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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1034/77

of 17 May 1977

amending Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables and Regulation (EEC) No 2511/69 laying down special measures for improving the production and marketing of Community citrus fruit

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

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

Whereas Article 21 (1) of Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽²⁾, as last amended by Regulation (EEC) No 795/76 ⁽³⁾, makes provision for the sale to the processing industry of certain categories of products withdrawn from the market under Article 18 or bought in under Article 19 of that Regulation; whereas this method of disposal should be a normal method of disposal for products for which the other outlets laid down in Article 21 are not available for practical or technical reasons; whereas this is the situation at the moment for blood oranges and the situation is likely to continue during the coming marketing years; whereas, moreover, since oranges are in short supply in the Community, measures should be taken to prevent the destruction of oranges as far as possible;

Whereas Articles 6 and 7 of Council Regulation (EEC) No 2511/69 of 9 December 1969 laying down special measures for improving the production and marketing of Community citrus fruit ⁽⁴⁾, as last amended by Regulation (EEC) No 793/76 ⁽⁵⁾, extended the granting of the marketing premium to include lemons until the end of the 1976/77 marketing year;

Whereas these measures have encouraged the marketing of better quality products; whereas such a trend should be furthered by retaining these measures in the coming marketing year; whereas transport costs should therefore not be taken into account when calculating the reference price for lemons,

HAS ADOPTED THIS REGULATION :

Article 1

Article 21 of Regulation (EEC) No 1035/72 is hereby amended as follows :

1. The following shall be added to the first subparagraph of paragraph 1 :

'(c) the disposal of certain categories of blood oranges during the 1977/78, 1978/79 and 1979/80 marketing years to the processing industry provided that no distortion of competition is thereby caused for the industries concerned within the Community.'

2. The second subparagraph of paragraph 1 shall be replaced by the following :

'Furthermore, it may be decided in accordance with the procedure laid down in Article 33, in the case of all products referred to in the first subparagraph, other than blood oranges until the end of the 1979/80 marketing year, to dispose of certain classes of such products to the processing industry provided that no distortion of competition is thereby caused within the Community for the industries concerned.'

⁽¹⁾ OJ No C 93, 18. 4. 1977, p. 11.

⁽²⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽³⁾ OJ No L 93, 8. 4. 1976, p. 6.

⁽⁴⁾ OJ No L 318, 18. 12. 1969, p. 1.

⁽⁵⁾ OJ No L 93, 8. 4. 1976, p. 1.

3. The second subparagraph of paragraph 3 shall be replaced by the following :

'The disposal of products to the feedingstuffs industry and, until the end of the 1979/80 marketing year, the disposal of blood oranges to the processing industry shall be carried out by tendering procedure by the agency designated by the Member State concerned.'

Article 2

In the first indent of the first subparagraph of Article 23 (2) of Regulation (EEC) No 1035/72 '31 May 1977' shall be replaced by '31 May 1978'.

Article 3

In the second paragraph of Article 6 of Regulation (EEC) No 2511/69 '1 June 1977' shall be replaced by '1 June 1978.'

Article 4

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

Article 3 shall be applicable from 30 April 1977.

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

Done at Brussels, 17 May 1977.

For the Council

The President

J. SILKIN

COUNCIL REGULATION (EEC) No 1035/77**of 17 May 1977****laying down special measures to encourage the marketing of products processed from lemons**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

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

Whereas the Community lemon processing industry depends on the disposal of the finished products outside the Member State producing the fresh product;

Whereas the cost of the Community raw material required for manufacture of the said products is greater than the cost of that from non-member countries; whereas in order to remedy this situation Community products should be made more competitive compared with those from non-member countries;

Whereas a system of financial compensation to reduce the cost of the raw material should be set up for this purpose; whereas this must be linked to a system of contracts guaranteeing both regular supplies to the processing industries and a minimum price to be paid by processors to the producers;

Whereas this system must be restricted to products suffering competition from similar products imported from non-member countries; whereas because of the closure of the Italian market an average of 85 % of Community production is at present in this situation; whereas financial compensation should however be granted for a larger percentage if the applicant can prove that he has disposed outside Italy of more than 85 % of the total quantity marketed;

Whereas the expenditure incurred by Member States as a result of the obligations arising from the application of this Regulation shall be borne by the Community in accordance with Article 3 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽²⁾, as last amended by Regulation (EEC) No 2788/72⁽³⁾;

Whereas the application of the arrangements referred to above should be limited to three marketing years

pending the effects of the measures for restructuring production, processing and marketing in the lemon sector,

HAS ADOPTED THIS REGULATION:

Article 1

1. A system of aid to encourage the marketing of products processed from lemons harvested within the Community is hereby established for the 1977/78, 1978/79, and 1979/80 marketing years.

This system shall be based on contracts between Community producers and processors. These shall be signed for a minimum period to be determined and shall state the quantities to which they relate, the timetable for deliveries to the processors and the price to be paid to producers. On conclusion, the contracts shall be submitted to the competent authorities of the Member States concerned, who shall be responsible for checking the quantities delivered to the processors and the quality thereof.

3. A minimum price for deliveries under these contracts shall be fixed on the basis of the buying-in price for Quality Class III plus 15 % of the basic price. This shall be fixed before the start of each marketing year.

Article 2

Member States shall grant financial compensation to processors who have signed contracts in accordance with Article 1.

This financial compensation may not exceed the difference between the minimum purchase price referred to in Article 1 (3) and the price charged for the raw material in non-member producer countries.

Financial compensation shall be granted for 85 % of Community produce bought by processors at the abovementioned minimum purchase price. However, it shall be granted for a higher percentage of these products if the applicant proves that the amount of juice he has disposed of outside Italy in any given marketing year exceeds 85 % of the total quantity marketed by him.

⁽¹⁾ OJ No C 93, 18. 4. 1977, p. 11.

⁽²⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽³⁾ OJ No L 295, 30. 12. 1972, p. 1.

Financial compensation shall be paid to processors on request as soon as the checking authorities of the Member State in which processing took place have verified that the products covered by contract have in fact been processed.

The amount of financial compensation shall be fixed before the start of each marketing year.

Article 3

Detailed rules for the implementation of this Regulation shall be adopted in accordance with the procedure laid down in Article 33 of 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 1034/77 ⁽²⁾. The same procedure shall be used to fix the amount of the financial compensation and the minimum price.

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 from 1 June 1977.

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

Done at Brussels, 17 May 1977.

For the Council

The President

J. SILKIN

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ See page 1 of this Official Journal.

COMMISSION REGULATION (EEC) No 1036/77**of 18 May 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 19 May
1977.

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

Done at Brussels, 18 May 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 18 May 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	94.36
10.01 B	Durum wheat	140.83 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	73.99 ⁽⁶⁾
10.03	Barley	55.08
10.04	Oats	56.42
10.05 B	Maize, other than hybrid maize for sowing	66.40 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	74.25 ⁽⁴⁾
10.07 C	Grain sorghum	76.10 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	144.13
11.01 B	Rye flour	116.36
11.02 A I a)	Durum wheat groats and meal	228.81
11.02 A I b)	Common wheat groats and meal	154.13

⁽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 1037/77**of 18 May 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 19 May
1977.

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

Done at Brussels, 18 May 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 18 May 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 5	1st period 6	2nd period 7	3rd period 8
10.01 A	Common wheat, and meslin	0	0	0	0.26
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0.51	0.51	0.51
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	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0.36

B. Malt

(u.a./tonne)

CCT heading No	Description of goods	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0.46	0.46
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0.35	0.35
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0.91	0.91	0.91	0.91
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0.68	0.68	0.68	0.68
11.07 B	Roasted malt	0	0.79	0.79	0.79	0.79

COMMISSION REGULATION (EEC) No 1038/77
of 18 May 1977
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2137/76 ⁽²⁾, as last
amended by Regulation (EEC) No 991/77 ⁽³⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2137/76
to the offer prices and today's quotations known to

the Commission that the levies at present in force
should be altered as shown in the table annexed to
this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 19 May
1977.

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

Done at Brussels, 18 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 240, 1. 9. 1976, p. 5.

⁽³⁾ OJ No L 119, 12. 5. 1977, p. 5.

to the Commission Regulation of 18 May 1977 fixing the import levies on rice and broken rice

CCT heading No	Description of goods	Third countries	ACP or OCT ⁽¹⁾ ⁽²⁾
10.06	Rice :		
	A. Paddy rice ; husked rice :		
	I. Paddy rice :		
	a) Round grain	90.28	42.14
	b) Long grain	111.94	52.97
	II. Husked rice :		
	a) Round grain	112.85	53.43
	b) Long grain	139.93	66.97
	B. Semi-milled or wholly milled rice :		
	I. Semi-milled rice :		
	a) Round grain	164.46	72.33
	b) Long grain	245.69	112.98
	II. Wholly milled rice :		
	a) Round grain	175.15	77.33
	b) Long grain	263.38	121.44
	C. Broken rice :	60.97	27.99

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

COMMISSION REGULATION (EEC) No 1039/77**of 18 May 1977****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 2138/76 ⁽²⁾, as last amended by Regulation (EEC)
No 992/77 ⁽³⁾;

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 table annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the import levies fixed
in advance in respect of rice and broken rice are
hereby fixed as shown in the table annexed to this
Regulation.

Article 2

This Regulation shall enter into force on 19 May
1977.

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

Done at Brussels, 18 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 240, 1. 9. 1976, p. 8.

⁽³⁾ OJ No L 119, 12. 5. 1977, p. 7.

ANNEX

to the Commission Regulation of 18 May 1977 fixing the premiums to be added to the import levies on rice and broken rice

(u.a. / tonne)

CCT heading No	Description of goods	Current 5	1st period 6	2nd period 7	3rd period 8
10.06	Rice :				
	A. Paddy rice ; husked rice :				
	I. Paddy rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Husked rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	B. Semi-milled or wholly milled rice :				
	I. Semi-milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Wholly milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	C. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 1040/77

of 18 May 1977

fixing the minimum import levies on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

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

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

for the implementation of the special measures for the determination of offers of olive oil on the world market and the Greek market⁽¹⁰⁾, as last amended by Regulation (EEC) No 983/77⁽¹¹⁾, lays down the criteria for fixing the rate of the minimum levy;

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

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

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

Whereas the application of the rules described above to the levy rates submitted by tenderers on 16 and 17 May 1977 results in the fixing of the minimum levies as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 19 May 1977.

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

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

⁽⁴⁾ OJ No L 327, 26. 11. 1976, p. 4.

⁽⁵⁾ OJ No L 327, 26. 11. 1976, p. 6.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁸⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁹⁾ OJ No L 154, 15. 6. 1976, p. 13.

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

⁽¹¹⁾ OJ No L 118, 11. 5. 1977, p. 7.

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

Done at Brussels, 18 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 18 May 1977 fixing the minimum import levies on olive oil

(u.a. / 100 kg)

CCT heading No	Greece	Non-member countries
07.01 N II	7.00	9.00
07.03 A II	7.00	8.00
15.07 A I a)	35.00	49.00 ⁽¹⁾
15.07 A I b)	54.00	101.00 ⁽²⁾
15.07 A II a)	27.00 ⁽³⁾	42.00 ⁽³⁾
15.07 A II b)	35.00 ⁽³⁾	54.00 ⁽³⁾
15.17 A I	16.00	21.00
15.17 A II	26.00	34.00
23.04 A	3.00	3.00 ⁽⁴⁾

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 1041/77

of 18 May 1977

fixing the refunds on white sugar and raw sugar 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 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 the first sentence of the last subparagraph of Article 19 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 3330/74 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾;

Whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as amended by Regulation (EEC) No 1499/76⁽⁷⁾;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal means;

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 refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying these rules to the present situation on the market in sugar and in particular to quotations or prices for sugar 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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 3330/74, undenatured and exported in the natural state, are hereby fixed at the amounts shown in the Annex.

Article 2

This Regulation shall enter into force on 19 May 1977.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 167, 26. 6. 1976, p. 29.

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

Done at Brussels, 18 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 18 May 1977 fixing the refunds on white sugar and raw sugar exported in the natural state

<i>(u.a./100 kg)</i>		
CCT heading No	Description of goods	Refund
17.01	Beet sugar and cane sugar, solid :	
	A. White sugar	13.50
	B. Raw sugar :	
	(a) Candy sugar	14.20 ⁽¹⁾
	(b) Other raw sugar	10.50 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

COMMISSION REGULATION (EEC) No 1042/77

of 18 May 1977

fixing additional amounts for egg products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry farming products from third countries⁽²⁾, as last amended by Regulation (EEC) No 1527/73⁽³⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Article 1 of Regulation (EEC) No 990/69⁽⁴⁾, the levies on imports of eggs not in

shell and egg yolks originating in and coming from Austria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 (1) (b) of Regulation (EEC) No 2771/75 indicates that additional amounts corresponding to the figures shown in the Annex below should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2771/75 are hereby fixed as shown in the Annex for the products listed in Article 1 (1) of that Regulation which appear in the Annex.

Article 2

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

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

Done at Brussels, 18 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽³⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁴⁾ OJ No L 130, 31. 5. 1969, p. 4.

Additional amounts applicable to certain products listed in Article 1 (1) (b) of Regulation (EEC) No 2771/75

CCT heading No	Description of goods	Additional amount	Imports affected
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not :		
	B. Eggs, not in shell ; egg yolks :		
	I. Suitable for human consumption :		
	a) Eggs, not in shell :		
	1. Dried	100-00	All imports ⁽¹⁾
	2. Other	30-00	All imports ⁽¹⁾
	b) Egg yolks :		
	1. Liquid	50-00	All imports ⁽¹⁾
	2. Frozen	80-00	All imports ⁽¹⁾
	3. Dried	120-00	Origin : People's Republic of China
		20-00	Other imports ⁽¹⁾

(1) With the exception of products originating in and coming from Austria.

COMMISSION REGULATION (EEC) No 1043/77
of 18 May 1977
fixing additional amounts for ovalbumin and lactalbumin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin⁽¹⁾, and in particular Article 5 (5) thereof,

Whereas, if for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽²⁾, as last amended by Regulation (EEC) No 1527/73⁽³⁾; whereas that Article 1 applies by virtue of Article 2 of Commission Regulation No 201/67/EEC of 28 June 1967 on detailed rules for the application of Regulation No 170/67/EEC on the common system of trade for ovalbumin and lactalbumin and repealing Regulation No 48/67/EEC⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Article 2 of Regulation (EEC) No 990/69⁽⁵⁾, the import levies on ovalbumin and lactalbumin originating in and coming from Austria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 of Regulation (EEC) No 2783/75 indicates that additional amounts corresponding to the figures shown in the Annex below should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 5 of Regulation (EEC) No 2783/75 are hereby fixed as shown in the Annex for the products listed in Article 1 of that Regulation which appear in the Annex.

Article 2

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

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

Done at Brussels, 18 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 104.

⁽²⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽³⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁴⁾ OJ No 134, 30. 6. 1967, p. 2836/67.

⁽⁵⁾ OJ No L 130, 31. 5. 1969, p. 4.

ANNEX

Additional amounts applicable to ovalbumin and lactalbumin

(g./100 kg)

CCT heading No	Description of goods	Additional amount	Imports affected
35.02	Albumins, albuminates and other albumin derivatives : A. Albumins : II. Other (i.e. other than unfit, or rendered unfit, for human consumption) : a) Ovalbumin and lactalbumin : 2. Other	8.00	All imports ⁽¹⁾

⁽¹⁾ With the exception of products originating in and coming from Austria.

COMMISSION REGULATION (EEC) No 1044/77

of 18 May 1977

fixing additional amounts for live and slaughtered poultry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as amended by Regulation (EEC) No 369/76⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry farming products from third countries⁽³⁾, as amended by Regulation (EEC) No 1527/73⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Regulation (EEC) No 565/68⁽⁵⁾, the import levies on slaughtered fowls, ducks and geese originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2261/69⁽⁶⁾, the import levies on slaughtered ducks and geese originating in and coming from Romania are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2474/70⁽⁷⁾, the import levies on slaughtered turkeys originating in and coming from Poland are not increased by an additional amount;

Whereas pursuant to Regulation (EEC) No 2164/72⁽⁸⁾, the import levies on slaughtered fowls and geese originating in and coming from Bulgaria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for slaughtered poultry and halves or quarters indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 are hereby fixed as shown in the Annex for the products listed in Article 1 (1) of that Regulation which appear in the Annex.

Article 2

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

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

Done at Brussels, 18 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 45, 21. 2. 1976, p. 3.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁶⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁷⁾ OJ No L 265, 8. 12. 1970, p. 13.

⁽⁸⁾ OJ No L 232, 12. 10. 1972, p. 3.

ANNEX

Additional amounts applicable to live and slaughtered poultry and halves or quarters

(u.a./100 kg)

CCT heading No	Description of goods	Additional amount	Imports affected
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen : A. Whole poultry : I. Fowls : a) Plucked and gutted, with heads and feet, known as '83 % chickens' b) Plucked and drawn, without heads and feet but with hearts, livers and gizzards, known as '70 % chickens' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens' II. Ducks : b) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '70 % ducks' B. Poultry cuts (excluding offals) : II. Unboned (bone-in) : a) Halves or quarters : 1. Of fowls	5.00 5.00 5.00 5.00	All imports ⁽¹⁾ All imports ⁽¹⁾ All imports ⁽¹⁾ Origin : Hungary All imports

⁽¹⁾ With the exception of products originating in and coming from Poland and Bulgaria.

COMMISSION REGULATION (EEC) No 1045/77**of 18 May 1977****laying down detailed rules for the application of measures to encourage the marketing of products processed from lemons**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/77 of 17 May 1977 laying down special measures to encourage the marketing of products processed from lemons⁽¹⁾, and in particular Article 3 thereof,

Whereas Regulation (EEC) No 1035/77 introduced a system of aid to encourage the marketing of products processed from lemons harvested in the Community; whereas this system is based on contracts between Community producers and processors;

Whereas, in order to ensure the processing undertakings of a steady supply the abovementioned contracts should be concluded for a period of six months; whereas, however, in order to ensure that this arrangement is of maximum effectiveness, the contracting parties should be allowed to enter into supplementary agreements whereby they may increase by not more than a certain extent the quantities initially contracted for;

Whereas, if the system is to operate properly, a minimum quality must be specified in respect of the products which may be contracted for;

Whereas the efficient operation of the checks on quality and quantity provided for in Article 1 (2) of Regulation (EEC) No 1035/77 can be ensured if the weight and quality of each lot delivered is determined on receipt by the processor; whereas, moreover, provision should be made for the issue of a certificate giving these particulars as determined after checking;

Whereas, in order that applications for financial compensation may be verified, the minimum particulars which must appear therein should be specified;

Whereas the checks provided for in the fourth paragraph of Article 2 of the abovementioned Regulation must make it possible to verify that the products

covered by the contracts were processed; whereas, to this end, the checks should be based on the stock accounts of the processing undertakings;

Whereas under the abovementioned Article 2 financial compensation is to be granted for 85 % of the products of Community origin bought by processors at the minimum purchase price; whereas, however, this percentage may be increased where the party concerned provides proof that more than 85 % of the juice in question was disposed of outside Italy; whereas, therefore, the means of providing the requisite proof should be laid down;

Whereas, under Article 4 (2) of Council Regulation (EEC) No 1134/68 of 30 July 1968 laying down rules for the implementation of Regulation (EEC) No 653/68 on conditions for alterations to the value of the unit of account used for the common agricultural policy⁽²⁾, in respect of transactions under the common agricultural policy, the sums owed by a Member State or duly authorized body expressed in national currency and representing amounts fixed in units of account are paid on the basis of the relationship between the unit of account and the national currency which obtained at the time when the transaction or part transaction was carried out;

Whereas, under Article 6 of Regulation (EEC) No 1134/68, the time when a transaction is carried out is considered as being the date on which occurs the event, as defined by Community rules or, in the absence of and pending adoption of such rules, by the rules of the Member State concerned, in which the relevant sum becomes due and payable;

Whereas the event in which financial compensation for processing lemons becomes due and payable occurs when processing is carried out; whereas, however, it is difficult to establish the exact date of processing for a given lot;

Whereas processing contracts are for a period of six months; whereas it is difficult to determine the exact date on which each lot was processed; whereas, there-

⁽¹⁾ See page 3 of this Official Journal.

⁽²⁾ OJ No L 188, 1. 8. 1968, p. 1.

fore, in order to ensure uniform application of the system of financial compensation the conversion rate obtaining at the end of each six-month period should be used for calculating the amount in national currency;

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. Contracts as referred to in Article 1 of Regulation (EEC) No 1035/77, hereinafter called 'processing contracts', shall be concluded in writing between one or more producers and a processor.

2. Processing contracts shall be concluded before 20 May or 20 November in respect of lemons to be delivered to the industry during the periods 1 June to 30 November and 1 December to 31 May respectively. However, as regards the first part of the marketing year 1977/78, contracts may be concluded up to 30 June 1977.

3. During each of the periods referred to in paragraph 2 the contracting parties may decide to increase by a written supplementary agreement the quantities initially specified in the contract.

Such agreements shall :

- provide for an increase of not more than 40 % of the quantities initially specified in the contract,
- be concluded by 31 August or 28/29 February at the latest, depending on which of the abovementioned periods is involved. However for the first part of the 1977/78 marketing year these amendments may be concluded up to 30 September 1977.

Article 2

A copy of each contract and of any supplementary agreements shall be forwarded by the processor, before the date from which they are to take effect, to the relevant authorities of the Member State in which the lemons are produced and to those of the Member State where the processing is to take place.

Article 3

Products delivered under processing contracts shall satisfy at least the minimum quality requirements laid

down in Title II B (i) of the common standards, with a maximum of 15 % by weight of fruit which is not of the required standard but is suitable for processing.

Article 4

1. On receipt by the processor of each lot delivered under processing contract the authorities designated by the Member State in which the processing takes place shall check the weight of the products delivered and verify that they conform to the quality requirements.

Following these checks a certificate for each lot shall be delivered to the processor stating :

- the names and addresses of the contracting parties,
- the net weight, and that the quality requirements were satisfied. One copy of this certificate shall be sent to the producers. One copy shall be kept by the relevant authorities.

2. If the checks provided for above show that all or part of the products do not comply with the provisions of Article 3 the authorities referred to in the preceding paragraph shall so inform the contracting parties.

Article 5

Applications for financial compensation shall be submitted by the processor at the end of each of the periods specified in Article 1 to the relevant authorities of the Member State in which processing took place.

Such applications shall include :

- (a) the name and address of the applicant ;
- (b) details of :
 - the total quantities of fresh lemons purchased during each of the abovementioned periods,
 - the quantities of that product purchased under processing contracts and any agreements supplementary thereto ;
- (c) details of the total quantities of juice obtained after processing the fresh lemons of the abovementioned periods ;
- (d) details of any quantities of juice purchased during each of the abovementioned periods.

The application shall be accompanied, in respect of each lot of which the processor has taken delivery under processing contracts, by a copy of the certificate referred to in Article 4 (1).

Article 6

1. The checks provided for in the fourth paragraph of Article 2 of Regulation (EEC) No 1035/77 shall include in particular in the case of the periods specified in Article 1 (2):

- verification of the total quantities of fresh lemons purchased by the processor and delivered to his undertaking,
- verification that all these quantities were actually processed in the said undertaking.

2. For the purpose of the verification provided for in paragraph 1, undertakings shall keep stock accounts, which, for each of the periods specified in Article 1 (2), shall show in particular:

- the quantities of fresh lemons bought and delivered to the undertaking, those which were the subject of processing contracts being shown separately,
- the quantities of juice obtained after processing,
- any quantities of juice purchased,
- the quantities of juice which left the undertaking,
- any quantities of juice returned to the undertaking.

Article 7

Where, for a given marketing year, the processor wishes to avail himself of the provisions of the second sentence of the third subparagraph of Article 2 of Regulation (EEC) No 1035/77, an application for additional financial compensation shall be lodged after the end of the marketing year.

This application shall include:

- details of the total quantities of lemon juice sold by him,
 - details of the quantities of lemon juice sold by him outside Italy,
- during the marketing year in question.

Article 8

Proof of sale of the products outside Italy shall be supplied:

- (a) in the case of undertakings operating in Italy, by production of a copy of the national document used for exports to third countries or consignments to other Member States;
- (b) in the case of undertakings operating in Member States other than Italy,

- in respect of products sold in the Member State in which processing took place, by production of a copy of the relevant invoices, duly receipted,
- in respect of products exported to third countries or consigned to a Member State other than that where processing took place, by production of a copy of the national document used for the exportation or consignment.

Article 9

The event within the meaning of Article 6 of Regulation (EEC) No 1134/68 in which financial compensation becomes due and payable shall be considered to have occurred:

- on 30 November and 31 May of each year respectively, depending on which of the periods specified in Article 1 (2) of this Regulation is involved,
- on 31 May of each year in respect of quantities which are the subject of additional financial compensation.

Article 10

1. For each undertaking financial compensation shall be granted in respect of 85 % of the quantities purchased under processing contracts, subject always to Article 4 (2), and on condition that the undertaking has actually processed all the quantities purchased.

Should this condition not be fulfilled the compensation shall be reduced, except in case of *force majeure*, in proportion to the quantities actually processed in relation to the total quantities purchased.

2. With regard to undertakings in the situation provided for in the second sentence of the third paragraph of Article 2 of Regulation (EEC) No 1035/77, financial compensation shall be granted in respect of a percentage of the quantities purchased under contract equal to the percentage of sales outside Italy. Where, however, an undertaking has not actually processed all the quantities purchased this percentage shall be reduced, except in case of *force majeure*, in proportion to the quantities actually processed in relation to the total quantities purchased.

Article 11

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, 18 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1046/77
of 18 May 1977

**fixing for the 1977/78 marketing year the minimum purchase price for lemons
delivered to the industry and the amount of financial compensation payable
after their processing**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/77 of 17 May 1977 laying down special measures
to promote the marketing of lemon products ⁽¹⁾, and
in particular Article 3 thereof,

Whereas under Article 1 (3) of Regulation (EEC) No
1035/77 the minimum price which processors must
pay to the producer is derived from the purchase price
for quality category III, plus 15 % of the basic price ;
whereas, to simplify matters, this calculation should
be based on the average basic and purchase prices
fixed for the 1977/78 marketing year by Council Regu-
lation (EEC) No 868/77 of 26 April 1977 ⁽²⁾;

Whereas, under Article 2 of Regulation (EEC) No
1035/77, financial compensation cannot exceed the
difference between the minimum purchase price
referred to in Article 1 of the said Regulation and the
prices obtaining for the basic products in producer
third countries ; whereas, for the purposes of calcu-
lating this compensation and with a view to encou-
raging optimum marketing of lemon products, it
would seem advisable to apply the full difference
between these prices ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. The minimum price referred to in Article 1 (3)
of Regulation (EEC) No 1035/77 shall be 10 units of
account per 100 kilograms net for the 1977/78
marketing year.
2. The said minimum price shall be in respect of
products ex-producers' packaging station.

Article 2

The amount of the financial compensation referred to
in Article 2 of Regulation (EEC) No 1035/77 shall be
six units of account per 100 kilograms net for the
marketing year 1977/78.

Article 3

This Regulation shall enter into force on 1 June 1977.

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

Done at Brussels, 18 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ See page 3 of this Official Journal.

⁽²⁾ OJ No L 106, 29. 4. 1977, p. 5.

COMMISSION REGULATION (EEC) No 1047/77

of 18 May 1977

fixing for the 1977 marketing year the reference prices for cherries

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 1034/77⁽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 cherries are produced in such quantities in
the Community that reference prices should be fixed
for them;

Whereas cherries harvested during a given crop year
are marketed from April to August; whereas the quan-
tities harvested in April, during the first 20 days of
May and the last 20 days of August are so small that
there is no need to fix reference prices for these
periods; whereas reference prices should be fixed only
for the period from 21 May up to and including 10
August;

Whereas pursuant to Article 23 (2) of Regulation
(EEC) No 1035/72 the reference prices are fixed on
the basis of 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
year should be divided into several periods and a refer-
ence price fixed for each of these periods;

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
home-grown product with defined commercial charac-
teristics, being a product or variety representing
substantial proportion of the production marketed
over the year or over part thereof and satisfying spec-
ified 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 the
market are to be disregarded;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1977 marketing year, the reference price for
cherries (subheading 08.07 C of the Common
Customs Tariff), expressed in units of account per 10
kilograms net of packed products of Class I, of all
sizes, shall be as follows:

— May (21 to 31):	63.06
— June:	56.32
— July:	51.73
— August (1 to 10):	39.69

Article 2

This Regulation shall enter into force on 21 May
1977.

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

Done at Brussels, 18 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ See page 1 of this Official Journal.

COMMISSION REGULATION (EEC) No 1048/77

of 18 May 1977

fixing for the 1977/78 marketing year the reference prices for lemons

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 1034/77⁽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 lemons are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas lemons harvested during a crop year are marketed from June to May of the next year; whereas reference prices should be fixed for the period from 1 June to 31 May of the next year;

Whereas, to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas, in accordance with the second paragraph of Article 23 (2) of Regulation (EEC) No 1035/72, reference prices for lemons are to be fixed at a level equal to that of the previous marketing year, adjusted as necessary by a percentage not exceeding the difference between the percentages representing respectively the variations compared with the preceding marketing year in basic and buying-in prices and in the financial compensation provided for by Council Regulation (EEC) No 2511/69 of 9 December 1969 laying down special measures for improving the production and marketing of Community citrus fruit⁽³⁾, as last amended by Regulation (EEC) No 1034/77;

Whereas, for the 1977/78 marketing year, the financial compensations provided for by Regulation (EEC) No 2511/69 have been increased, compared with the preceding marketing year, by a percentage equal to that used for increases in the basic and buying-in prices; whereas the reference prices for the 1977/78 marketing year should therefore be maintained at the level fixed for the 1976/77 marketing year.

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

For the 1977/78 marketing year, the reference prices for fresh lemons (subheading ex 08.02 C 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:

June :	24.66
July :	27.33
August :	28.42
September :	25.05
October :	21.68
November :	19.35
December :	19.92
January :	20.98
February :	19.71
March :	20.14
April :	20.48
May :	22.49

Article 2

This Regulation shall enter into force on 1 June 1977.

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

Done at Brussels, 18 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

OJ No L 118, 20. 5. 1972, p. 1.
See page 1 of this Official Journal.
OJ No L 318, 18. 12. 1969, p. 1.

COMMISSION REGULATION (EEC) No 1049/77

of 18 May 1977

fixing the reference price for cucumbers until the end of the 1977 marketing year

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 1034/77⁽²⁾, and in particular Article 27 (1) thereof,

Whereas, under 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 the reference prices have respectively been fixed up to 31 May by Regulations (EEC) No 256/77 of 4 February 1977⁽³⁾ and (EEC) No 858/77 of 27 April 1977⁽⁴⁾ ; whereas the information now available allows these prices to be fixed up to the end of the marketing year ; whereas the low quantities which are harvested during December represent only a small percentage of the tonnage which is marketed throughout the marketing year ; whereas that month should not therefore be taken into account ;

Whereas, pursuant to Article 23 (2) of Regulation (EEC) No 1035/72 the reference prices are fixed on the basis of the arithmetic mean of producer prices in each Member State plus an amount representing the costs of transporting Community products from 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 year should be divided into several periods and a reference price fixed for each of these periods ;

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, Community produced cucumbers are grown mainly under glass ; whereas the reference prices for the marketing year must therefore be fixed for a product of that type ; whereas cucumbers imported from certain third countries during the same period 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 1977 marketing year, the reference price 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 :

June :	29.19
July :	21.63
August :	24.12
September :	25.82
October :	41.93
November :	50.73

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No L 34, 5. 2. 1977, p. 52.

⁽⁴⁾ OJ No L 104, 28. 4. 1977, p. 28.

2. For the purpose of calculating the entry price, the prices for cucumbers, not produced under glass, imported from third countries shall, after deduction of customs duties, be multiplied by the following conversion factors :

- from 1 June to 30 September 1·30,
- from 1 October to 30 November 1·00.

Article 2

This Regulation shall enter into force on 1 June 1977.

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

Done at Brussels, 18 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1050/77

of 18 May 1977

fixing the reference price for tomatoes until the end of the 1977 marketing year

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 1034/77⁽²⁾, and in particular Article 27 (1) thereof,

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

Whereas tomatoes harvested during a given crop year are marketed from January to December ; whereas for the present marketing year the reference prices have respectively been fixed up to 31 May by Regulations (EEC) No 608/77 of 23 March 1977⁽³⁾, and (EEC) No 859/77 of 27 April 1977⁽⁴⁾ ; whereas the information now available allows these prices to be fixed up to the end of the marketing year ; whereas the low quantities which are harvested during the last 10 days of December represent only a small percentage of the tonnage which is marketed throughout the marketing year ; whereas that period should not therefore be taken into account ;

Whereas, pursuant to Article 23 (2) of Regulation (EEC) No 1035/72 the reference prices are fixed on the bases of the arithmetic mean of producer prices in each Member State plus an amount representing the costs of transporting Community products from 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 year should be divided into several periods and a reference price fixed for each of these periods ;

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, up to 10 July, Community produced tomatoes are grown mainly under glass ; whereas the reference prices for this period of the marketing year must therefore be fixed for a product of that type ; whereas tomatoes imported from certain third countries during the same period will have been grown in the open ; whereas although such tomatoes may be classed in Class I, their quality and price are not comparable with those of products grown under glass ; whereas the prices for tomatoes not grown under glass should therefore be adjusted by a conversion factor ;

Whereas, from October to December inclusive, tomatoes imported from certain third countries are cultivated under glass ; whereas a conversion factor should also be applied to the prices of these tomatoes to make them comparable with the reference prices which are during this period calculated on the basis of prices of Community products cultivated in the open ;

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 1977 marketing year, the reference price for tomatoes (subheading 07.01 M of the Common Customs Tariff), expressed in units of account per 100

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ See page 1 of this Official Journal.

⁽³⁾ OJ No L 76, 24. 3. 1977, p. 22.

⁽⁴⁾ OJ No L 104, 28. 4. 1977, p. 30.

kilograms net of packed products of Class I, of all sizes, shall be as follows :

— 1 June to 10 July :	55.23,
— 11 July to 31 August :	18.76,
— September :	20.46,
— 1 October to 20 December :	23.33.

2. For the purpose of calculating the entry price :

(a) the prices for tomatoes not produced under glass, imported from third countries, shall, after deduc-

tion of customs duties, be multiplied, by a conversion factor of 1.80 from 1 June to 10 July ;

(b) the price for tomatoes produced under glass and imported from third countries shall, after deduction of customs duties, be multiplied by a conversion factor of 0.55 from 1 October to 20 December.

Article 2

This Regulation shall enter into force on 1 June 1977.

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

Done at Brussels, 18 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1051/77**of 18 May 1977**

postponing the date of entry into application of Regulation (EEC) No 800/77 amending, as regards products which are subject to monetary compensatory amounts, Regulation (EEC) No 572/76 fixing the 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 Commission Regulation (EEC) No 800/77 of 20 April 1977 amending, as regards products which are subject to monetary compensatory amounts, Regulation (EEC) No 572/76 fixing the monetary compensatory amounts⁽³⁾, introduced monetary compensatory amounts for certain additional products not covered by Annex II with effect as of 23 May 1977;

Whereas it appears that the transitional period laid down in Regulation (EEC) No 800/77 is not adequate

to take account of commercial operations executed pursuant to long term contracts; whereas the time period in question should therefore be extended;

Whereas the Management Committees for Cereals, Sugar, Poultrymeat and Eggs and Milk and Milk Products have not delivered opinions within the time limits set by their respective chairmen,

HAS ADOPTED THIS REGULATION:

Article 1

The first subparagraph of Article 2 (2) of Regulation (EEC) No 800/77 shall be replaced as follows:

'It is applicable from 4 July 1977'.

Article 2

This Regulation shall enter into force on 23 May 1977.

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

Done at Brussels, 18 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 1.

⁽³⁾ OJ No L 97, 21. 4. 1977, p. 18.

COMMISSION REGULATION (EEC) No 1052/77**of 18 May 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 organ-
ization 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 1029/77⁽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 19 May
1977.

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

Done at Brussels, 18 May 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 124, 18. 5. 1977, p. 14.

ANNEX

**to the Commission Regulation of 18 May 1977 fixing the import levies on white sugar and
raw sugar**

(u.u./100 kg)		
CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid :	
	A. White sugar	20.53
	B. Raw sugar	17.10 (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.

COUNCIL REGULATION (EEC) No 1053/77**of 17 May 1977****amending Regulation (EEC) No 878/77 as regards the exchange rates applicable
in respect of tomato concentrates**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to 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 agricul-
tural policy ⁽¹⁾, as last amended by Regulation (EEC)
No 2543/73 ⁽²⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas the representative rates to be used for the
purposes of the common agricultural policy were laid
down in Council Regulation (EEC) No 878/77 of 26
April 1977 on the exchange rates to be applied in agri-
culture ⁽³⁾; whereas pursuant to Article 2 (2) of that
Regulation the rates in question are in principle
applied from the beginning of the 1977/78 marketing
year for the products concerned;

Whereas the common organization of the market in
products processed from fruit and vegetables makes
provision for the fixing of a marketing year only in
respect of tomato concentrates; whereas the new rates
should therefore be applied for tomato concentrates
from 1 July 1977 while the date on which those rates
become applicable for all other products in the sector
is 1 May 1977;

Whereas the differential treatment of products in the
same sector is contrary to the sound management of
the markets of these products; whereas, to avoid this
inconvenience, the new rates for tomato concentrates
should be applied from a date which is as close as
possible to that adopted for the other processed
products;

Whereas, as regards the minimum prices to be
observed on importation, such a measure should not
be applied to operations in respect of which import
licences have already been applied for before the entry
into force of this Regulation;

Whereas the Monetary Committee will be consulted,
and, in view of the urgency involved, the measures
envisaged should be adopted in accordance with the
conditions laid down in Article 3 (2) of Regulation No
129,

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be inserted in Article 2 (2) of
Regulation (EEC) No 878/77:

'(a) a 20 May 1977 for tomato concentrates';

Article 2

This Regulation shall enter into force on 20 May
1977.

However, as regards the minimum price and the
special minimum price on importation, it shall only
apply to operations carried out under cover of an
import licence for which an application is lodged,
within the meaning of Article 6 of Commission Regu-
lation (EEC) No 193/75 of 17 January 1975 laying
down common detailed rules for the application of
the system of import and export licences and advance
fixing certificates for agricultural products ⁽⁴⁾, as last
amended by Regulation (EEC) No 773/77 ⁽⁵⁾, on or
after 20 May 1977.

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

Done at Bruxelles, 17 May 1977.

For the Council

The President

J. SILKIN

⁽¹⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽²⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽³⁾ OJ No L 106, 29. 4. 1977, p. 27.

⁽⁴⁾ OJ No L 25, 31. 1. 1975, p. 10.

⁽⁵⁾ OJ No L 94, 16. 4. 1977, p. 5.