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Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 245/77 of 4 February 1977 fixing the import levies on cereals and on wheat or rye flour groats and meal 1

Commission Regulation (EEC) No 246/77 of 4 February 1977 fixing the premiums to be added to the import levies on cereals, flour and malt 3

Commission Regulation (EEC) No 247/77 of 4 February 1977 altering components used to calculate the differential amounts for colza and rape seed 5

Commission Regulation (EEC) No 248/77 of 4 February 1977 fixing the refunds on milk and milk products exported in the natural state 8

★ Commission Regulation (EEC) No 249/77 of 2 February 1977 laying down detailed rules for the implementation of Regulation (EEC) No 2681/74 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid 21

Commission Regulation (EEC) No 250/77 of 4 February 1977 opening a new invitation to tender for the mobilization of common wheat as food aid for the People's Republic of Mozambique 31

Commission Regulation (EEC) No 251/77 of 4 February 1977 opening a new invitation to tender for the mobilization of milled rice as food aid for the United Nations Relief and Works Agency for Palestine (UNRWA) 34

Commission Regulation (EEC) No 252/77 of 2 February 1977 concerning the issue of an invitation to tender for the supply to Honduras, for use as food aid, of vitaminized skimmed-milk powder to be purchased on the Community market 37

Commission Regulation (EEC) No 253/77 of 3 February 1977 concerning an invitation to tender for the supply of butteroil as food aid to Honduras 42

Contents (continued)

Commission Regulation (EEC) No 254/77 of 4 February 1977 concerning the issue of an invitation to tender to the World Food Programme, for use as food aid, of vitaminized skimmed-milk powder to be purchased on the Community market for certain third countries	44
Commission Regulation (EEC) No 255/77 of 4 February 1977 amending Regulation (EEC) No 363/76 fixing in respect of the 1975 crop export refunds for raw tobacco	50
★ Commission Regulation (EEC) No 256/77 of 4 February 1977 fixing for the months of February to April 1977 the reference prices for cucumbers	52
★ Commission Regulation (EEC) No 257/77 of 4 February 1977 correcting Regulations (EEC) No 1896/73 and (EEC) No 582/76 as regards beef which may be bought into intervention in Ireland, and coefficients in the beef sector	54
Commission Regulation (EEC) No 258/77 of 4 February 1977 fixing the amount of the subsidy on oil seeds	55
Commission Regulation (EEC) No 259/77 of 4 February 1977 determining the world market price for colza and rape seed	57
Commission Regulation (EEC) No 260/77 of 4 February 1977 fixing the import levies on white sugar and raw sugar	59
★ Commission Regulation (EEC) No 261/77 of 4 February 1977 imposing a provisional anti-dumping duty on ball bearings, tapered roller bearings and parts thereof originating in Japan	60

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 245/77**of 4 February 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 organiza-
tion 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 Regula-
tion (EEC) No 1882/76⁽³⁾ and subsequent amending
Regulations;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 1882/76 to the

offer prices and today's quotations known to the
Commission that the levies at present in force should
be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in
Article 1 (a), (b) and (c) of Regulation (EEC) No
2727/75 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 5 February
1977.

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

Done at Brussels, 4 February 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 4 February 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	83.26
10.01 B	Durum wheat	127.22 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	62.48 ⁽⁶⁾
10.03	Barley	34.99
10.04	Oats	37.48
10.05 B	Maize other than hybrid maize for sowing	44.93 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	55.68 ⁽⁴⁾
10.07 C	Grain sorghum	56.44 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	128.17
11.01 B	Rye flour	99.05
11.02 A I a)	Durum wheat groats and meal	207.79
11.02 A I b)	Common wheat groats and meal	137.41

⁽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 246/77**of 4 February 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 5 February
1977.

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

Done at Brussels, 4 February 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 4 February 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 2	1st period 3	2nd period 4	3rd period 5
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	2.94
10.02	Rye	0	0	0	5.13
10.03	Barley	0	0	0	6.34
10.04	Oats	0	0	0	3.61
10.05 B	Maize other than hybrid maize for sowing	0	5.13	5.13	8.17
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0.76	0.76	3.04
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 2	1st period 3	2nd period 4	3rd period 5	4th period 6
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	11.29	11.29
11.07 A II(b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	8.43	8.43
11.07 B	Roasted malt	0	0	0	9.83	9.83

COMMISSION REGULATION (EEC) No 247/77**of 4 February 1977****altering components used to calculate the differential amounts for colza and rape seed**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 2300/73 of 23 August 1973⁽⁵⁾, as last amended by Regulation (EEC) No 632/75⁽⁶⁾, laid down detailed rules of application for Regulation (EEC) No 1569/72; whereas the components used to calculate the differential amounts were fixed by Regulation (EEC) No 1580/76⁽⁷⁾, as last

amended by Regulation (EEC) No 181/77⁽⁸⁾; whereas, in the case of the French franc, the difference referred to in Article 2 (1) of Regulation (EEC) No 1569/72 for the period 26 January to 1 February 1977 has changed, by reference to the representative rate valid from 7 February 1977, by at least one point from the percentage used for the previous fixing; whereas this fact should be taken into account when fixing the components used to calculate the differential amounts for colza and rape seed,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to amended Regulation (EEC) No 1580/76 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 7 February 1977.

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

Done at Brussels, 4 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 357, 28. 12. 1973, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 66, 13. 3. 1975, p. 11.

⁽⁷⁾ OJ No L 172, 1. 7. 1976, p. 61.

⁽⁸⁾ OJ No L 25, 29. 1. 1977, p. 5.

ANNEX

to the Commission Regulation of 4 February 1977 altering components used to calculate the differential amounts for colza and rape seed

	Target price corrective (coefficient to be applied)	Subsidy or refund corrective (coefficient to be applied)	Differential component (coefficient to be applied to the target price) (*)	
1. Colza and rape seed, processed for oil production in Germany or exported from that country :	+ 0.0930	— 0.0930	+	—
— harvested in Germany			—	—
— harvested in the BLEU or in the Netherlands			—	0.0803
— harvested in France			—	0.2201
— harvested in Denmark			—	0.0930
— harvested in Ireland			—	0.1827
— harvested in the United Kingdom			—	0.3287
— harvested in Italy			—	0.2529
2. Colza and rape seed, processed for oil production in the BLEU and in the Netherlands or re-exported from that country :	+ 0.0140	— 0.0140	+	—
— harvested in Germany			0.0873	—
— harvested in the BLEU or in the Netherlands			—	—
— harvested in France			—	0.1520
— harvested in Denmark			—	0.0140
— harvested in Ireland			—	0.1114
— harvested in the United Kingdom			—	0.2701
— harvested in Italy			—	0.1877
3. Colza and rape seed, processed for oil production in Denmark or exported from that country :	Nil	Nil	+	—
— harvested in Germany			0.1027	—
— harvested in the BLEU or in the Netherlands			0.0142	—
— harvested in France			—	0.1400
— harvested in Denmark			—	—
— harvested in Ireland			—	0.0988
— harvested in the United Kingdom			—	0.2597
— harvested in Italy			—	0.1762
4. Colza and rape seed, processed for oil production in France or exported from that country :	— 0.1627	+ 0.1627	+	—
— harvested in Germany			0.2821	—
— harvested in the BLEU or in the Netherlands			0.1792	—
— harvested in France			—	—
— harvested in Denmark			0.1627	—
— harvested in Ireland			0.0478	—
— harvested in the United Kingdom			—	0.1393
— harvested in Italy			—	0.0421

	Target price corrective (coefficient to be applied)	Subsidy or refund corrective (coefficient to be applied)	Differential component (coefficient to be applied to the target price) (*)	
5. Colza and rape seed, processed for oil production in the United Kingdom or exported from that country :	— 0.3508	+ 0.3508	+	—
— harvested in Germany			0.4896	—
— harvested in the BLEU or in the Netherlands			0.3700	—
— harvested in France			0.1618	—
— harvested in Denmark			0.3508	—
— harvested in Ireland			0.2174	—
— harvested in the United Kingdom			—	—
— harvested in Italy			0.1128	—
6. Colza and rape seed, processed for oil production in Ireland or exported from that country :	— 0.1096	+ 0.1096	+	—
— harvested in Germany			0.2236	—
— harvested in the BLEU or in the Netherlands			0.1254	—
— harvested in France			—	0.0457
— harvested in Denmark			0.1096	—
— harvested in Ireland			—	—
— harvested in the United Kingdom			—	0.1786
— harvested in Italy			—	0.0859
7. Colza and rape seed, processed for oil production in Italy or exported from that country :	— 0.2139	+ 0.2139	+	—
— harvested in Germany			0.3386	—
— harvested in the BLEU or in the Netherlands			0.2311	—
— harvested in France			0.0439	—
— harvested in Denmark			0.2139	—
— harvested in Ireland			0.0940	—
— harvested in the United Kingdom			—	0.1014
— harvested in Italy			—	—

(*) For seed harvested in the United Kingdom and Denmark, the accession compensatory amount shall be deducted from the target price.

COMMISSION REGULATION (EEC) No 248/77**of 4 February 1977****fixing the refunds on milk and milk products exported in the natural state**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 559/76⁽²⁾, and in
particular Article 17 (4) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 17 of Regulation (EEC) No 804/68
provides that the difference between prices in interna-
tional trade 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 Council Regulation (EEC) No 876/68 of 28
June 1968 laying down general rules for granting
export refunds on milk and milk products and criteria
for fixing the amount of such refunds⁽³⁾, as amended
by Regulation (EEC) No 2429/72⁽⁴⁾, provides that
when the refunds on the products listed in Article 1
of Regulation (EEC) No 804/68, exported in the
natural state, are being fixed account must be taken
of:

- the existing situation and the future trend with
regard to prices and availabilities of milk and milk
products on the Community market and prices for
milk and milk products in international trade;
- marketing costs and the most favourable transport
charges from Community markets to ports or
other points of export in the Community, as well
as costs incurred in placing the goods on the
market of the country of destination;
- the aims of the common organization of the
market in milk and milk products which are to
ensure equilibrium and the natural development
of prices and trade on this market;

— the need to avoid disturbances on the Community
market; and

— the economic aspect of the proposed exports;

Whereas Article 3 (1) of Regulation (EEC) No 876/68
provides that when prices within the Community are
being determined account should be taken of the
ruling prices which are most favourable for exporta-
tion, and that when prices in international trade are
being determined particular account should be taken
of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of
destination for third country imports;
- (c) producer prices recorded in exporting third coun-
tries, account being taken, where appropriate, of
subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68
provides that the world market situation or the
specific requirements of certain markets may make it
necessary to vary the refund on the products listed in
Article 1 of Regulation (EEC) No 804/68 according to
destination;

Whereas Article 5 (1) of Regulation (EEC) No 876/68
provides that the list of products on which export
refunds are granted and the amount of such refunds
should be fixed at least once every four weeks;
whereas the amount of the refund may, however,
remain at the same level for more than four weeks;

Whereas Article 2 of Commission Regulation (EEC)
No 1098/68 of 27 July 1968 on detailed rules for the
application of export refunds on milk and milk
products⁽⁵⁾, as last amended by Regulation (EEC) No
37/75⁽⁶⁾, provides that the refund on products falling
within subheading 04.02 B is equal to the sum of two

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 5, 9. 1. 1975, p. 7.

components, the first representing the quantity of milk products and the second representing the quantity of added sucrose; whereas, however, the latter component applies only if the added sucrose was produced from beet or cane harvested within the Community;

Whereas for the products falling within subheading 04.02 B II a) or 04.02 B II b) 1 with a fat content not exceeding 9.5 % by weight the first component referred to above is fixed for 100 kilograms of the whole product; whereas for the other products falling within subheading 04.02 B this component is calculated by multiplying the basic amount by the milk product content of the product in question; whereas this basic amount is the refund on one kilogram of milk products contained in the product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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 3138/76⁽²⁾;

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 special conditions concerning the payment of the refund for skimmed-milk powder for use as feed in the country of destination were laid down in Regulation (EEC) No 2054/76⁽³⁾;

Whereas it follows from applying these rules to the present situation on the market in milk and milk products, and in particular to prices for these products within the Community and on the world market, that the refund should be fixed at the amounts 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 Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. The refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state are hereby fixed at the amounts shown in the Annex.
2. No refunds are fixed for exports to Zone E for products falling within heading Nos 04.01, 04.02, 04.03 and 23.07 of the Common Customs Tariff.

Article 2

This Regulation shall enter into force on 5 February 1977.

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

Done at Brussels, 4 February 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 228, 20. 8. 1976, p. 17.

ANNEX

to the Commission Regulation of 4 February 1977 fixing the refunds on milk and milk products
exported in the natural state

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened : ex A. Other than whey, of a fat content, by weight, not exceeding 6 % : I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk : a) In immediate packings of a net capacity of two litres or less b) Other II. Others : a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight : 1. Not exceeding 4 % : (aa) Of a fat content, by weight, not exceeding 1.5 % (bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 % for exports to : — Countries near the Community — Other destinations (cc) Of a fat content, by weight, exceeding 3 % for exports to : — Countries near the Community — Other destinations 2. Exceeding 4 % for exports to : — Countries near the Community — Other destinations b) Other of a fat content, by weight : 1. Not exceeding 4 % : (aa) Of a fat content, by weight, not exceeding 1.5 % (bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 % (cc) Of a fat content, by weight, exceeding 3 % 2. Exceeding 4 % ex B. Other, excluding whey, of a fat content, by weight : ex I. Exceeding 6 % but not exceeding 21 % : (a) Of a fat content, by weight, not exceeding 10 % (b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 % (c) Of a fat content, by weight, exceeding 17 % II. Exceeding 21 % but not exceeding 45 % : (a) Of a fat content, by weight, not exceeding 39 % (b) Of a fat content, by weight, exceeding 39 %	0110 00 0120 00 0130 10 0130 22 0130 31 0140 00 0150 10 0150 21 0150 31 0160 00 0200 05 0200 11 0200 21 0300 10 0300 20	4.61 — 1.14 4.02 5.04 5.71 7.32 6.13 8.51 1.14 4.16 5.02 5.41 15.14 23.56 35.59 42.47 73.41

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01 (cont'd)	III. More than 45 % : (a) Of a fat content, by weight, not exceeding 68 % (b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 % (c) Of a fat content, by weight, exceeding 80 %	0400 11 0400 22 0400 30	83·72 123·24 143·87
04.02	Milk and cream, preserved, concentrated or sweetened : A. Not containing added sugar : II. Milk and cream, in powder or granules : a) In immediate packings of a net capacity of 2·5 kilograms or less and of a fat content, by weight : 1. Not exceeding 1·5 % 2. Exceeding 1·5 % but not exceeding 27 % : (aa) Of a fat content, by weight, not exceeding 11 % (bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (dd) Of a fat content, by weight, exceeding 25 % 3. Exceeding 27 % but not exceeding 29 % 4. Exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 41 % (bb) Of a fat content, by weight, exceeding 41 % b) Other, excluding products containing fish meal or fish oil or fish liver oil and iron carbonate or sulphate, of a fat weight content : 1. Not exceeding 1·5 % 2. Exceeding 1·5 % but not exceeding 27 % : (aa) Of a fat content, by weight, not exceeding 11 % (bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (dd) Of a fat content, by weight, exceeding 25 % 3. Exceeding 27 % but not exceeding 29 % 4. Exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 41 % (bb) Of a fat content, by weight, exceeding 41 %	0620 00 0720 00 0720 20 0720 30 0720 40 0820 00 0920 10 0920 20 1020 00 1120 10 1120 20 1120 30 1120 40 1220 00 1320 10 1320 20	64·85 64·85 76·80 82·77 90·67 92·66 94·62 106·49 64·85 64·85 76·80 82·77 90·67 92·66 94·62 106·49

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (<i>cont'd</i>)	III. Milk and cream, other than in powder or granules : a) In hermetically sealed cans of a net capacity of 454 grams or less or in glass containers containing 0.5 litre or less and of a fat content, by weight, not exceeding 11 % : ex 1. Of a fat content, by weight, not exceeding 8.9 % : (aa) Of a fat content, by weight, exceeding 3 % but not exceeding 7.4 % (bb) Of a fat content, by weight, exceeding 7.4 % 2. Other b) Other, of a fat content, by weight : ex 1. Not exceeding 45 % : (aa) Of a fat content, by weight, exceeding 3 % but not exceeding 7.4 % (bb) Of a fat content, by weight, exceeding 7.4 % but not exceeding 8.9 % (cc) Of a fat content, by weight, exceeding 8.9 % but not exceeding 11 % (dd) Of a fat content, by weight, exceeding 11 % but not exceeding 21 % (ee) Of a fat content, by weight, exceeding 21 % but not exceeding 39 % (ff) Of a fat content, by weight, exceeding 39 % 2. Exceeding 45 % B. Containing added sugar : I. Milk and cream, in powder or granules : ex b) Other, excluding whey : 1. In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight : aa) Not exceeding 1.5 % bb) Exceeding 1.5 % but not exceeding 27 % : (11) Of a fat content, by weight, not exceeding 11 % (22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (44) Of a fat content, by weight, exceeding 25 % cc) Exceeding 27 % : (11) Of a fat content, by weight, not exceeding 41 % (22) Of a fat content, by weight, exceeding 41 %	1420 11 1420 21 1520 00 1620 11 1620 21 1620 30 1620 40 1620 50 1620 60 1720 00 2220 00 2320 10 2320 20 2320 30 2320 40 2420 10 2420 20	14.44 19.39 23.00 14.44 19.39 23.00 23.56 42.47 73.41 83.72 0.6485 ⁽¹⁾ per kg 0.6485 ⁽¹⁾ per kg 0.7680 ⁽¹⁾ per kg 0.8277 ⁽¹⁾ per kg 0.9067 ⁽¹⁾ per kg 0.9266 ⁽¹⁾ per kg 1.0649 ⁽¹⁾ per kg

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2520 00	0.6485 ⁽¹⁾ per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2620 10	0.6485 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0.7680 ⁽¹⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	0.8277 ⁽¹⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2620 40	0.9067 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2720 10	0.9266 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2720 20	1.0649 ⁽¹⁾ per kg
	ex II. Milk and cream, excluding whey other than in powder or granules :		
	ex a) In hermetically sealed cans of a net capacity of 454 grams or less and of a fat content, by weight, not exceeding 9.5 % :		
	(1) Of a fat content, by weight, not exceeding 6.9 % and of a lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	2810 11	— ⁽¹⁾ per kg
	(22) Exceeding 3 %, by weight	2810 12	
	for exports to :		
	— Countries near the Community		0.0571 ⁽¹⁾ per kg
	— Other destinations		0.0732 ⁽¹⁾ per kg
	(bb) Of 15 % or more	2810 15	13.96 ⁽²⁾
	(2) Of a fat content, by weight, exceeding 6.9 % and of a lactic dry matter content, by weight, of 15 % or more	2810 20	23.80 ⁽²⁾
	b) Other, of a fat content, by weight :		
	ex 1. Not exceeding 45 % :		
	(aa) Of a fat content, by weight, not exceeding 6.9 % and of lactic dry matter content, by weight, of 15 % or more	2910 70	13.96 ⁽²⁾
	(bb) Of a fat content, by weight, exceeding 6.9 % but not exceeding 21 % and of a lactic dry matter content, by weight, of 15 % or more	2910 76	23.80 ⁽²⁾
	(cc) Of a fat content by weight, exceeding 9.5 % but not exceeding 21 % and of a lactic dry matter content, by weight, less than 15 %	2910 80	0.2356 ⁽¹⁾ per kg
	(dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 %	2910 85	0.4247 ⁽¹⁾ per kg
	(ee) Of a fat content, by weight, exceeding 39 %	2910 90	0.7341 ⁽¹⁾ per kg
	2. Exceeding 45 %	3010 00	0.8372 ⁽¹⁾ per kg

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.03	Butter :		
	ex A. Of a fat content, by weight, not exceeding 85 % :		
	(I) Of a fat content, by weight, of 62 % or more, but less than 78 %	3110 05	120.79
	(II) Of a fat content, by weight, of 78 % or more but less than 80 %	3110 16	151.96
	(III) Of a fat content, by weight, of 80 % or more but less than 82 %	3110 22	155.85
	(IV) Of a fat content, by weight, of 82 % or more	3110 32	159.75
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99.5 %	3210 10	159.75
	(II) Exceeding 99.5 %	3210 20	194.90
04.04	Cheese and curd :		
	ex A. Emmentaler and Gruyère, not grated or powdered :		
	II. Other	3800 00	
	for exports to :		
	— Zone D		36.15
	— Zone E		—
	— Canada		48.00
	— Liechtenstein and Switzerland		—
	— Austria		35.34
	— Other destinations		90.71
	ex C. Blue-veined cheese, not grated or powdered, other than Roquefort	4000 00	
	for exports to :		
	— Zone D		56.39
	— Zone E		22.38
	— Canada		39.40
	— Other destinations		74.86
	D. Processed cheese, not grated or powdered :		
	II. Other, of a fat content, by weight :		
	a) Not exceeding 36 % and of a fat content, by weight, in the dry matter :		
	ex 1. Not exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 %	4410 10	
	for exports to :		
	— Zone D		7.78
	— Zone E		14.58
	— Canada		14.78
	— Switzerland		5.30
	— Other destinations		30.63

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(bb) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 %	4410 20	
	for exports to :		
	— Zone D		7·78
	— Zone E		14·58
	— Canada		14·78
	— Switzerland		5·30
	— Other destinations		30·63
	(22) Of 20 % or more	4410 30	
	for exports to :		
	— Zone D		11·49
	— Zone E		21·50
	— Canada		21·84
	— Switzerland		7·84
	— Other destinations		45·37
	(cc) Of 43 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 20 %	4410 40	
	for exports to :		
	— Zone D		7·78
	— Zone E		14·58
	— Canada		14·78
	— Switzerland		5·30
	— Other destinations		30·63
	(22) Of 20 % or more but less than 40 %	4410 50	
	for exports to :		
	— Zone D		11·49
	— Zone E		21·50
	— Canada		21·84
	— Switzerland		7·84
	— Other destinations		45·37
	(33) Of 40 % or more	4410 60	
	for exports to :		
	— Zone D		16·78
	— Zone E		31·32
	— Canada		31·90
	— Switzerland		11·44
	— Other destinations		66·37
	ex 2. Exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 %	4510 10	
	for exports to :		
	— Zone D		7·78
	— Zone E		14·58
	— Canada		14·78
	— Switzerland		5·30
	— Other destinations		30·63

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(bb) Of 38 % or more but less than 43 % for exports to :	4510 20	
	— Zone D		11.49
	— Zone E		21.50
	— Canada		21.84
	— Switzerland		7.84
	— Other destinations		45.37
	(cc) Of 43 % or more but less than 46 % for exports to :	4510 30	
	— Zone D		16.78
	— Zone E		31.32
	— Canada		31.90
	— Switzerland		11.44
	— Other destinations		66.37
	(dd) Of 46 % or more and of a fat content, by weight, in the dry matter :		
	(11) Less than 55 % for exports to :	4510 40	
	— Zone D		16.78
	— Zone E		31.32
	— Canada		31.90
	— Switzerland		11.44
	— Other destinations		66.37
	(22) Of 55 % or more for exports to :	4510 50	
	— Zone D		19.91
	— Zone E		37.16
	— Canada		37.85
	— Switzerland		13.58
	— Other destinations		78.79
	b) Exceeding 36 % for exports to :	4610 00	
— Zone D	19.91		
— Zone E	37.16		
— Canada	37.85		
— Switzerland	13.58		
— Other destinations	78.79		
E. Other :			
I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :			
ex a) Not exceeding 47 % :			
(1) Grana, Parmigiano Reggiano for exports to :	4710 11		
— Zone D		116.64	
— Zone E		71.50	
— Canada		88.00	
— Switzerland		91.64	
— Other destinations		116.64	

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(2) Fiore Sardo, Pecorino	4710 16	
	for exports to :		
	— Zone D		125·27
	— Zone E		82·50
	— Canada		89·50
	— Switzerland		100·27
	— Other destinations		125·27
	(3) Other, of a fat content, by weight, in the dry matter of 30 % or more	4710 21	
	for exports to :		
	— Zone D		116·64
	— Zone E		71·50
	— Canada		88·00
	— Switzerland		91·64
	— Other destinations		116·64
	b) Exceeding 47 % but not exceeding 72 % :		
	1. Cheddar, including Chester :		
	ex bb) Other, of a fat content, by weight, in the dry matter of 48 % or more	4850 00	
	for exports to :		
	— Zone D		23·47
	— Zone E		—
	— Canada		28·00
	— Switzerland		16·00
	— Other destinations		84·50
	ex 5. Other, of a fat content, by weight, in the dry matter :		
	(aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more	5120 11	
	for exports to :		
	— Zone D		5·85
	— Zone E		—
	— Canada		12·50
	— Switzerland		3·99
	— Other destinations		32·43
	(bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more	5120 15	
	for exports to :		
	— Zone D		6·46
	— Zone E		—
	— Canada		29·90
	— Switzerland		4·40
	— Other destinations		54·54
	(cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 %	5120 21	
	for exports to :		
	— Zone D		6·94
	— Zone E		—
	— Canada		35·57
	— Switzerland		4·73
	— Other destinations		66·12

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(dd) Of 39 % or more :		
	(11) Asiago, Caciocavallo, Provolone, Ragusano	5120 31	
	for exports to :		
	— Zone D		84-20
	— Zone E		67-00
	— Canada		77-50
	— Switzerland		15-30
	— Other destinations		116-23
	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit	5120 44	
	for exports to :		
	— Zone D		32-14
	— Zone E		18-60
	— Canada		40-90
	— Switzerland		23-75
	— Other destinations		77-12
	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	5120 54	
	for exports to :		
	— Zone D		32-14
	— Zone E		16-10
	— Canada		35-35
	— Switzerland		23-75
	— Other destinations		66-74
	(44) Cantal	5120 58	
	for exports to :		
	— Zone D		23-47
	— Zone E		23-11
	— Canada		41-70
	— Switzerland		16-00
	— Other destinations		79-13
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more	5120 59	
	for exports to :		
	— Zone E		15-00
	— Canada		20-00
	— Other destinations		35-03
	(66) Feta	5120 82	
	for exports to :		
	— Zone D		15-00 (*)
	— Zone E		2-15 (*)
	— Canada		34-00 (*)
	— Switzerland		12-00 (*)
	— Jordan, Iraq, Iran, the Arabian Peninsula and Mediterranean countries except Zone D		76-28 (*)
	— Other destinations		63-42 (*)
	(77) Colby, Monterey	5120 83	
	for exports to :		
	— Zone D		23-47
	— Zone E		—
	— Canada		41-70
	— Switzerland		16-00
	— Other destinations		79-13

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(88) Other, of a water content, calculated by weight, of the non-fatty matter : (aaa) Exceeding 47 % but not exceeding 52 % for exports to : — Zone D 25-00 — Switzerland 15-00 — Zone E 43-08 — Canada 62-50 — Other destinations 85-00 (bbb) Exceeding 52 % but not exceeding 62 % for exports to : — Zone D 32-14 — Zone E 18-60 — Canada 40-90 — Switzerland 23-75 — Other destinations 77-12 II. Other : ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight : (1) Of 80 % or more but less than 85 % for exports to : — Zone E 20-00 — Canada 33-50 — Other destinations 56-25 (2) Of 85 % or more but less than 95 % for exports to : — Zone E 25-00 — Canada 39-50 — Other destinations 70-59 (3) Of 95 % or more for exports to : — Zone E 30-00 — Canada 45-00 — Other destinations 82-26	5120 86 5120 91 5310 10 5310 21 5310 30	
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : ex B. Other, containing starch, glucose or glucose syrup falling within sub-headings 17.02 B and 17.05 B, or milk products, excluding special compound feedingstuffs ⁽³⁾ : I. Containing starch, or glucose or glucose syrup : a) Containing no starch or containing 10 % or less, by weight, of starch : 3. Containing 50 % or more but less than 75 %, by weight, of milk products and containing, by weight, milk powder of a fat content, by weight, not exceeding 11 %, excluding whey powder :		

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
23.07 (cont'd)	(aa) Less than 30 %	5700 12	—
	(bb) 30 % or more but less than 40 %	5700 22	20.75
	(cc) 40 % or more but less than 50 %	5700 32	27.24
	(dd) 50 % or more but less than 60 %	5700 41	33.72
	(ee) 60 % or more but less than 70 %	5700 51	40.21
	(ff) 70 % or more	5700 61	46.69
	4. Containing 75 % or more, by weight, of milk products and containing, by weight, milk powder of a fat content, by weight, not exceeding 11 %, excluding whey powder :		
	(aa) Less than 30 %	5800 12	—
	(bb) 30 % or more but less than 40 %	5800 22	20.75
	(cc) 40 % or more but less than 50 %	5800 31	27.24
	(dd) 50 % or more but less than 60 %	5800 41	33.72
	(ee) 60 % or more but less than 70 %	5800 51	40.21
	(ff) 70 % or more but less than 75 %	5800 61	46.69
	(gg) 75 % or more but less than 80 %	5800 71	49.93
	(hh) 80 % or more	5800 81	53.18
	II. Containing no starch, glucose or glucose syrup, but containing milk products, containing, by weight, milk powder of a fat content, by weight, not exceeding 11 %, excluding whey powder :		
	(a) 50 % or more but less than 60 %	5900 11	33.72
	(b) 60 % or more but less than 70 %	5900 21	40.21
	(c) 70 % or more but less than 80 %	5900 31	46.69
	(d) 80 % or more	5900 41	53.18

(1) The weight of added non-lactic matter and lactose should be disregarded for the purpose of calculating fat content.

The refund on 100 kg of product falling within this subheading is equal to the sum of the following components :

- (a) the amount per kilogram shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

(2) The refund on 100 kg of product falling within this subheading is equal to the sum of the following components :

- (a) the amount per 100 kg shown ; and
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

(3) 'Special compound feedingstuffs' are feedingstuffs containing skimmed-milk powder and either :

- (a) fish meal or fish oil and/or fish liver oil ;
- (b) active carbon and/or a mixture of Tartazine Yellow (E 102) and Patent Blue V (E 131) or Cochineal Red A (E 124) or Patent Blue V (E 131) ;
- (c) iron carbonate and/or iron sulphate and/or copper sulphate.

(4) This amount applies to the net weight, minus the weight of the brine.

N.B. : — For the purposes of this Regulation 'countries near the Community means : Zone D, Austria, Liechtenstein, Switzerland, Yugoslavia plus the destinations indicated in Article 3 of Regulation (EEC) No 192/75.

— Zones A, B, C, D and E are those defined in Regulation (EEC) No 1098/68, as last amended by Regulation (EEC) No 37/75.

— 'Countries of the Arabian Peninsula' are to be understood in the sense of this Regulation as the following countries situated in the Arabian Peninsula and the territories there connected : Saudi Arabia, Bahrain, Qatar, Kuwait, Sultanate of Oman, Union of Arab Emirates (Abu Dhabi), Dubai, Sharjah, Ajman, Ummal Quaiwain, Fujairah, Ras al Khaimah), Yemen Arab Republic (Yemen North) and People's Democratic Republic of Yemen (Yemen South).

The weight of non-milk fat should be disregarded for the purposes of calculating fat content.

COMMISSION REGULATION (EEC) No 249/77

of 2 February 1977

laying down detailed rules for the implementation of Regulation (EEC) No 2681/74 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽¹⁾, and in particular Article 5 thereof,

Whereas the quantities of agricultural products delivered as food aid which are financed by the Community should be specified;

Whereas the value of the agricultural products drawn from public stocks should be determined;

Whereas to ensure that the system of advances functions properly, it should be based on monthly declarations by the Member States of their financial requirements and expenditure, on the forwarding of information on their cash position and on the introduction of accounting relating solely to the use of these advances;

Whereas, for the purposes of the audit of the annual accounts, the Member States should forward detailed statements of expenditure accompanied by a recapitulative summary and any other documents which may assist in determining the expenditure;

Whereas the supporting documents relating to the expenditure should be retained by the Member States for at least one financial year following that during which the decision approving the audit of the accounts is taken;

Whereas the decision approving the audit of the accounts should relate to the expenditure in a single budget year;

Whereas Commission Regulation (EEC) No 522/73 of 14 February 1973 laying down detailed rules for the application of Regulation (EEC) No 1703/72 on Community financing of expenditure arising from the implementation of the 1971 Food Aid Convention⁽²⁾, the provisions whereof are valid solely for the supply of cereals as food aid and have been incorporated in this Regulation, should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Financing under Article 1 of Regulation (EEC) No 2681/74 shall be provided for the net quantities of the aid taken over by the beneficiary at the delivery stage provided for by Community rules.
2. The value of agricultural products drawn from intervention stocks shall be determined by applying the intervention price to the quantity removed from intervention storage, subject, where applicable, to monthly increases.

Article 2

1. For the purposes of the first indent of Article 3 (2) of Regulation (EEC) No 2681/74, Member States shall, not later than the 20th day of each month, forward an application to the Commission in triplicate, concerning the financial requirements of the authorities and agencies making payments.
2. The application referred to in paragraph 1 shall be accompanied by supporting statements drawn up in accordance with the Annexes to this Regulation and containing:
 - (a) a calculation of financial requirements up to the end of the last month referred to in (c) (Annex I);
 - (b) a detailed statement of expenditure effected for each aid operation during the month preceding the application referred to in paragraph 1 (Annex II). That statement shall be broken down by consignment dispatched and shall give details of the various items of expenditure;
 - (c) expenditure estimates for the current month and the following two months (Annex III).

Article 3

1. For products purchased on the Community market, applications for advances shall be submitted by the Member State in whose territory the successful tenderer or the operator has his registered office.

⁽¹⁾ OJ No L 288, 25. 10. 1974, p. 1.

⁽²⁾ OJ No L 50, 23. 2. 1973, p. 33.

2. For products from intervention stocks, applications for advances shall be submitted by the Member State which bought in the goods.

3. Payment for the services of the successful tenderer or operator shall be made by the Member State which has applied for the advance.

4. Applications for advances shall be broken down according to budget heading and may not include amounts corresponding to export refunds for which separate applications for advances shall be submitted to the Guarantee Section of the EAGGF by the Member State referred to in paragraphs 1 and 2.

Article 4

1. Advances shall be decided, as necessary, on the basis of the applications referred to in Article 2 and of the information relating to the execution of the food-aid operations.

Decisions on advances shall be taken within one month of the receipt of the said applications.

2. The amounts of such advances shall be so calculated as to enable the authorities and agencies responsible to cover their expenditure up to the end of the quarter referred to in Article 2 (2) (c).

Article 5

1. Where the funds made available to a Member State are liable to run out before the date laid down for the next advance, that Member State shall inform the Commission thereof and, where necessary, apply for a special advance, giving the reasons therefor.

2. The Commission may, on the basis of the communication under paragraph 1, make a special advance which shall be taken into account when the next advance is decided upon.

Article 6

1. All advances granted under this Regulation shall be paid by the Commission within three working days of its decision into an account opened in pursuance of Article 1 (1) of Regulation (EEC) No 2697/70 ⁽¹⁾. Paragraphs 3 and 4 of the said Article shall apply by analogy.

2. Each authority or agency making payments shall keep accounts relating solely to the funds made available to it under paragraph 1 and to the use of those funds.

Article 7

1. The decision approving the audit of the accounts relating to expenditure for a given year referred to in

the second indent of Article 3 (2) of Regulation (EEC) No 2681/74 shall be adopted on the basis of:

- the detailed statements of expenditure in respect of each aid operation notified, using the form annexed hereto (Annex IV),
- a recapitulative summary of the expenditure effected during the year in question, presented in accordance with the table annexed hereto (Annex V),
- any additional documents or information which the Member States consider should be communicated for the purpose of the audit, together with any information, documents or reports requested by the Commission departments for the same purpose.

2. Five copies of the documents referred to in paragraph 1 shall be forwarded to the Commission, to arrive at the latest on 31 March of the year following that of the declaration of expenditure.

3. The supporting documents relating to the expenditure effected by the authorities and agencies making payments covered by the advances granted to the Member States shall be kept for Community purposes at least until 31 December of the year following that during which the Commission audits the accounts for the year to which that expenditure relates.

Article 8

1. The audit of the accounts relating to the expenditure for a given financial year shall be approved, in principle, before the end of the following year.

2. This audit shall include:

- (a) the determination of the amount of the expenditure effected in each Member State during the year in question, recognized as being chargeable to the budget of the European Communities under the chapter 'food aid';
- (b) the determination of the amount of the funds remaining available in each Member State at the end of the year in question, resulting from the difference between the sum of the Community funds available at the beginning of the year and those advanced during the year and the amount referred to under (a).

Article 9

Regulation (EEC) No 522/73 is hereby repealed.

⁽¹⁾ OJ No L 285, 31. 12. 1970, p. 63.

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

Done at Brussels, 2 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX I

COMMUNITY FOOD AID

Member State

CALCULATION OF FINANCIAL REQUIREMENTS FOR THE MONTH OF

	national currency
A. Available funds	
1. On 31 December 19..	
2. Advances decided since January 19..	
3. Other	
Total A	<u>.....</u>
B. Expenditure	
Declared expenditure for the period 1 January 19.. to chargeable under the chapter 'food aid'	
Total B	
C. Quarterly estimate	Total C
D. Financial requirements	Total B + C — A

Stamp, date and signature
of the authority or agency

.....

Explanatory Notes to Annex I

- A.2. Indicate total advances approved by the Commission for the current year (including any advance approved in December of the previous year but valid for January of the current year).
- A.3. Other receipts for the account of the Community.
- B. This amount must tally with the total expenditure declared in column (b) of Annex III.
- C. Total of columns (c + d + e) of Annex III.

ANNEX II

COMMUNITY FOOD AID

Authority or agency :

Member State :
 Recipient :
 Product :
 Expenditure for the month of :
 Programme :
 Ship :

Regulations :
Delivery stage (1) :

- (2) Quantity provided for by Regulation :
 (3) Quantity of basic product mobilized :
 (4) Quantity having arrived at destination :
 (5) Port of loading :
 (6) Dates of loading or unloading laid down in Regulation :
 (7) Date of mobilization or removal from storage :
 (8) Date of loading and/or arrival at destination :
 (9) Date of customs clearance :
 (10) Products purchased on the market/from intervention stocks :

Consignment	Amount of tender or private contract		Intervention value	Additional expenditure	Costs charged to recipient country	Receipts	Refunds		Expenditure for the month
	National currency/tonne	For consignment					National currency/tonne	For consignment	
	a	b	c	d	e	f		g	(b + c + d + e) — (f + g)
<i>Comments :</i> Stamp, date and signature of the authority or agency									

Important : Indicate the expenditure for the month concerned only.

Explanatory Notes to Annex II**(1) *Delivery stage***

Indicate the delivery stage provided for in the Regulation relating to the tender and/or the notice of invitation to tender, or by private contract, i.e. the stage to which Community financing extends.

(3) *Quantity of basic products mobilized*

Only where products were withdrawn from intervention stocks: indicate the *net* quantities of the agricultural products in the state in which they were received from the intervention agency.

(4) *Quantity having reached destination*

Indicate the *net* quantities having arrived undamaged at the delivery stage.

(9) *Date of customs clearance*

Date of completion of the customs formalities valid for the application of the provisions relating to the export refund.

(10) *Products purchased on the market/from intervention stocks*

Indicate: 'M' for products purchased on the market, 'I' for products from intervention stocks.

Columns

a Amount per tonne fixed by tender or private contract.

b Amount obtained by multiplying column a by the quantity having arrived at the destination, per consignment.

c *Intervention value*

With the exception of butteroil, the value of which is included in amount b, indicate the value of the products received from the intervention agency, based on the quantities of *basic products mobilized*.

This value must correspond to the amount to be declared to the credit of the 'net losses' account of the EAGGF, Guarantee Section.

d *Additional expenditure*

If the financing of additional expenditure is provided for by Community Regulations, indicate in this column the amount of these costs borne by the operator as a result of *force majeure* for which the risk could not be covered by insurance and the reference relating to the prior authorization obtained. Where necessary, give explanations in an annex or attach supporting documents.

e *Costs charged to the recipient country*

Specify the amount and nature of these costs, with any relevant information for initiating the recovery procedure.

f *Receipts*

Indicate any receipts relating to the operation, as well as the value of any shortfall at the delivery stage for products originating from intervention stocks, in so far as the loss is not chargeable to the Community.

g Refunds

Refunds are calculated in accordance with the prevailing Community rules. Indicate the details of the calculation in an annex if several unit rates have been used, relating to different customs clearance dates.

ANNEX III

COMMUNITY FOOD AID

Member State : Authority for agency :
 Product :

STATEMENT OF TOTAL EXPENDITURE AND ESTIMATES OF FINANCIAL REQUIREMENTS

(in national currency)

Programme	Item of expenditure (1)				Expenditure from 1 January 19... to... (2)	Expenditure estimates			Total
	Budget heading	Regulation	Recipient country	Quantities		(3)	(4)	(5)	
					a	b	c	d	c + d + e

(1) Expenditure to be broken down by aid operation.

(2) Indicate in this column, in respect of each operation, the totals given in the last column of the statements of expenditure (Annex II).

(3) Total expenditure from 1 January until the end of the month referred to in column (a).

(4) Estimates for the first month following that covered by column (a).

(5) Estimates for the second month following that covered by column (a).

(6) Estimates for the third month following that covered by column (a).

Stamp, date and signature
 of the authority or agency

.....

ANNEX IV

TOTAL EXPENDITURE
FOR OPERATION
(in national currency)

COMMUNITY FOOD AID

Authority or agency :

Member State :
 Recipient :
 Product :
 Programme :
 Ship :
 Regulations :
 Delivery stage (1) :

(2) Quantity provided for by Regulation :
 (3) Quantity of basic product mobilized :
 (4) Quantity having arrived at destination :
 (5) Port of loading :
 (6) Dates of loading or unloading laid down in Regulation :

(7) Date of mobilization or removal from storage :
 (8) Date of loading and/or arrival at destination :
 (9) Date of customs clearance :
 (10) Products purchased on the market/from intervention stocks :

Consignment	Amount of tender or private contract		Intervention value	Additional expenditure	Costs charged to recipient country	Receipts	Refunds		Total expenditure for operation (b + c + d + e) — (f + g)
	National currency/tonne	For consignment					National currency/tonne	For consignment	
	a	b	c	d	e	f		g	(b + c + d + e) — (f + g)

A. Expenditure declared on 31 December of previous years		Total
B. Expenditure for 19 ..		(A-B)
C. Expenditure for 19 ..		
D. Estimate of expenditure for 19 ..		

— Reasons should be given for any differences between 'C' and the total in column b of Annex III declared during the current year for the operation concerned.
 — Line 'D' should indicate the expenditure estimate for the year following that in line 'C'.

Stamp, date and signature
of the authority or agency

ANNEX V

COMMUNITY FOOD AID

Member State :

Authority or agency :

.....

.....

RECAPITULATIVE SUMMARY OF EXPENDITURE 19..

Regulation	Recipient	Product	Quantity	Value in national currency	
				Refund	Food-aid expenditure
(1)	(2)	(3)	(4)	(5)	(6)

(4) Indicate the quantity given in point (2) of Annex IV.

(6) The total of this column must tally with the amount shown on line 'C' of Annex IV.

Stamp, date and signature
of the authority or agency

.....

COMMISSION REGULATION (EEC) No 250/77

of 4 February 1977

opening a new invitation to tender for the mobilization of common wheat as food aid for the People's Republic of Mozambique

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as amended by Regulation (EEC) No 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,

Whereas on 25 March 1976 the Council of the European Communities declared that by way of Community action it proposed to grant the People's Republic of Mozambique 5 000 tonnes of common wheat under its 1975/76 food-aid programme;

Whereas an analysis of the state of the cereals market with reference to cereals intervention in Germany indicates that the criteria of Article 3 (2) of Council Regulation (EEC) No 2750/75 should be applied and that the intervention agency of the Member State as specified should mobilize the cereals from those stocked in its own stores and should also determine the conditions of mobilization;

Whereas the invitation to tender opened in the Community under Commission Regulation (EEC) No 2695/76 of 5 November 1976 opening an invitation to tender for the mobilization of common wheat as aid for Mozambique ⁽⁴⁾ was not allocated; whereas a new invitation to tender should therefore be opened;

Whereas the proposed invitation to tender should be for supply of the products removed from the ship's hold at the port of unloading;

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

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

Whereas provision should be made for security to be given to guarantee fulfilment of the obligations arising by virtue of participation in the invitation to tender;

Whereas the German intervention agency should be made responsible for the tendering procedure in question;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply by way of Community food-aid action to the People's Republic of Mozambique of 5 000 tonnes of common wheat.
2. The tendering procedure shall take place in the Federal Republic of Germany in one lot.
3. The product shall be mobilized by the German intervention agency from the stores specified in the Annex.
4. Shipment shall be from a Community port.
5. The invitation to tender provided for in paragraph 1 is for supply of products removed from the ship's hold at the port of Maputo.

The recipient country shall bear all costs subsequent to delivery of the goods, including unloading costs (such as unstowing, hoisting and reception) and any lighterage costs.

Any demurrage costs or dispatch money at the port of unloading shall be a charge on or for the benefit of the recipient country. The rates and detailed arrangements relating thereto laid down in the contract between the authorized agent of the Community and the carrier must have been agreed upon in advance by the authorized agent and the receiving agent of the recipient country.
6. The product shall be delivered in bulk.

⁽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 304, 6. 11. 1976, p. 15.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 18 February 1977.
2. The closing date for the receipt of tenders shall be 18 February 1977 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

Article 3

The contract shall be awarded to the tenderer who makes the most favourable offer.

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

Article 4

1. The successful tenderer shall give security of a value of five units of account per metric ton of the product; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeited if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.
2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by each Member State.

Article 5

The product referred to in Article 1 must be of fair and sound merchantable quality and correspond at least to the standard quality for which the intervention price is fixed, except that the moisture content shall not exceed 14 % and that a maximum of 3 % of sprouted grains and 1.5 % of miscellaneous impurities shall be allowed.

Article 6

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

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

Done at Brussels, 4 February 1977.

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

3. On the other hand, if the successful tenderer is established in a Member State other than the one collecting the tenders, and if the product is dispatched through a frontier post of the Member State where the successful tenderer is established, the intervention agency of the latter Member State shall be responsible for the operations relating to the tendering.

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

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

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

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

Article 7

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

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANHANG — ALLEGATO — BIJLAGE — BILAG — ANNEX

Número du lot Nummer der Lose Numero della partita Nummer van de partij Partiets nummer Number of lot	Port d'embarquement Verschiffungshafen Porto d'imbarco Haven van inlading Indskibningshavn Port of shipment	Tonnage à mettre en fob Nach fob zu bringende Menge Tonnellaggio da mettere in fob Fob aan te leveren hoeveelheid Mængde til levering fob Metric tonnage fob	Nom et adresse du stockeur Name und Adresse des Lagerhalters Nome e indirizzo del detentore Naam en adres van de entrepouhouder Lagerindehaverens navn og adresse Address of store	Lieu de stockage Ort der Lagerhaltung Luogo di accantonamento Adres van de opslagplaats Lagerplads Town at which stored
1	Ports communautaires Gemeinschaftshäfen Porti comunitari Havens van de Gemeenschap Fællesskabshavne Community ports	5 000 t dont : davon : di cui : waarvan : deraf : whereof : 985 1 770 2 245	Rhenus AG Zweigniederlassung Postfach 108 3200 Hildesheim Westf. Transport AG Niederlassung Hafenstraße 32 3200 Braunschweig Rintelner Lagerhaus Lagerei-Umschlag Rudolf Meyer Postfach 1350 3260 Rinteln 1	Bornum Lg.-Nr. 254 231 Braunschweig Lg.-Nr. 257 210 Rinteln Lg.-Nr. 274 000

COMMISSION REGULATION (EEC) No 251/77

of 4 February 1977

opening a new invitation to tender for the mobilization of milled rice as food aid for the United Nations Relief and Works Agency for Palestine (UNRWA)

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 laying down the conditions for the mobilization of cereals as food aid ⁽²⁾, and in particular Article 6 thereof,

Whereas on 3 March 1975 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 200 tonnes of husked rice (in other words 171 tonnes of round grain milled rice) to UNRWA under its 1974/75 food-aid programme;

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

Whereas the successful tenderer appointed under Commission Regulation (EEC) No 672/76 of 26 March 1976 opening an invitation to tender for the mobilization of milled rice as food aid for the United Nations Relief and Works Agency for Palestine (UNRWA) ⁽³⁾, has not been able to carry out the execution of this aid; whereas it is necessary to open a new tender;

Whereas the proposed invitation to tender should be for supply of the products delivered Lattakia, that is at the moment when the goods are actually placed on the dock or in the lighter where applicable;

Whereas in view of the different monetary circumstances in the Member States, the observation of these conditions is not guaranteed by the application of exchange rates applicable in the framework of the common agricultural policy since monetary compensa-

tory amounts do not apply in the rice sector; whereas it is advisable to take account of the monetary situation as regards different offers;

Whereas the award under the invitation to tender must be made to the tenderer offering the best terms;

Whereas, should *force majeure* make it impossible to complete the operation in question within the time limits specified, it must be made clear who is to bear the liability for any resulting costs;

Whereas provision should be made for security to be given for the purpose of guaranteeing that the obligation arising by virtue of participation in the invitation to tender for supplies to UNRWA will be fulfilled;

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

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

Whereas the Monetary Committee will be consulted; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3 (2) of Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁵⁾, and in particular Article 3 thereof;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to UNRWA by way of Community food-aid action, of 171 tonnes of round grain milled rice.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽³⁾ OJ No L 81, 27. 3. 1976, p. 15.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

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

3. The invitation to tender provided for in paragraph 1 is for supply of products delivered Lattakia, that is at the moment when the goods are actually placed on the dock or in the lighter where applicable.

4. The successful tenderer shall deliver the product in new jute sacks of a net capacity of 50 kg.

The following shall be printed on the sacks :

'Milled rice — Gift of the European Economic Community to UNRWA — For Palestine refugees.'

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 21 February 1977.

2. The closing date for submission of tenders shall be 21 February 1977 at 12 noon.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.

2. The rates used for converting into units of account those offers made in national currencies shall be :

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

Article 4

The contract shall be awarded to the tenderer offering the best terms.

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

Article 5

1. The tenderer shall give security of a value of 10 units of account per metric ton of the product ; for

the successful tenderer the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeited if those operations are not carried out within the prescribed time limit, save as regard quantities not delivered owing to *force majeure*.

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

Article 6

1. The round grain milled rice referred to in Article 1 to be supplied to UNRWA 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 %,
- amber grains : 0.125 % maximum.

Rice not meeting these requirements shall be refused.

2. Tenders for supply to UNRWA of the round grain milled rice referred to in Article 1 must relate to a product with the following characteristics :

- moisture : 15 %,
- broken rice : 5 % maximum,
- chalky grains : 3 % maximum,
- grains striated with red : 3 % maximum,
- spotted grains : 1 % maximum,
- stained grains : 0.5 % maximum,
- yellow grains : 0.050 % maximum,
- amber grains : 0.125 % maximum.

Article 7

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

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

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

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

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (2) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

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

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and the type of packing ;
- (b) the date of the departure of the ships ; the estimated date of arrival of the products at their destination ;

- (c) all possible contingencies which might occur during transportation of the products.

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

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

Article 8

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

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

Done at Brussels, 4 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 252/77

of 2 February 1977

concerning the issue of an invitation to tender for the supply to Honduras, for use as food aid, of vitaminized skimmed-milk powder to be purchased on the Community market

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Council Regulation (EEC) No 1299/76 of 1 June 1976 on the supply of skimmed-milk powder under the 1976 food-aid programme to certain developing countries and international organizations⁽⁵⁾, provides, *inter alia*, for the supply to Honduras of 800 tonnes of skimmed-milk powder;

Whereas Council Regulation (EEC) No 2018/76 of 27 July 1976 on the additional supply of skimmed-milk powder as food aid to certain developing countries, international organizations and non-governmental organizations under the 1976 programme⁽⁶⁾ provides, *inter alia*, for 200 tonnes of skimmed-milk powder to be made available to Honduras; whereas this country has requested the supply of 1 000 tonnes of vitaminized skimmed-milk powder;

Whereas Article 2 (2) of Regulation (EEC) No 1298/76 provides that if there is enough skimmed-milk powder available in public stocks with the characteristics necessary for the particular destination where this requires, in particular, the addition of vitamins, supplies shall be obtained by purchase on the Community market;

Whereas Article 5 of Regulation (EEC) No 1298/76 provides that for the purpose of the supply and shipment of skimmed-milk powder invitations to tender are to be issued;

Whereas the procedure to be adopted for this tendering should in the main be the procedure used hitherto in similar cases;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders shall be invited in accordance with Regulations (EEC) No 1298/76, (EEC) No 1299/76 and (EEC) No 2018/76 for the costs of supplying to Honduras of 1 000 tonnes of vitaminized skimmed-milk powder bought on the Community market and divided into two lots of 500 tonnes.

2. Delivery shall be effected at the port of unloading of Puerto Cortes.

3. Loading shall take place as soon as possible and not later than 31 March 1977.

4. The skimmed-milk powder shall meet:

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

— as to packing, the requirements set out in Annex I to Commission Regulation (EEC) No 1108/68 of 27 July 1968 on detailed rules of application for public storage of skimmed-milk powder⁽⁷⁾, as last amended by Regulation (EEC) No 1457/75⁽⁸⁾.

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

⁽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 146, 4. 6. 1976, p. 5.

⁽⁶⁾ OJ No L 224, 16. 8. 1976, p. 2.

⁽⁷⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽⁸⁾ OJ No L 145, 6. 6. 1975, p. 17.

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

'Leche desnatada en polvo con vitaminas 'A' y vitaminas 'D' / Donación de la comunidad economica europea al Honduras / Destinado a la distribución gratuita'.

Article 2

1. The intervention agencies shall frame a notice of invitation to tender which shall be published in the *Official Journal of the European Communities* not less than 10 days before the closing date for the submission of tenders.

2. The closing date for the submission of tenders shall be 22 February 1977 at 12 noon.

Article 3

1. Tenders, which shall be in writing, shall be submitted either by delivery by hand to an intervention agency against acknowledgement of receipt or by registered letter addressed to an intervention agency.

Intervention agencies may also authorize the use of telex.

2. A tender is only valid if it covers the total quantity of a lot offered for tender. The tenderer shall specify in his tender for how many lots it is valid.

3. The tender shall indicate *inter alia* :

- (a) the name and address of the tenderer ;
- (b) the port or ports of loading, chosen from among Community ports ;
- (c) the price, exclusive of taxes, expressed in the currency of the Member State in which the tender is presented, at which the tenderer undertakes to supply, in accordance with the specifications, the entire quantity which is the subject of his tender.

Such price shall be inclusive of transport insurance costs of the stage referred to in Article 1 (2) for delivery.

4. A tender shall be valid only if proof is given before expiry of the period set for the submission of tenders that the security referred to in Article 4 has been provided.

5. No tender may be withdrawn.

Article 4

1. The tendering and delivery security shall be 20 units of account per tonne of skimmed-milk powder.

2. It shall take the form, at the discretion of the Member State concerned, either of a cheque made out in favour of the intervention agency, or of a bank guarantee which satisfies the criteria fixed by the Member State.

Article 5

In the light of the tenders received and in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68 a maximum price, expressed in units of account, shall be fixed or alternatively a decision shall be taken to make no award.

Article 6

1. A tender shall be refused if the price proposed, converted into units of account, is more than the maximum price fixed for the lot in question.

2. Subject as provided in paragraph 1, the successful tenderer shall be the one whose offer, converted into units of account, is the lowest. Where two or more valid offers specifying identical amounts, as converted into units of account, are received by a given intervention agency, the award shall be made by drawing lots. Where such offers are made to different intervention agencies, the award shall be made by the intervention agency selected in accordance with the procedure referred to in Article 5.

3. The intervention agency shall immediately inform each tenderer whether he has been awarded the contract.

4. Rights and obligations arising in connection with the invitation to tender shall not be transferable.

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

Article 7

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

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

3. The country of destination shall bear all expenditure incurred after delivery of the goods, including unloading costs (such as unstowing, hoisting and acceptance) as well as possible lighter costs.

Article 8

Any demurrage costs or dispatch money shall be payable by or to the recipient country. The rates and other details concerning such costs shall be laid down in the contract between the successful tenderer and the carrier and must have been previously agreed upon by the successful tenderer acting as Community agent and the country of destination's agent.

Article 9

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

2. The successful tenderer shall inform the country of destination at least 10 clear days in advance of the expected date of arrival of the ship in the port of unloading. The successful tenderer shall have included in the terms of the charter-party a provision stipulating that the ship's captain shall inform the country of destination at least 72 hours in advance of the ship's probable date of arrival in port.

Article 10

1. The competent agency of the Member State in which the contract is awarded shall check that the skimmed-milk powder in question satisfies the requirements as to quality and packaging referred to in Article 1 (4).

2. If the goods are found to satisfy those requirements, the agency shall, before completion of the customs formalities referred to in Article 11 (1), provide the successful tenderer with a certificate to that effect.

3. On delivery the country of destination shall issue a certificate proving taking delivery of the goods, stating that delivery of that quantity of skimmed-milk powder as well as the empty bags referred to in Article 1 (5) have been taken at the stage specified in Article 1 (2).

Article 11

1. Customs export formalities shall be carried out in the Member State in which the award of contract is made.

2. If the port of loading specified in the tender is situated in a Member State other than that in which the customs export formalities are carried out, the goods shall, on completion of such formalities, be

placed under customs control with the object of ensuring that they are loaded at the port specified in the tender.

Proof of loading can be furnished only by production of the control copy referred to in Article 1 of Commission Regulation (EEC) No 2315/69 of 19 November 1969 on the use of Community transit documents for the purpose of applying Community measures for verifying the use and/or destination of goods⁽¹⁾, as amended by Regulation (EEC) No 690/73⁽²⁾.

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

Section 104 shall be completed by deleting as necessary and entering against the second indent one of the following endorsements:

- 'Delivery of skimmed-milk powder as food aid (Regulation (EEC) No 252/77) to be shipped from the port of ...',
- 'Livraison de lait écrémé en poudre à titre d'aide alimentaire (règlement (CEE) n° 252/77) destinée à être embarquée au port de ...',
- 'Lieferung von Magermilchpulver als Nahrungsmittelhilfe (Verordnung (EWG) Nr. 252/77) zur Verschiffung im Hafen von ... bestimmt',
- 'Fornitura di latte scremato in polvere a titolo di aiuto alimentare (regolamento (CEE) n. 252/77) destinata ad essere imbarcata nel porto di ...',
- 'Levering van magere-melkpoeder als voedselhulp (Verordening (EEG) nr. 252/77) bestemd om te worden verscheept in de haven van ...',
- 'Levering af skummetmælkspulver som fødevarehjælp (forordning (EØF) nr. 252/77) bestemt til lastning i havnen i ...'.

Article 12

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

- (a) the tender has not been accepted;
- (b) the tenderer:
 - has not withdrawn his tender before the contract is awarded,
 - has furnished the certificates provided for in Article 10 (2) and (3).

2. Release of the security shall take place immediately.

Article 13

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

⁽¹⁾ OJ No L 295, 24. 11. 1969, p. 14.

⁽²⁾ OJ No L 66, 13. 3. 1973, p. 23.

Article 14

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

2. 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 10 (3) 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 (4), (5) and (6), 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 15

Except in cases of *force majeure*, the successful tenderer shall accept all financial liability devolving

upon the Community by reason of failure to load the skimmed-milk powder by the date specified in Article 1 (3).

Costs incurred by reason of failure to deliver the skimmed-milk powder as a result of *force majeure* shall be borne by the competent agency of the Member State in which the award of contract is made.

Article 16

No refund or compensatory amount (whether monetary or accession) shall be applicable in respect of skimmed-milk powder supplied under this Regulation.

Article 17

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

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

Done at Brussels, 2 February 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 REGULATION (EEC) No 253/77

of 3 February 1977

concerning an invitation to tender for the supply of butteroil as food aid to Honduras

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

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

Whereas 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 the supply to Honduras of 1 000 tonnes of butteroil obtained from butter held by the intervention agencies; whereas this country has requested the supply of 500 tonnes;

Whereas Article 5 of 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⁾, requires tenders to be invited for such supplies;

Whereas the tendering procedure is effected following the provisions of Commission Regulation (EEC) No 2247/75 of 29 August 1975 concerning 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 amended by Regulation (EEC) No 2212/76⁽⁶⁾; whereas it is still necessary to add a number of details, particularly as regards the time limit for the submission of tenders and the terms of supply;

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

⁽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.

Article 1

1. Tenders are hereby invited pursuant to Regulations (EEC) No 694/76 and (EEC) No 695/76, for the manufacture and delivery of one lot of 500 tonnes of butteroil to Honduras.

2. Subject to the special provisions contained hereinafter, the provisions of Regulation (EEC) No 2247/75 shall supply by analogy to the tendering procedure and to the terms for manufacture and delivery of the butteroil.

Article 2

1. The butter which is to be manufactured into butteroil shall be removed from the premises of the German intervention agency.

2. The quality and packaging of the butteroil shall satisfy the requirements laid down in the Annex to Regulation (EEC) No 2247/75; it shall be put exclusively in 5 kg canisters.

3. The words to be printed on the packaging, as provided in Chapter II 2 (b) of the abovementioned Annex, shall be the following:

'Butteroil/Donación de la comunidad económica europea al Honduras/Destinado a la distribución gratuita'.

4. The time limit for the submission of tenders shall be 22 February 1977.

Article 3

1. Delivery shall be to the port of unloading of Puerto Cortes.

2. Shipment shall take place as soon as possible and not later than 31 March 1977.

3. Delivery to the port of unloading shall be regarded as completed when the goods are effectively removed from the hold of the ship at the port of unloading.

The country of destination shall bear all costs subsequent to delivery including unloading costs (such as shifting, hoisting or reception costs) and any lighterage costs.

Any demurrage costs or dispatch money at the port of unloading shall be paid or received by the country of destination. The rates of and rules governing such costs and dispatch money shall be specified in the contract between the successful tenderer and the shipper, and shall be agreed upon in advance between the successful tenderer acting as agent of the Community and the reception agent in the country of destination.

4. On delivery to the port of unloading under the terms set out in paragraph 3 the country of destination shall hand over to the agent for the Community a certificate of taking over.

Article 4

1. The intervention agency concerned shall notify the country of destination 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.

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

The successful tenderer shall include 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.

Article 5

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

Article 6

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

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

Done at Brussels, 3 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 254/77

of 4 February 1977

concerning the issue of an invitation to tender to the World Food Programme, for use as food aid, of vitaminized skimmed-milk powder to be purchased on the Community market for certain third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Council Regulation (EEC) No 2018/76 of 27 July 1976 on the additional supply of skimmed-milk powder as food aid to certain developing countries, international organizations and non-governmental organizations under the 1976 programme ⁽⁵⁾ provides, *inter alia*, that 10 000 tonnes of skimmed-milk powder should be made available to the WFP;

Whereas the WFP has requested the delivery of 646 tonnes of vitaminized skimmed-milk powder for certain third countries;

Whereas Article 2 (2) of Regulation (EEC) No 1298/76 provides that if there is not enough skimmed-milk powder available in public stocks with the characteristics necessary for the particular destination where this requires, in particular, the addition of vitamins, supplies shall be obtained by purchase on the Community market;

Whereas Article 5 of Regulation (EEC) No 1298/76 provides that for the purposes of the supply and shipment of skimmed-milk powder, invitations to tender are to be issued;

Whereas the procedure to be adopted for this tendering should in the main be the procedure used hitherto in similar cases;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders shall be invited in accordance with the provisions of Regulations (EEC) No 1298/76 and (EEC) No 2018/76, for the costs of supplying to the WFP 646 tonnes of vitaminized skimmed-milk powder to be purchased on the Community market, divided into lots and for the destinations listed in Annex I to this Regulation.

2. The skimmed-milk powder shall meet:

- as to quality, the requirements set out in Annex II to this Regulation,
- as to packing, the requirements set out in Annex I to Commission Regulation (EEC) No 1108/68 of 27 July 1968 on detailed rules of application for intervention for public storage of skimmed-milk powder ⁽⁶⁾, as last amended by Regulation (EEC) No 1457/76 ⁽⁷⁾.

3. The packing of the skimmed-milk powder shall bear in letters at least 1 cm high, the relevant marking as listed in Annex I.

4. In addition the successful tenderer shall supply 5 % empty bags identical to those containing the goods.

Article 2

1. The port of embarkation to be specified in the tender shall be chosen from among Community ports accessible for ocean-going ships having regular lines to the country of destination.

⁽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.

A tender may only indicate one port.

2. The delivery at the port of embarkation shall take place on a date fixed by the intervention agency concerned, which shall be after 15 and before 31 March 1977.

3. The time limit for the submission of tenders shall be 22 February 1977 at 12 noon.

Article 3

1. The intervention agencies shall frame a notice of invitation to tender which shall be published in the *Official Journal of the European Communities* not less than 10 days before the closing date for the submission of tenders.

2. Tenders, which shall be in writing, shall be submitted either by delivery by hand to an intervention agency against acknowledgement of receipt or by registered letter addressed to an intervention agency. Intervention agencies may also authorize the use of telex.

3. The tender may only be submitted to the intervention agency of the Member State on whose territory the manufacture of the vitaminized skimmed-milk powder and its packaging, in accordance with Article 1 (2), take place.

4. A tender shall only be valid if it relates to the whole of a lot put up to tender.

5. A tender shall indicate in particular:

- (a) the name and address of the tenderer;
- (b) the port of embarkation, chosen from among ports specified in Article 2 (1);
- (c) the price, exclusive of taxes, expressed in the currency of the Member State in which the tenderer undertakes to supply, in accordance with the specification laid down in the Annex, the entire quantity subject to the tender.

Such price shall be inclusive of transport insurance costs to the stage referred to in Article 7 for delivery.

6. A tender shall be valid only if proof is given before expiry of the period set for the submission of tenders that the security referred to in Article 4 has been provided.

7. No tender may be withdrawn.

Article 4

1. The tendering and delivery security shall be 20 units of account per tonne of skimmed-milk powder.

2. It shall take the form, at the discretion of the Member State concerned, either of a cheque made out in favour of the intervention agency, or of a bank guarantee which satisfies the criteria fixed by the Member State.

Article 5

In the light of the tenders received and in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68 a maximum amount, expressed in units of account, shall be fixed or alternatively a decision shall be taken to make no award.

Article 6

1. A tender shall be refused if the price proposed, converted into units of account, is more than the maximum price fixed for the lot in question.

2. Subject as provided in paragraph 1, the successful tenderer shall be the one whose offer, converted into units of account, is the lowest. Where two or more valid offers specifying identical amounts, as converted into units of account, are received by a given intervention agency, the award shall be made by drawing lots. Where such offers are made to different intervention agencies, the award shall be made by the intervention agency selected in accordance with the procedure referred to in Article 5.

3. The intervention agency shall immediately inform each tenderer whether he has been awarded the contract.

4. Rights and obligations arising in connection with the invitation to tender shall not be transferable.

5. The intervention agencies shall immediately communicate to the Commission the tenderers' names and addresses.

Article 7

1. The tenderer shall, on the date fixed by the WFP, deliver at the port specified in the tender a quantity of skimmed-milk powder equal to the quantity there specified. Any schedule for instalment deliveries shall be agreed between the successful tenderer and the agent of the WFP.

2. The goods shall be regarded as delivered when they are deposited at the place of exportation at the point designated by the WFP or its agent.

Article 8

1. The competent agency of the Member State in which the contract is awarded shall check that the skimmed-milk powder in question satisfies the requirements as to quality and packaging laid down in Article 1 (2).

2. If the goods are found to satisfy those requirements, as mentioned in Article 1 (2), the agency shall provide the successful tenderer with a certificate to that effect.

3. Upon delivery of the goods at the port of embarkation, the WFP agent shall hand to the successful tenderer, acting as agent for the Community, a letter of acceptance. This letter of acceptance shall state that the quantity of skimmed-milk powder in question as well as the empty bags specified in Article 1 (4), have been taken at the stage specified in Article 7.

Article 9

If the port of loading specified in the tender is situated in a Member State other than that in which the tender was submitted, the goods shall, on completion of the control specified in Article 8 (1), be placed under customs control with the object of ensuring that they are delivered at the port specified in the tender.

Proof of loading can be furnished only by production of the control copy referred to in Article 1 of Commission Regulation (EEC) No 2315/69 of 19 November 1969 on the use of Community transit documents for the purpose of applying Community measures for verifying the use and/or destination of goods⁽¹⁾, as amended by Regulation (EEC) No 690/73⁽²⁾.

Sections 101, 103 and 104 of the control copy shall be completed. Section 104 shall be completed by deleting as necessary and entering against the second indent one of the following endorsements:

- 'Delivery of skimmed-milk powder as food aid (Regulation (EEC) No 254/77) to be shipped from the port of ...'
- 'Livraison de lait écrémé en poudre à titre d'aide alimentaire (règlement (CEE) n° 254/77) destinée à être embarquée au port de ...',
- 'Lieferung von Magermilchpulver als Nahrungsmittelhilfe (Verordnung (EWG) Nr. 254/77) zur Verschiffung im Hafen von ... bestimmt',
- 'Fornitura di latte scremato in polvere a titolo di aiuto alimentare (regolamento (CEE) n. 254/77) destinata ad essere imbarcata nel porto di ...',

⁽¹⁾ OJ No L 295, 24. 11. 1969, p. 14.

⁽²⁾ OJ No L 66, 13. 3. 1973, p. 23.

— 'Levering van magere-melkpoeder als voedselhulp (Verordening (EEG) nr. 254/77) bestemd om te worden verscheept in de haven van ...',

— 'Levering af skummetmælkspulver som fødevarehjælp (forordning (EØF) nr. 254/77) bestemt til lastning i havnen i ...'

Article 10

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

- (a) the tender has not been accepted;
- (b) the tenderer:
 - has not withdrawn his tender before the contract is awarded,
 - has furnished the certificates provided for in Article 8 (2) and (3).

2. Release of the security shall take place immediately.

Article 11

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

Article 12

The amount referred to in Article 3 (5) (c) shall be paid only on production of the certificate provided for in Article 8 (2) and (3).

Article 13

Except in cases of *force majeure*, the successful tenderer shall accept all financial liability devolving upon the Community by reason of failure to load the skimmed-milk powder at the place and in due time, the WFP having facilitated the delivery at the place and by the time appointed.

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

Article 14

The intervention agency concerned shall pay to the WFP within 30 days after acceptance of each delivery of skimmed-milk powder, a flat-rate contribution of 80 units of account per tonne of skimmed-milk powder delivered towards the costs of transporting and distributing such skimmed-milk powder.

Article 15

No refund or compensatory amount (whether monetary or accession) shall be applicable in respect of skimmed-milk powder supplied under this Regulation.

Article 16

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

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

Done at Brussels, 4 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX I

Lot	Total quantity of lot (in tonnes)	Partial quantities (in tonnes)	Recipient country	Marking on the packaging
A	282	15	Mali	Lait écrémé en poudre enrichi de vitamines A et D / Don de la Communauté économique européenne / Action du programme alimentaire mondial / Abidjan pour Mopti
		45	Mali	Lait écrémé en poudre enrichi de vitamines A et D / Don de la Communauté économique européenne / Action du programme alimentaire mondial / Dakar pour Bamako
		40	Congo	Lait écrémé en poudre enrichi de vitamines A et D / Don de la Communauté économique européenne / Action du programme alimentaire mondial / Pointe-Noire
		50	Niger	Lait écrémé en poudre enrichi de vitamines A et D / Don de la Communauté économique européenne / Action du programme alimentaire mondial / Cotonou pour Niamey
		30	Upper Volta	Lait écrémé en poudre enrichi de vitamines A et D / Don de la Communauté économique européenne / Action du programme alimentaire mondial / Abidjan pour Ouagadougou
		30	Rwanda	Lait écrémé en poudre enrichi de vitamines A et D / Don de la Communauté économique européenne / Action du programme alimentaire mondial / Kigali
		72	Senegal	Lait écrémé en poudre enrichi de vitamines A et D / Don de la Communauté économique européenne / Action du programme alimentaire mondial / Dakar
B	364	99	Somalia	Skimmed-milk powder enriched with vitamins A and D / Gift of the European Economic Community / World Food Programme action / Mogadishu
		65	Somalia	Skimmed-milk powder enriched with vitamins A and D / Gift of the European Economic Community / World Food Programme action / Berbera
		200	Bolivia	Leche desnatada en polvo con vitaminas A y vitaminas D / Donación de la Comunidad Económica Europea / Acción programa mundial de alimentos / Arica por La Paz

*ANNEX II***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 REGULATION (EEC) No 255/77**of 4 February 1977****amending Regulation (EEC) No 363/76 fixing in respect of the 1975 crop export
refunds for raw tobacco**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
727/70 of 21 April 1970 on the common organization
of the market in raw tobacco⁽¹⁾, as last amended by
the Act of Accession⁽²⁾, and in particular the first
sentence of the third subparagraph of Article 9 (2)
thereof,

Whereas Commission Regulation (EEC) No 363/76 of
19 February 1976⁽³⁾, as amended by Regulation (EEC)
No 1089/76⁽⁴⁾, fixed export refunds for certain varie-
ties of tobacco from the 1975 crop;

Whereas, since Regulation (EEC) No 363/76 came
into force new export outlets have arisen for a further
variety and for other countries and for a further period
after the time limit laid down; whereas a refund
should be granted for this variety and the list of coun-
tries of destination should be enlarged and the time
limit for granting these refunds should be extended to
the 31 December 1977;

Whereas the Management Committee for Tobacco has
not delivered an opinion within the time set by its
chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 363/76 is hereby
replaced by the Annex hereto.

Article 2

In Article 2 of Regulation (EEC) No 363/76 for '30
June 1977' read '31 December 1977'.

Article 3

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

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

Done at Brussels, 4 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

(¹) OJ No L 94, 28. 4. 1970, p. 1.

(²) OJ No L 73, 27. 3. 1972, p. 14.

(³) OJ No L 44, 20. 2. 1976, p. 24.

(⁴) OJ No L 124, 12. 5. 1976, p. 7.

ANNEX

Tobacco from the 1975 crop

Serial No	Varieties	Amount of refund u.a./kg	Countries of destination
1a 1b	Badischer Geudertheimer Fochheimer Havanna	0.28 0.28	Austria, Switzerland, Spain (including the Canary Islands), Portugal, Tunisia, Algeria, Morocco, countries of the Far East, countries of South America, Sweden, Yugoslavia, countries or States with a planned economy in Central and Eastern Europe, Arab Republic of Egypt, Canada, Republic of South Africa, Israel, Libya, Cameroun
10	Bright	0.18	Libya, Tunisia, Algeria, Morocco, Spain (including the Canary Islands), Austria, countries or States with a planned economy in Central and Eastern Europe, Arab Republic of Egypt, Portugal, Switzerland, Japan, Norway, Israel, Sweden, Finland
11a 11b	Burley I Maryland	0.21 0.21	Tunisia, Algeria, Morocco, Spain (including the Canary Islands), Austria, countries or States with a planned economy in Central and Eastern Europe, Arab Republic of Egypt, Portugal, Switzerland, Japan, Norway, Canada, Sweden, Finland, Israel, Libya, Zaire, Senegal, Ivory Coast, Congo-Brazzaville, Cameroun, Nigeria, Hong-Kong
12	(a) Kentucky and hybrids thereof (b) Moro di Cori (c) Salento	0.21	Tunisia, Morocco, Algeria, Spain (including the Canary Islands), Switzerland, countries or States with a planned economy in Central and Eastern Europe, Arab Republic of Egypt, Portugal, Austria, Norway, Israel, Libya, Zaire, Congo-Brazzaville
13	(a) Nostrano del Brenta (b) Resistente 142 (c) Gojano	0.18	Tunisia, Morocco, Algeria, Spain (including the Canary Islands), Austria, Switzerland, countries or States with a planned economy in Central and Eastern Europe, Arab Republic of Egypt, Portugal, Israel, South Africa, Cameroun
14	Beneventano	0.21	Tunisia, Algeria, Morocco, Spain (including the Canary Islands), Austria, countries or States with a planned economy in Central and Eastern Europe, Arab Republic of Egypt, Portugal, Switzerland, Japan, Norway, Canada, Sweden, Finland, Israel, Libya, Zaire, Senegal, Ivory Coast, Congo-Brazzaville, Cameroun
15 16 17	Xanti-Yakà Perustitza Erzegovina	0.16 0.16 0.16	USA, Canada, Japan, countries or States with a planned economy in Central and Eastern Europe, Sweden, Austria, Tunisia, Morocco, Algeria, Arab Republic of Egypt, South Africa, Switzerland, Portugal, Libya
18	(a) Round tip (b) Scafati (c) Sumatra I	0.70	Countries or States with a planned economy in Central and Eastern Europe, Spain (including the Canary Islands), Switzerland, Norway, Sweden, Canada, Austria, Tunisia, Morocco, Algeria, Arab Republic of Egypt, Portugal, Libya

COMMISSION REGULATION (EEC) No 256/77

of 4 February 1977

fixing for the months of February to April 1977 the reference prices for cucumbers

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 markets in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 795/76⁽²⁾, and in particular Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas cucumbers are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas cucumbers harvested during a given crop year are marketed from January to December; whereas, for the present marketing year, on the information currently available it is not possible to fix reference prices beyond the month of April; whereas the quantities harvested in January and during the first 10 days of February are so small that there is no need to fix reference prices for that period of the year; whereas reference prices should therefore be fixed only for the period from 11 February;

Whereas pursuant to Article 23 (2) of Regulation (EEC) No 1035/72 the reference prices are to be equal to the arithmetic mean of producer prices in each Member State plus an amount representing the costs of transporting Community products from the production areas to Community marketing centres; whereas the trend of average basic prices and buying-in prices must also be taken into account;

Whereas, to take seasonal variations into account, the reference prices should be fixed by 10-day period for February and by month for March and April;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a

substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas during February to April Community-produced cucumbers are grown mainly under glass; whereas the reference prices for these months must therefore be fixed for a product of that type; whereas cucumbers imported from certain third countries will have been grown in the open; whereas, although such cucumbers may be classed in Class I, their quality and price are not comparable with those of products grown under glass; whereas the prices for cucumbers not grown under glass should therefore be adjusted by a conversion factor;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the months of February to April 1977, the reference prices for cucumbers (subheading ex 07.01 P of the Common Customs Tariff), expressed in units of account per 100 kilograms net of packed products of Class I, of all sizes, shall be as follows:

— February (11 to 20):	73.23,
(21 to 28):	61.69,
— March:	61.69,
— April:	49.53.

2. For the purpose of calculating entry prices, the prices for cucumbers, not being products grown under glass, imported from third countries shall, after deduction of customs duties, be multiplied by a conversion factor of 1.30.

Article 2

This Regulation shall enter into force on 11 February 1977.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 6.

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

Done at Brussels, 4 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 257/77

of 4 February 1977

correcting Regulations (EEC) No 1896/73 and (EEC) No 582/76 as regards beef which may be bought into intervention in Ireland, and coefficients in the beef sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 568/76⁽²⁾, and in particular Article 6 (5) (c) and (d) thereof,

Whereas the buying-in prices for intervention on the market in beef were fixed by Commission Regulation (EEC) No 582/76 of 15 March 1976⁽³⁾, as last amended by Regulation (EEC) No 192/77⁽⁴⁾;

Whereas the coefficients laid down in Article 6 (1) of Regulation (EEC) No 805/68 were established by Commission Regulation (EEC) No 1896/73 of 13 July 1973 on detailed rules for the application of intervention measures on the market in beef and veal⁽⁵⁾, as last amended by Regulation (EEC) No 192/77;

Whereas it has been found that the prices and coefficients in respect of Ireland set out in Regulation (EEC) No 192/77 do not correspond to those submitted for the opinion of the Management Committee; whereas it is therefore necessary to correct the Regulation in question,

HAS ADOPTED THIS REGULATION:

Article 1

The part concerning Ireland in Annex I to Regulation (EEC) No 1896/73, as amended by Regulation (EEC) No 192/77, is amended to read as follows:

'IRELAND: Heifers 2	0,85
Steers 1	0,92
Steers 2	0,90'

Article 2

The part concerning Ireland in the Annex to Regulation (EEC) No 582/76, as amended by Regulation (EEC) No 192/77, is amended to read as follows:

	<i>Lower limit</i> (u.a./100 kg)	<i>Upper limit</i> (u.a./100 kg)
'IRELAND:		
— Carcasses, half carcasses and compensated quarters, from:		
Heifers 2	152,389	155,561
Steers 1	163,666	166,839
Steers 2	158,561	161,734'

Article 3

This Regulation shall enter into force on 5 February 1977.

It shall be applicable from 1 February 1977.

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

Done at Brussels, 4 February 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 69, 15. 3. 1976, p. 29.

⁽⁴⁾ OJ No L 25, 29. 1. 1977, p. 41.

⁽⁵⁾ OJ No L 193, 14. 7. 1973, p. 18.

COMMISSION REGULATION (EEC) No 258/77
of 4 February 1977
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 1713/76⁽³⁾, as last amended by Regulation (EEC) No 204/77⁽⁴⁾;

Whereas in the absence of the indicative price for the 1977/78 marketing year for colza and rape seed in case of pre-fixation for the month of July 1977 the amount of subsidy on these products has been obtainable only on the basis of the indicative price for the month of July 1976, this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative price for the 1977/78 marketing year is known;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1713/76 to the information at present available to the Commission that the amount of the subsidy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

2. The amount of the subsidy for the month of July 1977 will, however, as for colza and rape seeds, be confirmed or replaced as from 7 February 1977 to take into account the indicative price which is fixed for these products for the 1977/78 marketing year.

Article 2

This Regulation shall enter into force on 7 February 1977.

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

Done at Brussels, 4 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 192, 16. 7. 1976, p. 17.

⁽⁴⁾ OJ No L 28, 1. 2. 1977, p. 26.

*ANNEX***to the Commission Regulation of 4 February 1977 fixing the amount of the subsidy on oil seeds**

Subsidy applicable from 7 February 1977 to colza and rape seeds (CCT heading No ex 12.01) and sunflower seeds (CCT heading No ex 12.01) (u.a./100 kg)

	Colza and rape seed	Sunflower seed
Subsidy	6.719	3.235
Subsidy in the case of advance fixing :		
— for the month of February 1977	6.719	3.235
— for the month of March 1977	7.023	3.590
— for the month of April 1977	6.320	2.905
— for the month of May 1977	6.320	2.939
— for the month of June 1977	6.244	—
— for the month of July 1977	4.116	—

COMMISSION REGULATION (EEC) No 259/77

of 4 February 1977

determining the world market price for colza and rape seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to the opinion of the Monetary Committee,

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

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

oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 258/77⁽⁸⁾ ;

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 7 February 1977.

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

Done at Brussels, 4 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 357, 28. 12. 1973, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 66, 13. 3. 1975, p. 11.

⁽⁷⁾ OJ No L 192, 16. 7. 1976, p. 17.

⁽⁸⁾ See page 55 of this Official Journal.

ANNEX

World market price applicable from 7 February 1977 for colza and rape seed (CCT heading No ex 12.01)

	<i>u.a./100 kg ⁽¹⁾</i>
World market price	22-675
World market price where the subsidy is fixed in advance :	
— for the month of February 1977	22-675
— for the month of March 1977	22-675
— for the month of April 1977	23-378
— for the month of May 1977	23-378
— for the month of June 1977	23-454
— for the month of July 1977	23-454

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

1 u.a. =	DM	3-15665
1 u.a. =	Fl	3-35507
1 u.a. =	Bfr/Lfr	48-6572
1 u.a. =	FF	6-54982
1 u.a. =	Dkr	7-89407
1 u.a. =	£	0-769450
1 u.a. =	I £	0-769450
1 u.a. =	Lit	1 168-98

COMMISSION REGULATION (EEC) No 260/77
of 4 February 1977
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 3138/76 ⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1564/76 ⁽³⁾, as last amended by Regulation (EEC) No 240/77 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1564/76 to the information at present available to the Commis-

sion that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 15 (1) of Regulation (EEC) No 3330/74 are, in respect of white sugar and standard quality raw sugar, hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 5 February 1977.

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

Done at Brussels, 4 February 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 172, 1. 7. 1976, p. 31.

⁽⁴⁾ OJ No L 33, 4. 2. 1977, p. 11.

ANNEX

to the Commission Regulation of 4 February 1977 fixing the import levies on white sugar and raw sugar

<i>(n.a./100 kg)</i>		
CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid:	
	A. White sugar	19.04
	B. Raw sugar	17.03 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

COMMISSION REGULATION (EEC) No 261/77

of 4 February 1977

imposing a provisional anti-dumping duty on ball bearings, tapered roller bearings and parts thereof originating in Japan

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 459/68 of 5 April 1968 on protection against dumping or the granting of bounties or subsidies by countries which are not members of the European Economic Community⁽¹⁾, as amended by Regulation (EEC) No 2011/73⁽²⁾, and in particular Article 15 thereof,

Having regard to the opinion of the Advisory Committee set up under the said Regulation,

Whereas the Commission has received a complaint submitted in the name of the Community roller bearing industry setting out evidence as to the existence of dumping of like products originating in Japan, as well as material injury resulting therefrom;

Whereas, since the information received indicated that the complaint was admissible and that defensive measures against dumping might be necessary, the Commission officially notified the representatives of the exporting country and the importers and exporters known to be concerned, published in the *Official Journal of the European Communities* of 13 November 1976 a notice of the initiation of an enquiry concerning imports of ball bearings, tapered roller bearings and parts thereof originating in Japan⁽³⁾ and commenced and examination of the facts in collaboration with the Member States;

Whereas the Commission gave interested parties the opportunity to make known their views in writing;

Whereas the Commission heard the interested parties and gave to the parties directly concerned the opportunity orally to develop their views and to meet and to present opposing views and rebuttal arguments;

Whereas, in order to examine the existence of dumping, the Commission compared the export prices to the Community with those effectively prevailing on the Japanese market; whereas, because of the multiplicity of types of the product concerned, this comparison was carried out for a certain number of types representative of the price-structure of the products concerned;

Whereas, because of the association between the Japanese exporters and the majority of the importers in Europe, the export prices were constructed on the basis of the prices at which the imported products are first resold to an independent buyer, allowance being made for costs and profits between importation and resale;

Whereas these comparisons were made at the ex-factory level, and in respect of sales made during a period which was generally the first half of 1976, due allowance having been made, on their merits, for differences affecting price comparability;

Whereas this preliminary examination of the matter shows that dumping has taken place, the margin of which varies considerably from one transaction to another and in several cases exceeds 30 %;

Whereas, with regard to injury to the industry concerned, the evidence available to the Commission shows that imports into the Community of the products concerned originating in Japan have considerably increased, since, from a level of approximately 5 500 tonnes in 1968 they increased to 15 600 tonnes in 1974 and 19 000 tonnes in 1975, this increase having continued in 1976 in most of the regions principally concerned;

Whereas, moreover, these products are offered for sale on the Community market at prices which very often undercut the prices prevailing among Community producers of like products, and exercise a depressive effect on them;

Whereas, as a result of this, the imports concerned have been able to acquire an average market share in the markets most particularly affected, that is, in Germany, France and the United Kingdom, of 15 % for ball bearings and of 5 % for tapered roller bearings; whereas the market share is considerably higher in one of the markets, where it represents 22 and 8 % respectively;

Whereas this development has taken place to the detriment of the Community industry which is in a difficult situation, characterized by a reduction of 10 % in production from 1974 to the first half of 1976 in the regions most affected, where the major part of the Community industry is established by redundancies and short-time working for the personnel of the enterprises concerned, and by a reduction in profits or the

⁽¹⁾ OJ No L 93, 17. 4. 1968, p. 1.

⁽²⁾ OJ No L 206, 27. 7. 1973, p. 3.

⁽³⁾ OJ No C 268, 13. 11. 1976, p. 2.

appearance of losses for several of the firms concerned;

Whereas there is, therefore, sufficient evidence to show that, due consideration having been given to the other factors having a bearing on the situation of this industry, as for example, the very considerable decrease in Community exports, the dumped imports are causing material injury to the Community industry;

Whereas, for these reasons, several Member States requested the Commission, during the meeting of the Advisory Committee on 28 January 1977, to take provisional measures immediately in accordance with Article 15 (1) (c) of Regulation (EEC) No 459/68;

Whereas, in the circumstances, the interests of the Community call for immediate intervention, consisting in the imposition of a provisional anti-dumping duty on imports of the products in question of Japanese origin;

Whereas, for administrative reasons, it is not possible to fix different rates of duty for various types of bearings; whereas, consequently, it is necessary to fix a single rate for all the products;

Whereas, however, with regard to the margins of dumping provisionally determined for two of the exporting firms, it is appropriate to provide for a lower rate for products manufactured and exported by the said two firms,

HAS ADOPTED THIS REGULATION:

Article 1

1. A provisional anti-dumping duty of 20 % is hereby imposed on the following goods, falling within

Common Customs Tariff heading No ex 84.62 and originating in Japan, on the basis of the value declared in conformity with Regulation (EEC) No 375/69⁽¹⁾:

- ball bearings: NIMEXE code 84.62-11,
- tapered roller bearings: NIMEXE code 84.62-17,
- parts of ball bearings: NIMEXE codes ex 84.62-29 and ex 84.62-33,
- parts of tapered roller bearings: NIMEXE codes 84.62-27 and ex 84.62-33.

2. However, the rate of the said duty, shall be fixed at 10 % with regard to products manufactured and exported by:

- Nachi-Fujikoshi Corporation, Japan,
- Koyo Seiko Company Limited, Japan.

Article 2

The entry of the products described in Article 1 into free circulation shall be conditional upon the deposit of security for the amount of the provisional duty.

Article 3

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

Without prejudice to the provisions of Articles 16 and 18 of Regulation (EEC) No 459/68, it shall apply until the entry into force of an Act of the Council either adopting definitive measures or extending the provisional duty, and in any event for a maximum period of three months.

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

Done at Brussels, 4 February 1977.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 52, 3. 3. 1969, p. 1.

EURONORMS

The Commission of the European Communities (ECSC) has published the following new EURONORMS in German, English, French, Italian and Dutch. The EURONORMS which are available up to the present in English are indicated by an asterisk (*).

Sales prices valid from 1 July 1976.

		<i>Price in £</i>
Circulaire d'information n° 1	Echantillons types pour les analyses chimiques des produits sidérurgiques, 2 ^e édition (1974)	1.45
EURONORM 20-74	Définitions et classification des nuances d'aciers, 2 ^e édition	0.85
EURONORM 27-74	Désignation conventionnelle des aciers, 3 ^e édition	1.20
(*) EURONORM 92-75	Hot-rolled flats for spring leaves	0.60
EURONORM 94-73	Aciers pour roulements — Prescriptions de qualité	0.60
(*) EURONORM 107-75	Grain oriented magnetic sheet and strip	2.20
(*) EURONORM 117-75	Calibration of reference blocks for use with Rockwell hardness testing machines (B, C, N and T scales)	1.70
EURONORM 118-75	Méthodes de détermination des caractéristiques magnétiques des tôles magnétiques à l'aide du cadre Epstein de 25 cm	1.70
EURONORM 119-74	Aciers pour frappe à froid et extrusion à froid — Prescriptions de qualité — fasc. 1 à fasc. 5	4.40
(*) EURONORM 122-75	Verification of Rockwell hardness testing machines (B, C, N and T scales)	1.70
(*) EURONORM 123-75	High temperature tests — Creep test for steel	1.10

The following is a list of all the EURONORMS so far published :

EURONORM 1-55	Fontes et ferro-alliages	1.35
EURONORM 2-57	Essai de traction pour l'acier	0.85
EURONORM 3-55	Essai de dureté Brinell pour l'acier	0.60
EURONORM 4-55	Essai de dureté Rockwell échelles B et C pour l'acier	0.60
EURONORM 5-55	Essai de dureté Vickers pour l'acier	0.60
EURONORM 6-55	Essai de pliage pour l'acier	0.60
EURONORM 7-55	Essai de résilience Charpy pour l'acier	0.60
EURONORM 8-55	Valeurs de conversion approximatives de la durée et de la résistance à la traction de l'acier	0.60
EURONORM 9-55	Valeurs de conversion approximatives des allongements après rupture de l'acier	0.60
EURONORM 10-55	Valeurs de conversion approximatives des résiliences de l'acier	0.60
EURONORM 11-55	Essai de traction sur tôles et feuillards en acier d'une épaisseur de 0,5 mm inclus à 3 mm exclu	0.75
EURONORM 12-55	Essai de pliage des tôles et feuillards en acier d'épaisseur inférieure à 3 mm	0.60
EURONORM 13-55	Essai de pliage alterné des tôles et feuillards en acier d'épaisseur inférieure à 3 mm	0.60
EURONORM 14-67	Essai d'emboutissage à flans bloqués	0.60
EURONORM 15-70	Fil machine en acier non allié d'usage général, destiné au tréfilage ou à l'étréage — Examen de la surface	0.60
EURONORM 16-70	Fil machine en acier non allié d'usage général, destiné au tréfilage ou à l'étréage — Nuances et qualités	0.75
EURONORM 17-70	Fil machine en acier non allié d'usage général, destiné au tréfilage ou à l'étréage — Dimensions et tolérances	1.60
EURONORM 18-57	Prélèvements et préparation des échantillons et des éprouvettes	0.60
EURONORM 19-57	Poutrelles IPE — Poutrelles à ailes parallèles	0.60
EURONORM 21-62	Conditions générales techniques de livraison pour les produits en acier	0.60
EURONORM 22-70	Détermination ou vérification de la limite d'élasticité de l'acier à température élevée	0.75
EURONORM 23-71	Essai de trempabilité par trempe en bout de l'acier — Essai Jominy	1.35
EURONORM 24-62	Poutrelles normales et profilés en U normaux — Tolérances de laminage	0.60
EURONORM 25-72	Aciers de construction d'usage général	1.85
EURONORM 26-63	Essais conventionnels de dureté Rockwell pour tôles et feuillards minces en acier	0.60
EURONORM 28-69	Tôles et bandes en aciers non alliés pour chaudières et appareils soumis à pression — Nuances et qualités	1.20

EURONORM	29-69	Tôles en acier laminées à chaud d'épaisseur égale ou supérieure à 3 mm — Tolérances sur les dimensions, la forme et le poids	0-85
EURONORM	30-69	Demi-produits pour forges en aciers de construction d'usage général — Nuances et qualités	1-00
EURONORM	31-69	Demi-produits pour forges — Tolérances sur les dimensions, la forme et le poids	0-60
EURONORM	32-66	Tôles minces en acier doux non allié pour emboutissage ou pliage à froid — Norme de qualité	1-10
EURONORM	33-70	Tôles et larges bandes d'épaisseur inférieure à 3 mm, en acier doux non allié pour emboutissage ou pliage à froid — Tolérances sur les dimensions et sur la forme	0-75
EURONORM	34-62	Poutrelles à larges ailes à faces parallèles — Tolérances de laminage	0-60
EURONORM	35-62	Barres et laminés marchands d'usage courant — Tolérances de laminage	0-60
EURONORM	36-62	Analyse chimique des matériaux sidérurgiques — Dosage du carbone total dans les aciers et les fontes — Méthode gravimétrique après combustion dans un courant d'oxygène	0-60
EURONORM	37-62	Analyse chimique des matériaux sidérurgiques — Dosage du carbone total dans les aciers et les fontes — Méthode gazométrique après combustion dans un courant d'oxygène	0-75
EURONORM	38-62	Analyse chimique des matériaux sidérurgiques — Dosage du carbone de trempe et du graphite dans les aciers et les fontes — Méthode gravimétrique et volumétrique après combustion dans un courant d'oxygène	0-60
EURONORM	39-62	Analyse chimique des matériaux sidérurgiques — Dosage du manganèse dans les aciers et les fontes — Méthode titrimétrique après oxydation au persulfate	0-60
EURONORM	40-62	Analyse chimique des matériaux sidérurgiques — Dosage du silicium total dans les aciers et les fontes — Méthode gravimétrique	0-60
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EURONORM	42-66	Analyse chimique des matériaux sidérurgiques — Dosage du soufre dans les aciers et les fontes — Méthode après combustion dans un courant d'oxygène	0-75
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EURONORM	48-65	Feuillards laminés à chaud en aciers non alliés — Tolérances sur les dimensions, la forme et le poids	0-60
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EURONORM	51-70	Bandes laminées à chaud de largeur égale ou supérieure à 600 mm — Tolérances sur les dimensions, la forme et le poids	0-60
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EURONORM	54-63	Petits fers U laminés à chaud	0-60
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EURONORM 74-72	Analyse chimique des matériaux sidérurgiques — Dosage du cuivre dans les aciers et les fontes — Méthode photométrique	0-60
EURONORM 76-66	Analyse chimique des matériaux sidérurgiques — Dosage du silicium dans les aciers et les fontes — Méthode spectrophotométrique	0-60
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EURONORM 84-70	Aciers de cémentation — Prescriptions de qualité	2-20
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Association française de normalisation — AFNOR —
Tour Europe, Cedex 7, 92 080 Paris - La Défense

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Ente nazionale italiano di unificazione — UNI —
Piazza A. Diaz, 2, Milan

in the Netherlands :

Nederlands Normalisatie-Instituut — NNI —
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