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Contents

I *Acts whose publication is obligatory*

- ★ Council Regulation (EEC) No 3086/76 of 13 December 1976 opening, allocating and providing for the administration of Community tariff quotas for port wines, falling within heading No ex 22.05 of the Common Customs Tariff, originating in Portugal (1977) 1
- ★ Council Regulation (EEC) No 3087/76 of 13 December 1976 opening, allocating and providing for the administration of Community tariff quotas for Madeira wines, falling within heading No ex 22.05 of the Common Customs Tariff, originating in Portugal (1977) 5
- ★ Council Regulation (EEC) No 3088/76 of 13 December 1976 opening, allocating and providing for the administration of Community tariff quotas for Setubal muscatel wines, falling within heading No ex 22.05 of the Common Customs Tariff, originating in Portugal (1977) 9
- Commission Regulation (EEC) No 3089/76 of 17 December 1976 fixing the import levies on cereals and on wheat or rye flour groats and meal 13
- Commission Regulation (EEC) No 3090/76 of 17 December 1976 fixing the premiums to be added to the import levies on cereals, flour and malt 15
- ★ Commission Regulation (EEC) No 3091/76 of 17 December 1976 amending Regulation No 282/67/EEC on detailed rules for intervention for oil seeds . . . 17
- ★ Commission Regulation (EEC) No 3092/76 of 17 December 1976 on the application of monetary compensatory amounts to certain beef and veal products . . . 18
- ★ Commission Regulation (EEC) No 3093/76 of 17 December 1976 amending Regulation (EEC) No 193/75 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products 19
- ★ Commission Regulation (EEC) No 3094/76 of 17 December 1976 laying down additional rules for the application of monetary compensatory amounts in trade between Ireland and the United Kingdom 21

Contents (continued)

★ Commission Regulation (EEC) No 3095/76 of 17 December 1976 on the sale at prices fixed in advance of certain boned beef held by the intervention agencies	22
★ Commission Regulation (EEC) No 3096/76 of 17 December 1976 repealing Regulation (EEC) No 2107/74 laying down protective measures applicable to imports of preserved mushrooms	26
Commission Regulation (EEC) No 3097/76 of 17 December 1976 fixing the export refunds on beef and veal for the period beginning 1 January 1977	27
Commission Regulation (EEC) No 3098/76 of 17 December 1976 fixing the export refunds on fruit and vegetables	31
Commission Regulation (EEC) No 3099/76 of 17 December 1976 correcting Regulation (EEC) No 3066/76 fixing the premiums to be added to the import levies on rice and broken rice	34
Commission Regulation (EEC) No 3100/76 of 17 December 1976 fixing the amount of the subsidy on oil seeds	35
Commission Regulation (EEC) No 3101/76 of 17 December 1976 determining the world market price for colza and rape seed	37
Commission Regulation (EEC) No 3102/76 of 17 December 1976 fixing the import levies on white sugar and raw sugar	39

II *Acts whose publication is not obligatory*

Council

76/910/EEC :

★ Council Decision of 13 December 1976 concluding the Agreement in the form of an exchange of letters extending the Trade Agreement between the European Economic Community and the Argentine Republic	40
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Corrigenda

Corrigendum to Commission Regulation (EEC) No 2826/76 of 23 November 1976 amending the export refunds on beef and veal (OJ No L 325, 24. 11. 1976)	42
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I

*(Acts whose publication is obligatory)***COUNCIL REGULATION (EEC) No 3086/76****of 13 December 1976**

opening, allocating and providing for the administration of Community tariff quotas for port wines, falling within heading No ex 22.05 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 Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas Article 4 of Protocol 8 to the Agreement between the European Economic Community and the Portuguese Republic⁽²⁾, as amended by the Interim Agreement between the European Economic Community and the Portuguese Republic⁽³⁾, provides that customs duties on imports into the Community of certain wines originating in Portugal, shall be reduced:

- by 60 % in the case of the duties applicable to port wines falling within subheadings ex 22.05 C III a) 1 and ex 22.05 C IV a) 1 of the Common Customs Tariff, up to a total annual tariff quota of 35 000 hl, and
- by 50 % in the case of the duties applicable to port wines falling within subheadings ex 22.05 C III b) 1 and ex 22.05 C IV b) 1 of the Common Customs Tariff up to a total annual tariff quota of 280 000 hl;

Whereas this reduction applies, in the case of the Community as originally constituted, to the Common Customs Tariff duties; whereas in the case of the new Member States, this reduction applies up to and including 30 June 1977 to such duties as these States apply at any given moment to imports from third countries and from 1 July 1977 to the Common Customs Tariff duties; whereas these wines will remain subject to the provisions governing the common organization of the market in wine;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access

to the abovementioned quotas and uninterrupted application of the rates laid down for these quotas to all imports of the products concerned into all Member States until the quotas have been used up; whereas, having regard to the principles mentioned above, the Community nature of the quotas can be respected by allocating the Community tariff quota among the Member States;

Whereas, in order to reflect most accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference both to the statistics of each State's imports from Portugal over a representative period and to the economic outlook for the quota period concerned;

Whereas available Community statistics give no information on the situation of port wines on the markets; whereas, however, Portuguese statistics for exports of these products to the Community during the past three years can be considered to reflect approximately the situation of Community imports; whereas on this basis the corresponding imports by each of the Member States for the past three years represent the following percentages of the imports into the Community from Portugal of the products concerned:

	1973	1974	1975
Port wines:			
— in receptacles containing two litres or less:			
— Benelux	14.4	13.4	18.8
— Denmark	3.5	4.1	6.0
— Germany	13.7	7.2	15.3
— France	27.1	27.9	29.0
— Ireland	0.4	0.6	0.4
— Italy	26.4	29.9	16.1
— United Kingdom	14.5	16.9	14.4

⁽¹⁾ OJ No C 259, 4. 11. 1976, p. 37.

⁽²⁾ OJ No L 301, 31. 12. 1972, p. 165.

⁽³⁾ OJ No L 266, 29. 9. 1976, p. 2.

	1973	1974	1975
— in receptacles containing more than two litres :			
— Benelux	13.4	14.0	13.4
— Denmark	8.1	4.5	5.5
— Germany	9.1	11.0	10.4
— France	40.9	41.0	39.4
— Ireland	1.7	1.5	1.2
— Italy	—	—	—
— United Kingdom	26.8	28.0	30.1

Whereas, in view of these data and the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages :

	Port wines in receptacles containing	
	two litres or less	more than two litres
Benelux	16.6	14.6
Denmark	4.8	6.6
Germany	14.9	8.7
France	29.7	42.5
Ireland	0.8	0.8
Italy	18.8	0.1
United Kingdom	14.4	26.7

Whereas, in order to take into account import trends for the products concerned in the different Member States, each of the quota amounts should be divided into two instalments, the first instalment being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares ; whereas, in order to ensure a certain degree of security for importers in each Member State, the first instalment of the Community quotas should be determined at a level which, under present circumstances, may be 90 % of each of the quota amounts ;

Whereas the initial quota shares of the Member States may be used up at different times ; whereas, in order to take this fact into account and avoid any break in continuity, any Member State having used up almost the whole of any one of its initial quota shares should draw an additional quota share from the corresponding reserve ; whereas this must be done by each Member State when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserve allows ; whereas the initial and additional quota shares must be available for use until the

end of the quota period ; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amounts are used and inform Member States thereof ;

Whereas if, at a specified date in the quota period, a considerable balance of one of the initial quota shares remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of one or other of the Community 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 in and represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. For the period from 1 January to 31 December 1977, Community tariff quotas shall be opened for products originating in Portugal, and within the limits listed below :

CCT heading No	Description	Quota amount
ex 22.05 C III a) 1 ex 22.05 C IV a) 1	} Port wines	35 000 hl
ex 22.05 C III b) 1 ex 22.05 C IV b) 1	} Port wines	280 000 hl

2. The Common Customs Tariff duties on wines imported within these tariff quotas shall be suspended at the rates listed below :

CCT heading No	Rate of duty
ex 22.05 C III a) 1 ex 22.05 C IV a) 1	5.4 u.a./hl 5.8 u.a./hl
ex 22.05 C III b) 1 ex 22.05 C IV b) 1	5.5 u.a./hl 6.0 u.a./hl

3. Within the limits of these tariff quotas and up to and including 30 June 1977, the new Member States shall apply the duties calculated in accordance with the provisions set out in Protocol 8 annexed to the Agreement and in the Act of Accession.

Article 2

1. The tariff quotas laid down in Article 1 shall be divided into two instalments.

2. A first instalment of each quota shall be shared among the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1977 shall consist of the following amounts:

(in hectolitres)

	Port wines under subheadings	
	ex 22.05 C III a) 1 and ex 22.05 C IV a) 1	ex 22.05 C III b) 1 and ex 22.05 C IV b) 1
Benelux	5 250	36 790
Denmark	1 500	16 630
Germany	4 690	22 000
France	9 350	107 100
Ireland	250	2 000
Italy	5 920	100
United Kingdom	4 540	67 380
Total	31 500	252 000

3. The second instalment of each quota, 3 500 hectolitres and 28 000 hectolitres respectively, shall constitute the reserve.

Article 3

1. If 90 % or more of one of the initial shares of a Member State, as laid down in Article 2 (2) or 90 % or more of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after one or other of its initial shares has been exhausted, 90 % or more of the second share drawn by a Member State has been used, that Member State shall proceed in the manner specified in paragraph 1 to draw a third share equal to 7.5 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after one of its second shares has been exhausted, 90 % or more of the third share drawn by a Member State has been used, that Member State shall proceed in the manner specified in paragraph 1, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is any reason to believe that those shares might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

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

Article 5

The Member States shall return to the reserve, not later than 1 October 1977, the unused portion of their initial share which, on 15 September 1977, is in excess of 20 % of the initial amount. They may return a larger quantity if there are reasons to believe that such quantity might not be used.

The Member States shall, not later than 1 October 1977, notify the Commission of the total imports of the products concerned effected up to 15 September 1977 inclusive and charged against the Community quotas and, where appropriate, the proportion of their initial shares that is being returned to each reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserves have been used as soon as it receives the notifications.

The Commission shall, not later than 5 October 1977, notify Member States of the amount in each reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up any reserve is limited to the balance available and for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made, without interruption, against their accumulated shares of the Community tariff quotas.

2. The Member States shall ensure that importers of the said goods 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 of the products concerned actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that the provisions of this Regulation are observed.

Article 10

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 13 December 1976.

For the Council

The President

M. van der STOEL

COUNCIL REGULATION (EEC) No 3087/76

of 13 December 1976

opening, allocating and providing for the administration of Community tariff quotas for Madeira wines, falling within heading No ex 22.05 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 Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas Article 4 of Protocol 8 to the Agreement between the European Economic Community and the Portuguese Republic⁽²⁾, as amended by the Interim Agreement between the European Economic Community and the Portuguese Republic⁽³⁾, provides that customs duties on imports into the Community of certain wines originating in Portugal, shall be reduced:

- by 60 % in the case of the duties applicable to Madeira wines falling within subheadings ex 22.05 C III a) 1 and ex 22.05 C IV a) 1 of the Common Customs Tariff, up to a total annual tariff quota of 1 500 hl, and
- by 50 % in the case of the duties applicable to Madeira wines falling within subheadings ex 22.05 C III b) 1 and ex 22.05 C IV b) 1 of the Common Customs Tariff up to a total annual tariff quota of 14 500 hl;

Whereas this reduction applies, in the case of the Community as originally constituted, to the Common Customs Tariff duties; whereas in the case of the new Member States, this reduction applies up to and including 30 June 1977 to such duties as these States apply at any given moment to imports from third countries and from 1 July 1977 to the Common Customs Tariff duties; whereas these wines will remain subject to the provisions governing the common organization of the market in wine;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quotas and uninterrupted application of the rates laid down for these quotas to all imports of the products concerned into all Member States until the quotas have been used up; whereas, having regard to the principles mentioned above, the Community nature of the quotas can be respected by allocating the Community tariff quota among the Member States;

Whereas, in order to reflect most accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference both to the statistics of each State's imports from Portugal over a representative period and to the economic outlook for the quota period concerned;

Whereas available Community statistics give no information on the situation of Madeira wines on the markets; whereas, however, Portuguese statistics for exports of these products to the Community during the past three years can be considered to reflect approximately the situation of Community imports; whereas on this basis the corresponding imports by each of the Member States for the past three years represent the following percentages of the imports into the Community from Portugal of the products concerned:

	1973	1974	1975
Madeira wines			
— in receptacles containing two litres or less:			
— Benelux	13.3	15.8	28.7
— Denmark	16.8	22.5	31.5
— Germany	19.9	8.7	9.0
— France	4.5	3.4	2.5
— Ireland	1.5	0.8	1.0
— Italy	23.8	35.4	17.3
— United Kingdom	20.2	13.4	10.0

(1) OJ No C 259, 4. 11. 1976, p. 37.

(2) OJ No L 301, 31. 12. 1972, p. 165.

(3) OJ No L 266, 29. 9. 1976, p. 2.

	1973	1974	1975
— in receptacles containing more than two litres :			
— Benelux	13.7	14.8	13.6
— Denmark	18.4	16.0	10.6
— Germany	17.8	18.1	21.4
— France	39.4	40.8	46.7
— Ireland	0.1	0.1	—
— Italy	—	—	—
— United Kingdom	10.6	10.2	7.7

Whereas, in view of these data and the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages :

	Madeira wines in receptacles containing	
	two litres or less	more than two litres
Benelux	18.4	14.0
Denmark	22.9	16.5
Germany	13.1	19.1
France	3.6	40.8
Ireland	1.1	0.1
Italy	25.8	0.1
United Kingdom	15.1	9.4

Whereas, in order to take into account import trends for the products concerned in the different Member States, each of the quota amounts should be divided into two instalments, the first instalment being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security for importers in each Member State, the first instalment of the Community quotas should be determined at a level which, under present circumstances, may be 90 % of each of the quota amounts;

Whereas the initial quota shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State having used up almost the whole of any one of its initial quota shares should draw an additional quota share from the corresponding reserve; whereas this must be done by each Member State when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the

end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amounts are used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance of one of the initial quota shares remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of one or other of the Community 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 in and represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. For the period from 1 January to 31 December 1977, Community tariff quotas shall be opened for products originating in Portugal, and within the limits listed below :

CCT heading No	Description	Quota amount
ex 22.05 C III a) 1 ex 22.05 C IV a) 1	} Madeira wines	1 500 hl
ex 22.05 C III b) 1 ex 22.05 C IV b) 1	} Madeira wines	14 500 hl

2. The Common Customs Tariff duties on wines imported within these tariff quotas shall be suspended at the rates listed below :

CCT heading No	Rate of duty
ex 22.05 C III a) 1 ex 22.05 C IV a) 1	5.4 u.a./hl 5.8 u.a./hl
ex 22.05 C III b) 1 ex 22.05 C IV b) 1	5.5 u.a./hl 6.0 u.a./hl

3. Within the limits of these tariff quotas and up to and including 30 June 1977, the new Member States shall apply the duties calculated in accordance with the provisions set out in Protocol 8 annexed to the Agreement and in the Act of Accession.

Article 2

1. The tariff quotas laid down in Article 1 shall be divided into two instalments.

2. A first instalment of each quota shall be shared among the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1977 shall consist of the following amounts:

(in hectolitres)

	Madeira wines under subheadings	
	ex 22.05 C III a) I and ex 22.05 C IV a) I	ex 22.05 C III b) I and ex 22.05 C IV b) I
Benelux	248	1 820
Denmark	309	2 150
Germany	177	2 480
France	50	5 300
Ireland	15	15
Italy	347	15
United Kingdom	204	1 220
Total	1 350	13 000

3. The second instalment of each quota, 150 hectolitres and 1 500 hectolitres respectively, shall constitute the reserve.

Article 3

1. If 90 % or more of one of the initial shares of a Member State, as laid down in Article 2 (2) or 90 % or more of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after one or other of its initial shares has been exhausted, 90 % or more of the second share drawn by a Member State has been used, that Member State shall proceed in the manner specified in paragraph 1 to draw a third share equal to 7.5 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after one of its second shares has been exhausted, 90 % or more of the third share drawn by a Member State has been used, that Member State shall proceed in the manner specified in paragraph 1, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is any reason to believe that those shares might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

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

Article 5

The Member States shall return to the reserve, not later than 1 October 1977, the unused portion of their initial share which, on 15 September 1977, is in excess of 20 % of the initial amount. They may return a larger quantity if there are reasons to believe that such quantity might not be used.

The Member States shall, not later than 1 October 1977, notify the Commission of the total imports of the products concerned effected up to 15 September 1977 inclusive and charged against the Community quotas and, where appropriate, the proportion of their initial shares that is being returned to each reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserves have been used as soon as it receives the notifications.

The Commission shall, not later than 5 October 1977, notify Member States of the amount in each reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up any reserve is limited to the balance available and for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made, without interruption, against their accumulated shares of the Community tariff quotas.

2. The Member States shall ensure that importers of the said goods 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 of the products concerned actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that the provisions of this Regulation are observed.

Article 10

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 13 December 1976.

For the Council

The President

M. van der STOEL

COUNCIL REGULATION (EEC) No 3088/76

of 13 December 1976

opening, allocating and providing for the administration of Community tariff quotas for Setubal muscatel wines, falling within heading No ex 22.05 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 Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas Article 4 of Protocol 8 to the Agreement between the European Economic Community and the Portuguese Republic⁽²⁾, as amended by the Interim Agreement between the European Economic Community and the Portuguese Republic⁽³⁾, provides that customs duties on imports into the Community of certain wines originating in Portugal, shall be reduced:

- by 60 % in the case of the duties applicable to Setubal muscatel wines falling within subheadings ex 22.05 C III a) 1 and ex 22.05 C IV a) 1 of the Common Customs Tariff, up to a total annual tariff quota of 1 000 hl, and
- by 50 % in the case of the duties applicable to Setubal muscatel wines falling within subheadings ex 22.05 C III b) 1 and ex 22.05 C IV b) 1 of the Common Customs Tariff up to a total annual tariff quota of 2 000 hl;

Whereas this reduction applies, in the case of the Community as originally constituted, to the Common Customs Tariff duties; whereas in the case of the new Member States, this reduction applies up to and including 30 June 1977 to such duties as these States apply at any given moment to imports from third

countries and from 1 July 1977 to the Common Customs Tariff duties; whereas these wines will remain subject to the provisions governing the common organization of the market in wine;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quotas and uninterrupted application of the rates laid down for these quotas to all imports of the products concerned into all Member States until the quotas have been used up; whereas, having regard to the principles mentioned above, the Community nature of the quotas can be respected by allocating the Community tariff quota among the Member States;

Whereas, in order to reflect most accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference both to the statistics of each State's imports from Portugal over a representative period and to the economic outlook for the quota period concerned;

Whereas available Community statistics give no information on the situation of Setubal muscatel wines on the markets; whereas, however, Portuguese statistics for exports of these products to the Community during the past three years can be considered to reflect approximately the situation of Community imports; whereas on this basis the corresponding imports by each of the Member States for the past three years represent the following percentages of the imports into the Community from Portugal of the products concerned:

	1973	1974	1975
Setubal muscatel wines:			
— in receptacles containing two litres or less:			
— Benelux	8	30	—
— Denmark	4	—	20
— Germany	34	50	80
— France	—	—	—
— Ireland	4	—	—
— Italy	—	20	—
— United Kingdom	50	—	—

⁽¹⁾ OJ No C 259, 4. 11. 1976, p. 37.

⁽²⁾ OJ No L 301, 31. 12. 1972, p. 165.

⁽³⁾ OJ No L 266, 29. 9. 1976, p. 2.

	1973	1974	1975
— in receptacles containing more than two litres :			
— Benelux	25	70	—
— Denmark	—	—	—
— Germany	—	—	—
— France	—	—	—
— Ireland	—	—	—
— Italy	—	—	—
— United Kingdom	75	30	—

Whereas, in view of these data and the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages :

	Setubal muscatel wines in receptacles containing	
	two litres or less	more than two litres
Benelux	20	20
Denmark	5	5
Germany	20	20
France	20	20
Ireland	5	5
Italy	10	10
United Kingdom	20	20

Whereas, in order to take into account import trends for the products concerned in the different Member States, each of the quota amounts should be divided into two instalments, the first instalment being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares ; whereas, in order to ensure a certain degree of security for importers in each Member State, the first instalment of the Community quotas should be determined at a level which, under present circumstances, may be 90 % of each of the quota amounts ;

Whereas the initial quota shares of the Member States may be used up at different times ; whereas, in order to take this fact into account and avoid any break in continuity, any Member State having used up almost the whole of any one of its initial quota shares should draw an additional quota share from the corresponding reserve ; whereas this must be done by each Member State when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserve allows ; whereas the initial and additional quota shares must be available for use until the

end of the quota period ; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amounts are used and inform Member States thereof ;

Whereas if, at a specified date in the quota period, a considerable balance of one of the initial quota shares remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of one or other of the Community 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 in and represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. For the period from 1 January to 31 December 1977, Community tariff quotas shall be opened for products originating in Portugal, and within the limits listed below :

CCT heading No	Description	Quota amount
ex 22.05 C III a) 1 ex 22.05 C IV a) 1	} Setubal muscatel wines	1 000 hl
ex 22.05 C III b) 1 ex 22.05 C IV b) 1	} Setubal muscatel wines	2 000 hl

2. The Common Customs Tariff duties on wines imported within these tariff quotas shall be suspended at the rates listed below :

CCT heading No	Rate of duty
ex 22.05 C III a) 1 ex 22.05 C IV a) 1	5.4 u.a./hl 5.8 u.a./hl
ex 22.05 C III b) 1 ex 22.05 C IV b) 1	5.5 u.a./hl 6.0 u.a./hl

3. Within the limits of these tariff quotas and up to and including 30 June 1977, the new Member States shall apply the duties calculated in accordance with the provisions set out in Protocol 8 annexed to the Agreement and in the Act of Accession.

Article 2

1. The tariff quotas laid down in Article 1 shall be divided into two instalments.

2. A first instalment of each quota shall be shared among the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1977 shall consist of the following amounts:

(in hectolitres)

	Setubal muscatel wines under subheadings	
	ex 22.05 C III a) 1 and ex 22.05 C IV a) 1	ex 22.05 C III b) 1 and ex 22.05 C IV b) 1
Benelux	180	360
Denmark	45	90
Germany	180	360
France	180	360
Ireland	45	90
Italy	90	180
United Kingdom	180	360
Total	900	1 800

3. The second instalment of each quota, 100 hectolitres and 200 hectolitres respectively, shall constitute the reserve.

Article 3

1. If 90 % or more of one of the initial shares of a Member State, as laid down in Article 2 (2) or 90 % or more of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after one or other of its initial shares has been exhausted, 90 % or more of the second share drawn by a Member State has been used, that Member State shall proceed in the manner specified in paragraph 1 to draw a third share equal to 7.5 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after one of its second shares has been exhausted, 90 % or more of the third share drawn by a Member State has been used, that Member State shall proceed in the manner specified in paragraph 1, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is any reason to believe that those shares might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

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

Article 5

The Member States shall return to the reserve, not later than 1 October 1977, the unused portion of their initial share which, on 15 September 1977, is in excess of 20 % of the initial amount. They may return a larger quantity if there are reasons to believe that such quantity might not be used.

The Member States shall, not later than 1 October 1977, notify the Commission of the total imports of the products concerned effected up to 15 September 1977 inclusive and charged against the Community quotas and, where appropriate, the proportion of their initial shares that is being returned to each reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserves have been used as soon as it receives the notifications.

The Commission shall, not later than 5 October 1977, notify Member States of the amount in each reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up any reserve is limited to the balance available and for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made, without interruption, against their accumulated shares of the Community tariff quotas.

2. The Member States shall ensure that importers of the said goods 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 of the products concerned actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that the provisions of this Regulation are observed.

Article 10

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 13 December 1976.

For the Council

The President

M. van der STOEL

COMMISSION REGULATION (EEC) No 3089/76

of 17 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 18 December 1976.

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

Done at Brussels, 17 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 17 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	85.73
10.01 B	Durum wheat	138.67 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	59.97 ⁽⁶⁾
10.03	Barley	50.50
10.04	Oats	54.42
10.05 B	Maize other than hybrid maize for sowing	57.90 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	56.67 ⁽⁴⁾
10.07 C	Grain sorghum	58.18 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	131.34
11.01 B	Rye flour	95.26
11.02 A I a	Durum wheat groats and meal	225.59
11.02 A I b	Common wheat groats and meal	141.17

⁽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 3090/76

of 17 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 18
December 1976.

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

Done at Brussels, 17 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 17 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
10.02	Rye	0	4.89	4.89	5.83
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	0.75	0.75	0.75
10.07 C	Grain sorghum	0	0.56	0.56	0.19
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 3091/76
of 17 December 1976
amending Regulation No 282/67/EEC on detailed rules for intervention for oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1707/73⁽²⁾, and in particular Article 26 (3) thereof,

Whereas Article 4 of Commission Regulation No 282/67/EEC of 11 July 1967 on detailed rules for intervention for oil seeds⁽³⁾, as last amended by Regulation (EEC) No 1702/76⁽⁴⁾, provides that samples be drawn, and the oil, moisture and impurities content of oil seeds be determined, by a single method throughout the Community;

Whereas Article 3 (2) of Regulation No 282/67/EEC provides that from 1 July 1976 the oil contained in colza and rape seeds offered for intervention must have a erucic acid content not exceeding 15 %; whereas, therefore, Article 4 of that Regulation must be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

The text of Article 4 of Regulation No 282/67/EEC is amended to read as follows:

'The drawing of samples and their reduction to samples for analysis, and the determination of oil, erucic acid, moisture and impurity content, shall be effected in accordance with a single method throughout the Community.'

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, 17 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No 151, 13. 7. 1967, p. 1.

⁽⁴⁾ OJ No L 191, 15. 7. 1976, p. 14.

COMMISSION REGULATION (EEC) No 3092/76

of 17 December 1976

on the application of monetary compensatory amounts to certain beef and veal 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 monetary compensatory amounts apply to fresh, chilled and frozen meat of bovine animals falling within subheading 02.01 A II of the Common Customs Tariff but not to prepared or preserved meat falling within subheading 16.02 B III b) 1 thereof;

Whereas the simple seasoning of, or addition of other substances to, fresh, chilled or frozen meat has the consequence that such treated meat is considered as being prepared or preserved meat for the purposes of application of the Common Customs Tariff; whereas such treated products still compete with fresh, chilled or frozen meat; whereas the non-application of monetary compensatory amounts to such treated products leads to trade in products which are not normally traded;

Whereas such trade may disturb the market and lead to abuses of the system of monetary compensatory amounts;

Whereas an urgent solution is required in respect of trade between Member States; whereas monetary compensatory amounts should for the present be applied on such treated products;

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

HAS ADOPTED THIS REGULATION:

Article 1

For fresh, chilled or frozen products, other than minced products, which fall within subheading 16.02 B III b) 1 of the Common Customs Tariff and which are excluded from classification in Chapter 2 thereof solely by reason of simple seasoning (e.g. with salt and pepper), or the addition of other substances (e.g. vegetables, flours or oil), monetary compensatory amounts shall apply in trade between Member States at the level applicable to products of the same description without such treatment which fall within subheading 02.01 A II of the Common Customs Tariff.

Article 2

This Regulation shall enter into force on 20 December 1976.

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

Done at Brussels, 17 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 1.

COMMISSION REGULATION (EEC) No 3093/76

of 17 December 1976

amending Regulation (EEC) No 193/75 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products

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⁾, and in particular Articles 12 (2), 15 (5) and 16 (6) thereof, and also the corresponding provisions of the other Regulations on the common organization of markets in agricultural products,

Whereas Article 14 of Council Regulation (EEC) No 754/76 of 25 March 1976 on the customs treatment applicable to goods returned to the customs territory of the Community⁽³⁾, lays down that agricultural products exported under an export licence or an advance fixing certificate do not qualify under that Regulation unless the Community provisions relating to licences and certificates have been complied with; whereas it is necessary to lay down special rules for the application of the system of licences and certificates for products qualifying under Regulation (EEC) No 754/76 and to amend accordingly Regulation (EEC) No 193/75⁽⁴⁾, as last amended by Regulation (EEC) No 2219/76⁽⁵⁾;

Whereas certain provisions for the application of Regulation (EEC) No 754/76 are laid down by Commission Regulation (EEC) No 2945/76 of 26 November 1976⁽⁶⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinions of all the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

An Article 4a as follows is inserted in Regulation (EEC) No 193/75:

(¹) OJ No L 281, 1. 11. 1975, p. 1.
 (²) OJ No L 130, 19. 5. 1976, p. 1.
 (³) OJ No L 89, 2. 4. 1976, p. 1.
 (⁴) OJ No L 25, 31. 1. 1975, p. 10.
 (⁵) OJ No L 250, 13. 9. 1976, p. 5.
 (⁶) OJ No L 335, 4. 12. 1976, p. 1.

Article 4a

1. No import licence or certificate shall be required when products are placed in free circulation under the provisions of Article 3 of Regulation (EEC) No 754/76 governing the treatment of returned goods.

2. Products which are subject to a system of export licences or which may qualify for a system of advance fixing of refunds or of other amounts applicable on exportation may qualify for treatment as returned goods under Regulation (EEC) No 754/76 only where the following provisions have been complied with:

(a) If exportation was effected without an export licence or advance fixing certificate, then where the Information Sheet INF 3 provided for in Regulation (EEC) No 2945/76 is used it must bear in box A one of the following endorsements:

- Exported without licence or certificate;
- Ohne Lizenz durchgeführte Ausfuhr;
- Udførsel uden licens/attest;
- Uitvoer zonder certificaat;
- Exportation réalisée sans certificat;
- Esportazione realizzata senza titolo

In that event, the words "licence and certificate rules observed" in that box shall be deleted.

(b) If exportation was effected under cover of an export licence or advance fixing certificate and such licence or certificate has not expired on the date on which the party concerned declares his intention to avail himself of the abovementioned treatment:

- the entry on the licence or certificate relating to the export in question shall be cancelled; and
- the security relating to the licence or certificate shall not be released in respect of the export in question or, if it has been released, it must be furnished anew in proportion to the quantities concerned to the body having issued the licence or certificate.

- (c) If the licence or certificate has expired on the date on which the party concerned declares his intention to avail himself of the abovementioned treatment, then :
- where the security relating to the licence or certificate has not been released in respect of the export in question, the security shall be forfeited, subject to the rules applicable in the particular case ;
 - where the security has been released, the titular holder of the licence or certificate shall provide the body which issued the licence or certificate with fresh security in respect of the quantities in question, and that security shall be forfeited, subject to the rules applicable in the particular case.
3. If the returned goods are reimported :
- through a customs office situated in a Member State other than the exporting Member State, proof that the provisions of paragraph 2 (b) and (c) have been complied with shall be furnished by means of the Information Sheet INF 3 provided for in Regulation (EEC) No 2945/76 ;
 - through a customs office situated in the same Member State, proof that the provisions of paragraph 2 (a), (b) and (c) have been complied with shall be furnished in accordance with the procedures determined by the competent authorities of the Member State in question.
4. Paragraph 2 (a), (b) and (c) shall not apply in the cases provided for in Article 2 (b) of Regulation (EEC) No 2945/76.
5. Paragraph 2 (b) and (c) shall not apply if the goods have been returned owing to *force majeure*.
3. If the returned goods are reimported :
- through a customs office situated in a Member State other than the exporting Member State, proof that the provisions of paragraph 2 (b)

Article 2

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 17 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION REGULATION (EEC) No 3094/76

of 17 December 1976

laying down additional rules for the application of monetary compensatory amounts in trade between Ireland and the United Kingdom

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 the circulation of products between Ireland and the United Kingdom traditionally forms part of a system of free trade based in particular on currencies having the same parity;

Whereas the introduction of different representative exchange rates for the purposes of the common agricultural policy has resulted in the application of monetary compensatory amounts in trade between these two Member States; whereas in this situation there is a special risk of fraud, as has been confirmed by an abnormal increase in the volume of trade; whereas it should consequently be made clear that these two Member States may take special measures to prevent irregularities;

Whereas in respect of trade between Ireland and the United Kingdom monetary compensatory amounts have been reintroduced since 15 March 1976;

Whereas the rules for the application of monetary compensatory amounts were fixed by Commission Regulation (EEC) No 1380/75 of 29 May 1975⁽³⁾, as last amended by Regulation (EEC) No 1834/76⁽⁴⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinions of all the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to Article 10 (2) of Regulation (EEC) No 1380/75, the competent authorities may, in trade between Ireland and the United Kingdom, make the granting of monetary compensatory amounts subject to special conditions in order to prevent irregularities.

Where an importing Member State exercises the power provided for in the first subparagraph and, by virtue of Article 2a of Regulation (EEC) No 974/71, the monetary compensatory amount is granted by the exporting Member State, the control copy referred to in Article 11 (2) of Regulation (EEC) No 1380/75 shall be returned by the competent customs office of the Member State of destination only when proof is furnished that the conditions referred to in the said subparagraph have been fulfilled. In cases where Article 11 (5) of Regulation (EEC) No 1380/75 is applied, the document of entry for home use shall be accepted as proof only if it bears the following endorsement, authenticated by the stamp of the customs office of such entry:

'Document valid for the application of Article 2a of Regulation (EEC) No 974/71.'

2. The Member States concerned shall immediately inform the Commission which shall inform the other Member States thereof of the measures taken in implementation of the preceding paragraph.

Article 2

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

It shall apply with effect from 15 March 1976.

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

Done at Brussels, 17 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 1.

⁽³⁾ OJ No L 139, 30. 5. 1975, p. 37.

⁽⁴⁾ OJ No L 203, 29. 7. 1976, p. 30.

COMMISSION REGULATION (EEC) No 3095/76

of 17 December 1976

on the sale at prices fixed in advance of certain boned beef held by the intervention agencies

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 Article 7 ⁽³⁾ thereof,

Whereas Commission Regulation (EEC) No 79/75 of 14 January 1975 ⁽³⁾, as last amended by Regulation (EEC) No 454/76 ⁽⁴⁾, provides for the sale by monthly tender of boned beef held by the intervention agencies; whereas not all the meat offered for tender has been allocated;

Whereas the remaining quantities of meat boned in accordance with Commission Regulation (EEC) No 1315/74 of 28 May 1974 on the boning of beef bought in by intervention agencies ⁽⁵⁾ as well as those boned in accordance with Commission Regulation (EEC) No 2630/75 of 16 October 1975 on the boning of beef bought-in by the intervention agencies ⁽⁶⁾, which repealed Regulation (EEC) No 1315/74, should be put up for sale;

Whereas certain boned beef should be put up for sale at prices fixed in advance in accordance with Articles 2 to 5 of Commission Regulation (EEC) No 216/69 of 4 February 1969 on detailed rules of application for the disposal of frozen beef and veal bought in by intervention agencies ⁽⁷⁾, and at the same time certain necessary derogations should be provided for, particularly as regards payment for the goods;

Whereas removal from storage may be interrupted by *force majeure*; whereas the intervention agencies

should therefore be permitted to take the necessary action in such cases;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 20 December 1976 to 7 January 1977, the Danish and Irish intervention agencies shall each offer for sale up to 1 500 metric tons of beef boned in accordance with Regulation (EEC) No 2630/75.
2. The cuts and prices of this meat are set out in Annex I.
3. The sales shall be conducted in accordance with Articles 2 to 5 of Regulation (EEC) No 216/69 and with the provisions of this Regulation.
4. Information concerning the quantities available and the places where the products are stored may be obtained by prospective purchasers from the addresses listed in Annex II.

Article 2

By way of derogation from Article 5 (1) of Regulation (EEC) No 216/69, the prices shall be paid as and when the goods are removed from store, in proportion to the quantities removed and not later than the day preceding each removal.

Article 3

By way of derogation from Article 4 (5) of Regulation (EEC) No 216/69, if the quantities available from an intervention agency are less than those for which offers are received on the day of entry into force of

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 28.

⁽³⁾ OJ No L 10, 15. 1. 1975, p. 9.

⁽⁴⁾ OJ No L 53, 28. 2. 1976, p. 77.

⁽⁵⁾ OJ No L 144, 29. 5. 1974, p. 11.

⁽⁶⁾ OJ No L 268, 17. 10. 1975, p. 16.

⁽⁷⁾ OJ No L 28, 5. 2. 1969, p. 10.

this Regulation, all such offers shall be considered to have been made at the same time.

Article 4

Where by reason of *force majeure* the purchaser is unable to comply with the time limit set for taking delivery, the intervention agency shall take such

action as it considers necessary having regard to the circumstances invoked.

Article 5

This Regulation shall enter into force on 20 December 1976.

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

Done at Brussels, 17 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEXE I — ANHANG I — ALLEGATO I — BIJLAGE I — ANNEX I — BILAG I

Prix de vente exprimés en unités de compte par tonne — Verkaufspreise, ausgedrückt in RE/Tonne — Prezzi di vendita espressi in unità di conto per tonnellata — Verkoopprijzen, uitgedrukt in rekeneenheden per ton — Selling prices, expressed in units of account per metric ton — Salgspriser udtrykt i RE/ton

1. DANMARK (a)	Ungtyre 1. kvalitet	Tyre prima kvalitet	Stude 1. kvalitet	Kvier 1. kvalitet	Køer 1. kvalitet	Køer med kalvetænder 1. kvalitet
Mørbrad	4 765		4 452		4 400	
Fileter	2 615		2 465		2 265	
kød af bagfjerdinger (med undtagelse af fileter og mørbrad)	2 200		2 200		2 018	
Udbenede forfjerdinger	1 900		1 800		1 750	
Slag og bryst	1 575		1 575		1 475	
2. IRELAND (a)	Cows		Steers 1, 2 and Heifers 2			
Fillets	4 000				5 800	
Striploins	2 400				2 837	
Insides	—				2 450	
Outsides	—				2 392	
Knuckles	—				2 281	
Rumps	—				2 419	
Hindquarters (excluding fillets and striploins)	1 865				—	
Cube rolls	2 425				2 862	
Forequarters (excluding cube rolls)	1 640				1 760	
Plates and flanks	1 300				1 300	
Brisket	1 217				1 300	
Shins and shanks	1 563				1 750	

(a) Boned after 17 October 1975.

(a) Désossé après le 17 octobre 1975.

(a) Entbeint nach dem 17. Oktober 1975.

(a) Udbenet efter den 17. oktober 1975.

(a) Disossate dopo il 17 ottobre 1975.

(a) Uitgebeend na 17 oktober 1975.

ANNEXE II — ANHANG II — ALLEGATO II — BIJLAGE II — ANNEX II — BILAG II

Adresses des organismes d'intervention — Anschriften der Interventionsstellen — Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus — Addresses of the intervention agencies — Interventionsorganernes adresser

DANMARK : Direktoratet for markedsordningerne,
EF-Direktoratet,
Frederiksborggade 18,
1360 København K,
Tel (01) 154130, Telex 15137 DK.

IRELAND : Department of Agriculture and Fisheries, Agriculture House,
Kildare Street,
Dublin 2.
Tel. (01) 78 90 11, ext. 23 56, Telex 4280 and 5118.

COMMISSION REGULATION (EEC) No 3096/76
of 17 December 1976

repealing Regulation (EEC) No 2107/74 laying down protective measures applicable to imports of preserved mushrooms

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 865/68 of 28 June 1968 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1164/76⁽²⁾,

Having regard to Council Regulation (EEC) No 1927/75 of 22 July 1975 concerning the system of trade with third countries in the market in products processed from fruit and vegetables⁽³⁾, and in particular Article 7 (2) thereof,

Whereas the Commission found in August 1974 that, as a result of the large-scale importation of preserved mushrooms from non-member countries at prices substantially lower than the production cost to the Community industry, the Community market was threatened with serious disturbances likely to endanger the objectives set out in Article 39 of the Treaty; whereas, in order to deal with this situation, the Commission adopted, by means of Regulation (EEC) No 2107/74 of 8 August 1974⁽⁴⁾, as last amended by Regulation (EEC) No 1407/76⁽⁵⁾, protective measures applicable to imports of the products in question;

Whereas the situation which gave rise to these protective measures in coming to an end; whereas the above-mentioned Regulation should therefore be repealed;

Whereas, as part of the protective measures, Regulation (EEC) No 2107/74 provided for a system of import licences; whereas the validity of the licences granted for this quarter expires on 31 December 1976;

Whereas, during the period of application of the protective measures, this system of import licences replaced the system of import licences introduced by Article 4 of Regulation (EEC) No 1927/75; whereas, in order to ensure the continuity of imports, the date for the reintroduction of this system of import licences should be fixed by reference to the time required for the issue of the licences,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2107/74 is hereby repealed with effect from 1 January 1977.

Article 2

The system of import licences laid down in Article 4 of Regulation (EEC) No 1927/75 shall apply to preserved mushrooms with effect from 27 December 1976.

Article 3

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, 17 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 153, 1. 7. 1968, p. 8.

⁽²⁾ OJ No L 135, 24. 5. 1976, p. 38.

⁽³⁾ OJ No L 198, 29. 7. 1975, p. 7.

⁽⁴⁾ OJ No L 218, 9. 8. 1974, p. 54.

⁽⁵⁾ OJ No L 158, 19. 6. 1976, p. 25.

COMMISSION REGULATION (EEC) No 3097/76

of 17 December 1976

fixing the export refunds on beef and veal for the period beginning 1 January 1977

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,

Having regard to the opinion of the Monetary Committee,

Whereas Article 18 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market and prices within the Community for the products listed in Article 1 of that Regulation may be covered by an export refund;

Whereas Council Regulation (EEC) No 885/68 of 28 June 1968⁽³⁾, as amended by Regulation (EEC) No 1504/76⁽⁴⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas it follows from applying these rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be fixed as indicated below;

Whereas the present market situation in the Community and the selling possibilities, particularly in certain third countries, lead to granting export refunds for the export of adult bovine animals with a live weight equal or superior to 300 kg, for the export of certain fresh or chilled meats shown in the Annex under subheading ex 02.01 A II a) 1 and for the export to certain destinations, of certain frozen meats shown in the Annex under subheading ex 02.01 A II a) 2;

Whereas, in the case of edible meat of domestic bovine animals, boned or boneless, salted and dried,

there are traditional trade flows to Switzerland; whereas, to the extent necessary to allow this trade to continue, the refund must be fixed at an amount which will cover the difference between prices on the Swiss market and export prices in the Member States;

Whereas, in the case of some other cuts and preserves of meat or offals, Community participation in international trade may be ensured by granting a refund which takes account of the refund hitherto granted to exporters;

Whereas, in the case of other beef and veal products, a refund need not be fixed since Community participation in world trade in these products is not significant;

Whereas Article 92 of the Act of Accession⁽⁵⁾ provides that the refund on exports from the new Member States for the products specified in Article 1 (b) and (c) of Regulation (EEC) No 805/68 shall be corrected by the amount of the difference between the customs duties on the products from which these products are produced;

Whereas if the refund system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity;
- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph;

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 28.

⁽³⁾ OJ No L 156, 4. 7. 1968, p. 2.

⁽⁴⁾ OJ No L 168, 28. 6. 1976, p. 7.

⁽⁵⁾ OJ No L 73, 27. 3. 1972, p. 14.

HAS ADOPTED THIS REGULATION:

805/68 is granted and the amount of that refund is fixed as shown in the Annex.

Article 1

The list of products on which the export refund referred to in Article 18 of Regulation (EEC) No

Article 2

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 17 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

CCT heading No	Description of goods	Refund in u.a./100 kg
		Live weight
01.02 A II	Live domestic animals of the bovine species, other than pure-bred breeding animals : — adult bovine animals with a live weight equal or superior to 300 kg	40.00 ⁽¹⁾
		Net weight
ex 02.01 A II a) 1 aa)	Edible meat of domestic bovine animals, fresh or chilled : Of veal :	
11.	Carcases and half-carcases	70.00 ⁽¹⁾
22. and ex 33.	Unseparated or separated forequarters, with a respective minimum of four pairs of ribs or four ribs and a respective maximum of thirteen pairs of ribs or thirteen ribs, with or without the thin flank, the ribs can be whole or cut	56.00 ⁽¹⁾
ex 33.	Unseparated or separated hindquarters, excluding unseparated or separated forequarters with respectively more than eight pairs of whole or cut ribs or more than eight whole or cut ribs	84.00 ⁽¹⁾
bb)	Of adult animals :	
11.	Carcases, half-carcases or 'compensated' quarters	70.00 ⁽¹⁾
22. and ex 33.	Forequarters, with a minimum of four and a maximum of thirteen whole or cut ribs, with or without the thin flanks	56.00 ⁽¹⁾
ex 33.	Hindquarters, excluding the forequarter with more than ten whole or cut ribs	84.00 ⁽¹⁾
cc)	Other cuts of beef and veal :	
11.	Unboned (bone-in)	56.00 ⁽¹⁾
ex 22.	Boned or boneless, excluding the thin flanks and the shin : — each piece individually wrapped	82.00 ⁽¹⁾
ex 02.01 A II a) 2 aa)	Edible meat of domestic bovine animals, frozen : Carcases, half-carcases or 'compensated' quarters : — for export to European third countries ⁽²⁾ , to Jordan, to third countries on the Mediterranean or on the Persian Gulf, to third countries of the Arabian Peninsula and Africa	70.00 ⁽¹⁾
bb) and ex cc)	Forequarters, with a minimum of four and a maximum of thirteen whole or cut ribs, with or without the thin flanks : — for export to European third countries ⁽²⁾ , to Jordan, to third countries on the Mediterranean or on the Persian Gulf, to third countries of the Arabian Peninsula and Africa	56.00 ⁽¹⁾
ex cc)	Hindquarters, excluding the forequarter with more than ten whole or cut ribs : — for export to European third countries ⁽²⁾ , to Jordan, to third countries on the Mediterranean or on the Persian Gulf, to third countries of the Arabian Peninsula and Africa	84.00 ⁽¹⁾

CCT heading No	Description of goods	Refund in u.a./100 kg (Net weight)		
dd)	Others :			
11.	Unboned (bone-in) :			
	— for export to European third countries ^(*) , to Jordan, to third countries on the Mediterranean or on the Persian Gulf, to third countries of the Arabian Peninsula and Africa	56.00 ⁽¹⁾		
ex 22.	Boned or boneless excluding the thin flanks and the shin :			
	— for export to the United States of America	56.00 ⁽¹⁾		
	— each piece individually wrapped for export to European third countries ^(*) , to Jordan, to third countries on the Mediterranean or on the Persian Gulf, to third countries of the Arabian Peninsula and Africa	82.00 ⁽¹⁾		
ex 02.06 C I a) 2	Edible meat of domestic bovine animals, boned or boneless, salted and dried :			
	— for export to Switzerland	36.50 ⁽¹⁾		
		Ireland	United Kingdom	Other Member States
ex 16.02 B III b) 1	Other preparations and preserves of meat or offals except those finely homogenized ^(*) containing by weight the following percentages of bovine meat :			
	1. 80 % or more of meat, excluding offal and fat	33.27	32.30	35.00
	2. 60 % or more but less than 80 % of meat, excluding offal and fat	19.96	19.38	21.00
	3. 40 % or more but less than 60 % of meat, excluding offal and fat	13.31	12.92	14.00
	4. 20 % or more but less than 40 % of meat, excluding offal and fat	6.65	6.46	7.00

⁽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).

^(*) Within the meaning of this Regulation those destinations mentioned in Article 3 of Regulation (EEC) No 192/75 (OJ No L 25, 31. 1. 1975, p. 1) are also to be understood as European third countries.

^(*) The products which contain a small quantity of visible pieces of meat are also excluded.

N.B. : Whereas Article 7 of Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

COMMISSION REGULATION (EEC) No 3098/76

of 17 December 1976

fixing the export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 795/76⁽²⁾, and in particular Article 30 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade and prices in the Community for the products referred to in that Article may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 of 9 December 1969 laying down general rules for granting export refunds on fruit and vegetables and criteria for fixing the amount of such refunds⁽³⁾, as amended by Regulation (EEC) No 2455/72⁽⁴⁾, provides that, when refunds are being fixed, account must be taken of the current situation or foreseeable developments with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the prices and quotations referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it necessary to vary the refund for a given product according to the destination of that product;

Whereas sweet fresh oranges, fresh mandarins, fresh lemons and apples of the common quality standards 'Extra' Class, Class I and Class II, 'Extra' Class and Class I hothouse and open ground grapes, almonds, shelled hazelnuts, and shelled walnuts may at present be exported in economically significant quantities;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity;
- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph;

Whereas it follows from applying these rules and criteria to the present situation on the market of the prospective development of this situation, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refund should be fixed as indicated below;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds on fruit and vegetables are hereby fixed at the amounts indicated in the Annex.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 6.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, 25. 11. 1972, p. 7.

2. The provisions of Article 6 (1) (b) of Commission Regulation (EEC) No 192/75 of 17 January 1975 laying down detailed rules for the application of export refunds in respect of agricultural products ⁽¹⁾, as amended by Regulation (EEC) No 2818/75 ⁽²⁾, shall apply to exports of sweet oranges, mandarins, table

grapes of open ground, unshelled walnuts and apples set out in the Annex.

Article 2

This Regulation shall enter into force on 18 December 1976.

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

Done at Brussels, 17 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 25, 31. 1. 1975, p. 1.

⁽²⁾ OJ No L 280, 31. 10. 1975, p. 31.

ANNEX

to the Commission Regulation of 17 December 1976 fixing the export refunds on fruit and vegetables

CCT heading No	Description of goods	Refund (u.a./100 kg net)
ex 08.02 A I	Sweet fresh oranges : — of the varieties Biondo Comune and Sanguigno Comune ('Extra' Class, Class I and Class II) — of other varieties ('Extra' Class, Class I and Class II)	4-40 6-60
ex 08.02 B	Fresh mandarins ('Extra' Class, Class I and Class II)	6-00
ex 08.02 C	Fresh lemons ('Extra' Class, Class I and Class II)	3-50
ex 08.04 A I	Table grapes : — fresh, open ground 'Extra' Class and Class I — fresh, hothouse 'Extra' Class and Class I	6-00 16-00
ex 08.05 A II	Shelled almonds other than bitter almonds	8-00
ex 08.05 B	Walnuts unshelled	10-00
ex 08.05 G	Shelled hazelnuts	12-00
ex 08.06 A II	Apples ('Extra' Class, Class I and Class II) other than cider apples : — for export to Botswana, Lesotho, Swaziland, Zambia, Malawi, Mozambique, Tanzania, Kenya, Rwanda, Burundi, Uganda, Somalia, Madagascar, Comore Islands, Mauritius, Sudan, Ethiopia, the French terri- tory of the Afars and Issas, the countries of the Arabian peninsula ⁽¹⁾ , Iran and Iraq — for export to countries and territories of Africa other than those mentioned above and South Africa, Syria, Jordan, countries with a planned economy in central and eastern Europe, Bolivia, Brazil, Venezuela, Peru, Panama, Iceland, Finland, Norway, Sweden and the Faroe Islands	7-00 3-00

⁽¹⁾ For the purpose of this Regulation the 'countries of the Arabian peninsula' are considered to be the following, including the territories attached thereto : Saudi Arabia, Bahrain, Qatar, Kuwait, the Sultanate of Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Ummal-Quaiwain, Fujairah, Ras Al Kaiman), Yemen Arab Republic (North Yemen) and the People's Democratic Republic of Yemen (South Yemen).

COMMISSION REGULATION (EEC) No 3099/76**of 17 December 1976****correcting Regulation (EEC) No 3066/76 fixing the premiums to be added to the
import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, and in particular Article
13 (6) thereof,

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 3066/76 ⁽²⁾; whereas a check has revealed an error
in the Annex to that Regulation; whereas the Regula-
tion in question must therefore be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 3066/76 the
amounts '0.84' and '1.05' under subheadings 10.06 A I
b) and 10.06 A II b) for the 'current' month are
replaced by '0'.

Article 2

This Regulation shall enter into force on 18
December 1976. It shall apply from 16 December
1976.

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

Done at Brussels, 17 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 346, 16. 12. 1976, p. 7.

COMMISSION REGULATION (EEC) No 3100/76
of 17 December 1976
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 1707/73 ⁽²⁾, and in particular Article 27 (4) thereof,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 1713/76 ⁽³⁾, as last amended by Regulation (EEC) No 3073/76 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1713/76

to the information at present available to the Commission that the amount of the subsidy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC is hereby fixed as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 20 December 1976.

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

Done at Brussels, 17 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 192, 16. 7. 1976, p. 17.

⁽⁴⁾ OJ No L 346, 16. 12. 1976, p. 22.

ANNEX**to the Commission Regulation of 17 December 1976 fixing the amount of the subsidy on oil seeds**

Subsidy applicable from 20 December 1976 to colza and rape seeds (CCT heading No ex 12.01) and sunflower seeds (CCT heading No ex 12.01) (u.a./100 kg)

	Colza and rape seed	Sunflower seed
Subsidy	8.176	4.151
Subsidy in the case of advance fixing:		
— for the month of December 1976	8.176	4.151
— for the month of January 1977	8.480	4.506
— for the month of February 1977	8.784	6.411
— for the month of March 1977	9.088	6.766
— for the month of April 1977	9.276	—
— for the month of May 1977	9.276	—

COMMISSION REGULATION (EEC) No 3101/76

of 17 December 1976

determining the world market price for colza and rape seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza and rape seed⁽³⁾, as last amended by Regulation (EEC) No 3477/73⁽⁴⁾,

Having regard to Commission Regulation (EEC) No 2300/73 of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73⁽⁵⁾, as last amended by Regulation (EEC) No 632/75⁽⁶⁾, and in particular Article 9 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 9 (4) of Regulation (EEC) No 2300/73, the Commission must determine the world market price for colza and rape seed ;

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 1713/76 of 15 July 1976 fixing the amount of the subsidy on

oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 3100/76⁽⁸⁾ ;

Whereas to enable the price system to operate normally, the world market price should be calculated on the following basis :

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity ;
- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph ;

Whereas, applying all these provisions, the world market price for colza and rape seed should be fixed as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The world market price referred to in Article 9 (4) of Regulation (EEC) No 2300/73 and the rates to be used for converting them into national currencies shall be as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 20 December 1976.

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

Done at Brussels, 17 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 357, 28. 12. 1973, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 66, 13. 3. 1975, p. 11.

⁽⁷⁾ OJ No L 192, 16. 7. 1976, p. 17.

⁽⁸⁾ See page 35 of this Official Journal.

ANNEX

World market price applicable from 20 December 1976 for colza and rape seed (CCT heading No ex 12.01)

	<i>u.a./100 kg (1)</i>
World market price	20-610
World market price where the subsidy is fixed in advance :	
— for the month of December 1976	20-610
— for the month of January 1977	20-610
— for the month of February 1977	20-610
— for the month of March 1977	20-610
— for the month of April 1977	20-422
— for the month of May 1977	20-422

(1) The conversion rates from units of account into national currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following :

1 u.a. =	DM	3-15665
1 u.a. =	Fl	3-35507
1 u.a. =	Bfr/Lfr	48-6572
1 u.a. =	FF	6-64077
1 u.a. =	Dkr	7-89407
1 u.a. =	£	0-797200
1 u.a. =	l£	0-797200
1 u.a. =	Lit	1 150-51

COMMISSION REGULATION (EEC) No 3102/76
of 17 December 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 3062/76⁽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 18 December 1976.

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

Done at Brussels, 17 December 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 345, 15. 12. 1976, p. 16.

ANNEX

to the Commission Regulation of 17 December 1976 fixing the import levies on white sugar and raw sugar

CCT heading No	Description of goods	Levy (u.d./100 kg)
17.01	Beet sugar and cane sugar, solid : A. White sugar B. Raw sugar	20.83 19.08 ⁽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)

COUNCIL

COUNCIL DECISION

of 13 December 1976

concluding the Agreement in the form of an exchange of letters extending the Trade Agreement between the European Economic Community and the Argentine Republic

(76/910/EEC)

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 recommendation from the Commission,

Whereas the Trade Agreement between the European Economic Community and the Argentine Republic⁽¹⁾ should be extended for one year as provided for in Article 9 (2) thereof,

HAS DECIDED:

Article 1

The Agreement in the form of an exchange of letters extending the Trade Agreement between the European Economic Community and the Argentine Republic is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Decision.

Article 2

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

Done at Brussels, 13 December 1976.

For the Council

The President

M. van der STOEL

⁽¹⁾ OJ No L 249, 10. 11. 1971, p. 19.

AGREEMENT

**in the form of an exchange of letters extending the Trade Agreement between
the European Economic Community and the Argentine Republic**

A. Letter to the Argentine authorities

Sir,

With reference to Article 9 (2) of the Trade Agreement between the European Economic Community and the Argentine Republic signed in Brussels on 8 November 1971, I am pleased to inform you that the European Economic Community agrees to the extension of the above Agreement for a period of one year from 1 January 1977.

Please accept, Sir, the assurance of my highest consideration.

*For the Council of the
European Communities*

B. Letter to the President of the Council of the European Communities

Sir,

In your letter of ..., you informed me as follows :

'With reference to Article 9 (2) of the Trade Agreement between the European Economic Community and the Argentine Republic signed in Brussels on 8 November 1971, I am pleased to inform you that the European Economic Community agrees to the extension of the above Agreement for a period of one year from 1 January 1977.'

I am pleased to inform you, on behalf of the Government of the Argentine Republic, that my Government also agrees to the extension of the above Agreement for a period of one year from 1 January 1977.

Please accept, Sir, the assurance of my highest consideration.

CORRIGENDA

**Corrigendum to Commission Regulation (EEC) No 2826/76 of 23 November 1976
amending the export refunds on beef and veal***(Official Journal of the European Communities, No L 325 of 24 November 1976)*

The Annex on page 12 should read as follows :

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 — Each piece individually wrapped for export to European third countries ⁽²⁾ , to Jordan, to third countries on the Mediterranean or on the Persian Gulf, to third countries of the Arabian Peninsula and Africa	58.00 ⁽¹⁾ 82.00 ⁽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).

⁽²⁾ Within the meaning of this Regulation those destinations mentioned in Article 3 of Regulation (EEC) No 192/75 (OJ No L 25, 31. 1. 1975, p. 1) are also to be understood as European third countries.

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