their initial shares which, on 15 September 1977, are in excess of 20 % of the initial amounts. They may return a greater portion if there are grounds for believing that such portion may not be fully used up.

Member States shall notify the Commission, not later than 1 October 1977, of the total quantities of the product in question imported up to and including 15 September 1977 and charged against the tariff quotas and of any portion of their initial shares returned to the reserves.

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

Done at Brussels, 9 December 1976.

Article 6

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

It shall inform the Member States, not later than 5 October 1977, of the status of each of the reserves after amounts have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts any of the reserves does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

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

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

3. The extent to which a Member State has used up its shares shall be determined on the basis of the imports originating in Portugal as and when the goods are entered for home use.

Article 8

At the Commission's request, Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1977.

For the Council

The President

P. J. J. MERTENS

**COUNCIL REGULATION (EEC) No 2996/76
of 9 December 1976**

**fixing the activating prices for table wines for the period 16 December 1976 to
15 December 1977**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
816/70 of 28 April 1970 laying down additional provi-
sions for the common organization of the market in
wine⁽¹⁾, as last amended by Regulation (EEC) No
2829/76⁽²⁾, and in particular Article 3 (1) thereof,

Having regard to the proposal from the Commission,

Whereas an activating price must be fixed annually
for each type of wine for which a guide price is fixed,
taking into consideration the factors set out in Article
3 (2) of Regulation (EEC) No 816/70;

Whereas the quality of the 1976/77 harvest can gener-
ally be regarded as average;

Whereas the average weighted prices have tended to
rise somewhat since the end of the 1975/76 wine
year; whereas, however, with the exception of R I and
R II table wines, the weighted average prices for all
the other types are either lower than or close to the
activating price;

Whereas, because of the lower level of stocks brought
forward from the previous wine-growing year and the
quantity available is similar to that recorded for the
previous wine-growing year;

Whereas the level of activating prices must take
account of the factors mentioned above; whereas,
therefore, the activating prices fixed for the previous
wine year should be increased, without, however,
encouraging production;

Whereas the guide prices for the period 16 December
1976 to 15 December 1977 were fixed by Regulation
(EEC) No 833/76⁽³⁾; whereas Article 3 (3) of Regula-
tion (EEC) No 816/70 provides that the activating
price shall be fixed at the same stage and shall be
valid during the same period as the guide price;
whereas Regulation (EEC) No 945/70⁽⁴⁾ determines
the types of table wine to which these prices apply,

HAS ADOPTED THIS REGULATION:

Article 1

The activating prices for the period 16 December
1976 to 15 December 1977 are hereby fixed as
follows:

1. 1.82 units of account per degree/hectolitre for table
wine of type R I,
2. 1.82 units of account per degree/hectolitre for table
wine of type R II,
3. 28.44 units of account per hectolitre for table wine
of type R III,
4. 1.71 units of account per degree/hectolitre for table
wine of type A I,
5. 37.89 units of account per hectolitre for table wine
of type A II,
6. 43.27 units of account per hectolitre for table wine
of type A III.

Article 2

This Regulation shall enter into force on 16
December 1976.

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

Done at Brussels, 9 December 1976.

For the Council

The President

P. J. J. MERTENS

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 326, 25. 11. 1976, p. 1.

⁽³⁾ OJ No L 100, 14. 4. 1976, p. 12.

⁽⁴⁾ OJ No L 114, 27. 5. 1970, p. 1.

COUNCIL REGULATION (EEC) No 2997/76

of 9 December 1976

amending for the third time Regulation (EEC) No 1876/74 concerning the addition of alcohol to products in the wine sector

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 2829/76 ⁽²⁾, and in particular Article 25 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, pending the adoption of provisions supplementing or harmonizing the definitions of semi-sparkling wines and of products falling within heading No 22.06 of the Common Customs Tariff, provision should be made to extend the period of application of the provisions referred to in Article 4 of Council Regulation (EEC) No 1876/74 of 15 July 1974 concerning the addition of alcohol to products in the wine

sector ⁽³⁾, as last amended by Regulation (EEC) No 3221/75 ⁽⁴⁾; whereas experience has shown that this can be done without difficulty; whereas Regulation (EEC) No 1876/74 should therefore be amended by extending to 31 December 1977 the transitional period due to expire on 31 December 1976,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 4 of Regulation (EEC) No 1876/74, '31 December 1976' shall be replaced by '31 December 1977'.

Article 2

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

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

Done at Brussels, 9 December 1976.

For the Council

The President

P. J. J. MERTENS

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 326, 25. 11. 1976, p. 1.

⁽³⁾ OJ No L 198, 20. 7. 1974, p. 1.

⁽⁴⁾ OJ No L 320, 11. 12. 1975, p. 4.

COMMISSION REGULATION (EEC) No 2998/76**of 10 December 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 organization 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 Regulation (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 11 December 1976.

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

Done at Brussels, 10 December 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 10 December 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	84.98
10.01 B	Durum wheat	138.29 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	58.84 ⁽⁶⁾
10.03	Barley	49.74
10.04	Oats	53.67
10.05 B	Maize other than hybrid maize for sowing	56.77 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	57.05 ⁽⁴⁾
10.07 C	Grain sorghum	57.42 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	130.29
11.01 B	Rye flour	93.67
11.02 A I a	Durum wheat groats and meal	225.00
11.02 A I b	Common wheat groats and meal	140.04

⁽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 2999/76

of 10 December 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 11
December 1976.

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

Done at Brussels, 10 December 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 10 December 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 12	1st period 1	2nd period 2	3rd period 3
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0.38
10.02	Rye	0	0	0	6.21
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	0.38
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 12	1st period 1	2nd period 2	3rd period 3	4th period 4
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3000/76

of 10 December 1976

opening an invitation to tender for the mobilization of common wheat flour as aid for the Arab Republic of Syria

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 amended by Regulation (EEC) No 1143/76 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid ⁽³⁾, and in particular Article 6 thereof,

Whereas on 25 March 1976 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 2 500 metric tons of common wheat (in other words, 1 656 metric tons of common wheat flour) to the Arab Republic of Syria under its 1975/76 food-aid programme;

Whereas pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75 the goods may be purchased anywhere on the Community market;

Whereas tenders should be invited for the supply of the product to the port of shipment in the vicinity of the vessel, the goods to be set down at the place nominated by the recipient or its agent;

Whereas tenders may be submitted by tenderers established in any Member State of the Community and may relate to products mobilized anywhere within those Member States; whereas, in view of the currency situation in the Member States and in order to ensure that the tenders are as comparable as possible, account should be taken of the effect on each tender of the currency situation in the Member State in which the customs export formalities will be completed;

Whereas the contract should be awarded to the tenderer offering the best terms;

Whereas in case it should be impossible for reasons of *force majeure* to complete the operation in question within the set time limits, it must be made clear who is to bear any costs resulting therefrom;

Whereas provision should be made for security to be given for the purpose of guaranteeing that the obliga-

tions arising by virtue of participation in the invitation to tender for supplies to the Arab Republic of Syria will be fulfilled;

Whereas the Italian intervention agency should be made responsible for the tendering procedure;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency;

Whereas the Monetary Committee will be consulted; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with 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 ⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁵⁾, and in particular Article 3 thereof;

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

1. An invitation to tender shall be issued in respect of the supply of 1 656 metric tons of common wheat flour to the Arab Republic of Syria by way of Community food-aid action.

2. The tendering procedure shall take place in Italy in one lot. The product shall be mobilized on the Community market. The product shall be loaded for departure from any Community port.

3. The product referred to in paragraph 1 is to be delivered in new cotton sacks of a net capacity of 50 kilogrammes to the port of shipment in the vicinity of the vessel. The goods must be set down at the place nominated by the recipient country or its agent, the timing of delivery being settled by the tenderer and the recipient country's agent.

4. The following shall be printed on the sacks:

'Wheat flour / Gift of the European Economic Community to Syria.'

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 130, 19. 5. 1976, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 29 December 1976.
2. The closing date for submission of tenders shall be 29 December 1976 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.
3. For the purpose of rendering the tenders comparable, the prices shall, where appropriate, be corrected by the monetary compensatory amount and the accession compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2.

Such correction shall be made by :

- increasing prices which mention a Member State whose currency has depreciated or a new Member State,
- reducing prices which mention a Member State whose currency has been revalued.

The monetary compensatory amount shall, where appropriate, be converted into the currency of the Member State in which the invitation to tender is issued using :

- in the case when the currencies concerned are kept at any given moment within a band of 2.25 % a conversion rate resulting from their central rate,
- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms, taking into consideration the adjustment referred to in Article 3 (3).

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

Article 5

If the tenderer is unable to deliver the goods in compliance with Article 1 (3) on the date given in the notice of invitation to tender as a result of the late availability of the vessels to be used for sea transportation, the resulting costs shall be borne by the intervention agency.

Article 6

1. The tenderer shall give security of a value of 10 units of account per metric ton of goods.

It shall be released :

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3 (2),
- in the case of the successful tenderer for quantities not supplied by reason of *force majeure*.

2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by each Member State.

Article 7

1. The common wheat flour referred to in Article 1 to be supplied to the Arab Republic of Syria must meet the following requirements :

- moisture : 14 % maximum,
- protein content : 10.5 % minimum ($N \times 6.25$ on dry matter),
- ash content : 0.52 % maximum referred to dry matter.

If the goods referred to in Article 1 do not meet the foregoing requirements they shall be rejected and the successful tenderer shall be owner thereof.

2. Tenders for supply to the Arab Republic of Syria of the common wheat flour referred to in Article 1 must relate to a product with the following characteristics :

- moisture : 14 % maximum,
- protein content : 10.5 % minimum ($N \times 6.25$ on dry matter),
- ash content : 0.52 % maximum referred to dry matter.

Article 8

1. The Italian intervention agency shall be responsible for the operations relating to the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In this case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall request the successful tenderer to supply the following information :

- (a) after each shipment a certificate showing the quantities dispatched and the quality of the products ;
- (b) the date of departure of the vessels.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

Article 9

On delivery of the goods at the port of shipment, a handing-over certificate shall be supplied to the successful tenderer, acting as agent for the Community, by the agent of the recipient country, or, in the absence of the latter, by the intervention agency of the Member State in whose territory the port of shipment is situated.

Article 10

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, 10 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION REGULATION (EEC) No 3001/76

of 10 December 1976

concerning the issue of an invitation to tender for the supply to the Comoro Islands, for use as food aid, of vitaminized 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 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,

Having regard to 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 certain international organizations under the 1976 programme⁽³⁾, as amended by Regulation (EEC) No 2017/76⁽⁴⁾, and in particular Article 6 thereof,

Whereas Council Regulation (EEC) No 2018/76 of 27 July 1976 on the additional supply of skimmed-milk powder as food aid to certain developing countries, international organizations and non-governmental organizations under the 1976 programme⁽⁵⁾ provides *inter alia* for 500 metric tons of skimmed-milk powder to be made available to the Comoro Islands; whereas this country has requested the abovementioned quantity of vitaminized skimmed-milk powder;

Whereas Article 2 (2) of Regulation (EEC) No 1298/76 provides that if there is 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 1298/76 provides that for the purpose 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 1298/76 and (EEC) No 2018/76 for the costs of supplying to the Comoro Islands one lot of 500 metric tons of vitaminized skimmed-milk powder purchased on the Community market.

2. Delivery shall be effected at the port of Moroni.

3. Loading shall take place as soon as possible and not later than 20 March 1977.

4. The skimmed-milk powder shall meet:

— as to quality, the requirements set out in the Annex to this Regulation,

— as to packing, the requirements set out in Annex I 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⁾.

5. The successful tenderer shall deliver, as a supplement, 5 % empty bags similar to those containing the goods. He shall undertake to have these bags mentioned on the bill of lading.

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

'Lait écrémé en poudre vitaminé/Don de la Communauté économique européenne aux îles Comores/À distribuer gratuitement'.

⁽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. 3.

⁽⁴⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 224, 16. 8. 1976, p. 2.

⁽⁶⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽⁷⁾ OJ No L 145, 6. 6. 1975, p. 17.

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 11 January 1977 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.

2. A tender shall be valid only if it relates to the entire quantity of a lot put out to tender.

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, the entire quantity which is the subject of his tender.
- Such price shall be inclusive of transport insurance costs of the stage referred to in Article 1 (2) for delivery.

4. A tender shall be valid only if 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 and delivery 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 Regula-

tion (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.

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

Article 7

1. The successful tenderer shall deliver a quantity of skimmed-milk powder satisfying the requirements as to quality and packaging referred to in Article 1 (4).

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

3. The country of destination shall bear all expenditure incurred after delivery including acceptance costs.

Article 8

Any demurrage costs at the port of unloading attributable to the recipient country 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 country of destination's agent.

Article 9

1. The intervention agency concerned shall as soon as possible 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. 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. The competent agency of the Member State in which the contract is awarded shall check that the skimmed-milk powder in question satisfies the requirements as to quality and packaging referred to in Article 1 (4).
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 the country of destination shall issue a certificate proving taking delivery of the goods, stating that delivery of that quantity of skimmed-milk powder as well as the empty bags referred to in Article 1 (5) have been taken at the stage specified in Article 1 (2).

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 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⁽¹⁾, as amended by Regulation (EEC) No 690/73⁽²⁾.

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

⁽¹⁾ OJ No L 295, 24. 11. 1969, p. 14.

⁽²⁾ OJ No L 66, 13. 3. 1973, p. 23.

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 3001/76) to be shipped from the port of ...',
- 'Livraison de lait écrémé en poudre à titre d'aide alimentaire (règlement (CEE) n° 3001/76) destinée à être embarquée au port de ...',
- 'Lieferung von Magermilchpulver als Nahrungsmittelhilfe (Verordnung (EWG) Nr. 3001/76) zur Verschiffung im Hafen von ... bestimmt',
- 'Fornitura di latte scremato in polvere a titolo di aiuto alimentare (regolamento (CEE) n. 3001/76) destinata ad essere imbarcata nel porto di ...',
- 'Levering van magere-melkpoeder als voedselhulp (Verordening (EEG) nr. 3001/76) bestemd om te worden verscheept in de haven van ...',
- 'Levering af skummetmælkspulver som fødevarerhælp (forordning (EØF) nr. 3001/76) bestemt til lastning i havnen i ...'

Article 12

1. Except in cases of *force majeure*, the tendering and delivery 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.

Article 13

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

Article 14

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

Article 15

Expert 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 Article 1 (3)

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 16

No refund or compensatory amount (whether monetary or accession) shall be applicable in respect of

skimmed-milk powder supplied under this Regulation.

Article 17

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, 10 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

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° Dornic)
(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

COMMISSION REGULATION (EEC) No 3002/76

of 10 December 1976

laying down detailed rules for export refunds in the wine sector

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
816/70 of 28 April 1970 laying down additional provi-
sions for the common organization of the market in
wine⁽¹⁾, as last amended by Regulation (EEC) No
2829/76⁽²⁾, and in particular Article 10 (4) thereof,

Having regard to Council Regulation (EEC) No
957/70 of 26 May 1970 laying down general rules for
granting export refunds on wine and criteria for fixing
the amount of such refunds⁽³⁾, and in particular
Article 6 (3) thereof,

Whereas Article 5 of Regulation (EEC) No 957/70,
provides that the intervals at which refunds are to be
fixed should be determined; whereas Article 4 of
Commission Regulation (EEC) No 325/71 of 15
February 1971 on detailed rules for the application of
export refunds on wine⁽⁴⁾ provides that refunds
should be fixed at least once every three months;

Whereas experience with respect to the movement of
prices on the international market shows that this
interval is too short; whereas it is therefore advisable
to extend this period by providing for a fixing at least
once every six months;

Whereas the development of the wine market indi-
cates that only table wines should be the subject of
refunds;

Whereas table wines for which refunds are granted
should have the quality characteristics of table wines
of the production region from which they come;

Whereas the exporter must provide the necessary
proof in order to obtain the refund; whereas, to this
end, he should *inter alia* indicate the numbers and
dates of the accompanying documents provided for by
Commission Regulation (EEC) No 1153/75 of 30
April 1975 prescribing the form of accompanying
documents for wine products and specifying the obli-

gations of wine producers and traders other than
retailers⁽⁵⁾; whereas, however, pursuant to Article 13
(2) thereof, Member States may provide that no accom-
panying document is required for certain products in
certain cases; whereas, therefore, to achieve the object
desired the scope of this provision should be limited;

Whereas Commission Regulation (EEC) No 438/71 of
26 February 1971 laying down conditions for
obtaining export refunds on wine⁽⁶⁾ has been
amended several times since its adoption; whereas,
furthermore, certain implementing provisions for
refunds are set out in Regulation (EEC) No 325/71;
whereas the number and dispersion of these provi-
sions in different Official Journals makes them diffi-
cult to use; whereas in the circumstances they should
be consolidated;

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

HAS ADOPTED THIS REGULATION:

Article 1

Refunds shall be fixed at least once every six months.

Article 2

1. The granting of refunds shall be conditional
upon proof that the table wines exported:

- have been passed by a tasting committee recog-
nized by the exporting Member State; where this
Member State is not the producer, proof must also
be provided that the wine in question is a Commu-
nity table wine;
- were accompanied on export by an analysis certifi-
cate issued by an official body of the producer
Member State or exporting Member State and certi-
fying that the table wine in question meets
Community quality standards for table wines, or
failing that, the national standards applied by the
exporting Member State.

(¹) OJ No L 99, 5. 5. 1970, p. 1.

(²) OJ No L 326, 25. 11. 1976, p. 1.

(³) OJ No L 115, 28. 5. 1970, p. 1.

(⁴) OJ No L 38, 16. 2. 1971, p. 16.

(⁵) OJ No L 113, 1. 5. 1975, p. 1.

(⁶) OJ No L 48, 27. 2. 1971, p. 76.

The certificate shall make mention of at least the following :

- colour,
- total alcoholic strength,
- actual alcoholic strength,
- total acidity.

Further, the exporter is required to mention :

- (a) with respect to table wines of types A II and III, the vine varieties ;
- (b) with respect to wines which have been subjected to coupage, the origin and the quantities of wine used ;
- (c) the numbers and dates of the accompanying documents.

Member States may prescribe that the approval referred to in the first indent of the first subparagraph may be given by competent regional commissions that certify that the wine has the quality characteris-

tics of table wines of the production regions from which they come.

2. Member States shall take all necessary measures to establish the controls referred to in paragraph 1.

3. For application of (c) of the second subparagraph of paragraph 1, exporting Member States may not avail themselves of the provisions of Article 13 (2) of Regulation (EEC) No 1153/75.

Article 3

Regulations (EEC) No 325/71 and (EEC) No 438/71 are hereby repealed.

Article 4

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

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

Done at Brussels, 10 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION REGULATION (EEC) No 3003/76

of 10 December 1976

amending Regulation No 91/66/EEC of 29 June 1966 as regards the number of returning holdings per division for the 1976 and 1977 accounting years

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 79/65/EEC of 15 June 1965 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Economic Community⁽¹⁾, as last amended by Regulation (EEC) No 2910/73⁽²⁾, and in particular Article 4 (4) thereof,

Whereas Article 3 of Commission Regulation No 91/66/EEC of 29 June 1966 concerning the selection of returning holdings for the purpose of determining incomes of agricultural holdings⁽³⁾, as last amended by Regulation (EEC) No 910/76⁽⁴⁾, lays down the number of returning holdings for each division;

Whereas the total number of 13 600 returning holdings comprising the data network in 1974 must gradually be increased at the start of each of the four accounting years beginning during the period 1975 to 1978 until it reaches the final figure of 28 000;

Whereas the final distribution of the 28 000 returning holdings among the divisions should be made on the basis of the results of the Community survey of the structure of agricultural holdings completed in 1975/76 in accordance with Council Directive 75/108/EEC of 20 January 1975⁽⁵⁾;

Whereas these results are not yet available and in the meantime the increase in the number of returning

holdings per division for the 1977 accounting year should be based solely on Member States' estimates of the number of holdings in the field of survey;

Whereas the difficulties that have arisen in selecting 1976 returning holdings in Italy, mainly on account of the new regional distribution, have profoundly altered the selection plan for the 1976 accounting year and, in order to facilitate the ongoing extension of the data network, the regional distribution of returning holdings for the accounting year in question in that country should be adjusted accordingly;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Community Committee for the Farm Accountancy Data Network,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation No 91/66/EEC is hereby replaced by the Annex hereto for the 1976 and 1977 accounting years which respectively begin during the periods between 1 January and 1 July 1976 and between 1 January and 1 July 1977.

Article 2

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

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

Done at Brussels, 10 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 109, 23. 6. 1965, p. 1859/65.

⁽²⁾ OJ No L 299, 27. 10. 1973, p. 1.

⁽³⁾ OJ No 121, 4. 7. 1966, p. 2249/66.

⁽⁴⁾ OJ No L 105, 22. 4. 1976, p. 17.

⁽⁵⁾ OJ No L 42, 15. 2. 1975, p. 21.

ANNEX

Number of returning holdings by division

Ref. No	Name of Division	No of returning holdings Accounting years	
		1976	1977 (1)
	GERMANY		
010	Schleswig-Holstein	210	260
020	Niedersachsen	480	535
030	Nordrhein-Westfalen	380	435
040	Hessen	230	270
050	Rheinland-Pfalz	240	285
060	Baden-Württemberg	380	420
070	Bayern	780	855
080	Saarland	50	65
090	Hamburg	—	—
100	Bremen	—	—
110	Berlin	—	—
	Total Germany	2 750	3 125
	FRANCE		
120	Nord, Picardie	240	220
130	Basse-Normandie, Haute-Normandie	189	216
140	Bretagne, pays de la Loire, Poitou-Charente	771	813
150	Centre, Région parisienne	275	264
160	Franche-Comté, Champagne, Bourgogne	410	354
170	Lorraine, Alsace	138	152
180	Limousin, Auvergne	274	290
190	Rhône-Alpes	223	256
200	Aquitaine, Midi-Pyrénées	532	571
210	Languedoc, Provence-Côte d'Azur-Corse	304	309
	Total France	3 356	3 445
	ITALY		
221	Valle d'Aosta	30	35
222	Piemonte	800	940
230	Lombardia	380	580
241	Trentino	60	100
242	Alto Adige	60	100
243	Veneto	500	750
244	Friuli-Venezia Giulia	130	170
250	Liguria	100	350
260	Emilia-Romagna	340	650
270	Toscana	450	650
281	Marche	180	400
282	Umbria	150	300
291	Lazio	180	300
292	Abruzzo	280	400
301	Molise	140	160
302	Campania	420	700
303	Calabria	100	400
311	Puglia	100	500
312	Basilicata	100	200
320	Sicilia	250	550
330	Sardegna	300	370
	Total Italy	5 050	8 605

Ref. No	Name of Division	No of returning holdings Accounting years	
		1976	1977 ⁽¹⁾
340	BELGIUM	680	780
350	LUXEMBOURG	85	110
360	NETHERLANDS	1 400	1 400
370	DENMARK	1 555	1 555
380	IRELAND	630	670
	UNITED KINGDOM		
390	Northern Ireland	200	200
400	Scotland	250	250
410	England, North Region	240	245
420	Wales	200	200
430	England, West Region	300	305
440	England, East Region	425	430
	Total United Kingdom	1 615	1 630

⁽¹⁾ The '1977' accounting year means all accounting years beginning in the period from 1 January to 1 July 1977.

COMMISSION REGULATION (EEC) No 3004/76
of 10 December 1976

altering the monetary compensatory amounts for milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
974/71 of 12 May 1971 on certain measures of
conjunctural policy to be taken in agriculture
following the temporary widening of the margins of
fluctuation for the currencies of certain Member
States⁽¹⁾, as last amended by Regulation (EEC) No
557/76⁽²⁾, and in particular Article 6 thereof,

Whereas Commission Regulation (EEC) No 1624/76
of 2 July 1976 concerning special arrangements for
the payment of aid for skimmed-milk powder dena-
tured or processed into compound feedingstuffs in the
territory of another Member State⁽³⁾, as amended by
Regulation (EEC) No 2065/76⁽⁴⁾, which applies to
consignments to Italy, provides in Article 9 that with
respect to skimmed-milk powder exported to the
Member State of destination a coefficient of 0.58 is to
be applied to the monetary compensatory amounts
fixed pursuant to Regulation (EEC) No 974/71;
whereas under Article 1 of Regulation (EEC) No
1624/76, the skimmed-milk powder may be
consigned as such or after incorporation in another
product;

Whereas, consequently, certain premixes of skimmed-
milk powder and non-milk fats could be consigned to
another Member State under subheading ex 23.07 B of
the Common Customs Tariff; whereas the coefficient
0.58 therefore was given in Note (9) to Part 5 of
Annex I to Commission Regulation (EEC) No 572/76
of 15 March 1976 fixing the monetary compensatory
amounts and certain rates for their application⁽⁵⁾, as
last amended by Regulation (EEC) No 2956/76⁽⁶⁾;

Whereas, however, monetary compensatory amounts
for the products falling within the said subheading are
fixed on the basis that the aid for processing the skim-
med-milk powder into compound feedingstuffs is
paid in the Member State which is the consignor of
the end product; whereas the coefficient 0.58 should
therefore not be applied to the monetary compensa-

tory amounts for products falling within subheading
ex 23.07 B consigned under the arrangements laid
down in Regulation (EEC) No 1624/76; whereas more-
over, when pre-mixes for which the aid has not been
paid in the consignor Member State are consigned to
another Member State, the monetary compensatory
amount must be calculated on the basis of the inter-
vention price for skimmed-milk powder, with no
deduction of the aid;

Whereas the monetary compensatory amounts fixed
for whey are derived from those applicable to skim-
med-milk powder, on the basis of the relationship
between the intervention price for skimmed-milk
powder and the market price for whey powder;
whereas the fall in the market price of this product
requires an alteration of the monetary compensatory
amounts;

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

HAS ADOPTED THIS REGULATION:

Article 1

The monetary compensatory amounts in Part 5 of
Annex I to Regulation (EEC) No 572/76, for whey
falling within subheadings 04.01 A and 04.02 A I are
hereby replaced by the amounts in the Annex hereto.

Article 2

1. The third subparagraph of Note (9) to Part 5
(Milk and Milk Products) of Annex I to Regulation
(EEC) No 572/76 is hereby amended to read as
follows:

'In intra-Community trade, where the product has
not been produced in accordance with Regulation
(EEC) No 990/72, the coefficient 1.7120 is applied
to this amount. However this coefficient is not
applied to the products consigned to Italy from
another Member State in accordance with Regula-
tion (EEC) No 1624/76 (OJ No L 180, 6. 7. 1976).'

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 1.

⁽³⁾ OJ No L 180, 6. 7. 1976, p. 9.

⁽⁴⁾ OJ No L 230, 21. 8. 1976, p. 5.

⁽⁵⁾ OJ No L 68, 15. 3. 1976, p. 5.

⁽⁶⁾ OJ No L 337, 6. 12. 1976, p. 1.

2. At the request of those concerned, the coefficient 0.58 appearing, until the entry into force of this Regulation, in Note 9 referred to in paragraph 1, shall not be applied with effect from 4 October 1976 in respect of products falling within subheading ex 23.07 B of the Common Customs Tariff consigned to Italy under Regulation (EEC) No 1624/76.

Article 3

This Regulation shall enter into force on 13 December 1976.

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

Done at Brussels, 10 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

PART 5

MILK AND MILK PRODUCTS

Monetary compensatory amounts

CCT heading No	Description of goods	Amounts to be charged on imports and granted on exports				
		Deutschland DM/100 kg		Belgique et Luxembourg FB/Flux/100 kg		Nederland FL/100 kg
		(a)	(b)	(a)	(b)	(a) (b)
1	2	3		4		5
04.01 A	— whey	0.17	—	0.4	—	0.03
04.02 A I	of a water content, calculated by weight:					
	— not exceeding 33 %	5.83	—	12.5	—	0.86
	— exceeding 33 % but not exceeding 65 %	3.89	—	8.3	—	0.57
	— exceeding 65 %	1.94	—	4.2	—	0.29

CCT heading No	Description of goods	Amounts to be granted on imports and charged on exports							
		United Kingdom £/100 kg		Ireland £/100 kg		Italia Lit./100 kg		France FF/100 kg	
		(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)
		6		7		8		9	
1	2								
04.01 A	— whey	0.116	—	0.080	—	92	—	0.49	—
04.02 A I	of a water content, calculated by weight:								
	— not exceeding 33 %	3.946	—	2.698	—	3 120	—	16.63	—
	— exceeding 33 % but not exceeding 65 %	2.631	—	1.799	—	2 080	—	11.09	—
	— exceeding 65 %	1.315	—	0.899	—	1 040	—	5.54	—

(a) Basic amount per 100 kg net (unless otherwise indicated).
(b) Supplementary amount per 100 kg net for each % of fat content.

(a) Basic amount per 100 kg net (unless otherwise indicated).

(b) Supplementary amount per 100 kg net for each % of fat content.

COMMISSION REGULATION (EEC) No 3005/76

of 10 December 1976

re-establishing the levying of customs duties on builders' carpentry and joinery (including prefabricated and sectional buildings and assembled parquet flooring panels) falling within heading No 44.23, originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3010/75 of 17 November 1975 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3010/75 of 17 November 1975 establishing preferential tariffs in respect of certain products originating in developing countries⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that the customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal to 115 % of the sum arrived at by adding together the value of the products in question imported cif into the Community in 1971 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1972 cif imports coming from other countries and from countries and territories already covered by such arrangements;

Whereas Article 2 (1) of that Regulation provides that the customs duties may be re-established at any time once the Community ceiling has been reached;

Whereas, in respect of builders' carpentry and joinery (including prefabricated and sectional buildings and assembled parquet flooring panels) the ceiling, calculated as indicated above, should be 6 765 150 units of

account; whereas on 7 December 1976 the amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 3010/75 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

As from 14 December 1976, customs duties, suspended in pursuance of Council Regulation (EEC) No 3010/75 of 17 November 1975 shall be re-established in respect of the following products, imported into the Community:

CCT heading No	Description of goods
44.23	Builders' carpentry and joinery (including prefabricated and sectional buildings and assembled parquet flooring panels)

Article 2

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

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

Done at Brussels, 10 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 310, 29. 11. 1975, p. 70.

COMMISSION REGULATION (EEC) No 3006/76

of 10 December 1976

re-establishing the levying of customs duties on building board of wood pulp or of vegetable fibre, etc., falling within heading No 48.09, originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3010/75 of 17 November 1975 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3010/75 of 17 November 1975 establishing preferential tariffs in respect of certain products originating in developing countries⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that the customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal to 115 % of the sum arrived at by adding together the value of the products in question imported cif into the Community in 1971 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1972 cif imports coming from other countries and from countries and territories already covered by such arrangements ;

Whereas Article 2 (1) of that Regulation provides that the customs duties may be re-established at any time once the Community ceiling has been reached ;

Whereas, in respect of building board of wood pulp or of vegetable fibre, etc., falling within heading No 48.09, the ceiling, calculated as indicated above, should be 9 172 000 units of account ; whereas on 6

December 1976 the amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling ; whereas, bearing in mind the objectives of Regulation (EEC) No 3010/75 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION :

Article 1

As from 14 December 1976, customs duties, suspended in pursuance of Council Regulation (EEC) No 3010/75 of 17 November 1975 shall be re-established in respect of the following products, imported into the Community :

CCT heading No	Description of goods
48.09	Building board of wood pulp or of vegetable fibre, whether or not bonded with natural or artificial resins or with similar binders

Article 2

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

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

Done at Brussels, 10 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 310, 29. 11. 1975, p. 70.

COMMISSION REGULATION (EEC) No 3007/76

of 10 December 1976

re-establishing the levying of the customs duties on electric filament lamps for lighting, falling within subheading 85.20 A, originating in Hong Kong to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3010/75 of 17 November 1975 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3010/75 of 17 November 1975 establishing preferential tariffs in respect of certain products originating in developing countries ⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) and (4) of that Regulation provides that the customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal to 115 % of the sum arrived at by adding together the value of the products in question imported cif into the Community in 1971 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1972 cif imports coming from other countries and from countries and territories already covered by such arrangements ;

Whereas, having regard to that ceiling, the amounts for products originating in any one of the countries or territories listed in Annex B to that Regulation should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex A to that Regulation ; whereas, for these products, this reduced percentage will be 30 % ;

Whereas Article 2 (2) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries or territories once the relevant Community amount has been reached ;

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

Done at Brussels, 10 December 1976.

Whereas, in respect of electric filament lamps for lighting, the ceiling, calculated as indicated above, should be 2 452 000 units of account, and therefore the maximum amount is 735 600 units of account ; whereas on 2 December 1976, the amounts of imports into the Community of electric filament lamps for lighting, originating in Hong Kong, a country covered by preferential tariff arrangements, reached that maximum amount ; whereas, bearing in mind the objectives of Regulation (EEC) No 3010/75 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Hong Kong,

HAS ADOPTED THIS REGULATION :

Article 1

As from 14 December 1976, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3010/75 of 17 November 1975, shall be re-established in respect of the following products, imported into the Community and originating in Hong Kong :

CCT heading No	Description of goods
85.20	Electric filament lamps and electric discharge lamps (including infra-red and ultra-violet lamps) ; arc-lamps ; electrically ignited photographic flashbulbs : A. Filament lamps for lighting

Article 2

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

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 310, 29. 11. 1975, p. 70.

COMMISSION REGULATION (EEC) No 3008/76
of 10 December 1976

re-establishing the levying of customs duties on certain appliances, apparatus, accessories and requisites for gymnastics or athletics, or for sports and outdoor games (other than articles falling within heading No 97.04), falling within subheadings 97.06 B and C, originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3010/75 of 17 November 1975 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3010/75 of 17 November 1975 establishing preferential tariffs in respect of certain products originating in developing countries⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that the customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal to 115 % of the sum arrived at by adding together the value of the products in question imported cif into the Community in 1971 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1972 cif imports coming from other countries and from countries and territories already covered by such arrangements ;

Whereas Article 2 (1) of that Regulation provides that the customs duties may be established at any time once the Community ceiling has been reached ;

Whereas, in respect of certain appliances, apparatus, accessories and requisites for gymnastics or athletics, or for sports and outdoor games (other than articles falling within heading No 97.04), the ceiling, calculated as indicated above, should be 11 938 320 units of account ; whereas on 6 December 1976 the amounts of imports into the Community of the products in

question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling ; whereas, bearing in mind the objectives of Regulation (EEC) No 3010/75 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION :

Article 1

As from 14 December 1976, customs duties, suspended in pursuance of Council Regulation (EEC) No 3010/75 of 17 November 1975 shall be re-established in respect of the following products, imported into the Community :

CCT heading No	Description of goods
97.06	Appliances, apparatus, accessories and requisites for gymnastics or athletics, or for sports and outdoor games (other than articles falling within heading No 97.04) : B. Tennis rackets C. Other

Article 2

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

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

Done at Brussels, 10 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 310, 29. 11. 1975, p. 70.

COMMISSION REGULATION (EEC) No 3009/76

of 10 December 1976

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1143/76 ⁽²⁾, and in particular
Article 14 ⁽⁴⁾ thereof,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽³⁾, and in particular Article
12 ⁽⁴⁾ thereof,

Whereas the import levies on products processed
from cereals and rice were fixed by Regulation (EEC)
No 2891/76 ⁽⁴⁾, as last amended by Regulation (EEC)
No 2942/76 ⁽⁵⁾;

Whereas the levy on the basic product as last fixed
differs from the average levy by more than 2.5 units of

account per metric ton of basic product; whereas,
pursuant to Article 1 of Regulation (EEC) No
1579/74 ⁽⁶⁾, the levies at present in force must there-
fore be altered as shown in the table annexed to this
Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products
processed from cereals and rice covered by Regulation
(EEC) No 2744/75 ⁽⁷⁾, as amended by Regulation
(EEC) No 832/76 ⁽⁸⁾, as fixed in the Annex to
amended Regulation (EEC) No 2891/76, are hereby
altered as shown in the table annexed to this Regula-
tion.

Article 2

This Regulation shall enter into force on 11
December 1976.

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

Done at Brussels, 10 December 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 331, 30. 11. 1976, p. 29.

⁽⁵⁾ OJ No L 334, 3. 12. 1976, p. 29.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 100, 14. 4. 1976, p. 1.

ANNEX

to the Commission Regulation of 10 December 1976 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./metric ton	
	Third countries (other than ACP and OCT)	ACP and OCT
11.01 D ⁽²⁾	100.40	95.40
11.02 A IV ⁽²⁾	100.40	95.40
11.02 B I a) 2 aa)	56.56	54.06
11.02 B I a) 2 bb) ⁽²⁾	97.90	95.40
11.02 B I b) 2 ⁽²⁾	97.90	95.40
11.02 C IV ⁽²⁾	87.30	84.80
11.02 D IV ⁽²⁾	56.56	54.06
11.02 E I a) 2 ⁽²⁾	56.56	54.06
11.02 E I b) 2 ⁽²⁾	111.00	106.00
11.02 F IV ⁽²⁾	100.40	95.40

⁽²⁾ For the purpose of distinguishing between products falling within heading 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, 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.

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