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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 164/77**of 27 January 1977****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 3138/76⁽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 28 January 1977.

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

Done at Brussels, 27 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 206, 31. 7. 1976, p. 62.

ANNEX

to the Commission Regulation of 27 January 1977 fixing the import levies on cereals and on wheat or rye flour groats and meal

(u.a./tonne)

CCT heading No	Description of goods	Levies
10.01 A	Common wheat and meslin	82.71
10.01 B	Durum wheat	127.48 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	62.03 ⁽⁶⁾
10.03	Barley	36.93
10.04	Oats	40.13
10.05 B	Maize other than hybrid maize for sowing	47.17 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	52.90 ⁽⁴⁾
10.07 C	Grain sorghum	55.16 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	127.25
11.01 B	Rye flour	98.28
11.02 A I a)	Durum wheat groats and meal	208.22
11.02 A I b)	Common wheat groats and meal	136.59

⁽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./tonne.

⁽²⁾ Where maize originating in the ACP or OCT is imported into the French overseas departments, the levy is reduced by 6 u.a./tonne 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./tonne.

⁽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./tonne.

⁽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 165/77**of 27 January 1977****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 3138/76 ⁽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 28 January
1977.

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

Done at Brussels, 27 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 206, 31. 7. 1976, p. 64.

ANNEX

to the Commission Regulation of 27 January 1977 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.a./tonne)

CCT heading No	Description of goods	Current 1	1st period 2	2nd period 3	3rd period 4
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize other than hybrid maize for sowing	0	0	0	5.26
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0.56
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(u.a./tonne)

CCT heading No	Description of goods	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
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 166/77**of 27 January 1977****fixing the import levies on calves and adult bovine animals and on beef and veal other than frozen**

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 second line of Article 10 (7), and Article 12 (7) thereof,

Whereas the import levies on calves and adult bovine animals and on beef and veal other than frozen were fixed by Regulation (EEC) No 1597/76 ⁽³⁾, as last amended by Regulation (EEC) No 108/77 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1597/76 to the quotations and other information 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 levies referred to in Articles 10 and 12 of Regulation (EEC) No 805/68 are hereby fixed as shown in the Annex to this Regulation.

Article 2

To be classified as products falling within subheadings 02.01 A II a) 1 aa) and 02.01 A II a) 1 bb), products must correspond to the definition contained in Article 2 of Regulation (EEC) No 2249/73 ⁽⁵⁾.

Article 3

This Regulation shall enter into force on 31 January 1977.

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

Done at Brussels, 27 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 28.

⁽³⁾ OJ No L 177, 2. 7. 1976, p. 11.

⁽⁴⁾ OJ No L 18, 21. 1. 1977, p. 5.

⁽⁵⁾ OJ No L 230, 18. 8. 1973, p. 15.

ANNEX

Levies applicable from 31 January 1977 to imports from third countries ⁽¹⁾

		(u.a./100 kg)	
CCT heading No	Description of goods	Austria Sweden Switzerland	Other third countries
01.02	Live animals of the bovine species :	Live weight	
	A. Domestic species :		
	II. Other :		
	a) Calves	46·240 (a)	46·240 (a)
	b) Other :		
	1. Not yet having any permanent teeth, of a weight of not less than 350 kg but not more than 450 kg in the case of male animals, or of not less than 320 kg but not more than 420 kg in the case of female animals (b)	—	46·240
	2. Other	46·240 (a)	46·240 (a)
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen :	Net weight	
	A. Meat :		
	II. Of bovine animals :		
	a) Of domestic bovine animals :		
	1. Fresh or chilled :		
	aa) Of calves :		
	11. Carcases and half-carcases	87·856	87·856
	22. Separated or unseparated forequarters	70·285	70·285
	33. Separated or unseparated hindquarters	105·427	105·427
	bb) Of adult animals :		
	11. Carcases, half-carcases or 'compensated' quarters :		
	aaa) Carcases of a weight of not less than 180 kg but not more than 270 kg and half-carcases or 'compensated' quarters of a weight of not less than 90 kg but not more than 135 kg, with a low degree of ossification of the cartilages (more especially those of the symphysis pubis and the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light in colour (b)	—	87·856
	bbb) Other	87·856	87·856
	22. Forequarters :		
	aaa) Of a weight of not less than 45 kg but not more than 68 kg, with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (b)	—	70·285
	bbb) Other	70·285	70·285

		(u.a./100 kg)	
CCT heading No	Description of goods	Austria Sweden Switzerland	Other third countries
02.01 (cont'd)	33. Hindquarters :	Net weight	
	aaa) Of a weight of not less than 45 kg but not more than 68 kg (not less than 38 kg but not more than 61 kg in the case of 'Pistola' cuts), with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (b)	—	105-427
	bbb) Other	105-427	105-427
	cc) Other cuts of veal and beef :		
	11. Unboned (bone-in)	131-784	131-784
	22. Boned or boneless	150-742	150-742
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked :		
	C. Other :		
	I. Of domestic bovine animals :		
	a) Meat :		
	1. Unboned (bone-in)	131-784	131-784
	2. Boned or boneless	150-742	150-742

(¹) In accordance with Regulation (EEC) No 706/76, which provides that the levies are not applied to imports into French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

(a) Where these products are imported under the conditions set out in Article 11 of Council Regulation (EEC) No 805/68 of 27 June 1968 and in the provisions adopted for its application, the levy applicable is either refunded or not collected in accordance with those provisions.

(b) Entry under this subheading is subject to the production of the certificate referred to in paragraph 2 (c) of Annex I to the trade agreement between the EEC and the Socialist Federal Republic of Yugoslavia.

COMMISSION REGULATION (EEC) No 167/77
of 27 January 1977
fixing the minimum import levies on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 2843/76 of 23 November 1976 laying down special measures in particular for the determination of the offers of olive oil on the world market⁽⁴⁾, and in particular Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 2844/76 of 23 November 1976 laying down special measures in particular for the determination of the offers of olive oil on the Greek market⁽⁵⁾, and in particular Article 2 (3) thereof,

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

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

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

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

Whereas Article 4 of Commission Regulation (EEC) No 3188/76 of 23 December 1976 on detailed rules

for the implementation of the special measures for the determination of offers of olive oil on the world market and the Greek market⁽¹⁰⁾, as amended by Regulation (EEC) No 85/77⁽¹¹⁾, lays down the criteria for fixing the rate of the minimum levy;

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

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

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

Whereas the application of the rules described above to the levy rates submitted by tenderers on 24 and 25 January 1977 results in the fixing of the minimum levies as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 28 January 1977.

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

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

⁽⁴⁾ OJ No L 327, 26. 11. 1976, p. 4.

⁽⁵⁾ OJ No L 327, 26. 11. 1976, p. 6.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁸⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁹⁾ OJ No L 154, 15. 6. 1976, p. 13.

⁽¹⁰⁾ OJ No L 359, 30. 12. 1976, p. 26.

⁽¹¹⁾ OJ No L 15, 18. 1. 1977, p. 5.

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

Done at Brussels, 27 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 27 January 1977 fixing the minimum import levies on olive oil

(u.a. / 100 kg)

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

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

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

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

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

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

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

⁽⁴⁾ Pursuant to Article 3 of Regulations (EEC) No 2843/76 and (EEC) No 2844/76, no import levy is collected on oil-cake and other residues falling within subheading 23.04 A of the Common Customs Tariff and having an oil content of not more than 3 %.

COMMISSION REGULATION (EEC) No 168/77
of 27 January 1977
fixing the levies and sluice-gate prices for pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat ⁽¹⁾, as amended by Regulation (EEC) No 367/76 ⁽²⁾, and in particular Articles 8 and 12 (1) thereof,

Whereas sluice-gates prices for pig carcasses and for the other products specified in Article 1 of Council Regulation (EEC) No 2766/75 of 29 October 1975 establishing the list of products for which sluice-gate prices are to be fixed and laying down the rules for fixing the sluice-gate price for pig carcasses ⁽³⁾, as amended by Regulation (EEC) No 370/76 ⁽⁴⁾, and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2759/75, must be fixed in advance for each quarter in accordance with the methods of calculation laid down in Commission Regulation (EEC) No 1760/76 of 22 July 1976 fixing the levies and sluice-gate prices on pigmeat ⁽⁵⁾;

Whereas, since sluice-gate prices and levies for pigmeat were last fixed by Regulation (EEC) No 2586/76 ⁽⁶⁾ for the period 1 November 1976 to 31 January 1977, they must be fixed anew for the period 1 February to 30 April 1977; whereas such prices and levies should in principle be fixed by reference to feed grain prices for the period 1 August to 31 December 1976;

Whereas, when the sluice-gate price applicable from 1 November, 1 February and 1 May is being fixed, trends in world market prices for feed grain are to be taken into account only if the value of the quantity of feed grain required varies by at least a specified minimum in relation to that used in calculating the sluice-gate price for the preceding quarter; whereas this minimum was fixed by Regulation (EEC) No 2766/75 at 3 %;

Whereas the value of the quantity of feed grain varies by more than 3 % from that used for the preceding quarter; whereas trends in world market prices for feed grain must therefore be taken into account when

fixing sluice-gate prices for the period 1 February to 30 April 1977;

Whereas, when the levies applicable from 1 November, 1 February and 1 May are being fixed, trends in world market prices for feed grain should be taken into account only if at the same time a new sluice-gate price is being fixed;

Whereas, since a new sluice-gate price is to be fixed, trends in world market prices for feed grain must be taken into account in fixing the levies;

Whereas in the case of products falling within any of subheadings 02.01 B II c) 1 to 7, 15.01 A I, 16.01 A or 16.02 A II of the Common Customs Tariff in respect of which the rate of duty has been bound within GATT the levies should be limited to the amounts resulting from that binding;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 February to 30 April 1977 the sluice-gate prices provided for in Article 12 of Regulation (EEC) No 2759/75 for the products specified in Article 1 of Regulation (EEC) No 2766/75 and the levies provided for in Article 8 of Regulation (EEC) No 2759/75 for the products specified in Article 1 (1) of that Regulation shall be as shown in the Annex hereto.

2. Provided that, in the case of products falling within any of subheadings 02.01 B II c) 1 to 7, 15.01 A I, 16.01 A or 16.02 A II of the Common Customs Tariff in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

Article 2

This Regulation shall enter into force on 1 February 1977.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 45, 21. 2. 1976, p. 1.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 25.

⁽⁴⁾ OJ No L 45, 21. 2. 1976, p. 4.

⁽⁵⁾ OJ No L 197, 23. 7. 1976, p. 21.

⁽⁶⁾ OJ No L 295, 26. 10. 1976, p. 16.

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

Done at Brussels, 27 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

[illegible]

CCT heading No	Description of goods	Sluice-gate price u.a./100 kg	Amount of levies u.a./100 kg	Conventional rate of duty bound within GATT (%)
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked :			
	B. Meat and edible meat offals of domestic swine :			
	I. Meat :			
	a) Salted or in brine :			
	1. Carcases or half-carcases, with or without heads, feet or flare fat	85.52	25.32	—
	2. Bacon sides, spencers, 3/4 sides and middles :			
	aa) Bacon sides	115.46	34.19	—
	bb) Spencers	—	34.19	—
	cc) 3/4 sides and middles	—	37.98	—
	3. Hams and cuts of hams, unboned (bone-in)	132.56	39.25	—
	4. Shoulders (fores) and cuts of shoulders, unboned (bone-in)	104.34	30.89	—
	5. Loins and cuts of loins, unboned (bone-in)	138.55	41.02	—
	6. Bellies (streaky) and cuts of bellies	74.41	22.03	—
	7. Other	—	41.02	—
	b) Dried or smoked :			
	1. Carcases or half-carcases, with or without heads, feet or flare fat	—	37.98	—
	2. Bacon sides, spencers, 3/4 sides and middles :			
	aa) Bacon sides	—	37.98	—
	bb) Spencers	—	37.98	—
	cc) 3/4 sides and middles	—	41.78	—
	3. Hams and cuts of hams, unboned (bone-in) :			
	aa) Slightly dried or slightly smoked	—	50.64	—
	bb) Other	—	71.41	—
	4. Shoulders (fores) and cuts of shoulders, unboned (bone-in) :			
	aa) Slightly dried or slightly smoked	—	35.45	—
	bb) Other	—	56.22	—
	5. Loins and cuts of loins, unboned (bone-in) :			
	aa) Slightly dried or slightly smoked	—	53.18	—
	bb) Other	—	70.65	—
	6. Bellies (streaky) and cuts of bellies :			
	aa) Slightly dried or slightly smoked	—	25.32	—
	bb) Other	—	36.72	—
	7. Other :			
	aa) Slightly dried or slightly smoked	—	53.18	—
	bb) Other	—	71.41	—
	II. Edible meat offals :			
	a) Heads and cuts of heads ; necks	—	8.10	—
	b) Feet ; tails	—	2.28	—
	c) Kidneys	—	26.59	—
	d) Livers	—	30.64	—
	e) Hearts ; tongues ; lungs	—	15.19	—
	f) Livers, hearts, tongues and lungs attached to the trachea and gullet	—	22.28	—
	g) Other	—	22.28	—

CCT heading No	Description of goods	Sluice-gate price u.a./100 kg	Amount of levies u.a./100 kg	Conventional rate of duty bound within GATT (%)
15.01	Lard, other pig fat and poultry fat, rendered or solvent extracted :			
	A. Lard and other pig fat :			
	I. For industrial uses other than the manufacture of foodstuffs for human consumption (a)	—	8·10	3
	II. Other	27·37	8·10	—
16.01	Sausages and the like, of meat, meat offal or animal blood :			
	A. Liver sausages	—	47·64	24
	B. Other (b) :			
	I. Sausages, dry or for spreading, uncooked	—	83·81	—
	II. Other	—	55·47	—
16.02	Other prepared or preserved meat or meat offal :			
	A. Liver :			
	II. Other	—	52·40	25
	B. Other :			
	III. Other :			
	a) Containing meat or offals of domestic swine and containing by weight :			
	1. 80 % or more of meat or offal, of any kind, including fats of any kind or origin :			
	aa) Hams, fillets and loins ; pieces thereof	—	85·40	—
	bb) Shoulders and pieces thereof	—	71·11	—
	cc) Other	—	50·78	—
	2. 40 % or more but less than 80 % of meat or offals, of any kind, including fats of any kind or origin	—	45·15	—
	3. Less than 40 % of meat or offal, of any kind, including fats of any kind or origin	—	27·74	—

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

(b) The levy on sausages imported in containers which also contain preserving liquid, shall be charged on the net weight, i.e. minus the weight of the liquid.

COMMISSION REGULATION (EEC) No 169/77
of 26 January 1977
concerning import arrangements in the Benelux countries for certain stockings
originating in the Republic of Korea

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1439/74 of 4 June 1974 on common rules for imports⁽¹⁾, and in particular Article 12 thereof,

Having consulted the Committee provided for in Article 5 of the said Regulation,

Whereas, in the context of the Arrangement regarding international trade in textiles, the European Economic Community and the Republic of Korea have negotiated an Agreement on trade in textile products, which was signed on 22 December 1976;

Whereas the Commission has submitted to the Council a recommendation for a Regulation concluding that Agreement;

Whereas, during the negotiations, the Community and the Republic of Korea declared their intention of applying this Agreement prior to completion of the procedures necessary for its entry into force;

Whereas, for certain textile products, the Agreement makes provision for a consultation procedure permitting the adoption of protective measures in the event of a real risk of market disruption;

Whereas, in accordance with the said procedure, the Community and Korea have established that imports into the Benelux countries of certain stockings of Korean origin have increased sharply and substantially, that they are offered for sale on those markets at prices which are considerably lower than the prices prevailing among Community producers and that they represent a significant market share;

Whereas the Community and Korea are therefore of the opinion that all these factors caused market disruption and substantial injury to Community producers and that further unlimited imports would aggravate

the injury already caused and would make it difficult to remedy;

Whereas, in this situation Korea has undertaken to submit its exports to the Benelux countries of the products in question to a quantitative limit for 1977 and the Community has accepted that imports of such products will be admitted up to the said limit in accordance with a system of double checking;

Whereas it is necessary to establish detailed rules for the administration of the said limits by the competent authorities in the Benelux countries,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports into the Benelux countries of the products listed in the Annex hereto and originating in the Republic of Korea and exported therefrom between 1 January and 31 December 1977 shall be subject to the quantitative limit set out in the said Annex.

2. The competent authorities in the Benelux countries shall within quantitative limits prescribed, automatically authorize the import of the products referred to in paragraph 1 immediately upon production by the importer of a certified copy of an export licence granted by the Korean authorities.

Article 2

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

2. It shall apply until the entry into force of appropriate measures to be taken by the Council in accordance with Articles 12 (6) and 13 of Regulation (EEC) No 1439/74 or until the expiry of a period of six weeks after its entry into force, whichever is the sooner.

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

Done at Brussels, 26 January 1977.

For the Commission
Wilhelm HAFERKAMP
Vice-President

⁽¹⁾ OJ No L 159, 15. 6. 1974, p. 1.

ANNEX

CCT heading No	NIMEXE code	Description of goods	Unit	Quantitative limit for 1977
ex 60.03	60.03-11 ; 19 ; 30 ; 90	Stockings, understockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized, other than of synthetic textile fibres	1 000 pairs	1 000

COMMISSION REGULATION (EEC) No 170/77

of 26 January 1977

re-establishing the levying of the customs duties on primary cells and primary batteries, falling within heading No 85.03, originating in Hong Kong to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3021/76 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3021/76 of 13 December 1976 establishing preferential tariffs in respect of certain products originating in developing countries⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) and (4) of that Regulation provides that the customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A to the Regulation in question — to the sum arrived at by adding together the value of the products in question imported *cif* into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1974 *cif* imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 172.5 % of that resulting from the substitution of the year 1971 for the year 1974 in the first term of the addition and of the year 1972 for the year 1974 in the second term of the addition;

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

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

Whereas, in respect of primary cells and primary batteries the ceiling, calculated as indicated above, should be 4 441 000 u.a., and therefore the maximum amount is 1 332 300 u.a.; whereas on 21 January 1977, the amounts of imports into the Community of primary cells and primary batteries, originating in Hong Kong, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 3021/76 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Hong Kong,

HAS ADOPTED THIS REGULATION:

Article 1

As from 31 January 1977, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3021/76, shall be re-established in respect of the following products, imported into the Community and originating in Hong Kong:

CCT heading No	Description of goods
85.03	Primary cells and primary batteries

Article 2

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

⁽¹⁾ OJ No L 349, 20. 12. 1976, p. 23.

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

Done at Brussels, 26 January 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 171/77

of 27 January 1977

introducing a countervailing charge on certain varieties of sweet oranges originating in Algeria and in Greece

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 the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0.50 unit of account below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances;

Whereas Commission Regulation (EEC) No 2755/76 of 11 November 1976 fixing the reference prices for sweet oranges for the 1976/77 marketing year⁽³⁾ fixed the reference price for Class I products of Group II at 16.28 units of account per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available, less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas it is necessary to record the prices to be taken into consideration on the representative markets referred to in Regulation (EEC) No 2118/74⁽⁴⁾, as amended by Regulation (EEC) No 385/75⁽⁵⁾, and to affect this price where applicable by the coefficients fixed in Article 1 (4) of Regulation (EEC) No 2755/76;

Whereas, for oranges from Algeria and Greece of the varieties listed in Article 1 (3) (c) of Regulation (EEC) No 2755/76, the entry prices calculated in this way have remained at least 0.50 unit of account below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for certain varieties of sweet oranges originating in Algeria and in Greece;

Whereas the entry prices available at present for these two exporting countries allow the application of one charge, equal to the difference between the reference price and the arithmetic mean of the average entry prices established for each exporting country; whereas Commission Regulation (EEC) No 132/77 of 24 January 1977 introducing a countervailing charge on certain varieties of sweet oranges originating in Algeria⁽⁶⁾ should therefore be repealed;

Whereas, if the system is to operate normally, the entry prices should be calculated:

- 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,

HAS ADOPTED THIS REGULATION:

Article 1

1. A countervailing charge of 1.58 units of account per 100 kilograms net is applied to fresh sweet oranges (subheading ex 08.02 A 1 of the Common Customs Tariff) originating in Algeria and in Greece other than the varieties Moro, Tarocco, Biondo comune (Blanca comune, Blonde commune), Grano de Oro (Imperial, Sucrena), Baladi, Pera, Macetera,

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 6.

⁽³⁾ OJ No L 312, 13. 11. 1976, p. 37.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 44, 18. 2. 1975, p. 8.

⁽⁶⁾ OJ No L 21, 25. 1. 1977, p. 34.

Pineapple, Blood oval (Doblefina, Double fine), Portuguese sanguine, Sanguina redonda (Entrefina), Surinam varieties and the ordinary Sanguina variety, with the exception of Navel sanguines (improved Double fine, Washington sanguina, Sanguina grande) and Maltese sanguines.

2. Regulation (EEC) No 132/77 is hereby repealed.

Article 2

This Regulation shall enter into force on 29 January 1977.

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

Done at Brussels, 27 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 172/77
of 27 January 1977
fixing the export refunds on fishery products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 100/76 of 19 January 1976 on the common organization of the market in fishery products⁽¹⁾, as amended by Regulation (EEC) No 2429/76⁽²⁾, and in particular the fourth indent of Article 23 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 23 of Regulation (EEC) No 100/76 provides that, to the extent necessary to enable economically important exports of the products listed in Article 1 (2) of that Regulation to be effected on the basis of prices for these products on the world market, the difference between these prices and prices within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 110/76 of 19 January 1976 laying down general rules for granting export refunds on fishery products and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed account must be taken on the one hand of the existing situation and the future trend with regard to prices and availabilities of fishery products on the Community market and prices for fishery products on the world market on the other; whereas account must also be taken of the costs referred to in (c) of that Article of the economic significance of the proposed exports and of the aims of the common organization of the market in fishery products;

Whereas Article 3 of Regulation (EEC) No 110/76 provides that, when prices on the Community market are being determined, account must be taken of the ruling prices which are most favourable from the exportation point of view; whereas, when prices on the world market are being determined, account must be taken of the prices indicated in paragraph 2 of that Article;

Whereas the world market situation or the specific requirements of certain markets may make it neces-

sary to vary the refund according to the destination of the products in question;

Whereas products of Community origin which are landed, direct from the fishing grounds, in ports situated outside the customs territory of the Community do not qualify for refunds;

Whereas economically important quantities of frozen fillets of cod and of coalfish, frozen whole mackerel and of dried and salted cod and coalfish can be exported at the present time;

Whereas it follows from applying the abovementioned rules and criteria to the present situation on the market and in particular to prices for fishery products in the Community and on the world market that the refund should be fixed as shown in the Annex;

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 Management Committee for Fishery Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds referred to in Article 1 (2) of Regulation (EEC) No 100/76 are hereby fixed at the amounts shown in the Annex.

Article 2

This Regulation shall enter into force on 29 January 1977.

⁽¹⁾ OJ No L 20, 28. 1. 1976, p. 1.

⁽²⁾ OJ No L 276, 7. 10. 1976, p. 5.

⁽³⁾ OJ No L 20, 28. 1. 1976, p. 48.

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

Done at Brussels, 27 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 27 January 1977 fixing the export refunds on fishery products

(n.a. / 100 kg net)

CCT heading No	Description of goods	Refund
03.01	Fish, fresh (live or dead), chilled or frozen : B. Saltwater fish : I. Whole, headless or in pieces : m) Mackerel : 2. bb) Frozen II. Fillets : b) Frozen : 1. Of cod (<i>Gadus morrhua</i> or <i>Gadus callarias</i>) 2. Of coalfish (<i>Pollachius virens</i> or <i>Gadus virens</i>)	3.00 3.00 1.00
03.02	Fish, dried, salted or in brine, smoked fish, whether or not cooked before or during the smoking process : ex A. I. b) Cod, dried and salted, whole headless or in pieces For exports to Brazil, Puerto Rico, Congo-Brazzaville, Zaire and Venezuela f) Coalfish, dried and salted, whole, headless or in pieces For exports to Congo-Brazzaville, Gabon, Zaire, Jamaica, Trinidad, Barbados, Windward and Leeward Islands, Panama, Surinam and the Dominican Republic	15.00 15.00

COMMISSION REGULATION (EEC) No 173/77

of 27 January 1977

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 3138/76⁽²⁾, and in particular
Article 14 (4) thereof,

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

Having regard to the opinion of the Monetary
Committee,

Whereas the rules to be applied to calculating the vari-
able component of the import levy on products
processed from cereals and rice are laid down in
Article 14 (1) (A) of Regulation (EEC) No 2727/75 and
Article 12 (1) (a) of Regulation (EEC) No 1418/76;
whereas Article 2 of Council Regulation (EEC) No
2744/75 of 29 October 1975 on the import and
export system for products processed from cereals and
rice⁽⁴⁾, as amended by Regulation (EEC) No
832/76⁽⁵⁾, provides that the incidence on the prime
costs of these products of the levies applicable to their
basic products should be calculated on the basis of the
average of the levies applicable to these basic products
for the first 25 days of the month preceding that of
importation; whereas this average, adjusted on the
basis of the threshold price valid for the basic
products in question during the month of importa-
tion, is calculated on the basis of the quantities of
basic products considered to have been used in the
manufacture of the processed product or the
competing product which serves as a reference for
processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74
of 24 June 1974 on the procedure for calculating the
import levy on products processed from cereals and
from rice and for the advance fixing of this levy for

these products and for compound feedingstuffs manu-
factured from cereals⁽⁶⁾, as last amended by Regula-
tion (EEC) No 1997/75⁽⁷⁾, provides that the levy thus
determined, increased by the fixed component, is
valid in general for one month but is altered where
the levy applicable to the basic product concerned
differs by not less than 2.5 units of account per tonne
from the average of the levies calculated as described
above;

Whereas in accordance with Article 5 of Regulation
(EEC) No 2744/75 and Article 2 of Regulation (EEC)
No 1579/74, the levy on certain processed products
must be reduced by an amount equal to the produc-
tion refund granted in respect of basic products for
processing; whereas Regulation (EEC) No 1921/75⁽⁸⁾,
as amended by Regulation (EEC) No 2415/75⁽⁹⁾, laid
down certain transitional measures in respect of
starches;

Whereas the fixed component of the levy is specified
in Regulation (EEC) No 2744/75;

Whereas, in order that account may be taken of the
interests of the African, Caribbean and Pacific States
or in the 'overseas countries and territories', the levy
relating to them in respect of certain products
processed from cereals must be reduced by the
amount of the fixed component and, in respect of
some of these products, by part of the variable compo-
nent; whereas this reduction must be made in accor-
dance with Article 12 of Council Regulation (EEC)
No 706/76 of 30 March 1976 on the arrangements
applicable to agricultural products and certain goods
resulting from the processing of agricultural products
originating in the African, Caribbean and Pacific
States or in the 'overseas countries and territories'⁽¹⁰⁾;

Whereas Article 4 (2) of Regulation (EEC) No 2744/75
provides that the levy to be charged on the products
listed in the Annex to that Regulation under
subheading 07.06 A is limited, with effect from the
date of entry into force of the Geneva Protocol (1967)
annexed to the General Agreement on tariffs and
trade, to the amount resulting from application of the
rate of duty bound within GATT;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 100, 14. 4. 1976, p. 1.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 202, 1. 8. 1975, p. 57.

⁽⁸⁾ OJ No L 195, 26. 7. 1975, p. 25.

⁽⁹⁾ OJ No L 247, 23. 9. 1975, p. 22.

⁽¹⁰⁾ OJ No L 85, 31. 3. 1976, p. 2.

Whereas, if the levy system is to operate normally, levies 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 February 1977.

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

Done at Brussels, 27 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 27 January 1977 fixing the import levies on products processed from cereals and rice

CCT heading No	Nomenclature in simplified wording	Levies in u.a./tonne	
		Third countries (other than ACP or OCT)	ACP or OCT
07.06 A	Manioc, arrowroot, salep and other similar roots and tubers with high starch content, excluding sweet potatoes	8.46 ⁽¹⁾	6.96 ⁽¹⁾ / ⁽⁵⁾
11.01 C	Barley flour ^(*)	89.58	84.58
11.01 D	Oat flour ^(*)	95.95	90.95
11.01 E I	Maize flour, of a fat content not exceeding 1.5 % by weight ^(*)	102.43	97.43
11.01 E II	Maize flour, of a fat content exceeding 1.5 % by weight ^(*)	57.71	55.21
11.01 F	Rice flour ^(*)	68.63	66.13
11.01 G	Cereals flours, other than flour of wheat, meslin, rye, barley, oats, maize or rice ⁽²⁾	63.71	61.21
11.02 A II	Rye groats and meal ^(*)	123.66	118.66
11.02 A III	Barley groats and meal ^(*)	89.58	84.58
11.02 A IV	Oat groats and meal ^(*)	95.95	90.95
11.02 A V a) 1	Maize groats and meal, of a fat content not exceeding 1.5 % by weight, for the brewing industry ^(*)	102.43	97.43
11.02 A V a) 2	Maize groats and meal, of a fat content not exceeding 1.5 % by weight, other than for the brewing industry ^(*)	102.43	97.43
11.02 A V b)	Maize groats and meal, of a fat content exceeding 1.5 % by weight ^(*)	57.71	55.21
11.02 A VI	Rice groats and meal ^(*)	68.63	66.13
11.02 A VII	Cereals groats and meal, other than groats and meal of wheat, meslin, rye, barley, oats, maize or rice ⁽²⁾	63.71	61.21
11.02 B I a) 1	Hulled (shelled or husked) barley ^(*)	77.68	75.18
11.02 B I a) 2 aa)	Clipped oats	54.04	51.54
11.02 B I a) 2 bb)	Hulled (shelled or husked) oats other than clipped oats ^(*)	93.45	90.95
11.02 B I b) 1	Hulled and sliced or kibbled barley ('Grütze' or 'Grutten') ^(*)	77.68	75.18
11.02 B I b) 2	Hulled and sliced or kibbled oats ('Grütze' or 'Grutten') ^(*)	93.45	90.95

CCT heading No	Nomenclature in simplified wording	Levies in u.a./tonne	
		Third countries (other than ACP or OCT)	ACP or OCT
11.02 B II a)	Hulled (shelled or husked) wheat, whether or not sliced or kibbled ^(*)	116.60	114.10
11.02 B II b)	Hulled (shelled or husked) rye, whether or not sliced or kibbled ^(*)	90.17	87.67
11.02 B II c)	Hulled (shelled or husked) maize, whether or not sliced or kibbled ^(*)	89.11	86.61
11.02 B II d)	Hulled (shelled or husked) grains, whether or not sliced or kibbled, other than those of wheat, rye, maize, barley or oats ^(*)	98.52	96.02
11.02 C I	Pearled wheat ^(*)	139.76	137.26
11.02 C II	Pearled rye ^(*)	107.97	105.47
11.02 C III	Pearled barley ^(*)	122.48	117.48
11.02 C IV	Pearled oats ^(*)	83.35	80.85
11.02 C V	Pearled maize ^(*)	89.11	86.61
11.02 C VI	Pearled grains, other than grains of wheat, rye, barley, oats or maize ^(*)	98.52	96.02
11.02 D I	Wheat not otherwise worked than kibbled ^(*)	90.01	87.51
11.02 D II	Rye not otherwise worked than kibbled ^(*)	69.74	67.24
11.02 D III	Barley not otherwise worked than kibbled ^(*)	50.43	47.93
11.02 D IV	Oats not otherwise worked than kibbled ^(*)	54.04	51.54
11.02 D V	Maize not otherwise worked than kibbled ^(*)	57.71	55.21
11.02 D VI	Grains not otherwise worked than kibbled, other than grains of wheat, rye, barley, oats or maize ^(*)	63.71	61.21
11.02 E I a) 1	Rolled barley ^(*)	50.43	47.93
11.02 E I a) 2	Rolled oats ^(*)	54.04	51.54
11.02 E I b) 1	Flaked barley ^(*)	98.98	93.98
11.02 E I b) 2	Flaked oats ^(*)	106.06	101.06
11.02 E II a)	Rolled or flaked wheat ^(*)	159.42	154.42
11.02 E II b)	Rolled or flaked rye ^(*)	123.66	118.66
11.02 E II c)	Rolled or flaked maize ^(*)	102.43	97.43
11.02 E II d) 1	Flaked rice ^(*)	117.30	112.30

CCT heading No	Nomenclature in simplified wording	Levies in u.a./tonne	
		Third countries (other than ACP or OCT)	ACP or OCT
11.02 E II d) 2	Rolled or flaked grains other than grains of wheat, rye, barley, oats, maize or rice, excluding flaked rice ⁽²⁾	113.02	108.02
11.02 F I	Wheat pellets ⁽³⁾	159.42	154.42
11.02 F II	Rye pellets ⁽³⁾	123.66	118.66
11.02 F III	Barley pellets ⁽³⁾	89.58	84.58
11.02 F IV	Oat pellets ⁽³⁾	95.95	90.95
11.02 F V	Maize pellets ⁽³⁾	102.43	97.43
11.02 F VI	Rice pellets ⁽³⁾	68.63	66.13
11.02 F VII	Pellets of cereals other than wheat, rye, barley, oats, maize or rice ⁽³⁾	63.71	61.21
11.02 G I	Wheat germ, whole, rolled, flaked or ground	69.34	64.34
11.02 G II	Germ of cereals other than wheat, whole, rolled flaked or ground	45.60	40.60
11.06 A	Denatured flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06, for the manufacture of starches	10.96	5.46 ⁽⁵⁾
11.06 B I	Undenatured flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06, for the manufacture of starches	81.61	61.61 ⁽⁵⁾
11.06 B II	Undenatured flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06, other than for the manufacture of starches	104.15	84.15 ⁽⁵⁾
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	161.71	152.71
11.07 A I b)	Unroasted malt, obtained from wheat, other than in the form of flour	123.10	114.10
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	92.64 ⁽⁴⁾	83.64
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	71.50	62.50
11.07 B	Roasted malt	81.83 ⁽⁴⁾	72.83
11.08 A I	Maize starch	81.61	64.61
11.08 A II	Rice starch	94.19	68.69
11.08 A III	Wheat starch	161.74	144.74
11.08 A IV	Potato starch	81.61	64.61

CCT heading No	Nomenclature in simplified wording	Levies in u.a./tonne	
		Third countries (other than ACP or OCT)	ACP or OCT
11.08 A V	Starches other than maize, rice, wheat or potato starch	81·61	32·30 ⁽⁵⁾
11.09	Wheat gluten, whether or not dried	413·16	263·16
17.02 B II a)	Glucose other than glucose containing, in the dry state, 99 % or more by weight of the pure product ⁽⁶⁾ , in the form of white crystalline powder, whether or not agglomerated	164·27	84·27
17.02 B II b)	Glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product ⁽⁶⁾ , other than glucose in the form of white crystalline powder, whether or not agglomerated	119·61	64·61
17.05 B I	Flavoured or coloured glucose, in the form of white crystalline powder, whether or not agglomerated	164·27	84·27
17.05 B II	Flavoured or coloured glucose syrup, other than in the form of white crystalline powder, whether or not agglomerated	119·61	64·61
23.02 A I a)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, with a starch content not exceeding 35 % by weight	18·69	18·69
23.02 A I b)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, with a starch content exceeding 35 % by weight	59·81	59·81
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, of which the starch content does not exceed 28 % by weight, and of which the percentage which passes through a sieve with an aperture of 0·2 mm does not exceed 10 % by weight or of which the sieved product has an ash content, calculated on the dry product, of 1·5 % or more by weight	14·95	14·95
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not falling within subheading 23.02 A II a)	59·81	59·81
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40 % by weight	230·26	80·26

⁽⁴⁾ This levy is limited to 6 % of the value for customs purposes.

⁽⁵⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45% by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1·6 % for rice, 2·5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

⁽⁶⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

⁽⁷⁾ In accordance with Regulation (EEC) No 2755/75 this levy is reduced by 0·45 u.a./100 kg for products originating in Turkey.

⁽⁸⁾ In accordance with Regulation (EEC) No 706/76 the levy shall not be charged on the following products originating in the countries and territories:

- arrowroot falling within subheading ex 07.06 A,
- flours and meal of arrowroot falling within subheadings ex 11.06 A, ex 11.06 B I and II,
- arrowroot starch falling within subheading ex 11.08 A V.

COMMISSION REGULATION (EEC) No 174/77
of 27 January 1977
fixing the import levies on compound feedingstuffs

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 3138/76⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas the incidence of the levies applicable to the basic products of compound feedingstuffs on their prime costs should be determined, in pursuance of Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, on the basis of the average of the levies applicable during the first 25 days of the month preceding the month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is specified in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States or in the 'overseas countries and territories', the levy relating to them in respect of certain products processed from cereals must be reduced by the

amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'⁽⁴⁾;

Whereas, if the levy system is to operate normally, levies 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75 the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are fixed hereby as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 February 1977.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 85, 31. 3. 1976, p. 2.

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

Done at Brussels, 27 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 27 January 1977 fixing the import levies on compound feedingstuffs

CCT heading No	Nomenclature in simplified wording	Levies in u.a./tonne	
		Third countries (other than ACP or OCT)	ACP or OCT
	Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 968/68, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 17.05 B, or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04, and subheadings 17.02 A and 17.05 A) containing starch, glucose or glucose syrup :		
	Containing no starch or containing 10 % or less by weight of starch :		
23.07 B I a) 1	— Containing no milk products or containing less than 10 % by weight of such products	17.66	8.66
23.07 B I a) 2	— Containing 10 % or more but less than 50 % by weight of milk products	456.50	447.50
	Containing more than 10 % but not more than 30 % by weight of starch :		
23.07 B I b) 1	— Containing no milk products or containing less than 10 % by weight of such products	36.07	27.07
23.07 B I b) 2	— Containing 10 % or more but less than 50 % by weight of milk products	474.91	465.91
	Containing more than 30 % by weight of starch :		
23.07 B I c) 1	— Containing no milk products or containing less than 10 % by weight of such products	63.13	54.13
23.07 B I c) 2	— Containing 10 % or more but less than 50 % by weight of milk products	501.97	492.97

COMMISSION REGULATION (EEC) No 175/77

of 27 January 1977

fixing the export refunds 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 organization of the market in rice ⁽¹⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽²⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbance of the Community market;

Whereas Regulation No 669/67/EEC ⁽³⁾, as amended by Regulation (EEC) No 1057/68 ⁽⁴⁾, lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

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 in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as shown in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 February 1977.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽³⁾ OJ No 241, 5. 10. 1967, p. 6.

⁽⁴⁾ OJ No L 179, 25. 7. 1968, p. 31.

NB: The zones are those defined in Regulation (EEC) No 306/76 (OJ No L 38, 13. 2. 1976).

COMMISSION REGULATION (EEC) No 176/77

of 27 January 1977

fixing the corrective amount applicable to the refund 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 organization of the market in rice⁽¹⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence;

Whereas Regulation No 474/67/EEC⁽²⁾, as amended by Regulation (EEC) No 1397/68⁽³⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than 0.25 unit of account per tonne; whereas, on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than 0.25 unit of account per tonne;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76; whereas the cif forward delivery price is that

determined in accordance with Article 3 (2) of Regulation 1428/76⁽⁴⁾, based, in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation;

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 all these provisions that the corrective amount applicable on 1 February 1977 must be fixed as shown in the table annexed to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice is hereby fixed as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 1 February 1977.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽³⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁴⁾ OJ No L 166, 25. 6. 1976, p. 30.

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

Done at Brussels, 27 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 27 January 1977 fixing the corrective amount applicable to the refund on rice and broken rice

(u.a./metric ton)

CCT heading No	Description of goods	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7
10.06	Rice :						
	A. Paddy rice ; husked rice :						
	I. Paddy rice :						
	a) Round grain	—	—	—	—	—	—
	b) Long grain	—	—	—	—	—	—
	II. Husked rice :						
	a) Round grain	0	0	0	0	0	0
	b) Long grain	0	0	0	0	0	0
	B. Semi-milled or wholly milled rice :						
	I. Semi-milled rice :						
	a) Round grain	—	—	—	—	—	—
	b) Long grain	—	—	—	—	—	—
	II. Wholly milled rice :						
	a) Round grain	0	0	0	0	0	0
	b) Long grain	0	0	0	0	0	0
	C. Broken rice	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 177/77**of 27 January 1977****fixing 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 organization of the market in rice ⁽¹⁾, and in particular Article 11 (2) thereof,

Whereas the import levies on rice and broken rice were fixed by Regulation (EEC) No 2137/76 ⁽²⁾, as last amended by Regulation (EEC) No 154/77 ⁽³⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2137/76 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 table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 are hereby fixed as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 28 January 1977.

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

Done at Brussels, 27 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 240, 1. 9. 1976, p. 5.

⁽³⁾ OJ No L 23, 27. 1. 1977, p. 22.

(2) In accordance with Regulation (EEC) No 706/76, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 12 January 1977

concerning the measures provided for in the draft law of the Region of Campania (Italy) supplementing and amending Regional Law No 29 of 22 July 1974 on measures to promote beet production

(Only the Italian text is authentic)

(77/83/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 93 (2) and Article 93 (3) thereof,

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 41 thereof,

After giving notice to the parties concerned to submit their comments,

Whereas, pursuant to Article 93 (3) of the Treaty, the Permanent Representation of Italy to the European Communities notified the Commission by letter of 10 June 1975 of the draft law of the Region of Campania supplementing and amending Regional Law No 29 of 22 July 1974 on measures to promote beet production;

Whereas the said draft law provides for the granting by the Region of Campania of aid amounting to Lit 80 000 per hectare sown with sugar beet;

Whereas the Permanent Representation of Italy, by telex of 11 October 1975, supplied the Commission with additional information concerning the said draft law;

Whereas the Commission in its letter of 26 December 1975 informed the Italian Government that the aid provided for by the authorities of Campania, in so far as it exceeded that provided for by Article 38 of Council Regulation (EEC) No 3330/74 and that provided for by Decision Nos 18 and 19 of 11 August 1975 of the CIP (Interministerial Committee on Prices), was in the opinion of the Commission incompatible with the common market within the meaning of Article 92 (1) of the Treaty and did not qualify for the exemption laid down in paragraphs 2 and 3 of that Article and that the Commission was therefore initiating the procedure provided for in Article 93 (2), giving notice to the Italian Government to submit its comments;

Whereas the Italian Permanent Representation informed the Commission by letter of 8 October 1976 that the draft law of the Region of Campania converted meanwhile into Regional Law No 54 of 5 June 1975, had never been implemented; whereas the statistical data concerning beet production in Campania showed that the areas sown with beet had decreased considerably during the period preceding the promulgation of Regional Law No 54/75 and that this decrease was attributable not only to a reduction in the areas planted but also to a substantial drop in yields; whereas the granting of national aid to sugar production — provided for by Regulation (EEC) No

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1976, p. 9.

3330/74 and subsequently raised by Regulation (EEC) No 1487/76 to 9.9 units of account per tonne of beet for the 1976/77 marketing year — had done nothing to solve the problem of Campania beet-growers, for whom additional regional aid had proved necessary in 1975;

Whereas, the Italian Government requested the Commission to consider the possibility of applying to the Campania Regional Law the exemption provided for in Article 92 (3) (a) and (c) of the Treaty;

Whereas the two abovementioned CIP decisions make provision, in addition to the aid granted under Article 38 of Regulation (EEC) No 3330/74, for the following in respect of the 1975/76 sugar year:

- (a) the granting to beet-growers of aid equivalent to Lit 3 165.11 per tonne of beet with a 16 % sugar content (paragraph 4 of Decision No 18);
- (b) the granting to the processing industry of aid amounting to Lit 2 156.30 per 100 kilograms of white sugar produced in Italy (paragraph 5 (d) of Decision No 19).

Whereas Italy is an importer of sugar and imported 300 000 tonnes from the other Member States during the 1975/76 marketing year;

Whereas the aid provided for by the draft law of Campania represents a considerable proportion of the annual value of beet production in that region; whereas this measure should have the effect of substantially reducing the production costs of the beet-growers of Campania; whereas, consequently, the aid artificially promotes the expansion, or at least the maintenance, of beet production in the region and hence of sugar production for which beet is the raw material; whereas, without such aid from the public authorities, the beet-growers would cease or substantially cut back their production of beet, since it is impossible to achieve a good yield per hectare for that crop in Campania; whereas such aid would very probably affect intra-Community trade by encouraging the increase or maintenance of beet-growing and thus of sugar production in that region, and would distort competition by putting Campania beet-growers at an advantage over those in other Member States;

Whereas sugar producers in Campania could conceivably fix their selling prices at a level lower than that which would prevail in the absence of the aid; whereas any such development would also be liable to affect intra-Community trade and distort competition to the disadvantage of sugar producers in other Member States wishing to export to Italy;

Whereas the aid of Lit 80 000 per hectare sown with beet represents approximately 16 % of the gross saleable value per hectare;

Whereas as regards the arguments put forward by the Italian Government in its Permanent Representation's letter of 8 October 1976, the areas sown with beet and its production had been decreasing in most regions of Italy up to 1974 but have increased since then, during the 1975 and 1976 sugar years, as a result of very good prices in Italian lira for sugar beet (which reflected the very substantial national aid granted over and above the Community aid), leading to an increase in the areas sown and in sugar beet production as a whole, especially in Campania;

Whereas the prohibition laid down by Article 92 (1) cannot be set aside, since the derogations provided for by Article 92 (2) are not applicable in this case;

Whereas the proposed aid could not be authorized under Article 92 (3) (a) or (c) since it is in no way an aid to promote the development of the activity or of the economic region in question, as the situation of the region and of the activity will not have been permanently changed by the time that the aid is discontinued;

Whereas the aid does not relate to an important project of common European interest or a measure to remedy a serious disturbance in the Italian economy; whereas, consequently Article 92 (3) (b) is not applicable;

Whereas the proposed aid, instead of encouraging beet producers in Campania to make a real effort to reorganize or convert their holdings, leads them to increase, or at least to maintain, the cultivation of beet and hence the manufacture of sugar, a product of which there is currently a surplus in the Community; whereas this aid, supplementing that provided for by Article 38 of Regulation (EEC) No 3330/74, cannot fail to have an adverse effect on the common organization of the market in sugar;

Whereas, in this connection, sugar prices are fixed annually by the Community having regard to general price levels and to production costs in particular; whereas Italian beet and sugar producers have, in this way, benefited from prices higher than in other regions of the Community, especially because account is taken of the depreciation of the Italian currency when prices are expressed in lira; whereas the Italian price for beet was 92.6 % higher in 1975/76 than in 1967/68 and the derived intervention price of white sugar had increased by 102.4 % over the same period; whereas to these price rises must be added the aid provided solely for Italy by Article 38 of Regulation (EEC) No 3330/74 so that further aid is thus unnecessary;

Whereas, finally, the aid in question is not compatible with the common market and whereas, pursuant to Article 93 (2), it is incumbent on the Commission to decide that the measures should not be implemented,

HAS ADOPTED THIS DECISION :

Article 1

The Italian Republic shall ensure that the measure provided for by Law No 54/75 of the Region of Campania providing for the granting of aid of Lit 80 000 per hectare sown with beet is not implemented.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 12 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 12 January 1977

fixing the maximum export refund for the sixty-first partial invitation to tender
for white sugar issued under Regulation (EEC) No 2101/75

(77/84/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3330/74 of 19 December 1974 on the common organi-
zation of the market in sugar⁽¹⁾, as last amended by
Regulation (EEC) No 3138/76⁽²⁾, and in particular
Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 2101/75
of 11 August 1975 on a standing invitation to tender
to determine levies and/or refunds on export of white
sugar⁽³⁾, as last amended by Regulation (EEC) No
2924/76⁽⁴⁾, requires Member States to carry out partial
invitations to tender for the export of white sugar;

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

Whereas, following an examination of the tenders
submitted in response to the sixty-first partial invita-
tion to tender, the provisions set out in Article 1
should be adopted;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for the sixty-first partial
invitation to tender for white sugar issued under Regu-
lation (EEC) No 2101/75 is hereby fixed at 17.990
units of account per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 214, 12. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 333, 2. 12. 1976, p. 17.

COMMISSION DECISION

of 13 January 1977

relating to the urgent supply to the International Committee of the Red Cross of
vitaminized skimmed-milk powder to be bought on the Community market, for
use as food aid for Lebanon

(Only the French and Dutch texts are authentic)

(77/85/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 559/76⁽²⁾, and in
particular Articles 7 (5) and 28 thereof,

Having regard to Council Regulation (EEC) No
1298/76 of 1 June 1976 laying down general rules for
the supply of skimmed-milk powder as food aid to
certain developing countries and international organi-
zations under the 1976 programme⁽³⁾, as amended by
Regulation (EEC) No 2017/76⁽⁴⁾, and in particular
Article 6 thereof,

Whereas Council Regulation (EEC) No 2018/76 of 27
July 1976, on the complementary supply of skimmed-
milk powder to certain developing countries, interna-
tional organizations and non-governmental organiza-
tions under the 1976 food-aid programme⁽⁵⁾, provides
inter alia for 1 500 tonnes of skimmed-milk powder
to be made available to the International Committee
of the Red Cross (ICRC); whereas the ICRC has
requested 400 tonnes of vitaminized skimmed-milk
powder for Lebanon;

Whereas Regulation (EEC) No 1298/76 provides in
Article 2 (2), that, if the amounts of skimmed-milk
powder in public stocks do not have the characteris-
tics necessary for their particular destination where
this requires, in particular, the addition of vitamins,
supply shall be ensured by the buying-in of skimmed-
milk powder on the Community market;

Whereas Article 5 of Regulation (EEC) No 1298/76
provides that, for the purpose of determining the
forwarding costs, in case of emergency, a private
contract may be concluded;

Whereas, in view of the need to provide immediate
aid, it is apparent that mutual agreement must be
sought in respect of this supply;

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

HAS ADOPTED THIS DECISION:

Article 1

1. In accordance with the provisions of Regulations
(EEC) No 1298/76 and (EEC) No 2018/76, the
Belgian intervention agency shall arrange delivery to
the ICRC of 400 tonnes of vitaminized skimmed-milk
powder bought on the Community market for
Lebanon.

2. The skimmed-milk powder shall meet:

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

— as to packaging, the requirements set out in
Annex I to Commission Regulation (EEC) No
1108/68 of 27 July 1968 on detailed rules for
public storage of skimmed-milk powder⁽⁶⁾, as last
amended by Regulation (EEC) No 1457/75⁽⁷⁾.

3. In addition, the supplier, designated by the
private contract referred to in Article 3, shall supply
5 % empty bags identical to those containing the
goods. He shall undertake to indicate those bags on
the bill of lading.

4. The packaging of the skimmed-milk powder
shall bear a red cross 10 cm by 10 cm and the
following inscription in letters at least one centimetre
high:

'Lait écrémé en poudre avec vitamines A (5 000
UI/100 g) et D (500 UI/100 g) / Don de la Commu-
nauté économique européenne / Action du Comité
international de la Croix-Rouge / Pour distribution
gratuite au Liban'.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 146, 4. 6. 1976, p. 3.

⁽⁴⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 224, 16. 8. 1976, p. 2.

⁽⁶⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽⁷⁾ OJ No L 145, 6. 6. 1975, p. 17.

Article 2

1. Delivery shall be effected to the port of unloading of Beirut, notwithstanding the provisions of Article 4.
2. Embarkation shall take place as soon as possible, on 14 February 1977 at the latest.
3. Delivery *cif* shall be completed when the goods are actually deposited on the quayside at the port of unloading or on board a lighter as the case may be.
4. The recipient country shall bear all costs incurred after delivery including the costs of taking delivery of the goods.

Any demurrage costs at the port of unloading attributable to the recipient agency shall be borne by it. The rates and other details concerning such costs shall be laid down in the contract between the Community agent (designated by the mutual agreement contract specified in Article 3) and the carrier and must have been previously agreed upon by the former and the agent of the recipient organization.

5. A delivery certificate shall be issued on delivery by the receiving agent nominated by the recipient organization.

Article 3

1. The amount to cover delivery costs to the port of unloading as referred to in Article 2 (1), including the costs of insurances, shall be determined by the intervention agency concerned by mutual agreement on the least onerous terms possible.
2. The intervention agency shall send immediately to the Commission a copy of the private contract.
3. If, owing to circumstances beyond the control of the undertaking responsible for the delivery, the submission of the attestation of delivery referred to in Article 2 (5) is delayed, the competent agency may, on production of the supporting documents, grant an advance.

Such an advance may, however, not exceed 80 % of the sum agreed for the delivery and shall be paid only subject to the undertaking concerned lodging a security for the skimmed-milk powder shipped, in accordance with the conditions laid down in Article 1 (2) and (4), and having left the geographical territory of the Community and if the undertaking furnished a security for the sum of the advance, raised by 10 %.

Article 4

If events in Lebanon make impossible delivery to the port of Beirut, the intervention agency in question

shall deliver the goods to the port of Limassol (Cyprus).

In this case, the intervention agency may, on submission of supporting documents, come to an agreement with the organization in charge of the delivery on an increase in expenses, in comparison with those initially set.

The intervention agency shall immediately inform the Commission of the new amount agreed upon.

Article 5

The Belgian Government:

1. shall ensure that the agent designated by the mutual agreement contract:
 - (a) notifies the recipient organization, as soon as possible after the goods have been loaded on board ship, of details of the ship, the loading date, the quantity and quality of the goods recorded on shipment,
 - (b) informs the recipient organization, at least 10 clear days before arrival at the port of unloading of the expected date of arrival,
 - (c) has included in the terms of the charter-party a provision stipulating that the ship's captain shall, at least 72 hours in advance, notify the country of destination of the ship's probable date of arrival in port;
2. shall send to the Commission as soon as possible the information specified in paragraph 1 (a) and (b).

Article 6

No refund or compensatory amount (whether monetary or accession) may be granted in respect of skimmed-milk powder supplied pursuant to this Decision.

Article 7

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 13 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

*ANNEX***Skimmed-milk powder requirements**

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

COMMISSION DECISION

of 13 January 1977

relating to the urgent supply to the World Food Programme of vitaminized skimmed-milk powder to be bought on the Community market, for use as food aid for Lebanon

(Only the German text is authentic)

(77/86/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 559/76⁽²⁾, and in particular Articles 7 (5) and 28 thereof,

Having regard to Council Regulation (EEC) No 1298/76 of 1 June 1976 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1976 programme⁽³⁾, as amended by Regulation (EEC) No 2017/76⁽⁴⁾, and in particular Article 6 thereof,

Whereas Council Regulation (EEC) No 2018/76 of 27 July 1976, on the complementary supply of skimmed-milk powder to certain developing countries, international organizations and non-governmental organizations under the 1976 food-aid programme⁽⁵⁾, provides *inter alia* for 10 000 tonnes of skimmed-milk powder to be made available to the World Food Programme (WFP); whereas the WFP has requested delivery for 470 tonnes of vitaminized skimmed-milk powder for Lebanon;

Whereas Regulation (EEC) No 1298/76 provides in Article 2 (2) that, if the amounts of skimmed-milk powder in public stocks do not have the characteristics necessary for their particular destination where this requires, in particular, the addition of vitamins, supply shall be ensured by the buying-in of skimmed-milk powder on the Community market;

Whereas Article 5 of Regulation (EEC) No 1298/76 provides that, for the purpose of determining the forwarding costs, in case of emergency, a private contract may be concluded;

Whereas, in view of the need to provide immediate aid, it is apparent that mutual agreement must be sought in respect of this supply;

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

HAS ADOPTED THIS DECISION:

Article 1

1. In accordance with the provisions of Regulations (EEC) No 1298/76 and (EEC) No 2018/76, the German intervention agency shall arrange delivery to the WFP of one lot of 470 tonnes of vitaminized skimmed-milk powder bought on the Community market for Lebanon.

2. The skimmed-milk powder shall meet:

- as to quality, the requirements set out in the Annex to this Decision,
- as to packaging, the requirements set out in Annex I to Commission Regulation (EEC) No 1108/68 of 27 July 1968 on detailed rules for public storage of skimmed-milk powder⁽⁶⁾, as last amended by Regulation (EEC) No 1457/75⁽⁷⁾.

3. In addition the supplier, designated by the private contract referred to in Article 3, shall supply 5 % empty bags identical to those containing the goods.

4. The packaging of the skimmed-milk powder shall bear the following inscription in letters at least one centimetre high:

'Lait écrémé en poudre enrichi de vitamines A et D / Don de la Communauté économique européenne / Action du Programme Alimentaire Mondial / Beyrouth'.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 146, 4. 6. 1976, p. 3.

⁽⁴⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 224, 16. 8. 1976, p. 2.

⁽⁶⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽⁷⁾ OJ No L 145, 6. 6. 1975, p. 17.

Article 2

1. Delivery shall be made to a port to be designated in the tender, chosen from among ports in the Community accessible for ocean-going ships having a regular service with the recipient country.
2. Delivery at the port of embarkation shall take place on a date to be fixed by the German intervention agency and which must be later than 10 and earlier than 28 February 1977.
3. The goods shall be considered as delivered when they are actually deposited at the place of export at a point designated by the WFP or its agent.

Article 3

1. The German intervention agency shall determine the forwarding costs of the vitaminized skimmed-milk powder by concluding a private contract on the least onerous terms possible.
2. The intervention agency shall forward to the Commission without delay a copy of such contract.
3. The intervention agency shall pay to the WFP within 30 days maximum from the day on which he

takes delivery of the skimmed-milk powder a flat-rate contribution of 80 units of account per tonne of vitaminized skimmed-milk powder supplied.

Article 4

No refund or compensatory amount (whether monetary or accession) shall be granted in respect of the vitaminized skimmed-milk powder delivered pursuant to this Decision.

Article 5

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 13 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

*ANNEX***Skimmed-milk powder requirements**

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

COMMISSION DECISION

of 14 January 1977

relating to the urgent supply of common wheat flour as food aid to the International Committee of the Red Cross

(Only the French and Dutch texts are authentic)

(77/87/EEC)

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 3138/76⁽²⁾,

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

Having regard to Council Regulation (EEC) No 696/76 of 25 March 1976 derogating from Regulation (EEC) No 2750/75 in respect of mobilization procedures for cereals to be supplied as food aid⁽⁴⁾,

Whereas on 21 December 1976 the Council of the European Communities declared that it proposed by way of Community action, to grant 1 590 tonnes of common wheat flour to the International Committee of the Red Cross under its 1975/76 food-aid programme;

Whereas, in view of the need to provide quick aid, it is necessary to have recourse to contracts by mutual agreement;

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

HAS ADOPTED THIS DECISION:

Article 1

1. In accordance with the first Article of Council Regulation (EEC) No 696/76 of 25 March 1976 the Office Belge de l'Economie et de l'Agriculture (OBEA), 82, rue de Trèves, 1040 Brussels (intervention agency) shall conclude a private contract for the purchase on the Community market of 1 590 tonnes

of common wheat flour for delivery to the International Committee of the Red Cross.

2. In concluding the private contract, OBEA must seek the least onerous terms possible.

3. The contract shall be for the purchase and supply of the products delivered to the quay or on lighter at the port of Beirut with option Limassol.

4. The product shall be delivered in new 50 kg cotton sacks.

On the sacks shall be printed a red cross, 15 cm by 15 cm as well as the following:

'Farine de froment / Don de la Communauté économique européenne / Action du Comité International de la Croix-Rouge / Pour distribution gratuite au Liban'.

Article 2

The product referred to in Article 1 must meet the following standards:

- moisture content: maximum 14 %,
- protein content: minimum 10.5 % (N × 6.25 on dry matter),
- ash content: maximum 0.52 % of dry matter.

If the product does not meet these requirements it shall be refused.

Article 3

1. A security of a value of 10 units of account per tonne shall be given by the party concerned on the signature of the contract. It shall be released on the completion of the operations in question within the time limit laid down and also for those quantities not realised due to *force majeure*.

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 83, 30. 3. 1976, p. 8.

Article 4

Shipment shall be carried out between 8 and 15 February 1977 (lot No 1 — 795 tonnes) and between 15 and 30 March 1977 (lot No 2 — 795 tonnes).

Article 5

The intervention agency shall request the interested party to specify the following information :

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging ;
- (b) the date of the departure of the ships ; the expected date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information provided for to the Commission as soon as it is received together with a copy of the private contract.

Article 6

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 14 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 14 January 1977

relating to the urgent supply to the International Committee of the Red Cross of
vitaminized skimmed-milk powder to be bought on the Community market, for
use as food aid for Uruguay

(Only the Dutch text is authentic)

(77/88/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 559/76⁽²⁾, and in
particular Articles 7 (5) and 28 thereof,

Having regard to Council Regulation (EEC) No
1298/76 of 1 June 1976 laying down general rules for
the supply of skimmed-milk powder as food aid to
certain developing countries and international organi-
zations under the 1976 programme⁽³⁾, as amended by
Regulation (EEC) No 2017/76⁽⁴⁾, and in particular
Article 6 thereof,

Whereas Council Regulation (EEC) No 2018/76 of 27
July 1976, on the complementary supply of skimmed-
milk powder to certain developing countries, interna-
tional organizations and non-governmental organiza-
tions under the 1976 food-aid programme⁽⁵⁾, provides
inter alia for 1 500 tonnes of skimmed-milk powder
to be made available to the International Committee
of the Red Cross (ICRC); whereas the ICRC has
requested 50 tonnes of vitaminized skimmed-milk
powder for Uruguay;

Whereas Regulation (EEC) No 1298/76 provides in
Article 2 (2), that, if the amounts of skimmed-milk
powder in public stocks do not have the characteris-
tics necessary for their particular destination where
this requires, in particular, the addition of vitamins,
supply shall be insured by the buying-in of skimmed-
milk powder on the Community market;

Whereas Article 5 of Regulation (EEC) No 1298/76
provides that, for the purpose of determining the
forwarding costs, in case of emergency, a private
contract may be concluded;

Whereas, in view of the need to provide immediate
aid, it is apparent that mutual agreement must be
sought in respect of this supply;

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

HAS ADOPTED THIS DECISION:

Article 1

1. In accordance with the provisions of Regulations
(EEC) No 1298/76 and (EEC) No 2018/76, the Dutch
intervention agency shall arrange delivery to the
ICRC of one lot of 50 tonnes of vitaminized skim-
med-milk powder bought on the Community market
for Uruguay.

2. The skimmed-milk powder shall meet:

- as to quality, the requirements set out in the
Annex to this Decision,
- as to packaging, the requirements set out in
Annex I to Commission Regulation (EEC) No
1108/68 of 27 July 1968 on detailed rules for
public storage of skimmed-milk powder⁽⁶⁾, as last
amended by Regulation (EEC) No 1457/75⁽⁷⁾.

3. In addition the supplier, designated by the
private contract referred to in Article 3, shall supply
5 % empty bags identical to those containing the
goods. He shall undertake to indicate those bags on
the bill of lading.

4. The packaging of the skimmed-milk powder
shall bear a red cross of 10 cm by 10 cm and the
following inscription in letters at least one centimetre
high:

'Leche desnatada en polvo con vitaminas A (5000
UI/100 gr) y vitaminas D (500 UI/100 gr) / Donación
de las Comunidades europeas / Acción del Comité
Internacional de la Cruz Roja / Por distribución
gratuita en Uruguay'.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 146, 4. 6. 1976, p. 3.

⁽⁴⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 224, 16. 8. 1976, p. 2.

⁽⁶⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽⁷⁾ OJ No L 145, 6. 6. 1975, p. 17.

Article 2

1. Delivery shall be effected to the port of unloading of Montevideo.
2. Embarkation shall take place as soon as possible on the 28 February 1977 at the latest.
3. Delivery *cif* shall be completed when the goods are actually deposited on the quayside at the port of unloading or on board a lighter as the case may be.
4. The recipient country shall bear all costs incurred after delivery including the costs of taking delivery of the goods.

Any demurrage costs at the port of unloading attributable to the recipient agency shall be borne by it. The rates and other details concerning such costs shall be laid down in the contract between the Community agent (designated by the mutual agreement contract specified in Article 3) and the carrier and must have been previously agreed upon by that and the recipient's delivery agent.

5. A delivery certificate shall be issued on delivery by the receiving agent nominated by the recipient organization.

Article 3

1. The amount to cover delivery costs to the port of unloading as referred to in Article 2 (1), including the costs of insurances, shall be determined by the intervention agency concerned by mutual agreement on the least onerous terms possible.
2. The intervention agency shall send immediately to the Commission a copy of the private contract.
3. If, owing to circumstances beyond the control of the undertaking responsible for the delivery, the submission of the attestation of delivery referred to in Article 2 (5) is delayed, the competent agency may, on production of the supporting documents, grant an advance.

Such an advance may, however, not exceed 80 % of the sum agreed for the delivery and shall be paid only subject to the undertaking concerned lodging a secu-

rity for the skimmed-milk powder shipped, in accordance with the conditions laid down in Article 1 (2), (3) and (4) and having left the geographical territory of the Community and if the undertaking furnished a security for the sum of the advance, raised by 10 %.

Article 4

The Dutch Government :

1. shall ensure that the agent designated by the mutual agreement contract :
 - (a) notifies the recipient organization, as soon as possible after the goods have been loaded on board ship, of details of the ship, the loading date, the quantity and quality of the goods as recorded on shipment,
 - (b) informs the recipient organization, at least 10 clear days before arrival at the port of unloading of the expected date of arrival,
 - (c) has included in the terms of the charter-party a provision stipulating that the ship's captain shall, at least 72 hours in advance, notify the country of destination of the ship's probable date of arrival in port ;
2. send to the Commission as soon as possible the information specified in paragraph 1 (a) and (b).

Article 5

No refund or compensatory amount (whether monetary or accession) may be granted in respect of skimmed-milk powder supplied pursuant to this Decision.

Article 6

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 14 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

*ANNEX***Skimmed-milk powder requirements**

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

COMMISSION DECISION

of 14 January 1977

relating to the urgent supply of milled round grain rice as food aid to the International Committee of the Red Cross

(Only the Italian text is authentic)

(77/89/EEC)

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 organization of the market in rice ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid ⁽²⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 696/76 of 25 March 1976 derogating from Regulation (EEC) No 2750/75 in respect of mobilization procedures for cereals to be supplied as food aid ⁽³⁾,

Whereas on 21 December 1976 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 2 575 tonnes of husked rice (in other words, 1 996 tonnes of round grain milled rice) to the International Committee of the Red Cross under its 1975/76 food-aid programme;

Whereas, in view of the need to provide quick aid, it is necessary to have recourse to contracts by mutual agreement;

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

HAS ADOPTED THIS DECISION:

Article 1

1. In accordance with Article 1 of Council Regulation (EEC) No 696/76 of 25 March 1976, the Italian Rice Intervention Agency (Ente risi), Piazza Pio XI, 1, Milan, shall conclude a private contract for the purchase on the Community market of 1 996 tonnes of milled round grain rice for delivery to the International Committee of the Red Cross.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽³⁾ OJ No L 83, 30. 3. 1976, p. 8.

2. In concluding the private contract, Ente risi must seek the least onerous terms possible.

3. The contract shall be for the purchase and supply of the products to be deposited on the quay in the port of Beirut with option Limassol.

4. The product shall be delivered in new 50 kg jute sacks.

On the sacks shall be printed a red cross, 15 cm by 15 cm as well as the following:

'Riz blanchi / Don de la Communauté économique européenne / Action du Comité International de la Croix-Rouge / Pour distribution gratuite au Liban'.

Article 2

The product referred to in Article 1 must meet the following requirements:

- moisture: 15 %,
- broken rice: 5 % maximum,
- chalky grains: 3 % maximum,
- grains striated with red: 3 % maximum,
- spotted grains: 1 % maximum,
- stained grains: 0.50 % maximum,
- yellow grains: 0.050 % maximum,
- amber grains: 0.125 % maximum.

Rice not meeting these requirements shall be refused.

Article 3

1. A security of a value of 10 units of account per tonne shall be given by the party concerned on the signature of the contract. It shall be released on the completion of the operations in question within the time limit laid down and also for those quantities not realized due to *force majeure*.

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

Article 4

Shipment shall be carried out between 8 and 15 February 1977 (lot No 1 — 998 tonnes) and between 15 and 30 March 1977 (lot No 2 — 998 tonnes).

Article 5

The intervention agency shall ask that the interested party specifies the following information :

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging ;
- (b) the date of the departure of the ships ; the expected date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information provided for to the Commission as soon as it is received together with a copy of the private contract.

Article 6

This Decision is addressed to the Italian Republic.

Done at Brussels, 14 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 14 January 1977

on the supply, as a matter of urgency, of butteroil as food aid to the International Committee of the Red Cross for Lebanon

(Only the German text is authentic)

(77/90/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Article 1

Having regard to the Treaty establishing the European Economic Community,

A lot of 800 tonnes of butteroil divided into two lots of 400 tonnes shall be delivered to ICRC for Lebanon in accordance with the provisions laid down in Regulations (EEC) No 694/76 and (EEC) No 695/76.

Article 2

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 559/76⁽²⁾, and in particular Articles 6 (7) and 28 thereof,

1. The butter to be used in the manufacture of butteroil shall be collected from the German intervention agency.

Whereas Council Regulation (EEC) No 695/76 of 25 March 1976 on the supply of milk fats under the 1976 food-aid programme to certain developing countries and to certain international organizations⁽³⁾, provides *inter alia* for a reserve of 3 640 tonnes of butteroil obtained from butter kept by the intervention agencies; whereas 800 tonnes of this reserve shall be attributed to the International Committee of the Red Cross (ICRC) for Lebanon; whereas ICRC has made a request for a delivery of this quantity for Lebanon;

2. The butteroil shall satisfy the requirements as regards quality and packing laid down in the Annex to Commission Regulation (EEC) No 2247/75 of 29 August 1975 on the terms of invitations to tender for the costs of manufacture and delivery of butteroil as food aid to certain developing countries and to the World Food Programme⁽⁵⁾, as last amended by Regulation (EEC) No 2212/76⁽⁶⁾.

Whereas Council Regulation (EEC) No 694/76 of 25 March 1976 laying down general rules for the supply of milk fats under the 1976 food-aid programme to certain developing countries and to certain international organizations⁽⁴⁾, stipulates in its Article 5 that the costs of delivery shall be determined by a tendering procedure, or, in the case of an emergency action, by a procedure of mutual agreement;

It shall be packed exclusively in 5 kg canisters.

Whereas, in view of the need to provide immediate aid, it is apparent that mutual agreement must be sought in respect of this supply;

3. The packing referred to in Chapter II (2) (b) of the Annex stipulated in the preceding paragraph shall bear a red cross of 10 centimetres by 10 centimetres and in letters at least 1 cm high the following wording:

'Butteroil/Don de la Communauté économique européenne/Action du Comité International de la Croix-Rouge/Pour distribution gratuite au Liban'.

Article 3

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

1. Delivery shall be effected to the port of unloading of Beirut notwithstanding the provisions of Article 5.

2. Delivery shall take place as soon as possible and not later than 14 February 1977.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 83, 30. 3. 1976, p. 6.

⁽⁴⁾ OJ No L 83, 30. 3. 1976, p. 4.

⁽⁵⁾ OJ No L 229, 30. 8. 1975, p. 60.

⁽⁶⁾ OJ No L 249, 11. 9. 1976, p. 5.

3. Delivery to the port of unloading shall be considered as completed when the goods are actually deposited on the quayside at the port of unloading or on lighters where the latter method is used.

4. The organization of destination shall bear all costs subsequent to delivery including acceptance costs.

5. Any demurrage costs at the port of unloading due to delays for which the recipient organization is responsible shall be borne by it.

The rates and conditions of such demurrage, laid down in the contract between the Community agent (designated in the private contract specified in Article 4) and the carrier, must be agreed in advance between the agent and the receiving agent of the recipient organization.

6. On delivery to the port of unloading under the conditions specified in paragraph 3, the organization of destination shall issue an attestation certifying that the goods were received.

Article 4

1. The amount to cover the costs of delivery from the storage depot of the intervention agency until the stage specified in Article 3 (1) shall be determined by the intervention agency concerned by means of a mutual agreement procedure on the least onerous terms possible.

2. The intervention agency shall forward to the Commission forthwith a duplicate of the mutual agreement contract or contracts.

Article 5

If events in Lebanon make delivery to the port of Beirut impossible, the intervention agency in question shall deliver the goods to the port of Limassol (Cyprus).

In this case, the intervention agency shall, on submission of supporting documents, come to an agreement with the undertaking in charge of the delivery on an increase of expenses compared with those initially set.

The intervention agency shall immediately inform the Commission of the new amount agreed upon.

Article 6

The German Government shall :

1. ensure that the agent designated by mutual agreement :

- (a) notifies the recipient organization, as soon as possible after the goods have been put on board, of details of the ship, the loading date, and the quantity and quality of the goods, as recorded on shipment,
- (b) informs the recipient organization of the expected date of arrival at the port of unloading, at least 10 clear days in advance,
- (c) has included in the terms of the charter-party a provision stipulating that the ship's captain shall, at least 72 hours in advance, notify the recipient organization of the ship's probable date of arrival in port ;

2. send to the Commission as soon as possible the information stipulated in paragraph 1 (a) and (b).

Article 7

No refund or compensatory amount (whether monetary or accession) shall be applied to the butteroil supplied pursuant to this Decision.

Article 8

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 14 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

CORRIGENDA

Corrigendum to Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community

(Official Journal of the European Communities, No L 129 of 18 May 1975)

Page 26, Article 6 (3), second paragraph, second line :

for: '... where it has had recourse to ...',

read: '... where it has accepted the recourse to ...'.

Page 26, Article 6 (4), third line :

for: '... deadlines ...',

read: '... time limits ...'.
