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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 748/77**of 12 April 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 13 April
1977.

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

Done at Brussels, 12 April 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 12 April 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	84.67
10.01 B	Durum wheat	143.27 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	71.32 ⁽⁶⁾
10.03	Barley	53.20
10.04	Oats	49.98
10.05 B	Maize, other than hybrid maize for sowing	59.28 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	69.15 ⁽⁴⁾
10.07 C	Grain sorghum	69.15 ⁽⁴⁾
10.07 D	Other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	130.42
11.01 B	Rye flour	111.71
11.02 A I a)	Durum wheat groats and meal	232.62
11.02 A I b)	Common wheat groats and meal	139.50

⁽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 749/77

of 12 April 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 13 April
1977.

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

Done at Brussels, 12 April 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 12 April 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 4	1st period 5	2nd period 6	3rd period 7
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0.75
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	1.13	1.13	0.38
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 4	1st period 5	2nd period 6	3rd period 7	4th period 8
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	1.34	1.34
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	1.00	1.00
11.07 B	Roasted malt	0	0	0	1.16	1.16

COMMISSION REGULATION (EEC) No 750/77

of 12 April 1977

amending Regulation (EEC) No 1380/75 laying down detailed rules for the application of monetary compensatory amounts

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, when Commission Regulation (EEC) No 304/71 of 11 February 1971 on simplification of the Community transit procedure for goods carried by rail⁽³⁾, as amended by the Act of Accession⁽⁴⁾, is applied, a special procedure is used for granting the monetary compensatory amount in the case of an export to a third country; whereas a similar procedure should be used for granting the monetary compensatory amount in the case of an export to another Member State;

Whereas it is accordingly necessary to supplement Commission Regulation (EEC) No 1380/75 of 29 May 1975⁽⁵⁾, as last amended by Regulation (EEC) No 1834/76⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 7 of Regulation (EEC) No 1380/75 the words 'Articles 8 to 15' are replaced by the words 'Articles 8 to 15a'.

Article 2

The following subparagraphs are added to Article 10 (1) of Regulation (EEC) No 1380/75:

'Where on completion of customs export formalities a product is placed under the procedure

provided for in Regulation (EEC) No 304/71 for carriage to a station of destination in the geographical territory of another Member State, payment of the monetary compensatory amount shall not be subject to production of proof as provided in the first subparagraph.

For the purposes of the preceding subparagraph, the office of departure where customs formalities are completed shall ensure that the following endorsement is entered on the document issued for the purposes of payment of the monetary compensatory amount.

"Departure from the geographical territory of ... (Member State of departure) under Regulation (EEC) No 304/71 procedure."

The office of departure may permit the contract of carriage to be varied so that carriage ends within the Member State of departure only if it is established:

- that, if the monetary compensatory amount has already been paid, such refund has been repaid, or
- that the necessary steps have been taken by the authorities concerned to ensure that the monetary compensatory amount is not paid.

However, if the monetary compensatory amount has been paid pursuant to the second subparagraph and the product has not left the geographical territory of the Member State of departure, the office of departure shall so inform the agency responsible for payment of the monetary compensatory amount and shall provide it as soon as possible with all the necessary particulars. In such cases the monetary compensatory amount shall be regarded as having been paid in error.'

Article 3

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

⁽¹⁾ OJ No L 105, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 1.

⁽³⁾ OJ No L 35, 12. 2. 1971, p. 31.

⁽⁴⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁵⁾ OJ No L 139, 30. 5. 1975, p. 37.

⁽⁶⁾ OJ No L 203, 29. 7. 1976, p. 30.

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

Done at Brussels, 12 April 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION No 751/77/ECSC

of 12 April 1977

amending Decision 73/287/ECSC concerning coking coal and coke for the iron and steel industry in the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the first paragraph of Article 95 thereof,

Having regard to the opinion of the Consultative Committee,

With the assent of the Council,

Whereas Commission Decision 73/287/ECSC of 25 July 1973 concerning coking coal and coke for the iron and steel industry in the Community⁽¹⁾, which ceases to be operative on 31 December 1978, provides in Articles 1 and 7 for reductions, planned for 1977 and 1978 respectively, in the rates of sales aid and in the amounts of contributions to Community financing due from the Member States and the iron and steel industry, these changes constituting a phased reduction ;

Whereas it appeared desirable to propose amendments to the provisions relating to the phased reduction and to other provisions of substance, whilst renewing the present coking coal arrangements ;

Whereas the unanimous assent of the Council confined itself to an extension for one year of the present arrangements, which will entail a one-year postponement of the phased reduction in aid contributions ; whereas before the end of April 1977 the Council expects to have reached a decision on all the amendments proposed by the Commission in respect of the coking coal arrangements ;

Whereas the provision for the phased reduction for the year 1977 must therefore be deleted ; whereas this must be done with effect from 1 January 1977 ;

Whereas the aids and contributions must be expressed in European units of account (EUA) in accordance with Decision No 2963/76/ECSC of 1 December 1976⁽²⁾ amending Decision 73/287/ECSC ;

Whereas Decision 73/287/ECSC refers in Article 9 to certain provisions of Decision No 3/71/ECSC of 22 December 1970⁽³⁾ ; whereas this latter Decision has been replaced by Decision No 528/76/ECSC of 25 February 1976⁽⁴⁾ ; whereas it is therefore necessary to amend Article 9 of Decision 73/287/ECSC accordingly,

HAS ADOPTED THIS DECISION :

Article 1

Decision 73/287/ECSC is hereby amended as follows :

1. In Article 1 (b), the third sentence is to read as follows :

'These rates shall be reduced to 2.110 and 1.055 EUA respectively for the sixth year of the term of the Decision'.

2. In Article 7 (2) (b) :

(a) in the third indent, read : 'for the third, fourth and fifth years' for 'for the third and fourth years' ;

(b) the fourth indent is deleted.

3. In Article 7 (2) (c) :

(a) in the first indent, read : 'for the first five years' for 'for the first four years' ;

(b) the second indent is deleted.

4. In Article 9 (1), for 'Articles 6 to 9 of Decision No 3/71/ECSC of 22 December 1970' read : 'Articles 6 to 12 of Decision No 528/76/ECSC'.

Article 2

This Decision shall have effect from 1 January 1977 and shall apply to deliveries of coking coal and coke made on or after that date.

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

Done at Brussels, 12 April 1977.

For the Commission

Guido BRUNNER

Member of the Commission

⁽¹⁾ OJ No L 259, 15. 9. 1973, p. 36.

⁽²⁾ OJ No L 338, 7. 12. 1976, p. 19.

⁽³⁾ OJ No L 3, 5. 1. 1971, p. 7.

⁽⁴⁾ OJ No L 63, 11. 3. 1976, p. 1.

COMMISSION REGULATION (EEC) No 752/77

of 12 April 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:

Article 1

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. 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 Dutch 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 five-kilogram canisters, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees.

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 26 April 1977 at 12 noon.

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 10 June 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.

(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.

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, 12 April 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 753/77

of 6 April 1977

subjecting to authorization imports into France of enamelled iron or steel articles of a kind commonly used for domestic purposes, originating in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1525/70 of 20 July 1970 on safeguard measures provided for in the Agreement between the EEC and Spain ⁽¹⁾, and in particular Article 1 thereof,

Having consulted the Advisory Committee set up the said Regulation,

Whereas imports of enamelled iron or steel domestic articles corresponding to NIMEXE code 73.38-52, originating in Spain, have increased sharply and substantially in the past few years;

Whereas this development has manifested itself principally on the French market, where imports have increased from 655 tonnes in 1973 to 3 671 tonnes in 1976;

Whereas these products are offered for sale on the market principally affected at prices which are substantially below those prevailing for similar goods produced by Community producers;

Whereas according to the information available to the Commission, these imports represented a market share of 33 % in France in 1976;

Whereas this development has been carried out to the detriment of the Community industry, whose production has fallen considerably over the past few years with resultant substantial unemployment; whereas there is a real risk of further unemployment;

Whereas all these factors have caused market disruption and have caused serious damage to the Community producers of like goods in France;

Whereas, in these highly unusual and critical circumstances, it is necessary that immediate action be taken to safeguard the interests of the Community; whereas these measures are to consist of the introduction of a temporary limitation of imports in accordance with the provisions of the Agreement between the European Economic Community and Spain;

Whereas the concentration of imports of the products concerned on the French market justifies the limitation, for the moment, of the application of these safeguard measures to imports into that region of the Community,

HAS ADOPTED THIS REGULATION:

Article 1

The importation into France of enamelled iron or steel articles of a kind commonly used for domestic purposes corresponding to NIMEXE code 73.38-52, originating in Spain, is hereby made subject to the presentation of an import authorization issued by the competent authorities of the importing country.

The total quantity of the products for which import authorizations shall be issued during the period of validity of this Regulation shall not exceed 2 500 tonnes.

Article 2

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

2. It shall apply until 31 March 1978.

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

Done at Brussels, 6 April 1977.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 182, 16. 8. 1970, p. 175.

COMMISSION REGULATION (EEC) No 754/77

of 12 April 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 741/77⁽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 13 April 1977.

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

Done at Brussels, 12 April 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 89, 7. 4. 1977, p. 34.

ANNEX

to the Commission Regulation of 12 April 1977 fixing the import levies on white sugar and raw sugar

CCT heading No	Description of goods	Levy (u.a./100 kg)
17.01	Beet sugar and cane sugar, solid : A. White sugar B. Raw sugar	19.63 15.36 ⁽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.