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I Acts whose publication is obligatory

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NOTICE TO READERS

As from 1 January 1978 a Supplement to the *Official Journal of the European Communities* will be published.

This Supplement will appear daily and will contain public works contracts notices and invitations to tender of the European Development Fund (EDF), which until now have been published in edition C of the Official Journal. At a later date public supplies contracts notices will also be published in this new Supplement.

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2499/77**of 14 November 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 1386/77⁽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 1729/77⁽³⁾ and subsequent amending
Regulations ;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 1729/77 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 15
November 1977.

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

Done at Brussels, 14 November 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 158, 29. 6. 1977, p. 1.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 5.

ANNEX

to the Commission Regulation of 14 November 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	79.84
10.01 B	Durum wheat	118.77 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	65.56 ⁽⁶⁾
10.03	Barley	69.54
10.04	Oats	57.95
10.05 B	Maize, other than hybrid maize for sowing	72.96 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	53.93 ⁽⁴⁾
10.07 C	Grain sorghum	70.54 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	122.97
11.01 B	Rye flour	102.97
11.02 A I a)	Durum wheat groats and meal	194.97
11.02 A I b)	Common wheat groats and meal	132.28

⁽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 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 2501/77**of 14 November 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 1386/77 ⁽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
1730/77 ⁽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 15
November 1977.

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

Done at Brussels, 14 November 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 158, 29. 6. 1977, p. 1.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 7.

ANNEX

to the Commission Regulation of 14 November 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 11	1st period 12	2nd period 1	3rd period 2
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	0.72	0.72	3.61
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 11	1st period 12	2nd period 1	3rd period 2	4th period 3
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 2502/77
of 14 November 1977
fixing the import levies on milk and milk products

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 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 1855/77⁽³⁾, as last
amended by Regulation (EEC) No 2369/77⁽⁴⁾;

Whereas it follows from applying the rules contained
in Regulation (EEC) No 1855/77 to the prices known

to the Commission that the levies at present in force
should be altered as shown in the Annex to this Regu-
lation,

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 14 (2) of Regulation
(EEC) No 804/68 are hereby fixed as shown in the
Annex.

Article 2

This Regulation shall enter into force on 16
November 1977.

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

Done at Brussels, 14 November 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 207, 13. 8. 1977, p. 5.

⁽⁴⁾ OJ No L 277, 29. 10. 1977, p. 13.

ANNEX

to the Commission Regulation of 14 November 1977 fixing the import levies on milk and milk products

(u.a./100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.01 A I a)	0110	21.25
04.01 A I b)	0120	19.25
04.01 A II a) 1	0130	19.25
04.01 A II a) 2	0140	23.62
04.01 A II b) 1	0150	18.25
04.01 A II b) 2	0160	22.62
04.01 B I	0200	47.69
04.01 B II	0300	100.88
04.01 B II ₁	0400	155.90
04.02 A I	0500	15.30
04.02 A II a) 1	0620	93.25
04.02 A II a) 2	0720	121.60
04.02 A II a) 3	0820	123.60
04.02 A II a) 4	0920	135.32
04.02 A II b) 1	1020	87.25
04.02 A II b) 2	1120	115.60
04.02 A II b) 3	1220	117.60
04.02 A II b) 4	1320	129.32
04.02 A III a) 1	1420	20.76
04.02 A III a) 2	1520	28.03
04.02 A III b) 1	1620	100.88
04.02 A III b) 2	1720	155.90
04.02 B I a)	1820	30.00
04.02 B I b) 1 aa)	2220	per kg 0.8725 ⁽⁹⁾
04.02 B I b) 1 bb)	2320	per kg 1.1560 ⁽⁹⁾
04.02 B I b) 1 cc)	2420	per kg 1.2932 ⁽⁹⁾
04.02 B I b) 2 aa)	2520	per kg 0.8725 ⁽¹⁰⁾
04.02 B I b) 2 bb)	2620	per kg 1.1560 ⁽¹⁰⁾
04.02 B I b) 2 cc)	2720	per kg 1.2932 ⁽¹⁰⁾
04.02 B II a)	2810	33.26
04.02 B II b) 1	2910	per kg 1.0088 ⁽¹⁰⁾
04.02 B II b) 2	3010	per kg 1.5590 ⁽¹⁰⁾
04.03 A	3110	183.41
04.03 B	3210	223.76
04.04 A I a) 1	3321	15.00
04.04 A I a) 2	3420	131.31 ⁽¹¹⁾
04.04 A I b) 1 aa)	3521	15.00
04.04 A I b) 1 bb)	3619	131.31 ⁽¹¹⁾
04.04 A I b) 2	3719	131.31 ⁽¹¹⁾
04.04 A II	3800	131.31
04.04 B	3900	135.69 ⁽¹²⁾
04.04 C	4000	127.81
04.04 D I	4120	30.00
04.04 D II a) 1	4410	128.92
04.04 D II a) 2	4510	136.33
04.04 D II b)	4610	218.33
04.04 E I a)	4710	135.69
04.04 E I b) 1 aa)	4824	15.00
04.04 E I b) 1 bb)	4850	168.11

CCT heading No	Code	Import levy
04.04 E I b) 2 aa)	4922	137·19 ⁽¹³⁾
04.04 E I b) 2 bb)	5022	137·19 ⁽¹⁴⁾
04.04 E I b) 3	5030	137·19 ⁽¹⁵⁾
04.04 E I b) 4	5060	137·19 ⁽¹⁵⁾
04.04 E I b) 5	5120	137·19
04.04 E I c) 1	5210	102·89
04.04 E I c) 2	5250	217·19
04.04 E II a)	5310	135·69
04.04 E II b)	5410	217·19
17.02 A II ⁽¹⁶⁾	5500	18·95
17.05 A	5600	18·95
23.07 B I a) 3	5700	67·44
23.07 B I a) 4	5800	87·51
23.07 B I b) 3	5900	81·83
23.07 B I c) 3	6000	67·13
23.07 B II	6100	87·51

For notes ⁽¹⁾ to ⁽⁸⁾, see notes ⁽¹⁾ to ⁽⁸⁾ of Council Regulation (EEC) No 823/68 (OJ No L 151, 30. 6. 1968).

⁽⁹⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
b) 6 u.a. ; and
c) 13·13 u.a.

⁽¹⁰⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
and
o) 13·13 u.a.

⁽¹¹⁾ The levy is limited to 7·50 u.a. per 100 kg net weight.

⁽¹²⁾ The levy is limited to 6% of the value for customs purposes.

⁽¹³⁾ The levy is limited to 49·75 u.a. per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁴⁾ The levy is limited to 69·75 u.a. per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁵⁾ The levy is limited to 69·75 u.a. per 100 kg net weight for imports from Bulgaria, Hungary, Romania and Turkey (Regulation (EEC) No 1054/68 as amended).

⁽¹⁶⁾ Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.

NB : For the purposes of heading No 04.04, the exchange rate to be applied in converting into national currencies the unit of account referred to in the subdivisions of this heading shall, notwithstanding general rule C 3 contained in Part I, Section I of the Common Customs Tariff be the representative rate, if such a rate is fixed pursuant 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 agricultural policy (OJ No 106, 30. 10. 1962, p. 2553/62).

COMMISSION REGULATION (EEC) No 2503/77

of 8 November 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 organizations under the 1976 programme⁽³⁾, as amended by Regulation (EEC) No 2017/76⁽⁴⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 1766/77 of 25 July 1977 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1977 programme⁽⁵⁾, and in particular Article 6 thereof,

Whereas, under the food aid programmes adopted by the Council Regulation specified in the Annex, certain beneficiary organizations have 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⁽⁶⁾ ; 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 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 November 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 192, 30. 7. 1977, p. 1.

⁽⁶⁾ OJ No L 43, 15. 2. 1977, p. 1.

ANNEX (1)

Consignment	A	B	C	D
1. Application of Council Regulations : (a) legal basis (b) affectation	(EEC) No 1617/77	(EEC) No 1618/77	(EEC) No 1298/76 (EEC) No 1617/77	714 tonnes : (EEC) No 1617/77 286 tonnes : (EEC) No 1618/77
2. Beneficiary		Catholic Relief Service		
3. Country of destination		Chile		
4. Total quantity of the consignment	225 tonnes	1 500 tonnes ⁽²⁾	275 tonnes	1 000 tonnes ⁽²⁾
5. Intervention agency responsible for delivery		will result from the procedure referred to in point 12		
6. Origin of the skimmed-milk powder		bought on the Community market		
7. Special characteristics and/or packaging ⁽²⁾		{ Vitamin A content : 5 000 i.u. per 100 g minimum Vitamin D content : 500 i.u. per 100 g minimum Date of manufacture clearly indicated on the bags		
8. Markings on the packaging		'Leche en polvo vitaminada / Donación de la Comunidad Económica Europea para Cathwel Chile / Destinada a la distribución gratuita'		
9. Delivery period		loading at the latest by 15 February 1978		
10. Stage and place of delivery	Coquimbo	port of unloading (deposited on the quay or on lighters) Valparaíso	Talcahuano	
11. Representative of the beneficiary responsible for reception		Caritas Chile, c/o Catholic Relief Services, Casilla 14623, Correo 21, Santiago — Chile		
12. Procedure to be applied to determine the costs of supply		tender		
13. In case of invitation to tender : expiry of the time limit for submission of tenders :		12 noon on 28 November 1977		

Consignment	E	F
1. Application of Council Regulations : (a) legal basis (b) affectation	(EEC) No 1766/77 (EEC) No 1767/77	
2. Beneficiary	ICRC	
3. Country of destination	Nicaragua	People's Democratic Republic of Yemen
4. Total quantity of the consignment	50 tonnes	100 tonnes
5. Intervention agency responsible for delivery	Irish	Belgian
6. Origin of the skimmed-milk powder		
7. Special characteristics and/or packaging ⁽²⁾		
8. Markings on the packaging	bought on the Community market Vitamin A content : 5 000 i.u. per 100 g minimum Vitamin D content : 500 i.u. per 100 g minimum Date of manufacture clearly indicated on the bags a red cross 10 x 10 cm and, in letters at least one centimetre high, the following marking : 'Leche desnatada en polvo / con vitaminas A (5 000 UI/100 gr) y D (500 UI/100 gr) / Donacion de la Comunidad Economica Europea / Accion del Comite Internacional de la Cruz Roja / destinado a la distribucion gratuita'	
9. Delivery period	loading at the latest by 10 January 1978	
10. Stage and place of delivery	port of unloading (deposited on the quay or on lighters) : Puerto Cabezas Cruz Roja Nicaraguense, Apartado 3279, Managua D.N.	Aden
11. Representative of the beneficiary responsible for reception		Red Crescent Society of the People's Democratic Republic of Yemen, P.O.B. 4425, Crater, Aden.
12. Procedure to be applied to determine the costs of supply	mutual agreement	
13. In case of invitation to tender : expiry of the time limit for submission of tenders :	—	—

Notes

- (¹) This Annex, together with the notice published in OJ No C 95, 19. 4. 1977, p. 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) Other than those set out in the Annex to Regulation (EEC) No 1108/68 ; see Article 6 (2) of Regulation (EEC) No 303/77.
- (³) In cases where the total quantity of a lot is a multiple of 500 tonnes, the tender submitted may relate to a partial quantity of 500 tonnes or to a multiple of 500 tonnes ; see Article 14 (2) of Regulation (EEC) No 303/77.
-

COMMISSION REGULATION (EEC) No 2504/77
of 8 November 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 1768/77 of 25 July 1977 laying down general rules for the supply of milk fats under the 1977 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 Catholic Relief Service 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 as set out in the Annex shall deliver butteroil as food aid on the special conditions 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 November 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 192, 30. 7. 1977, p. 5.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1.

ANNEX (1)

Consignment	A	B	C	D	E
1. Application of Council Regulations : (a) legal basis (b) affectation			(EEC) No 1768/77 (EEC) No 1619/77		
2. Beneficiary			Catholic Relief Service		
3. Country of destination			Chile		
4. Total quantity of the consignment	150 tonnes	500 tonnes	350 tonnes	500 tonnes	500 tonnes
5. Intervention agency responsible for delivery			German		Dutch
6. Origin of the butteroil			to be manufactured from intervention butter (2)		
7. Special characteristics and/or packaging (3)			in 5 kg canisters, coated internally with food can varnish or having undergone treatment giving equivalent guarantees		
8. Markings on the packaging			'Butteroil / Donación de la Comunidad Económica Europea para Cathwel Chile / Destinado a la distribución gratuita'		
9. Delivery period			loading at the latest 15 February 1978		
10. Stage and place of delivery	Coquimbo		Talcahuano		Valparaíso
11. Representative of the beneficiary responsible for reception			Caritas Chile, c/o Catholic Relief Services, Casilla 14623, Correo 21, Santiago — Chile		
12. Procedure to be applied to determine the costs of supply			tender		
13. Expiry of the time limit for submission of tenders :			at 12 noon on 28 November 1977		

Notes

- (1) This Annex, together with the notice published in OJ No C 95, 19. 4. 1977, p. 7, takes the place of an invitation to tender from the intervention agencies concerned.
 - (2) In cases where the goods come from intervention stocks, an additional notice stating the warehouses where the product is stored will be published in the *Official Journal of the European Communities*, C edition.
 - (3) Other than those set out in Annex II to Regulation (EEC) No 303/77.
-

COMMISSION REGULATION (EEC) No 2505/77

of 14 November 1977

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the third paragraph of Article 12(1) of Commission Regulation (EEC) No 1380/75 of 29 May 1975 laying down detailed rules for the application of monetary compensatory amounts⁽³⁾, as last amended by Regulation (EEC) No 1556/77⁽⁴⁾, lays down in particular that, if a product is exported from one Member State to another Member State and subsequently re-exported to a non-member country, the compensatory amount is not to be applied on exit from the re-exporting Member State unless it was applied on entry into that Member State; whereas this provision has the effect of not applying a monetary compensatory amount in the case of a transaction with a non-member country as a result of the non-application of a monetary compensatory amount in the case of an intra-Community transaction;

Whereas the compensatory amounts in trade with non-member countries comprise two elements namely, on the one hand, the amounts applicable in intra-Community trade and, on the other, the monetary co-efficient specified in Article 4(3) of Regulation (EEC) No 1380/75;

Whereas, in consequence of the provisions of Regulation (EEC) No 1380/75 referred to above, this difference in the economic incidence of the compensatory amounts is not taken into consideration; whereas this is liable to create an unjustified advantage for certain trade flows; whereas this situation occurs particularly where a commodity is exported from one Member State to another Member State with a strong currency

and is then re-exported from that Member State to non-member countries and qualifies for refunds without having been subject to monetary compensatory amounts in the Member State of re-exportation; whereas the existing provisions should be amended in order to place all trade flows on an equal footing; whereas, to this end, it is appropriate to lay down that in the Member State of re-exportation the monetary compensatory amounts are to be applied on re-exportation solely in the form of the monetary coefficient, which reflects the difference between the intra-Community compensatory amount and the non-member country compensatory amount, since the amounts not applied at the import and export stages cancel each other out;

Whereas the Dutch version of the second subparagraph of Article 10(1) of Regulation (EEC) No 1380/75 does not tally with the other language versions; whereas the Dutch version should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The third subparagraph of Article 12(1) of Regulation (EEC) No 1380/75 is replaced by third and fourth subparagraphs as follows:

'If a product is exported from one Member State to another Member State and subsequently re-exported to another Member State, the compensatory amount shall not be applied on exit from the re-exporting Member State unless it was applied on entry into that Member State or if the option provided for in Article 2a of Regulation (EEC) No 974/71 was exercised on behalf of that State.

If a product is exported from one Member State to another Member State and subsequently re-exported to a non-member country, and if the

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 1.

⁽³⁾ OJ No L 139, 30. 5. 1975, p. 37.

⁽⁴⁾ OJ No L 173, 13. 7. 1977, p. 10.

compensatory amount was not applied on entry into the re-exporting Member State or if the option provided for in Article 2a of Regulation (EEC) No 974/71 was not exercised on behalf of that State, the export refunds and export levies shall be multiplied in the re-exporting Member State by the coefficient as specified in Article 4 (3) applicable in that Member State. In such case the compensatory amount given for the product in question in Annex I to the Regulation fixing the monetary compensatory amounts shall not be applied on exit from the re-exporting Member State.'

Article 2

With effect from 16 April 1977, in the Dutch version of the second subparagraph of Article 10 (1) of Regulation (EEC) No 1380/75 the words 'naar een buiten het geografisch' are replaced by 'naar een op het geografisch'.

Article 3

This Regulation shall enter into force on the fifteenth 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, 14 November 1977.

For the Commission

Finn GUNDELACH

Vice-President
