

Official Journal

of the European Communities

ISSN 0378-6978

L 173

Volume 21

29 June 1978

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ Council Regulation (EEC) No 1438/78 of 19 June 1978 extending the period of validity of Regulation (EEC) No 1267/69 laying down special provisions applicable to the importation into the Community from Greece of goods covered by Regulation (EEC) No 1059/69 1
- ★ Council Regulation (EEC) No 1439/78 of 19 June 1978 on direct cooperation between the bodies designated by Member States to verify compliance with Community and national provisions in the wine sector 2
- ★ Council Regulation (EEC) No 1440/78 of 20 June 1978 amending for the fourth time Regulation (EEC) No 2453/76 on the transfer to the Italian intervention agency of frozen beef and veal held by the intervention agencies of other Member States 6
- ★ Council Regulation (EEC) No 1441/78 of 26 June 1978 laying down general rules for the supply of milk fats to India under the 1978 food-aid programme 7
- ★ Council Regulation (EEC) No 1442/78 of 26 June 1978 laying down general rules for the supply of skimmed-milk powder to India under the 1978 food-aid programme 9
- Commission Regulation (EEC) No 1443/78 of 28 June 1978 fixing the import levies on cereals and on wheat or rye flour, groats and meal 11
- Commission Regulation (EEC) No 1444/78 of 28 June 1978 fixing the premiums to be added to the import levies on cereals, flour and malt 13
- Commission Regulation (EEC) No 1445/78 of 28 June 1978 fixing the import levies on rice and broken rice 15
- Commission Regulation (EEC) No 1446/78 of 28 June 1978 fixing the premiums to be added to the import levies on rice and broken rice 17

Contents (continued)

Commission Regulation (EEC) No 1447/78 of 28 June 1978 fixing the import levies on products processed from cereals and rice	19
Commission Regulation (EEC) No 1448/78 of 28 June 1978 fixing the import levies on compound feedingstuffs	23
★ Commission Regulation (EEC) No 1449/78 of 28 June 1978 repealing Regulation (EEC) No 1213/78 on the non-application of protective measures applicable to imports of preserved mushrooms	25
Commission Regulation (EEC) No 1450/78 of 28 June 1978 altering the import levies on products processed from cereals and rice	26
Commission Regulation (EEC) No 1451/78 of 28 June 1978 fixing the refunds on white sugar and raw sugar exported in the natural state	28

II *Acts whose publication is not obligatory*

Council

★ Opinion regarding the date of entry into force of the Act concerning the election of the representatives of the Assembly by direct universal suffrage, adopted by the Council Decision of 20 September 1976	30
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Corrigenda

★ Corrigendum to Commission Regulation (EEC) No 1102/78 of 25 May 1978 adopting protective measures applicable to imports of preserved mushrooms (OJ No L 139, 26. 5. 1978)	31
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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1438/78
of 19 June 1978

extending the period of validity of Regulation (EEC) No 1267/69 laying down special provisions applicable to the importation into the Community from Greece of goods covered by Regulation (EEC) No 1059/69

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 152/78⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Whereas the Council, by Regulation (EEC) No 1267/69⁽³⁾, as last amended by Regulation (EEC) No 1387/77⁽⁴⁾, laid down the special provisions applicable to the importation into the Community from

Greece of goods covered by Regulation (EEC) No 1059/69; whereas these provisional arrangements are due to expire on 30 June 1978;

Whereas the period of validity of Regulation (EEC) No 1267/69 should be extended,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 3 (2) of Regulation (EEC) No 1267/69, '30 June 1978' shall be replaced by '30 June 1979'.

Article 2

This Regulation shall enter into force on 1 July 1978.

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

Done at Luxembourg, 19 June 1978.

For the Council

The President

P. DALSAGER

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 23, 28. 1. 1978, p. 1.

⁽³⁾ OJ No L 161, 3. 7. 1969, p. 1.

⁽⁴⁾ OJ No L 158, 29. 6. 1977, p. 2.

COUNCIL REGULATION (EEC) No 1439/78**of 19 June 1978****on direct cooperation between the bodies designated by Member States to verify compliance with Community and national provisions in the wine sector**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 2560/77 ⁽²⁾, and in particular Article 39a (2) thereof,

Having regard to the proposal from the Commission,

Whereas, under Article 39a (2) of Regulation (EEC) No 816/70, the necessary measures should be taken to ensure uniform application of Community provisions in the wine sector, particularly as regards controls; whereas this aim can only be achieved by means of direct cooperation between the bodies designated by the Member States to verify compliance with the provisions in the wine sector, as provided for in paragraph 1 of the said Article; whereas rules should be adopted for contacts between those bodies, stipulating the subjects which may form part of such cooperation;

Whereas the Member State on whose territory it is officially established that a product referred to in Article 1 (2) of Regulation (EEC) No 816/70 complies neither with the Community wine provisions nor the national provisions adopted pursuant to the former should, of its own accord, inform the competent body of the Member State from whose geographical territory the product comes and, if it does not originate there, the competent body of the Member State of origin, if non-compliance could be of specific interest to one or more of the other Member States and would be of a nature to give rise to administrative measures or judicial proceedings; whereas in order to stop the marketing of any product which does not comply with the provisions in force throughout the Community, provision should be made for the competent bodies of all Member States concerned to be informed;

Whereas an exchange of any relevant information should be established between Member States so as to render more effective the investigation of any infringements of the wine provisions; whereas, in this

context, provision should be made for requesting the assistance of a qualified expert and for cooperation between the competent bodies of the various Member States, particularly if other measures have not made it possible to establish that the product in question complies with the wine provisions;

Whereas, with a view to introducing a simple procedure for this cooperation, provision should be made for regular checks on the genuineness of entries on accompanying documents and in turnover records; whereas for the same purpose it should be possible to send samples for analysis or organoleptic examination directly to the laboratories entitled to perform this task; whereas it is therefore necessary to ensure cooperation between the laboratory to which the samples have been sent and the competent body of the Member State concerned;

Whereas, in this same context, it should be laid down that, where the Commission has reasonable cause for suspecting that irregularities have occurred in connection with the production and marketing of one of the products referred to above, it shall inform the competent body of the Member State concerned and request it to conduct an administrative inquiry; whereas, for the purposes of efficient coordination of cooperation between the competent bodies of the various Member States, duly authorized Commission agents should be able to obtain particulars of an administrative nature of such an inquiry from the competent bodies of a Member State;

Whereas, in an effort to expedite the investigation of fraud, the body to which a request is addressed in the context of cooperation between the competent bodies of the various Member States should take action thereon as quickly as possible;

Whereas under Article 39a of Regulation (EEC) No 816/70 Member States must take the necessary measures to ensure compliance with Community provisions; whereas, however, it is not inconceivable that, in certain particular cases, a Member State may, for reasons of fact or of law, be unable to take action on all or part of a request addressed to it; whereas, in order that cooperation may not be jeopardized by cases of this nature, the reasons for such an attitude should be given;

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

Whereas, in order to avert the possibility of information being disclosed to non-authorized persons, it is necessary that it be covered by professional secrecy;

Whereas, in order to ensure that the cooperation referred to in this Regulation is effective, the proceedings of the Management Committee for Wine should include a regular discussion between representatives of the competent bodies of all the Member States; whereas this discussion should on the one hand deal with current questions relating to established or suspected infringements of the provisions concerned and on the other hand help to ensure the uniform application of those provisions throughout the Community;

Whereas certain provisions of this Regulation concerning direct cooperation between the competent bodies of the various Member States necessitate the drawing up of the detailed rules for its implementation,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down measures regarding the relations which the bodies (hereinafter called 'competent bodies') designated by Member States to verify compliance with Community provisions in the wine sector shall maintain between themselves and with the Commission for the prevention and investigation of any infringement of the said Community provisions and national provisions adopted pursuant thereto (hereinafter called 'wine provisions').

2. This Regulation shall not affect the application in the Member States of regulations relating to mutual assistance in criminal matters, mutual assistance in customs matters, or tax regulations.

Article 2

1. Where the competent body of a Member State in whose geographical territory one of the products referred to in Article 1 (2) of Regulation (EEC) No 816/70 is found establishes that:

- the product does not comply with the wine provisions, and
- this non-compliance is of specific interest to one or more Member States and is of a nature to give rise to administrative measures or judicial proceedings,

it shall inform:

- (a) the competent body of the Member State from whose geographical territory the product comes

and, if it does not originate there, the competent body of the Member State of origin;

- (b) the competent body of any Member State concerned, should the description or presentation of the product be such as to mislead the consumer.

The competent body of any Member State concerned shall investigate whether batches of the product concerned were sent from its territory to other Member States, in which case it shall provide the competent bodies of those Member States with all relevant information.

2. The information referred to in paragraph 1 shall be accompanied by the relevant documentary or other evidence as well as by an indication of any administrative measures or judicial proceedings and shall concern in particular:

- the composition and organoleptic characteristics,
- the description and presentation,
- compliance with the rules prescribed for the preparation and marketing,

of the product in question.

Article 3

The competent body of the Member State in whose geographical territory one of the products referred to in Article 1 (2) of Regulation (EEC) No 816/70 is found:

- (a) shall request the competent body of one or more other Member States to provide it with any relevant information concerning the points mentioned in the first to third indents of Article 2 (2), if there is reasonable cause for suspecting that the product does not conform to the wine provisions.

The competent body so requested shall study in detail the grounds for suspicion brought to its attention and shall forward to the competent body making the request all information, documents or other evidence which may be relevant for clarifying the issue;

- (b) may, if there is reasonable cause for suspecting that the product does not conform to the wine provisions, request the competent body of the Member State from whose geographical territory the product comes and, if it does not originate there, the competent body of the Member State of origin:

- to appoint a qualified expert and ensure that he is present at supervisory operations;
- to take part in the concerted and rapid examination of one or more batches of the product.

Article 4

1. The competent body of the Member State in whose geographical territory one of the products listed in Article 1 (2) of Regulation (EEC) No 816/70 is found, shall request:

- (a) the competent body of the Member State from whose geographical territory the product comes and, if it does not originate there, the competent body of the Member State of origin, to check the documents and the entries in the records, provided for under Article 29 of Regulation (EEC) No 816/70, where these are open to doubt;
- (b) if it deems it necessary, a laboratory as referred to in the second indent of paragraph 3 situated in the geographical territory of the Member State from which the product comes or, if it does not originate there, in the geographical territory of the Member State of origin, to make an analytical and organoleptic examination of a sample of the product which has been sent to it, where there is reasonable cause for suspecting fraud.

2. When a sample is sent to the laboratory referred to in paragraph 1 (b), the competent body making the request shall at the same time inform the competent body of the Member State in whose territory the laboratory is situated. The results of the tests referred to in paragraph 1 (b) and the interpretations of these tests shall be forwarded to the competent body making the request via the competent body of the Member State in whose territory the laboratory is situated.

3. Each Member State shall communicate to the Commission by 1 September 1978:

- the names of the competent bodies and laboratories referred to in the second subparagraph of Article 39a (1) of Regulation (EEC) No 816/70;
- those of the abovementioned laboratories entitled to carry out analyses in accordance with paragraphs 1 (b) and 2.

Article 5

1. Where the Commission has reasonable cause for suspecting that irregularities have occurred in one or more Member States in connection with the production and marketing of one of the products referred to in Article 1 (2) of Regulation (EEC) No 816/70, it shall inform the competent body concerned, which shall conduct an administrative inquiry.

The Commission may ask the competent body in question to make particulars of an administrative nature of such an inquiry available to duly authorized Commission agents.

2. The Member State shall forward the report prepared and the conclusions reached following the inquiry to the Commission.

3. Paragraph 1 shall be without prejudice to the application of Article 6 of Council Regulation (EEC) No 283/72 of 7 February 1972 concerning irregularities and the recovery of sums wrongly paid in connection with the financing of the common agricultural policy and the organization of an information system in this field⁽¹⁾.

Article 6

The competent body or laboratory to which a request of the type mentioned in the preceding Articles is addressed shall take action on it as quickly as possible.

However, if such a request cannot be met, whether wholly or partially, the competent body concerned shall without delay inform the competent body making the request or, where Article 5 is concerned, the Commission, stating the reasons.

Article 7

The content of the exchange of information provided for in this Regulation shall be covered 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.

Article 8

Representatives of the Member States on the competent bodies referred to in Article 1 shall meet at regular intervals within the Management Committee for Wine set up by Article 6 of Regulation No 24⁽²⁾ in order to discuss:

- the problems raised by the application of this Regulation, and in particular to examine procedures for exchanging information and to draw conclusions;
- any other problem relating to the uniform supervision of Community provisions in the wine sector.

Article 9

If necessary, detailed rules for implementing this Regulation shall be adopted as regards:

- exchange of information, bearing in mind the need to proceed rapidly;

⁽¹⁾ OJ No L 36, 10. 2. 1972, p. 1.

⁽²⁾ OJ No 30, 20. 4. 1962, p. 989/62.

- sampling and dispatch of samples by the competent body making the request and also acceptance of responsibility for their costs of analysis by that body;
- acceptance of responsibility by the competent body making the request for the expenses incurred by a qualified expert in a Member State other than that in whose service he is employed.

Article 10

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

It shall apply as from 1 September 1978, with the exception of Article 4 (3) which shall apply as from its entry into force.

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

Done at Luxembourg, 19 June 1978.

For the Council

The President

P. DALSAGER

COUNCIL REGULATION (EEC) No 1440/78**of 20 June 1978****amending for the fourth time Regulation (EEC) No 2453/76 on the transfer to the Italian intervention agency of frozen beef and veal held by the intervention agencies of other Member States**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 425/77⁽²⁾, and in particular Article 7 (2) thereof,

Having regard to 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⁾, and in particular Article 3 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Article 1 of Council Regulation (EEC) No 2453/76 of 5 October 1976 on the transfer to the

Italian intervention agency of frozen beef and veal held by the intervention agencies of other Member States⁽⁵⁾, as last amended by Regulation (EEC) No 2584/77⁽⁶⁾, provides for the disposal of certain quantities of carcasses, compensated quarters and boned beef on the Italian market before 1 July 1978 ;

Whereas this date should be replaced by 1 January 1979 as a result of the practical difficulties encountered in organizing the selling of this beef,

HAS ADOPTED THIS REGULATION :

Article 1

In Article 1 (1) of Regulation (EEC) No 2453/76, '1 July 1978' shall be replaced by '1 January 1979'.

Article 2

This Regulation shall enter into force on 1 July 1978.

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

Done at Luxembourg, 20 June 1978.

For the Council

The President

P. DALSAGER

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁴⁾ OJ No L 295, 30. 12. 1972, p. 1.

⁽⁵⁾ OJ No L 279, 9. 10. 1976, p. 3.

⁽⁶⁾ OJ No L 301, 25. 11. 1977, p. 6.

COUNCIL REGULATION (EEC) No 1441/78**of 26 June 1978****laying down general rules for the supply of milk fats to India under the 1978 food-aid programme**

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 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 1038/78⁽²⁾, and in particular Article 6 (6) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽³⁾,

Whereas India has indicated its requirements in milk fats; whereas these fats may be supplied in the form of butter or butteroil produced within the Community and meeting certain quality standards;

Whereas an overall quantity of butter or butteroil corresponding to 12 700 tonnes of butteroil should be granted to India under the 1978 food-aid programme; whereas, under the same programme, Regulation (EEC) No 831/78⁽⁴⁾, has already provided for a first supply of 3 500 tonnes of butteroil to India;

Whereas the amounts available at present in the Community enable an additional quantity of butter or butteroil corresponding to 9 200 tonnes of butteroil to be supplied as food aid; whereas the apportionment of supplies between public and private stocks will vary depending on market trends and seasonal requirements;

Whereas in view of the situation on the Community market in butter and other butter fats as well as the need to make certain emergency deliveries and ensure regular supplies under the most favourable economic conditions provision should be made for these supplies to be made either by taking butter or other butter fats from stocks held by intervention agencies or by buying-in butter or butteroil on the Community market;

Whereas, in order to enable the aid to be used effectively, arrangements should be made to finance certain transport costs;

Whereas the supplies must be delivered at the cheapest possible price; whereas in order to achieve

that aim, provision should be made for a tendering procedure; whereas, however, in the interests of speed it may be desirable in exceptional cases to use private contracts;

Whereas it is desirable that the rules for implementing the measures laid down for buying-in butter or butteroil on the market should be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68, as in the case of the rules to be applied where public stocks are used,

HAS ADOPTED THIS REGULATION:

Article 1

An additional quantity of butter or butteroil corresponding to 9 200 tonnes of butteroil shall be made available to India under the 1978 food-aid programme.

Article 2

1. The butter referred to in Article 1 shall be purchased in accordance with Article 6 (1) of Regulation (EEC) No 804/68. The butteroil referred to in Article 1 shall be processed from this butter.

2. If the market situation is such that delivery as provided in Article 1 cannot be carried out in accordance with paragraph 1, then the supply shall be ensured by the buying-in of butter or butter fats available on the Community market. Buying-in shall be done in such a way as not to disturb the normal development of prices on the market.

Article 3

For the purposes of Article 1 the cost of the butter or butteroil, delivered to the port of unloading shall be financed by the Community.

Article 4

Invitations to tender shall be issued for delivery of the product, including packing, labelling and forwarding to the port of unloading, save in exceptional cases where private contracts may be negotiated.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 134, 22. 5. 1978, p. 4.

⁽³⁾ OJ No C 36, 13. 2. 1978, p. 53.

⁽⁴⁾ OJ No L 115, 27. 4. 1978, p. 8.

Article 5

The sums to be paid to the undertaking selected shall be due only if :

- (a) the undertaking satisfies the conditions laid down in the invitation to tender or the private contract ; and
- (b) the quality and packing of the delivered product are found on inspection to comply with the relevant Community provisions.

Provision may be made for part of such sums to be paid in advance.

Article 6

The decision to apply Article 2 (2) shall be taken and the resulting procedure for implementing that paragraph and Article 4 shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

Article 7

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 Luxembourg, 26 June 1978.

For the Council

The President

K. B. ANDERSEN

COUNCIL REGULATION (EEC) No 1442/78

of 26 June 1978

laying down general rules for the supply of skimmed-milk powder to India
under the 1978 food-aid programme

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 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 1038/78⁽²⁾, and in particular Article 7 (4) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽³⁾,

Whereas India has indicated its requirements in high-protein milk products; whereas these high-protein products may be supplied in the form of skimmed-milk powder produced within the Community and meeting certain quality standards;

Whereas the supply of skimmed-milk powder must take into account the amounts of skimmed-milk powder available in the Community and the need not to disrupt market conditions;

Whereas an overall quantity of 31 000 tonnes of skimmed-milk powder should be granted to India under the 1978 food-aid programme; whereas, under the same programme, Regulation (EEC) No 828/78⁽⁴⁾ has already provided for a first supply of 6 000 tonnes of skimmed-milk powder to India;

Whereas the amounts available at present enable an additional quantity of 25 000 tonnes of skimmed-milk powder to be supplied under the 1978 food-aid programme;

Whereas, if the quantities of skimmed-milk powder in public stocks are insufficient for the delivery of the abovementioned amount, or if they do not have the characteristics necessary for their particular destination where this requires in particular other forms of packing or the addition of vitamins or other additives, supplies must be ensured by the buying-in of skimmed-milk powder on the Community market;

Whereas, in order to enable the aid to be used effectively, arrangements should be made to finance certain transport costs;

Whereas the supplies must be delivered at the cheapest possible price; whereas in order to achieve that aim, a tendering procedure must be provided for; whereas, however, it may be desirable in the interests of speed, in exceptional cases, to have recourse to private contracts;

Whereas it is desirable that the rules for the application of the measures laid down for buying-in skimmed-milk powder on the market should be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68, as in the case of the rules to be applied where public stocks are used,

HAS ADOPTED THIS REGULATION:

Article 1

An additional quantity of 25 000 tonnes of skimmed-milk powder shall be made available to India under the 1978 food-aid programme.

Article 2

1. The skimmed-milk powder referred to in Article 1 shall be purchased in accordance with Article 7 (1) of Regulation (EEC) No 804/68.

2. If the amounts of skimmed-milk powder in public stocks are insufficient to supply the quantities provided for in Article 1, or if they do not have the characteristics necessary for their particular destination where this requires, in particular, other forms of packing or the addition of vitamins or other additives, supplies shall be ensured by the buying-in of skimmed-milk powder on the Community market. Buying-in shall be done in such a way as not to disturb the normal development of prices on the market.

Article 3

For the purposes of Article 1, the value at the port of unloading of the products supplied, up to an amount corresponding to the quantity laid down in Article 1, shall be financed by the Community.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 134, 22. 5. 1978, p. 4.

⁽³⁾ OJ No C 36, 13. 2. 1978, p. 53.

⁽⁴⁾ OJ No L 115, 27. 4. 1978, p. 3.

Article 4

For delivery of skimmed-milk powder to the port of unloading and for its purchase on the Community market, invitations to tender shall be issued, save in exceptional cases where private contracts are negotiated.

Article 5

The decision to apply Article 2 (2) shall be taken and the procedure for implementing this paragraph and

Article 4 shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

Article 6

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 Luxembourg, 26 June 1978.

For the Council

The President

K. B. ANDERSEN

COMMISSION REGULATION (EEC) No 1443/78

of 28 June 1978

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 1254/78⁽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 1 June annexed
to this Regulation.

Article 2

This Regulation shall enter into force on 29 June
1978.

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

Done at Brussels, 28 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 5.

ANNEX

to the Commission Regulation of 28 June 1978 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(u.a./tonne)		
CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	89.34
10.01 B	Durum wheat	133.79 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	88.64 ⁽⁶⁾
10.03	Barley	83.59
10.04	Oats	81.40
10.05 B	Maize, other than hybrid maize for sowing	78.65 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	81.94 ⁽⁴⁾
10.07 C	Grain sorghum	83.60 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	137.30
11.01 B	Rye flour	136.31
11.02 A I a)	Durum wheat groats and meal	218.55
11.02 A I b)	Common wheat groats and meal	146.53

⁽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 1444/78

of 28 June 1978

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 1254/78 ⁽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 29 June
1978.

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

Done at Brussels, 28 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 7.

ANNEX

to the Commission Regulation of 28 June 1978 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	Current 6	1st period 7	2nd period 8	3rd period 9
10.01 A	Common wheat, and meslin	0	0.17	0.17	0.17
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	0.23	0.23	0.23

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0.30	0.30	0.30	0.30
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0.23	0.23	0.23	0.23
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 1445/78

of 28 June 1978

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⁾, as last amended by Regu-
lation (EEC) No 1126/78 ⁽²⁾, and in particular Article
11 (2) thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 87/78 ⁽³⁾, as last
amended by Regulation (EEC) No 1351/78 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 87/78 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 Regu-
lation,

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 29 June
1978.

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

Done at Brussels, 28 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 142, 30. 5. 1978, p. 23.

⁽³⁾ OJ No L 15, 19. 1. 1978, p. 5.

⁽⁴⁾ OJ No L 165, 22. 6. 1978, p. 12.

to the Commission Regulation of 28 June 1978 fixing the import levies on rice and broken rice

CCT heading No	Description	Third countries ⁽²⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
10.06	Rice :		
	A. Paddy rice ; husked rice :		
	I. Paddy rice :		
	a) Round grain	48.62	21.31
	b) Long grain	99.71	46.86
	II. Husked rice :		
	a) Round grain	60.78	27.39
	b) Long grain	124.64	59.32
	B. Semi-milled or wholly milled rice :		
	I. Semi-milled rice :		
	a) Round grain	115.57	47.89
	b) Long grain	193.22	86.75
	II. Wholly milled rice :		
	a) Round grain	123.08	51.29
	b) Long grain	207.13	93.32
	C. Broken rice :	10.91	2.96

(²) The import levy on rice entering the overseas department of Reunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 1446/78

of 28 June 1978

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⁾, as last amended by Regu-
lation (EEC) No 1126/78 ⁽²⁾, 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 1954/77 ⁽³⁾, as last amended by Regulation (EEC)
No 1352/78 ⁽⁴⁾;

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 29 June
1978.

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

Done at Brussels, 28 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 142, 30. 5. 1978, p. 23.

⁽³⁾ OJ No L 223, 1. 9. 1977, p. 8.

⁽⁴⁾ OJ No L 165, 22. 6. 1978, p. 14.

ANNEX

to the Commission Regulation of 28 June 1978 fixing the premiums to be added to the import levies on rice and broken rice

(u.a. / tonne)

CCT heading No	Description	Current 6	1st period 7	2nd period 8	3rd period 9
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 1447/78

of 28 June 1978

fixing the import levies on products processed from cereals and rice

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 1254/78⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1260/78⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied to calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 2650/77⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation, is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁷⁾, last amended by Regu-

lation (EEC) No 1997/75⁽⁸⁾, provides that the levy thus determined, increased by the fixed component, is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than 2.5 units of account per tonne from the average of the levies calculated as described above;

Whereas in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing; whereas Regulation (EEC) No 1921/75⁽⁹⁾, as amended by Regulation (EEC) No 2415/75⁽¹⁰⁾, laid down certain transitional measures in respect of starches;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Regulation (EEC) No 2742/75⁽¹¹⁾, as last amended by Regulation (EEC) No 2560/77, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States or in the 'overseas countries and territories', the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'⁽¹²⁾, as last amended by Regulation (EEC) No 1198/78⁽¹³⁾;

Whereas Article 4 (2) of Regulation (EEC) No 2744/75 provides that the levy to be charged on the products listed in the Annex to that Regulation under subheading 07.06 A is limited, with effect from the date of entry into force of the Geneva Protocol (1967) annexed to the General Agreement on tariffs and

(1) OJ No L 281, 1. 11. 1975, p. 1.

(2) OJ No L 156, 14. 6. 1978, p. 1.

(3) OJ No L 166, 25. 6. 1976, p. 1.

(4) OJ No L 156, 14. 6. 1978, p. 11.

(5) OJ No L 281, 1. 11. 1975, p. 65.

(6) OJ No L 303, 28. 11. 1977, p. 1.

(7) OJ No L 168, 25. 6. 1974, p. 7.

(8) OJ No L 202, 1. 8. 1975, p. 57.

(9) OJ No L 195, 26. 7. 1975, p. 25.

(10) OJ No L 247, 23. 9. 1975, p. 22.

(11) OJ No L 281, 1. 11. 1975, p. 57.

(12) OJ No L 85, 31. 3. 1976, p. 2.

(13) OJ No L 147, 3. 6. 1978, p. 1.

trade, to the amount resulting from application of the rate of duty bound within GATT;

Whereas, if the levy system is to operate normally, levies 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided

for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 1978.

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

Done at Brussels, 28 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 28 June 1978 fixing the import levies on products processed from cereals and rice

CCT heading No	Imports	
	Third countries (other than ACP or OCT)	ACP or OCT
07.06 A	14.06 ⁽¹⁾	12.56 ⁽¹⁾ (⁵)
11.01 C ⁽²⁾	145.60	140.60
11.01 D ⁽²⁾	148.17	143.17
11.01 E I ⁽²⁾	140.81	135.81
11.01 E II ⁽²⁾	79.46	76.96
11.01 F ⁽²⁾	12.67	10.17
11.01 G ⁽²⁾	87.04	84.54
11.02 A II ⁽²⁾	154.89	149.89
11.02 A III ⁽²⁾	145.60	140.60
11.02 A IV ⁽²⁾	148.17	143.17
11.02 A V a) 1 ⁽²⁾	140.81	135.81
11.02 A V a) 2 ⁽²⁾	140.81	135.81
11.02 A V b) ⁽²⁾	79.46	76.96
11.02 A VI ⁽²⁾	12.67	10.17
11.02 A VII ⁽²⁾	87.04	84.54
11.02 B I a) 1 ⁽²⁾	127.48	124.98
11.02 B I a) 2 aa)	83.63	81.13
11.02 B I a) 2 bb) ⁽²⁾	145.67	143.17
11.02 B I b) 1 ⁽²⁾	127.48	124.98
11.02 B I b) 2 ⁽²⁾	145.67	143.17
11.02 B II a) ⁽²⁾	117.84	115.34
11.02 B II b) ⁽²⁾	113.25	110.75
11.02 B II c) ⁽²⁾	123.22	120.72
11.02 B II d) ⁽²⁾	135.11	132.61
11.02 C I ⁽²⁾	141.25	138.75
11.02 C II ⁽²⁾	135.73	133.23
11.02 C III ⁽²⁾	200.28	195.28
11.02 C IV ⁽²⁾	129.76	127.26
11.02 C V ⁽²⁾	123.22	120.72
11.02 C VI ⁽²⁾	135.11	132.61
11.02 D I ⁽²⁾	90.95	88.45
11.02 D II ⁽²⁾	87.44	84.94
11.02 D III ⁽²⁾	82.17	79.67
11.02 D IV ⁽²⁾	83.63	81.13
11.02 D V ⁽²⁾	79.46	76.96
11.02 D VI ⁽²⁾	87.04	84.54
11.02 E I a) 1 ⁽²⁾	82.17	79.67
11.02 E I a) 2 ⁽²⁾	83.63	81.13
11.02 E I b) 1 ⁽²⁾	161.22	156.22
11.02 E I b) 2 ⁽²⁾	164.08	159.08
11.02 E II a) ⁽²⁾	161.10	156.10
11.02 E II b) ⁽²⁾	154.89	149.89
11.02 E II c) ⁽²⁾	140.81	135.81
11.02 E II d) 1 ⁽²⁾	22.26	17.26
11.02 E II d) 2 ⁽²⁾	154.18	149.18
11.02 F I ⁽²⁾	161.10	156.10
11.02 F II ⁽²⁾	154.89	149.89

(u.a./tonne)

CCT heading No	Imports	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 F III ⁽²⁾	145.60	140.60
11.02 F IV ⁽²⁾	148.17	143.17
11.02 F V ⁽²⁾	140.81	135.81
11.02 F VI ⁽²⁾	12.67	10.17
11.02 F VII ⁽²⁾	87.04	84.54
11.02 G I	70.04	65.04
11.02 G II	61.59	56.59
11.04 C I	16.56	11.06 ⁽⁵⁾
11.04 C II a)	111.10	91.10 ⁽⁵⁾
11.04 C II b)	138.47	118.47 ⁽⁵⁾
11.07 A I a)	163.36	154.36
11.07 A I b)	124.34	115.34
11.07 A II a)	148.04 ⁽⁴⁾	139.04
11.07 A II b)	112.89	103.89
11.07 B	130.07 ⁽⁴⁾	121.07
11.08 A I	111.10	94.10
11.08 A II	25.50	0
11.08 A III	154.35	137.35
11.08 A IV	111.10	94.10
11.08 A V	111.10	47.05 ⁽⁵⁾
11.09	399.72	249.72
17.02 B II a) ⁽³⁾	202.75	122.75
17.02 B II b) ⁽³⁾	149.10	94.10
21.07 F II	149.10	94.10
23.02 A I a)	24.03	24.03
23.02 A I b)	76.89	76.89
23.02 A II a)	19.23	19.23
23.02 A II b)	76.89	76.89
23.03 A I	266.90	116.90

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes.

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications :

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
 - an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.
- Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

⁽³⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

⁽⁴⁾ In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 0.45 u.a./100 kg for products originating in Turkey.

⁽⁵⁾ In accordance with Regulation (EEC) No 706/76 the levy shall not be charged on the following products originating in the countries and territories :

- arrowroot falling within subheading ex 07.06 A,
- flours and meal of arrowroot falling within subheadings ex 11.04 C I, ex 11.04 C II a) e b),
- arrowroot starch falling within subheading ex 11.08 A V.

COMMISSION REGULATION (EEC) No 1448/78
of 28 June 1978
fixing the import levies on compound feedingstuffs

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 1254/78⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas the incidence of the levies applicable to the basic products of compound feedingstuffs on their prime costs should be determined, in pursuance of Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, on the basis of the average of the levies applicable during the first 25 days of the month preceding the month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is specified in Article 6 of Regulation (EEC) No 2743/75, as amended by Regulation (EEC) No 2560/77⁽⁴⁾;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States or in the 'overseas countries and territories', the levy relating to them in respect of certain products processed from cereals must be reduced by the

amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'⁽⁵⁾; as last amended by Regulation (EEC) No 1198/78⁽⁶⁾;

Whereas, if the levy system is to operate normally, levies 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75 the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are fixed hereby as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 1978.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ OJ No L 85, 31. 3. 1976, p. 2.

⁽⁶⁾ OJ No L 147, 3. 6. 1978, p. 1.

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

Done at Brussels, 28 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 28 June 1978 fixing the import levies on compound feedingstuffs

(u.a./tonne)

CCT heading No	Nomenclature in simplified wording	Levies	
		Third countries (other than ACP and OCT)	ACP and OCT
	Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 968/68, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II, or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04, and subheadings 17.02 A and 21.07 F I) containing starch, glucose or glucose syrup:		
	Containing no starch or containing 10 % or less by weight of starch:		
23.07 B I a) 1	— Containing no milk products or containing less than 10 % by weight of such products	21·07	12·07
23.07 B I a) 2	— Containing 10 % or more but less than 50 % by weight of milk products	458·07	449·07
	Containing more than 10 % but not more than 30 % by weight of starch:		
23.07 B I b) 1	— Containing no milk products or containing less than 10 % by weight of such products	46·73	37·73
23.07 B I b) 2	— Containing 10 % or more but less than 50 % by weight of milk products	483·73	474·73
	Containing more than 30 % by weight of starch:		
23.07 B I c) 1	— Containing no milk products or containing less than 10 % by weight of such products	84·45	75·45
23.07 B I c) 2	— Containing 10 % or more but less than 50 % by weight of milk products	521·45	512·45

COMMISSION REGULATION (EEC) No 1449/78

of 28 June 1978

repealing Regulation (EEC) No 1213/78 on the non-application of protective measures applicable to imports of preserved mushrooms

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as amended by Regulation (EEC) No 1152/78⁽²⁾, and in particular Article 14 (2) thereof,

Whereas Commission Regulation (EEC) No 1102/78 of 25 May 1978 adopting protective measures applicable to imports of preserved mushrooms⁽³⁾, as amended by Regulation (EEC) No 1307/78⁽⁴⁾, suspended the issue of import licences for preserved cultivated mushrooms; whereas, however, Article 2 of Regulation (EEC) No 1102/78 lays down the conditions under which the protective measures shall not apply;

Whereas, the Commission having accepted that these conditions were met for imports of preserved mushrooms originating in Taiwan, Commission Regulation (EEC) No 1213/78 of 5 June 1978 on the non-

application of protective measures applicable to imports of preserved mushrooms⁽⁵⁾ laid down that these products should benefit under the terms of Article 2 of Regulation (EEC) No 1102/78;

Whereas the large number of applications for import licences for preserved mushrooms originating in Taiwan forces the Commission to accept that the conditions for non-application of the protective measures to these products within the Community are no longer met; whereas Regulation (EEC) No 1213/78 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1213/78 is hereby repealed.

Article 2

This Regulation shall enter into force on the day of 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, 28 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽²⁾ OJ No L 144, 31. 5. 1978, p. 1.

⁽³⁾ OJ No L 139, 26. 5. 1978, p. 26.

⁽⁴⁾ OJ No L 158, 16. 6. 1978, p. 16.

⁽⁵⁾ OJ No L 150, 6. 6. 1978, p. 5.

COMMISSION REGULATION (EEC) No 1450/78

of 28 June 1978

altering the import levies on products processed from cereals and rice

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 1254/78⁽²⁾, and in particular
Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice⁽³⁾, as last amended by Regu-
lation (EEC) No 1126/78⁽⁴⁾, and in particular Article
12 (4) thereof,

Whereas the import levies on products processed
from cereals and rice were fixed by Regulation (EEC)
No 1135/78⁽⁵⁾, as last amended by Regulation (EEC)
No 1330/78⁽⁶⁾;

Whereas the levy on the basic product as last fixed
differs from the average levy by more than 2.5 units of

account per tonne of basic product ; whereas, pursuant
to Article 1 of Regulation (EEC) No 1579/74⁽⁷⁾, the
levies at present in force must therefore be altered as
shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products
processed from cereals and rice covered by Regulation
(EEC) No 2744/75⁽⁸⁾, as last amended by Regulation
(EEC) No 2560/77⁽⁹⁾, as fixed in the Annex to
amended Regulation (EEC) No 1135/78, are hereby
altered as shown in the table annexed to this Regula-
tion.

Article 2

This Regulation shall enter into force on 29 June
1978.

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

Done at Brussels, 28 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 142, 30. 5. 1978, p. 23.

⁽⁵⁾ OJ No L 141, 30. 5. 1978, p. 5.

⁽⁶⁾ OJ No L 159, 17. 6. 1978, p. 34.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁹⁾ OJ No L 303, 28. 11. 1977, p. 1.

ANNEX

to the Commission Regulation of 28 June 1978 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./tonne	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 A II ⁽²⁾	164.34	159.34
11.02 B II b) ⁽²⁾	120.23	117.73
11.02 C II ⁽²⁾	144.13	141.63
11.02 D II ⁽²⁾	92.79	90.29
11.02 E II b) ⁽²⁾	164.34	159.34
11.02 F II ⁽²⁾	164.34	159.34

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications :

- a starch content (determined by the modified Ewers polametric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

COMMISSION REGULATION (EEC) No 1451/78

of 28 June 1978

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 705/78⁽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 1467/77⁽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 29 June 1978.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, 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 162, 1. 7. 1977, p. 6.

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

Done at Brussels, 28 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 28 June 1978 fixing the refunds on white sugar and raw sugar exported in the natural state

(u.a./100 kg)		
CCT heading No	Description	Refund
17.01	Beet sugar and cane sugar, solid :	
	A. White sugar ; flavoured or coloured sugar	20.50
	B. Raw sugar :	
	(a) Candy sugar	20.30 ⁽¹⁾
	(b) Other raw sugar	17.50 ⁽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.

II

(Acts whose publication is not obligatory)

COUNCIL

Opinion regarding the date of entry into force of the Act concerning the election of the representatives of the Assembly by direct universal suffrage, adopted by the Council Decision of 20 September 1976

Since the conditions for entry into force of the Act concerning the election of the representatives of the Assembly by direct universal suffrage, adopted by the Council Decision of 20 September 1976, were fulfilled on 23 June 1978, this Act shall enter into force on 1 July 1978, pursuant to Article 16 thereof.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 1102/78 of 25 May 1978 adopting protective measures applicable to imports of preserved mushrooms

(Official Journal of the European Communities No L 139 of 26 May 1978)

Page 26, Article 2 (2):

for: 'the terms of Article 1',

read: 'the terms of paragraph 1'.
