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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1544/77**of 11 July 1977****fixing the import levies on cereals and on wheat or rye flour groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3138/76⁽²⁾, and in particular Article 13 (5) thereof,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 1882/76⁽³⁾ and subsequent amending Regulations ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 12 July 1977.

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

Done at Brussels, 11 July 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 11 July 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	96.83
10.01 B	Durum wheat	141.39 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	78.74 ⁽⁶⁾
10.03	Barley	74.66
10.04	Oats	64.14
10.05 B	Maize, other than hybrid maize for sowing	77.64 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	79.75 ⁽⁴⁾
10.07 C	Grain sorghum	81.97 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	147.73
11.01 B	Rye flour	122.39
11.02 A I a)	Durum wheat groats and meal	229.65
11.02 A I b)	Common wheat groats and meal	157.85

⁽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 1545/77

of 11 July 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 12 July
1977.

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

Done at Brussels, 11 July 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 11 July 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 7	1st period 8	2nd period 9	3rd period 10
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	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

B. Malt

(u.a./tonne)

CCT heading No	Description of goods	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1546/77

of 11 July 1977

fixing the additional amounts for certain pigmeat products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2759/75 of 29 October 1975 on the common organiza-
tion of the market in pigmeat ⁽¹⁾, as amended by Regu-
lation (EEC) No 367/76 ⁽²⁾, and in particular the
second line of Article 13 ⁽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 202/67/EEC
of 28 June 1967 on fixing the additional amount for
imports of pigmeat products from third countries ⁽³⁾,
as amended by Regulation No 614/67/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 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) of Regulation
(EEC) No 2759/75 indicates that for imports listed
according to product and country of origin in the
Annex to this Regulation additional amounts should
be fixed at the level shown in that Annex;

Whereas Council Regulation (EEC) No 2767/75 of 29
October 1975 ⁽⁵⁾ laid down general rules for the fixing
of additional amounts for those products for which no
sluice-gate price is fixed;

Whereas Regulation No 202/67/EEC lays down
certain detailed rules, to that end, and in particular for
determining the free-at-frontier offers for those
products; whereas, according to the information
received by the Commission, offers from third coun-
tries in the determination of which not only the
prices shown in customs documents but also all other
indications concerning the prices ruling in third coun-
tries, are taken into account, are developing in such a
way that additional amounts should be fixed for those
products at the level shown in the Annex;

Whereas, in accordance with Article 1 of Regulation
No 121/65/EEC ⁽⁶⁾ and with Regulations (EEC) No
564/68 ⁽⁷⁾, (EEC) No 998/68 ⁽⁸⁾, (EEC) No 2260/69 ⁽⁹⁾
and (EEC) No 1570/71 ⁽¹⁰⁾, the levy on certain
products listed in those Regulations which originate
in and come from the Federal Republic of Austria, the
People's Republic of Poland, the Hungarian People's
Republic, the Socialist Republic of Romania and the
People's Republic of Bulgaria should not be increased
by an additional amount;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 13 of
Regulation (EEC) No 2759/75 are fixed as shown in
the Annex to this Regulation for those of the products
listed in Article 1 (1) of Regulation (EEC) No 2759/75
as are listed in the abovementioned Annex.

Article 2

This Regulation shall enter into force on 12 July
1977.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 45, 21. 2. 1976, p. 1.

⁽³⁾ OJ No 134, 30. 6. 1967, p. 2837/67.

⁽⁴⁾ OJ No 231, 27. 9. 1967, p. 6.

⁽⁵⁾ OJ No L 282, 1. 11. 1975, p. 29.

⁽⁶⁾ OJ No 155, 18. 9. 1965, p. 2560/65.

⁽⁷⁾ OJ No L 107, 8. 5. 1968, p. 6.

⁽⁸⁾ OJ No L 170, 19. 7. 1968, p. 14.

⁽⁹⁾ OJ No L 286, 14. 11. 1969, p. 22.

⁽¹⁰⁾ OJ No L 165, 23. 7. 1971, p. 23.

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

Done at Brussels, 11 July 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 11 July 1977 fixing the additional amounts for certain pigmeat products ⁽¹⁾

(u.a./100 kg)

CCT heading No	Description of goods	Supplementary amount	Origin of imports
01.03	Live swine : A. Domestic species : II. Other : b) Other	7.00	Origin : German Democratic Republic ⁽²⁾
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen : A. Meat : III. Of swine : a) Of domestic swine : 1. Carcases or half-carcases, with or without heads, feet or flare fat 2. Hams and cuts of ham, unboned (bone-in) 3. Shoulders (fores) and cuts of shoulders, unboned (bone-in) 4. Loins and cuts of loins, unboned (bone-in) 5. Bellies (streaky) and cuts of bellies 6. Other : aa) Boned or boneless and frozen bb) Other	 10.00 10.00 10.00 10.00 5.00 7.00 15.00	 Origin : German Democratic Republic ⁽²⁾ Origin : Brazil, Romania, Argentina, German Democratic Republic ⁽²⁾ Origin : Brazil, Romania, German Democratic Republic ⁽²⁾ Origin : Brazil, Argentina Origin : Argentina Origin : Argentina Origin : German Democratic Republic ⁽²⁾

⁽¹⁾ The specification of the products results from Annex II to Regulation (EEC) No 2767/75.⁽²⁾ With the exception of the German internal trade pursuant to the Protocol on German internal trade and connected problems.

COMMISSION REGULATION (EEC) No 1547/77

of 8 July 1977

on the delivery of various consignments of skimmed-milk powder as food aid

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas, under the food-aid programmes adopted by
the Council Regulation specified in the Annex, the
World Food Programme (WFP) has requested the
delivery of the quantities of skimmed-milk powder set
out therein ;

Whereas, therefore, delivery should be effected in
accordance with the rules laid down in Commission

Regulation (EEC) No 303/77 of 14 February 1977
laying down general rules for the supply of skimmed-
milk powder and butteroil as food aid⁽⁵⁾ ; whereas, in
particular, the periods and terms for delivery and the
procedure to be followed by the intervention agencies
to establish the costs arising therefrom should be laid
down ;

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

HAS ADOPTED THIS REGULATION :

Article 1

In accordance with the provisions of Regulation (EEC)
No 303/77 the intervention agency as specified in the
Annex shall deliver skimmed-milk powder as food aid
on the special terms set out therein.

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, 8 July 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 146, 4. 6. 1976, p. 3.

⁽⁴⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 43, 15. 2. 1977, p. 1.

ANNEX⁽¹⁾

Consignment	A	B	C
1. Application of Council Regulations (a) legal basis (b) affectation		(EEC) No 1298/76 (EEC) No 2018/76	
2. Beneficiary		WFP	
3. Country of destination	Somalia	Somalia	Bolivia
4. Total quantity of the consignment	201 tonnes	450 tonnes	90 tonnes
5. Intervention agency responsible for delivery ⁽²⁾			Irish
6. Origin of the skimmed-milk powder		bought on the Community market	
7. Special characteristics and/or packaging ⁽³⁾		vitamin A content : 5 000 i.u. per 100 g minimum vitamin D content : 500 i.u. per 100 g minimum clear indication of the date of manufacture on the sacks	
8. Markings on the packaging	'Skimmed-milk powder enriched with vitamins A and D / Gift of the European Economic Community / World Food Programme Action / ... followed by the name of the port of unloading which is : — for 150 tonnes : Mogadiscio — for 51 tonnes : Berbera	'Skimmed-milk powder enriched with vitamins A and D / Gift of the European Economic Community / World Food Programme Action / Mogadiscio'	'Leche desnatada en polvo con vitaminas A y D / Donación de la Comunidad Económica Europea / Acción programa mundial del alimentos / Arica-La-Paz'
9. Delivery period	after 1 and before 20 September 1977		after 1 and before 10 August 1977
10. Stage and place of delivery		port of loading of the Community	
11. Representative of the beneficiary responsible for reception ⁽⁴⁾	—	—	—
12. Procedure to be applied to determine the costs of supply	tender	tender	mutual agreement
13. In case of invitation to tender : expiry of the time limit for submission of tenders 12 noon on	26 July 1977	26 July 1977	—

Notes

⁽¹⁾ This Annex, together with the notice published in OJ No C 95 of 19 April 1977, page 7, takes the place of an invitation to tender from the intervention agency or agencies concerned.

⁽²⁾ In accordance with Article 4 of Regulation (EEC) No 1298/76, the intervention agency concerned guarantees, within 30 days after taking delivery of the skimmed-milk powder by the WFP, payment to this intervention agency of a contribution of 80 units of account for each tonne of skimmed-milk powder towards transport and distribution costs.

⁽³⁾ Other than those set out in the Annex to Regulation (EEC) No 1108/68 ; see Article 6(2) of Regulation (EEC) No 303/77.

⁽⁴⁾ Only in the case of delivery 'to the port of unloading' and 'free at destination' ; see Article 5 and the last indent of Article 13(1) of Regulation (EEC) No 303/77.

COMMISSION REGULATION (EEC) No 1548/77

of 8 July 1977

on the delivery of various consignments of butteroil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 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⁽³⁾, and in particular Article 7 thereof,

Whereas, under the food-aid programmes adopted by the Council Regulations specified in the Annex, the World Food Programme (WFP) has requested the delivery of the quantities of butteroil set out therein;

Whereas, therefore, delivery should be effected in accordance with the rules laid down in Commission Regulation (EEC) No 303/77 of 14 February 1977

laying down general rules for the supply of skimmed-milk powder and butteroil as food aid⁽⁴⁾; whereas in particular the periods and terms for delivery and the procedure to be followed by the intervention agencies to establish the costs arising therefrom should be laid down;

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

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with the provisions of Regulation (EEC) No 303/77 the intervention agencies mentioned in the Annex shall deliver butteroil as food aid on the special terms set out therein.

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, 8 July 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 83, 30. 3. 1976, p. 4.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

Notes :

- (1) This Annex, together with the notice published in OJ No C 95 of 19 April 1977, page 7, takes the place of an invitation to tender from the intervention agencies concerned in cases where under point 12, there must be a tendering procedure.
 - (2) In accordance with Article 4 of Regulation (EEC) No 694/76, the intervention agency guarantees, within 30 days after taking delivery of the butteroil by the payments to this intervention agency of a contribution of 79 units of account for each tonne of butteroil delivered, towards transport and distribution costs of the butteroil.
 - (3) In cases where the goods come from intervention stocks, an additional notice stating the warehouses where the butter destined for the manufacture of butteroil is stored, will be published in the *Official Journal of the European Communities*, 'C' edition.
 - (4) Other than those set out in Annex II to Regulation (EEC) No 303/77.
 - (5) Only in the case of delivery 'to the port of unloading' and 'free at destination'; see Article 5 and the last indent of Article 13 (1) of Regulation (EEC) No 303/77.
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COMMISSION REGULATION (EEC) No 1549/77

of 8 July 1977

re-establishing the levying of the customs duties on tubes and pipes and blanks therefor, of copper ; hollow bars of copper falling within heading No 74.07 originating in Yugoslavia to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3021/76 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Article 2 (2) of that Regulation provides that the levying of customs duties may be re-established at

any time in respect of imports of the products in question originating in any of the said countries or territories, with the exception of those listed in Annex C to the same Regulation, once the relevant Community amount has been reached ;

Whereas, in respect of tubes and pipes and blanks therefor, of copper ; hollow bars of copper, the ceiling, calculated as indicated above, should be 7 132 000 units of account, and therefore the maximum amount is 2 139 600 units of account ; whereas on 5 July 1977, the amounts of imports into the Community of tubes and pipes and blanks therefor, of copper ; hollow bars of copper, originating in Yugoslavia, a country covered by preferential tariff arrangements, reached that maximum amount ; whereas, bearing in mind the objectives of Regulation (EEC) No 3021/76 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Yugoslavia,

HAS ADOPTED THIS REGULATION :

Article 1

As from 15 July 1977, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3021/76, shall be re-established in respect of the following products, imported into the Community and originating in Yugoslavia :

CCT heading No	Description of goods
74.07	Tubes and pipes and blanks therefor, of copper ; hollow bars of copper

Article 2

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

⁽¹⁾ OJ No L 349, 20. 12. 1976, p. 23.

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

Done at Brussels, 8 July 1977.

For the Commission

Richard BURKE

Member of the Commission

COMMISSION REGULATION (EEC) No 1550/77

of 8 July 1977

re-establishing the levying of the customs duties on electrical capacitors, fixed or variable falling within heading No 85.18 originating in Singapore to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3021/76 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, having regard to that ceiling, the amounts for products originating in any one of the countries or territories listed in Annex B to that Regulation should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex A to that Regulation; whereas, for these products, this reduced percentage will be 20 %;

Whereas Article 2 (2) of that Regulation provides that the levying of customs duties may be re-established at

any time in respect of imports of the products in question originating in any of the said countries or territories, with the exception of those listed in Annex C to the same Regulation, once the relevant Community amount has been reached;

Whereas, in respect of electrical capacitors, fixed or variable, the ceiling, calculated as indicated above, should be 7 609 000 units of account, and therefore the maximum amount is 1 521 800 units of account; whereas on 29 June 1977, the amounts of imports into the Community of electrical capacitors, fixed or variable, originating in Singapore, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 3021/76 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Singapore,

HAS ADOPTED THIS REGULATION:

Article 1

As from 15 July 1977, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3021/76, shall be re-established in respect of the following products, imported into the Community and originating in Singapore:

CCT heading No	Description of goods
85.18	Electrical capacitors, fixed or variable

Article 2

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

⁽¹⁾ OJ No L 349, 20. 12. 1976, p. 23.

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

Done at Brussels, 8 July 1977.

For the Commission

Richard BURKE

Member of the Commission

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 27 June 1977

on scrutiny by Member States of transactions forming part of the system of financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund

(77/435/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas, under Article 8 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 2788/72 ⁽⁴⁾, Member States take the measures necessary to satisfy themselves that transactions financed by the European Agricultural Guidance and Guarantee Fund (EAGGF) are actually carried out and are executed correctly, to prevent and deal with irregularities and to recover sums lost as a result of irregularities or negligence ;

Whereas scrutiny of the commercial documents of undertakings receiving or making payments can be a very effective means of surveillance of transactions forming part of the system of financing by the Guarantee Section of the EAGGF and should there-

fore be applied throughout the Community ; whereas this scrutiny supplements other inspections already carried out by the Member States, particularly the direct inspection of transactions while they are being carried out and the scrutiny of book records of stock provided for in certain cases ; whereas, furthermore, national provisions relating to scrutiny which are more extensive than those provided for in this Directive are not affected by this Directive ;

Whereas the documents used as a basis for such scrutiny should be determined in such a way as to enable the activities in question of the undertakings to be fully scrutinized ;

Whereas it is for Member States to determine the frequency and scope of such scrutiny, particularly in the light of the nature of the transactions carried out under their responsibility and of the breakdown of the undertakings receiving or making payments according to their financial importance in the system of financing by the Guarantee Section of the EAGGF ;

Whereas, furthermore, it is necessary to provide for a minimum number of inspections of commercial documents ; whereas this number must be determined by a method which precludes substantial differences between the Member States by virtue of differences in the structure of their expenditure under the Guarantee

⁽¹⁾ OJ No C 133, 6. 6. 1977, p. 8.

⁽²⁾ OJ No C 56, 7. 3. 1977, p. 80.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁴⁾ OJ No L 295, 30. 12. 1972, p. 1.

Section of the EAGGF; whereas, according to the information available, this method may be based on the number of undertakings of a certain importance in the system of financing by the Guarantee Section of the EAGGF;

Whereas the scrutiny of particular book records of stock kept by the undertakings should, in appropriate cases, be supplemented by comparison with other information enabling their accuracy to be verified;

Whereas the powers of the officials responsible for scrutiny and the obligations on undertakings to make commercial documents available to such officials for a specified period and to supply such information as may be requested by them should be defined; whereas it should also be stipulated that commercial documents may be seized in certain cases;

Whereas it is necessary to organize cooperation among the Member States in order to take into account the international structure of agricultural trade;

Whereas information collected during the scrutiny of commercial documents must be protected by professional secrecy;

Whereas an exchange of information at Community level should be introduced so that the results of the implementation of this Directive may be used to the best advantage;

Whereas, pursuant to this Directive, certain Member States must introduce a new system of scrutiny entailing *inter alia* the training of a team of specialized inspectors; whereas provision should therefore be made for a transitional period during which the number of inspections may be more limited,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. This Directive relates to scrutiny of the commercial documents of undertakings receiving or making payments, hereinafter called 'undertakings', in order to ascertain that transactions forming part of the system of financing by the Guarantee Section of the EAGGF have actually been carried out and have been executed correctly.

2. For the purposes of this Directive 'commercial documents' means all the books, registers, vouchers and supporting documents, accounts and correspondence relating to the undertaking's business activity, in so far as these documents may be useful to the scrutiny referred to in paragraph 1.

Article 2

1. Member States shall carry out systematic scrutiny of the commercial documents of undertakings. The scope and frequency of such scrutiny shall be determined by the competent authorities of the Member States in the light of the nature of the transactions to be scrutinized. Member States shall ensure that the selection of undertakings for scrutiny is representative of the breakdown of undertakings according to their financial importance in the system of financing by the Guarantee Section of the EAGGF.

2. The systematic scrutiny referred to in paragraph 1 shall apply each year to a number of undertakings which may not be less than half the undertakings of which the receipts or payments, or the sum thereof, within the system of financing by the Guarantee Section of the EAGGF, amounted to more than 100 000 units of account in the year preceding that of the scrutiny.

3. The systematic scrutiny carried out pursuant to this Directive shall not prejudice the inspections undertaken pursuant to Article 6 of Regulation (EEC) No 283/72⁽¹⁾, and those undertaken pursuant to Article 9 of Regulation (EEC) No 729/70.

Article 3

Where undertakings are required to keep particular book records of stock in accordance with Community or national provisions, inspection of these records shall, in appropriate cases, include a comparison with the commercial documents and, where appropriate, the actual quantities in stock.

Article 4

Member States shall require undertakings to keep the commercial documents referred to in Articles 1 (2) and 3 for at least three calendar years, starting from the end of the calendar year in which they were drawn up.

Article 5

1. Member States shall take the measures needed in order to oblige those responsible for the undertakings to ensure that all commercial documents and additional information requested are supplied to the officials responsible for the scrutiny or to the persons empowered for this purpose.

2. Member States shall provide that the officials responsible for the scrutiny or the persons empowered for this purpose may require that extracts or copies of the documents referred to in paragraph 1 be supplied to them.

⁽¹⁾ OJ No L 36, 10. 2. 1972, p. 1.

Article 6

Member States shall take the measures needed in order to ensure national provisions relating to seizure of commercial documents apply in any case which might constitute an irregularity to the detriment of the EAGGF on the part of an undertaking undergoing scrutiny.

Article 7

Member States shall assist each other for the purposes of the scrutiny provided for in Articles 2 and 3 where an undertaking is established in a Member State other than that in which payment of the amount in question has or should have been made or received.

Article 8

1. Information collected in the course of scrutiny as provided for in this Directive shall be protected by professional secrecy. It may not be communicated to any persons other than those who, by reason of their duties in the Member States or in the Institutions of the Communities, are required to have knowledge thereof for the purposes of carrying out these duties.

2. This Article shall not prejudice national provisions relating to legal proceedings.

Article 9

1. Member States shall devote a special chapter of the reports to be drawn up pursuant to Article 4 (3) of

Regulation (EEC) No 729/70 to the application of this Directive.

2. The Member States and the Commission shall regularly review the application of this Directive.

Article 10

During the first two years following the year in which this Directive is implemented as provided for in Article 11, the systematic scrutiny provided for in Article 2 (1) may be confined to half the number of undertakings resulting from the application of Article 2 (2).

Article 11

Member States shall bring into force the provisions needed in order to comply with this Directive not later than 1 July 1979, and shall forthwith inform the Commission thereof.

Article 12

This Directive is addressed to the Member States.

Done at Luxembourg, 27 June 1977.

For the Council

The President

J. SILKIN

COUNCIL DIRECTIVE

of 27 June 1977

on the approximation of the laws of the Member States relating to coffee
extracts and chicory extracts

(77/436/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 100
thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parlia-
ment ⁽¹⁾,

Having regard to the opinion of the Economic and
Social Committee ⁽²⁾,

Whereas the provisions laid down by law, regulation
or administrative action in force in certain Member
States define coffee extracts and chicory extracts,
determine the substances which may be added during
the manufacture thereof and lay down specific rules
with regard to their labelling;

Whereas the differences existing between these
measures constitute a barrier to freedom of movement
of coffee extracts and chicory extracts, thus obliging
the undertakings engaged in the manufacture thereof
in the Community to differentiate their products
according to the Member State for which such
products are destined; whereas they have, thereby, a
direct bearing on the establishment and functioning
of the common market;

Whereas for these reasons and in order to protect and
inform consumers it is necessary to determine at
Community level the rules which must be observed
with regard to the composition of these products, the
substances which may be used in the manufacture
thereof, the packaging materials and the labelling
thereof and to lay down the conditions on which
specific designations may be used for certain of these
products;

Whereas, however, it is not possible in this Directive
to harmonize all those provisions applying to food-
stuffs which may impede trade in coffee extracts and
chicory extracts, although any obstacles that remain as
a result are bound to decrease as national provisions
relating to foodstuffs are increasingly harmonized;

Whereas the determination of the procedures relating
to the taking of samples and to the methods of

analysis necessary for checking the composition and
manufacturing characteristics of these products is an
implementing measure of a technical nature and the
adoption thereof should be assigned to the Commis-
sion with the aim of simplifying and accelerating the
procedure;

Whereas in all cases in which the Council confers on
the Commission the power to enforce the rules drawn
up in the field of foodstuffs, it is necessary to provide
for a procedure for setting up close cooperation
between the Member States and the Commission
within the Standing Committee on Foodstuffs esta-
blished by Decision 69/414/EEC ⁽³⁾,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. This Directive concerns the coffee extracts and
chicory extracts referred to in the Annex.

2. For the purposes of this Directive:

- (a) coffee extracts are the products in any concentra-
tion obtained by extraction from roasted coffee
using only water as the medium of extraction and
excluding any process of hydrolysis involving the
addition of an acid or a base and,
 - (i) containing the soluble and aromatic constitu-
ents of coffee,
 - (ii) which may contain insoluble oils derived from
coffee, traces of other insoluble substances
derived from coffee and insoluble substances
not derived from coffee or from the water used
for extraction;
- (b) chicory extracts are the products in any concentra-
tion obtained by extraction from roasted chicory
using only water as the medium of extraction and
excluding any process of hydrolysis involving the
addition of an acid or a base.

For the purposes of this Directive chicory is the
product in granular or powder form obtained from
roots of *Chicorium Intybus* L., not used for the
production of witloof chicory, suitably cleaned,

⁽¹⁾ OJ No C 83, 11. 10. 1973, p. 19.

⁽²⁾ OJ No C 37, 1. 4. 1974, p. 1.

⁽³⁾ OJ No L 291, 19. 11. 1969, p. 9.

dried and roasted whether or not containing small quantities of added nutrient oils or fats and/or sugars and/or molasses; they may contain traces of insoluble substances not derived from chicory.

Article 2

1. Member States shall take all measures necessary to ensure that the products listed in the Annex may be offered for sale only if they comply with the definitions and rules laid down in this Directive and its Annex.

2. Blends of coffee extracts and chicory extracts and extracts of blends of roasted coffee and roasted chicory may be offered for sale only if:

- these products comply *mutatis mutandis* with the definitions laid down in the Annex, and
- should they be in solid or paste form, they comply with Article 4.

Article 3

1. Only raw materials which are sound, genuine and of merchantable quality may be used in the manufacture of the products referred to in the Annex.

2. Acting on a proposal from the Commission, the Council shall:

- determine the list of and criteria of purity for solvents which may be used for the decaffeination of the products referred to in paragraph 1 of the Annex, as well as the maximum levels for residues from the said solvents,
- fix the maximum level for insoluble substances for the products referred to in paragraph 1 of the Annex.

3. Member States may authorize within their territory the use of anti-caking agents:

- for the products referred to in paragraph 1 (a) of the Annex when they are used in vending machines and specifically labelled as such,
- for the products referred to in paragraph 2 (a) of the Annex.

Article 4

1. Products in solid or in paste form referred to in the Annex, when put up in individual packages of a nominal weight of more than 25 g but not exceeding 10 kg, shall be offered for retail sale in packages of the following nominal weights only: 50 g, 100 g, 200 g, 250 g, 500 g, 750 g, 1 kg, 1.5 kg, 2 kg, 2.5 kg, 3 kg and multiples of a kilogram.

2. Member States may, however, in their own territory:

- prohibit individual packages of a nominal weight of 250 g, provided that they permit those of a nominal weight of 300 g,
- permit individual packages of a nominal weight of 150 g for a transitional period of four years from the notification of this Directive.

Article 5

The descriptions set out in the Annex shall apply only to the products referred to therein and must be used in trade to describe those products.

Article 6

1. The only information which is compulsory on the packages, containers or labels of the products referred to in the Annex, and which must be conspicuous, clearly legible and indelible, shall be the following:

- (a) the description applied exclusively to them in accordance with Article 5;
- (b) the term 'decaffeinated' for coffee extracts, provided that the anhydrous caffeine content of the extract in question does not exceed 0.3 % by weight of its coffee-based dry matter content;
- (c) without prejudice to Community provisions on the labelling of foodstuffs, for the products referred to in the Annex, paragraph 1 (c) and paragraph 2 (c), the terms 'roasted with sugars' or 'preserved with sugars', if need be and as appropriate, on the understanding that, if a single type of sugars is used, it is referred to by name;
- (d) — for products in solid or paste form, the nominal weight expressed in kilograms or grams, save where the products referred to in paragraph 1 (a) and (b) of the Annex, weigh less than 5 g and those referred to in paragraph 2 (a) and (b) of the Annex, weigh less than 8 g,
 - for liquid products, the nominal volume expressed in litres, centilitres or millilitres,
 - in the case of products put up in packages consisting of two or more individual packages each containing the same nominal quantity of the same product, the nominal quantity contained in each individual package and the total number of such packages. These indications shall not, however, be compulsory where the total number of individual packages can be clearly seen and easily counted from the outside and where at least one indication of the nominal quantity contained in each individual package can be clearly seen from the outside,

- in the case of products put up in packages consisting of two or more individual packages which are not regarded as units of sale, the total nominal quantity and the total number of individual packages ;
- (e) the name or trade name and the address or registered office of the manufacturer or packer, or of a vendor established in the Community.

2. Pending entry into force of the Community provisions for the measurement and indication of the nominal weight or the nominal volume, the relevant national provisions shall apply.

Until the expiry of the transitional period during which the use of the imperial units of measurement listed in Chapter D of the Annex to Directive 71/354/EEC⁽¹⁾, as last amended by Directive 76/770/EEC⁽²⁾, is authorized in the Community, the indication of the nominal weight or nominal volume of the contents expressed in units of measurement of the international system shall, if Ireland or the United Kingdom so desire for products marketed in their national territories, be accompanied by an indication of the nominal weight or nominal volume of the contents expressed in the equivalent imperial units of measurement calculated on the basis of the following conversion table :

- 1 g = 0.0353 ounce (avoirdupois),
- 1 ml = 0.0352 fluid ounce,
- 1 kg = 2.205 pounds,
- 1 l = 1.760 pints or 0.220 gallon.

3. By way of derogation from paragraph 1, the Member States may :

- (a) permit use of the term 'concentrated' only in the description of the products referred to in paragraph 1 (c) of the Annex which meet the following additional requirements: the coffee-based dry matter content is more than 25 % but not more than 55 % by weight and, in relation to the finished product, the coffee-based dry matter content multiplied by the quantity of raw coffee used to obtain 0.960 kg of coffee-based dry matter is not less than 1 ;
- (b) require, for the products referred to in paragraph 1 (b) and (c) of the Annex, an indication of :
 - either the minimum coffee-based dry matter content expressed as a percentage of the finished product,
 - or the weight of raw coffee used to obtain 1 kg of the finished product in paste form or 1 l of the finished product in liquid form ;

- (c) require that, in the case of the particulars provided for under paragraph 1 (c), the word 'sugars' be replaced by a list of the names of the various types of sugars used ;
- (d) retain national provisions which require the indication of :
 - the list of ingredients,
 - the manufacturing or packaging establishment, as regards national production,
 - the country of origin, although this information need not be required for products manufactured within the Community.

4. Without prejudice to Directive 76/211/EEC⁽³⁾, if the products referred to in the Annex are packed in containers the contents of which weigh 5 kg or more and are not offered for retail sale, the particulars referred to in paragraph 1 (c) and (d) need appear only on the accompanying documents.

5. Without prejudice to Directive 76/211/EEC Member States shall refrain from laying down rules other than those in paragraph 1 regarding the way in which the information referred to in that paragraph is to be given.

However, Member States may forbid trade in their territory in the products listed in the Annex if the particulars provided for in paragraph 1 (a), (b) and (c) are not shown in the national or official language or languages on the container or label or, in the case referred to in paragraph 4, on the accompanying documents.

Article 7

1. Member States shall adopt all the Measures necessary to ensure that trade in the products defined in Article 1 which comply with the definitions and rules laid down by this Directive, cannot be impeded by the application of non-harmonized national provisions governing the composition, manufacturing specifications, packaging or labelling of these products in particular, or of foodstuffs in general.

2. Paragraph 1 shall not apply to non-harmonized provisions justified on grounds of :

- protection of public health,
- repression of frauds, unless such provisions are liable to impede the application of the definitions and rules laid down by this Directive,
- protection of industrial and commercial property, indications of source, applications of origin and the repression of unfair competition.

⁽¹⁾ OJ No L 243, 29. 10. 1971, p. 29.

⁽²⁾ OJ No L 262, 27. 9. 1976, p. 204.

⁽³⁾ OJ No L 46, 21. 2. 1976, p. 1.

Article 8

The sampling procedures and methods of analysis necessary to verify the composition and manufacturing specifications of products falling within the scope of this Directive shall be determined in accordance with the procedure laid down in Article 9.

Article 9

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred to the Standing Committee on Foodstuffs set up by Decision 69/414/EEC, hereinafter called 'the Committee', by its Chairman, either on his own initiative or at the request of a representative of a Member State.

2. The Commission representative shall submit to the Committee a draft of the measures to be taken. The Committee shall give its opinion on that draft within a time limit set by the Chairman having regard to the urgency of the matter. Opinions shall be delivered by a majority of 41 votes, the votes of the Member States being weighted as provided in Article 148 (2) of the Treaty. The Chairman shall not vote.

3. (a) Where the measures envisaged are in accordance with the opinion of the Committee, the Commission shall adopt them.

(b) Where the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal on the measures to be taken. The Council shall act by a qualified majority.

(c) If within three months of the proposal being submitted to it the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 10

Article 9 shall apply for 18 months from the date on which the matter is first referred to the Committee pursuant to Article 9 (1).

Article 11

This Directive shall not apply to products intended for export outside the Community.

Article 12

1. Member States shall, within a period of one year following notification of this Directive, amend their laws in accordance with this Directive and shall immediately inform the Commission thereof.

The laws thus amended shall be applied in such a way as to :

- permit trade in those products which comply with this Directive, two years after notification,
- prohibit trade in those products which do not comply with this Directive, three years after notification ; this period shall be extended, for Ireland and the United Kingdom, as regards Article 4, until the expiry of the transitional period during which the use of the imperial units of measurement listed in Chapter D of the Annex to Directive 71/354/EEC, is authorized in the Community.

2. Paragraph 1 shall not prevent Member States from prohibiting the manufacture of products which do not comply with this Directive, two years after notification.

Article 13

This Directive is addressed to the Member States.

Done at Luxembourg, 27 June 1977.

For the Council

The President

J. SILKIN

ANNEX

DESCRIPTIONS AND DEFINITIONS OF THE PRODUCTS

1. Coffee extracts to which this Directive applies :

(a) *'soluble coffee', 'instant coffee', 'dried coffee extract' or 'dried extract of coffee':*

means coffee extract in powder, granular, flake, cube or other solid form, of which the coffee-based dry matter content is not less than 96 % by weight and which is obtained by using for its manufacture a quantity of raw coffee of at least 2.3 kg per 1 kg of finished product.

This product may not contain any substances other than those derived from its extraction.

(b) *'coffee extract paste'*

means coffee extract, in paste form, of which the coffee-based dry matter content is not more than 85 % and not less than 70 % by weight and which is obtained by using for its manufacture a quantity of raw coffee of at least 2.3 kg per 0.960 kg of coffee-based dry matter in the finished product.

This product may not contain any substances other than those derived from its extraction.

(c) *'liquid coffee extract'*

means coffee extract in liquid form, of which the coffee-based dry matter content is not more than 55 % and not less than 15 % by weight and which is obtained by using for its manufacture a quantity of raw coffee of at least 2.3 kg per 0.960 kg of coffee-based dry matter in the finished product.

This product may not contain any substances other than those derived from its extraction. However, it may contain edible sugars, whether or not roasted, in a proportion not exceeding 12 % by weight.

2. Chicory extracts to which this Directive applies :

(a) *'dried chicory extract' or 'soluble chicory' or 'instant chicory':*

means chicory extract in powder, granular, flake, cube or other solid form, the chicory-based dry matter content of which is not less than 96 % by weight.

This product may not contain any substances other than those derived from its extraction. Substances which are not derived from chicory may not exceed 1 %.

(b) *'chicory extract paste'*

means chicory extract in paste form, of which the chicory-based dry matter content is not more than 85 % and not less than 70 % by weight.

This product may not contain any substances other than those derived from its extraction. Substances which are not derived from chicory may not exceed 1 %.

(c) *'liquid chicory extract'*

means chicory extract in liquid form, of which the chicory-based dry matter content is less than 50 % and not less than 16 % by weight.

This product may not contain any substances other than those derived from its extraction. It may, however, contain sugars in a proportion not exceeding 25 % by weight.
