

Official Journal

of the European Communities

Volume 20 No L 62

8 March 1977

English Edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 463/77**of 7 March 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 8 March
1977.

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

Done at Brussels, 7 March 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 7 March 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	84.76
10.01 B	Durum wheat	130.09 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	65.57 ⁽⁶⁾
10.03	Barley	43.13
10.04	Oats	42.54
10.05 B	Maize, other than hybrid maize for sowing	56.54 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	60.21 ⁽⁴⁾
10.07 C	Grain sorghum	61.71 ⁽⁴⁾
10.07 D	Other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	130.41
11.01 B	Rye flour	103.52
11.02 A I a)	Durum wheat groats and meal	212.21
11.02 A I b)	Common wheat groats and meal	139.66

⁽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 durum 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 464/77**of 7 March 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 8 March
1977.

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

Done at Brussels, 7 March 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 7 March 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 3	1st period 4	2nd period 5	3rd period 6
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	2.38	2.38	2.38
10.02	Rye	0	3.12	3.12	3.12
10.03	Barley	0	4.02	4.02	4.77
10.04	Oats	0	3.38	3.38	3.38
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0.26
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	1.88	1.88	1.50
10.07 D	Other cereals	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 3	1st period 4	2nd period 5	3rd period 6	4th period 7
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	7.16	7.16	8.49	8.49
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	5.35	5.35	6.34	6.34
11.07 B	Roasted malt	0	6.23	6.23	7.39	7.39

COMMISSION REGULATION (EEC) No 465/77

of 4 March 1977

concerning the invitation to tender for the costs of delivery of skimmed-milk powder as food aid to the Republic of Malta

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

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,

1. In accordance with the provisions of Regulations (EEC) No 1298/76 and (EEC) No 2018/76, tenders shall be invited for the costs of delivery of 390 tonnes of skimmed-milk powder intended for the Republic of Malta and divided into the following:

- Lot A : 130 tonnes,
- Lot B : 130 tonnes,
- Lot C : 130 tonnes.

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⁽³⁾, provides *inter alia* for 650 tonnes of skimmed-milk powder to be made available to the Republic of Malta; whereas this country has requested 390 tonnes;

2. The provisions of Regulation (EEC) No 2557/74 shall apply as regards the tendering procedure and the terms for delivery of the skimmed-milk powder.

Article 2

Whereas under Article 5 of 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⁽⁴⁾, as amended by Regulation (EEC) No 2017/76⁽⁵⁾, the costs of delivery for this quantity shall be subject to a tendering procedure;

1. The skimmed-milk powder shall be collected from the Belgian intervention agency.

2. In addition, the successful tenderer shall supply 2 % empty bags identical to those containing the goods.

3. The intervention agency concerned shall have the packing marked, in letters at least one centimetre high, as follows:

'Skimmed-milk powder, non-enriched / Gift of the European Economic Community to Malta / For free distribution'.

Article 3

Whereas the tendering procedure should essentially be that laid down by Commission Regulation (EEC) No 2557/74 of 4 October 1974 concerning the invitation to tender for the costs of delivery as food aid of skimmed-milk powder to certain third countries⁽⁶⁾; whereas it is necessary however to specify certain points, in particular the time limit for the submission of tenders and the terms for delivery of the skimmed-milk powder;

1. Delivery shall be effected at the port of Antwerp.

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

2. Delivery at the port of embarkation shall be effected on a date to be fixed by the intervention agency concerned which must be:

- as regards Lot A : after 20 April and before 5 May 1977,
- as regards Lot B : after 1 and before 15 June 1977,
- as regards Lot C : after 1 and before 15 August 1977.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 224, 16. 8. 1976, p. 2.

⁽⁴⁾ OJ No L 146, 4. 6. 1976, p. 3.

⁽⁵⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁶⁾ OJ No L 274, 9. 10. 1974, p. 7.

Article 4

The period for the submission of tenders expires on 22 March 1977 at 12 noon.

Article 5

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 March 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 466/77

of 4 March 1977

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Council Regulation (EEC) No 695/76 of 25 March 1976 on the supply of milk fats to certain developing countries and international organizations under the 1976 food-aid programme⁽³⁾, provides *inter alia* for the supply to Pakistan of 3 500 tonnes of butteroil obtained from butter held by intervention agencies; whereas this country has requested the supply of the abovementioned quantity;

Whereas Article 5 of Council Regulation (EEC) No 694/76 of 25 March 1976 laying down general rules for the supply of milk fats to certain developing countries and international organizations under the 1976 food-aid programme⁽⁴⁾, requires tenders to be invited for such supplies;

Whereas the invitation to tender shall be effected in accordance with 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 last amended by Regulation (EEC) No 2402/76⁽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,

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited, in accordance with the provisions of Regulations (EEC) No 694/76 and (EEC)

⁽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 270, 2. 10. 1976, p. 23.

No 695/76, for the manufacture and delivery to Pakistan of 3 500 tonnes of butteroil divided into the following lots:

- Lot A: 500 tonnes,
- Lot B: 1 500 tonnes (three partial quantities of 500 tonnes),
- Lot C: 1 000 tonnes (two partial quantities of 500 tonnes),
- Lot D: 500 tonnes.

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

Article 2

1. The butter to be used in manufacturing the butteroil shall be taken over from:

- the Belgian intervention agency for Lot A,
- the German intervention agency for Lot B,
- the French intervention agency for Lot C,
- the Dutch intervention agency for Lot D.

2. The butteroil, which shall meet the requirements as to quality and packing laid down in the Annex to Regulation (EEC) No 2247/75, shall be put up exclusively in containers of five kilograms.

3. The marking to be applied on the container, as prescribed in Chapter II 2 (b) of the Annex mentioned in the preceding paragraph, shall be as follows:

‘Butteroil / Gift of the European Economic Community to Pakistan’.

Article 3

1. Delivery shall be effected:

- for Lot A: from the port of Antwerp,
- for Lot B: from the port of Hamburg,
- for Lot C: from the port of Le Havre,
- for Lot D: from the port of Rotterdam.

2. Delivery at the port of loading shall take place on a date to be fixed by the intervention agency concerned and which must be after 25 April but not later than 15 May 1977.

Article 4

1. For Lots B and C, by way of derogation from Article 4 (2) of Regulation (EEC) No 2247/75, the tenderer shall specify in his tender for how many partial quantities his tender is valid.

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

Article 5

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 March 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 467/77**of 7 March 1977****on the method and the rate of interest to be used for calculating the costs of financing intervention measures comprising buying in, storage and disposal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2788/72⁽²⁾, and in particular Article 3 (2) thereof,

Having regard to Council Regulation (EEC) No 786/69 of 22 April 1969 on the financing of intervention expenditure in respect of the internal market in oils and fats⁽³⁾, as last amended by Regulation (EEC) No 3180/76⁽⁴⁾, and in particular Article 5 (1) (f) thereof,

Having regard to Council Regulation (EEC) No 787/69 of 22 April 1969 on the financing of intervention expenditure in respect of the internal market in cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 3180/76, and in particular Article 4 (1) (h) thereof,

Having regard to Council Regulation (EEC) No 788/69 of 22 April 1969 on the financing of intervention expenditure in respect of the internal market in pigmeat⁽⁶⁾, as last amended by Regulation (EEC) No 3180/76, and in particular Article 5 (1) (f) thereof,

Having regard to Council Regulation (EEC) No 2334/69 of 25 November 1969 on the financing of intervention expenditure in respect of the internal market in sugar⁽⁷⁾, as last amended by Regulation (EEC) No 3180/76, and in particular Article 4 (1) (h) thereof,

Having regard to Council Regulation (EEC) No 2305/70 of 10 November 1970 on the financing of intervention expenditure in respect of the internal market in beef and veal⁽⁸⁾, as last amended by Regulation (EEC) No 1174/75⁽⁹⁾, and in particular Article 3 (1) (g) thereof,

Having regard to Council Regulation (EEC) No 2306/70 of 10 November 1970 on the financing of intervention expenditure in respect of the internal market in milk and milk products⁽¹⁰⁾, as last amended by Regulation (EEC) No 3139/76⁽¹¹⁾, and in particular Articles 4, 5 and 6 (1) (g) thereof,

Having regard to Council Regulation (EEC) No 1697/71 of 26 July 1971 on the financing of intervention expenditure in respect of raw tobacco⁽¹²⁾, as last amended by Regulation (EEC) No 330/74⁽¹³⁾, and in particular Article 4 (1) (h) thereof,

Whereas, under Article 4 (1) of Regulations (EEC) No 786/69 and (EEC) No 788/69, Article 3 (1) of Regulations (EEC) No 787/69, (EEC) No 2334/69 and (EEC) No 1697/71, Article 2 (1) of Regulation (EEC) No 2305/70 and Article 3 (2) of Regulation (EEC) No 2306/70, an account is drawn up for each Member State and for each financial year showing the net losses sustained by the intervention agencies concerned;

Whereas these accounts include financing costs which are to be calculated by a method and at a rate of interest adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70;

Whereas the financing costs should be calculated according to a method which takes account of the volume of the stocks, of the different ways in which the goods are presented for intervention, of the depreciation of goods in storage since the beginning of the financial year and of changes in the intervention prices of products during the financial year; whereas this method should be easy to apply;

Whereas the interest rate of 8 % per annum is representative of the cost of money ruling in the European Community and corresponds to the interest rates fixed since 1 January 1974 by the Commission for calculating the financing costs on the markets in beef, milk and milk products and raw tobacco;

(1) OJ No L 94, 28. 4. 1970, p. 13.

(2) OJ No L 295, 30. 12. 1972, p. 1.

(3) OJ No L 105, 2. 5. 1969, p. 1.

(4) OJ No L 359, 30. 12. 1976, p. 11.

(5) OJ No L 105, 2. 5. 1969, p. 4.

(6) OJ No L 105, 2. 5. 1969, p. 7.

(7) OJ No L 298, 27. 11. 1969, p. 1.

(8) OJ No L 249, 17. 11. 1970, p. 1.

(9) OJ No L 117, 7. 5. 1975, p. 7.

(10) OJ No L 249, 17. 11. 1970, p. 4.

(11) OJ No L 354, 24. 12. 1976, p. 3.

(12) OJ No L 175, 4. 8. 1971, p. 8.

(13) OJ No L 37, 9. 2. 1974, p. 5.

Whereas this Regulation applies with effect from 1 January 1977 to all the sectors in question; whereas Regulations (EEC) No 741/72⁽¹⁾ and (EEC) No 943/73⁽²⁾ on the method and the rate of interest to be used for calculating the costs of financing intervention measures on the internal market in beef, milk and milk products and raw tobacco should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Each of the amounts referred to in Article 5 (1) (f) of Regulations (EEC) No 786/69 and (EEC) No 788/69, in Article 4 (1) (h) of Regulations (EEC) No 787/69, (EEC) No 2334/69 and (EEC) No 1697/71, in Article 3 (1) (g) of Regulation (EEC) No 2305/70 and in Articles 4, 5 and 6 (1) (g) of Regulation (EEC) No 2306/70 shall be calculated by applying the rate fixed in Article 2 thereof to the average value per tonne of product which has been the subject of intervention and by multiplying the figure obtained by the average stock over the financial year in question.

2. The average value per tonne of product shall be calculated by dividing the sum of the value of products in store on the first day of the financial year

and the value of products bought in during that year by the sum of the quantity of products in store on the first day of the financial year and the quantity of products bought in during the financial year.

3. The average stock for the financial year shall be calculated by adding the total stock at the beginning of each month to the total stock at the end of each month and dividing the total thus obtained by twice the number of months in the financial year.

Article 2

The rate of interest referred to in Article 5 (1) (f) of Regulations (EEC) No 786/69 and (EEC) No 788/69, in Article 4 (1) (h) of Regulations (EEC) No 787/69, (EEC) No 2334/69 and (EEC) No 1697/71, in Article 3 (1) (g) of Regulation (EEC) No 2305/70 and in Articles 4, 5 and 6 (1) (g) of Regulation (EEC) No 2306/70 shall be 8 % per annum.

Article 3

Regulations (EEC) No 741/72 and (EEC) No 943/73 are hereby repealed with effect from 1 January 1977.

Article 4

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*. It shall apply with effect from 1 January 1977.

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

Done at Brussels, 7 March 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 87, 13. 4. 1972, p. 12.

⁽²⁾ OJ No L 91, 7. 4. 1973, p. 14.

COMMISSION REGULATION (EEC) No 468/77**of 7 March 1977****abolishing the countervailing charge on certain varieties of sweet oranges originating in Greece**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 795/76⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 171/77 of 27 January 1977⁽³⁾, as last amended by Regulation (EEC) No 308/77⁽⁴⁾, introduced a countervailing charge on certain varieties of sweet oranges originating in Greece ;

Whereas, for this product originating in Greece there were no prices for six consecutive working days ;

Whereas the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled, and the countervailing charge on imports of these products originating in Greece can be abolished,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 171/77 is hereby repealed.

Article 2

This Regulation shall enter into force on 8 March 1977.

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

Done at Brussels, 7 March 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 6.

⁽³⁾ OJ No L 24, 28. 1. 1977, p. 19.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 26.

COMMISSION REGULATION (EEC) No 469/77

of 7 March 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 462/77⁽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 8 March 1977.

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

Done at Brussels, 7 March 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 60, 5. 3. 1977, p. 14.

ANNEX

to the Commission Regulation of 7 March 1977 fixing the import levies on white sugar and raw sugar

CCT heading No	Description of goods	Levy (n.t./100 kg)
17.01	Beet sugar and cane sugar, solid : A. White sugar B. Raw sugar	20.81 17.29 ⁽¹⁾

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 23 December 1976

authorizing the Kingdom of Belgium and the Grand Duchy of Luxembourg not to apply Community treatment to tomatoes and table grapes falling within subheading 07.01 M I or 08.04 A I of the Common Customs Tariff, originating in Spain and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(77/191/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 22 December 1976 by the Governments of the BLEU countries to the Commission by telex from the Office of the Permanent Representative of Belgium to the European Communities, for authorization not to apply Community treatment to tomatoes and table grapes falling within subheading 07.01 M I or 08.04 A I of the Common Customs Tariff, originating in Spain and in free circulation in the other Member States,

Whereas differences in the commercial policy measures applied in connection with these products by the BLEU countries and by the other Member States as regards the countries in question are giving rise to deflection of trade ;

Whereas this deflection of trade is preventing the execution of the measures of commercial policy adopted by the BLEU countries as regards the countries in question ;

Whereas it is not possible at the present time to set in motion machinery for bringing about the necessary cooperation from the other Member States ;

Whereas authorization should be given for a limited period for the application of protective measures, under the first paragraph of Article 115, subject to the conditions specified in the Commission Decision of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION :

Article 1

The Kingdom of Belgium and the Grand Duchy of Luxembourg are authorized not to apply Community treatment to imports of the following products :

CCT heading No	Description	Origin
07.01 M I	Tomatoes	Spain (including the Canary Islands)
08.04 A I	Table grapes	Spain

in free circulation in the other Member States and in respect of which applications for import licences were lodged after 12 December 1976.

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

Article 2

Done at Brussels, 23 December 1976.

This Decision shall apply until 31 December 1976.

Article 3

This Decision is addressed to the Kingdom of Belgium and the Grand Duchy of Luxembourg.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION DECISION

of 21 January 1977

authorizing the French Republic not to apply Community treatment to radio receivers, whether or not combined with a sound recorder or reproducer, falling within subheading 85.15 A III of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States

(Only the French text is authentic)

(77/192/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty made on 18 January 1977 by the French Government to the Commission by telex from the Office of its Permanent Representative to the European Communities, for authorization not to apply Community treatment to radio receivers, whether or not combined with a sound recorder or reproducer, falling within subheading 85.15 A III of the Common Customs Tariff and in free circulation in the other Member States,

Whereas according to this application under Article 115 the importation into France of the products originating in Japan is subject to a half-yearly quota of 200 000 items;

Whereas differences in the commercial policy measures applied in connection with these products by France and by the other Member States as regards Japan are giving rise to deflection of trade;

Whereas this deflection of trade is obstructing the execution of the above commercial policy measures currently being applied by France as regards Japan;

Whereas the French industry concerned is going through a serious crisis, resulting in a progressive loss of the share of the market which it previously held;

Whereas it is not possible at the present time to set in motion the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should be given, for a limited period, for the application of protective measures, under the first paragraph of Article 115, subject to the conditions specified in the Commission Decision of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof;

Whereas uniform arrangements for imports of the products in question, could be adopted under a

common commercial policy *vis-à-vis* Japan; whereas these measures should apply only until such arrangements are introduced,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to imports of the following products:

CCT heading No	Description
85.15 A III	Radio receivers, whether or not combined with a sound recorder or reproducer

where they originate in Japan and are in free circulation in the other Member States and in respect of which applications for import licences were lodged after 5 January 1977.

Article 2

This Decision shall apply only until uniform import arrangements are introduced under a common commercial policy *vis-à-vis* Japan or until new opportunities arise for the importation of the products in question from Japan and in any case not later than 30 June 1977.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 21 January 1977.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 3 February 1977

authorizing the United Kingdom not to apply Community treatment to cotton tents falling within heading No ex 62.04 of the Common Customs Tariff, originating in Czechoslovakia and in free circulation in Ireland

(Only the English text is authentic)

(77/193/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 27 January 1977 by the Government of the United Kingdom to the Commission by telex from the Office of its Permanent Representative to the European Communities for authorization not to apply Community treatment to cotton tents falling within heading No ex 62.04 of the Common Customs Tariff, originating in Czechoslovakia and in free circulation in the other Member States,

Whereas the United Kingdom, in accordance with Council Decision 75/210/EEC of 27 March 1975⁽¹⁾, as amended by Decision 76/971/EEC of 13 December 1976⁽²⁾, provides for the import of the products falling within heading No 62.04, originating in Czechoslovakia, up to a total quota value of £ 55 800 ;

Whereas the whole of the said quota has been allocated between those importers which have made requests therefor ;

Whereas there are serious economic difficulties in the textile industry sector in question which are marked especially by a decline in production and a growing rate of unemployment ;

Whereas the said indirect operation, which has given rise to the above application, even though it appears to be an isolated operation, may cause a further deterioration in the situation described above because of the substantial amount involved ;

Whereas it is not possible at the present time to set in motion the machinery for bringing about the necessary cooperation from the other Member States ;

Whereas authorization should accordingly be given for the application of protective measures, under the first paragraph of Article 115, subject to the conditions specified in Commission Decision 71/202/EEC of 12 May 1971⁽³⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION :

Article 1

The United Kingdom is authorized not to apply Community treatment to cotton tents falling within heading No ex 62.04 of the Common Customs Tariff, where they originate in Czechoslovakia and are in free circulation in Ireland, and in respect of which applications for import licences lodged after 17 January 1977 are, on the date of this Decision, pending with the United Kingdom authorities.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 3 February 1977.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 99, 21. 4. 1975, p. 7.

⁽²⁾ OJ No L 365, 31. 12. 1976, p. 1.

⁽³⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 21 February 1977

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

(Only the Dutch and French texts are authentic)

(77/194/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas, in accordance with Regulation (EEC) No
2018/76 of 27 July 1976 on the complementary
supply of skimmed-milk powder to certain developing
countries, international organizations and non-govern-
mental organizations under the 1976 food-aid
programme⁽⁵⁾, Commission Regulation (EEC) No
159/77 of 25 January 1977⁽⁶⁾ provided for an invita-
tion to tender for the supply of 400 tonnes of vitam-
inized skimmed-milk powder to the International
Committee of the Red Cross (ICRC) for Lebanon;
whereas this tendering procedure had to be cancelled;
whereas new steps must be taken to enable this supply
to be made;

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

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

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

2. The skimmed-milk powder shall meet:

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

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

⁽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 23, 27. 1. 1977, p. 34.

⁽⁷⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽⁸⁾ OJ No L 145, 6. 6. 1975, p. 17.

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

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

Article 2

1. Delivery shall be effected to the port of unloading of Limassol (Cyprus).
2. Embarkation shall take place after 25 March and before 5 April 1977.
3. Delivery cif shall be completed when the goods are actually deposited on the quayside at the port of unloading or on board a lighter as the case may be.
4. The recipient country shall bear all costs incurred after delivery including the costs of taking delivery of the goods.

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

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

Article 3

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

production of the supporting documents, grant an advance.

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

Article 4

The Belgian Government :

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

Article 5

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

Article 6

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 21 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 content :	
(aa) vitamin A :	5 000 i.u. per 100 g minimum
(bb) vitamin D :	500 i.u. per 100 g minimum

COMMISSION DECISION

of 21 February 1977

relating to the urgent supply of butteroil to the International Committee of the Red Cross, for use as food aid for Lebanon

(Only the French text is authentic)

(77/195/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, in accordance with 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⁾, Commission Regulation (EEC) No 158/77 of 25 January 1977⁽⁴⁾ provided for an invitation to tender for the supply of 800 tonnes of butteroil to the International Committee of the Red Cross (ICRC) for Lebanon; whereas this tendering procedure had to be cancelled; whereas new steps must be taken to enable this supply to be made;

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

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

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

⁽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 23, 27. 1. 1977, p. 32.

⁽⁵⁾ OJ No L 83, 30. 3. 1976, p. 4.

Article 1

A lot of 800 tonnes of butteroil divided into two lots of 400 tonnes shall be delivered to the ICRC for Lebanon in accordance with the provisions laid down in Regulations (EEC) No 649/76 and (EEC) No 695/76.

Article 2

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

2. The butteroil shall satisfy the requirements as regards quality and packing laid down in the Annex to Commission Regulation (EEC) No 2247/75 of 29 August 1975 on the terms of invitations to tender for the costs of manufacture and delivery of butteroil as food aid to certain developing countries and to the World Food Programme⁽⁶⁾, as last amended by Regulation (EEC) No 2212/76⁽⁷⁾.

It shall be packed exclusively in five-kilogram canisters.

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

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

Article 3

1. Delivery shall be effected to the port of unloading of Limassol (Cyprus).

2. Delivery shall take place after 25 March and before 5 April 1977.

⁽⁶⁾ OJ No L 229, 30. 8. 1975, p. 60.

⁽⁷⁾ OJ No L 249, 11. 9. 1976, p. 5.

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

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

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

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

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

Article 4

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

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

Article 5

The French Government shall :

1. ensure that the agent designated by the mutual agreement :

(a) notifies the recipient organization, as soon as possible after the goods have been put on board, of details of the ship, the loading date, and the quantity and quality of the goods, as recorded on shipment,

(b) informs the recipient organization of the expected date of arrival at the port of unloading, at least 10 clear days in advance,

(c) has included in the terms of the charter-party a provision stipulating that the ship's captain shall, at least 72 hours in advance, notify the recipient country of the ship's probable date of arrival in port ;

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

Article 6

No restitution or compensatory amount (whether monetary or accession) shall be applied to the butter-oil supplied pursuant to this Decision.

Article 7

This Decision is addressed to the French Republic.

Done at Brussels, 21 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 23 February 1977

fixing the maximum export refund for the 67th partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75

(77/196/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas, following an examination of the tenders submitted in response to the 67th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for the 67th partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75 is hereby fixed at 18·890 units of account per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 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 214, 12. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 333, 2. 12. 1976, p. 17.

COMMISSION DECISION

of 25 February 1977

derogating from High Authority recommendation 1/64 concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community

(86th derogation)

(77/197/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to High Authority recommendation 1/64 of 15 January 1964 to the Governments of the Member States concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community⁽¹⁾, and in particular Article 3 thereof,

Whereas by the Decision of 29 June 1976, the representatives of the Governments of the Member States of the European Coal and Steel Community meeting within the Council decided, in agreement with the Commission, to extend the application of their Decision of 26 June 1975 suspending autonomously the import duties or the levying thereof on products covered by the Treaty originating in the State of Israel until the entry into force of the Agreement signed on 11 May 1975 with this country and at the latest until 31 December 1976;

Whereas by the Decision of 18 January 1977, the representatives of the Governments of the Member States of the European Coal and Steel Community meeting within the Council decided, in agreement with the Commission, to extend again the application of the Decision until the entry into force of the Agreement and at the latest until 30 June 1977;

Whereas Commission Decision 76/677/ECSC of 20 July 1976⁽²⁾ extended the application of Commission Decision 75/429/ECSC of 8 July 1975⁽³⁾ authorizing the implementation of the measures set out in the Decision of 26 June 1975 for the period until 31 December 1976;

Whereas the application of Decision 75/429/ECSC should be extended until the entry into force of the Agreement and at the latest until 30 June 1977,

HAS ADOPTED THIS DECISION:

Article 1

The application of Decision 75/429/ECSC is hereby extended until the entry into force of the Agreement and at the latest until 30 June 1977.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 February 1977.

For the Commission

Wilhelm HAFFERKAMP

Vice-President

⁽¹⁾ OJ No 8, 22. 1. 1964, p. 99/64.

⁽²⁾ OJ No L 231, 21. 8. 1976, p. 10.

⁽³⁾ OJ No L 186, 17. 7. 1975, p. 33.

COMMISSION DECISION

of 25 February 1977

relating to the urgent supply of maize as food aid to the World Food Programme

(Only the French text is authentic)

(77/198/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3138/76⁽²⁾,

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

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

Whereas on 25 March 1976 the Council of the European Communities declared that it proposed, by way of Community action, to grant 2 747 tonnes of maize to the World Food Programme under its 1975/76 food-aid programme;

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

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

HAS ADOPTED THIS DECISION:

Article 1

1. In accordance with Article 1 of Council Regulation (EEC) No 696/76 of 25 March 1976, the Office national interprofessionnel des céréales (ONIC), avenue Bosquet, Paris 7^e (intervention agency) shall conclude a private contract for the purchase on the Community market of 2 747 tonnes of maize for delivery to the World Food Programme.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 83, 30. 3. 1976, p. 8.

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

3. The contract shall be for the purchase and supply of the products delivered to the port of shipment in the vicinity of the vessel.

4. The products shall be delivered in new 50 kilogram jute sacks in three lots (443 tonnes, 1 800 tonnes, 504 tonnes).

The minimum weight of the sacks shall be 600 grams.

The following shall be printed on the sacks:

'Milho / Dom da comunidade económica europeia / Acção do programa alimentar mundial.'

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

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.

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

Article 3

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

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

Article 4

Shipment shall be carried out between 1 and 20 March 1977.

Article 5

The intervention agency shall request the successful tenderer to specify the following information :

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging ;
- (b) the date of the departure of the ships.

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

Article 6

This Decision is addressed to the French Republic.

Done at Brussels, 25 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 28 February 1977

fixing the minimum selling price for butter for the 46th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC)

No 232/75

(77/199/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, pursuant to Commission Regulation (EEC) No 232/75 of 30 January 1975 on the sale of butter at reduced prices for use in the manufacture of pastry products and ice-cream⁽⁵⁾, as last amended by Regulation (EEC) No 2805/76⁽⁶⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

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

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

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

Whereas, in the light of the tenders received in response to the 46th individual invitation to tender, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

For the 46th individual invitation to tender under Regulation (EEC) No 232/75, in respect of which the time limit for the submission of tenders expires on 22 February 1977, the minimum selling price and, without prejudice to the provisions of the second subparagraph of Article 12 (1) of the said Regulation, the processing security shall be as follows:

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

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 February 1977.

For the Commission
Finn GUNDELACH
Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 15.

⁽⁵⁾ OJ No L 24, 31. 1. 1975, p. 45.

⁽⁶⁾ OJ No L 320, 20. 11. 1976, p. 25.

⁽⁷⁾ OJ No L 91, 6. 4. 1976, p. 13.

COMMISSION DECISION

of 28 February 1977

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

(Only the German text is authentic)

(77/200/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Council Regulation (EEC) No 2018/76 of 27 July 1976, on the complementary supply of skimmed-milk powder to certain developing countries, international organizations and non-governmental organizations under the 1976 food-aid programme⁽⁵⁾, provides *inter alia* for 10 000 tonnes of skimmed-milk powder to be made available to the World Food Programme (WFP); whereas the WFP has requested delivery of 432 tonnes of vitaminized skimmed-milk powder for the Philippines;

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

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

1. In accordance with the provisions of Regulations (EEC) No 1298/76 and (EEC) No 2018/76, the German intervention agency shall arrange delivery to the WFP of one lot of 432 tonnes of vitaminized skimmed-milk powder bought on the Community market for the Philippines.

2. The skimmed-milk powder shall meet:

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

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

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

⁽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.

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

'Skimmed-milk powder enriched with vitamins A and D / Gift of the European Economic Community / World Food Programme Action / Manila.'

Article 2

1. Delivery shall be made to a port to be designated in the tender, chosen from among ports in the Community accessible for ocean-going ships having a regular service with the recipient country.

2. Delivery at the port of embarkation shall take place on a date to be fixed by the German intervention agency and which must be later than 25 March and earlier than 10 April 1977.

3. The goods shall be considered as delivered when they are actually deposited at the place of export at a point designated by the WFP or its agent.

Article 3

1. The German intervention agency shall determine the forwarding costs of the vitaminized skimmed-milk powder by concluding a private contract on the least onerous terms possible.

2. The intervention agency shall forward to the Commission without delay a copy of such contract.

3. The intervention agency shall pay to the WFP within 30 days maximum from the day on which he takes delivery of the skimmed-milk powder a flat-rate contribution of 80 units of account per tonne of vitaminized skimmed-milk powder supplied.

Article 4

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

Article 5

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 28 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 content :	
(aa) vitamin A :	5 000 i.u. per 100 g minimum
(bb) vitamin D :	500 i.u. per 100 g minimum