

Official Journal

of the European Communities

ISSN 0378-6978

L 201

Volume 21

25 July 1978

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- Commission Regulation (EEC) No 1720/78 of 24 July 1978 fixing the import levies on cereals and on wheat or rye flour, groats and meal 1
- Commission Regulation (EEC) No 1721/78 of 24 July 1978 fixing the premiums to be added to the import levies on cereals, flour and malt 3
- Commission Regulation (EEC) No 1722/78 of 24 July 1978 opening an invitation to tender for the mobilization of husked long grain rice as food aid for the League of Red Cross Societies 5
- Commission Regulation (EEC) No 1723/78 of 24 July 1978 opening an invitation to tender for the mobilization of semi-milled long grain rice as food aid for the International Committee of the Red Cross 8
- Commission Regulation (EEC) No 1724/78 of 24 July 1978 opening an invitation to tender for the mobilization of milled long grain rice as food aid for Jibuti . . . 11
- Commission Regulation (EEC) No 1725/78 of 24 July 1978 opening an invitation to tender for the mobilization of common wheat as food aid for Ethiopia 14
- Commission Regulation (EEC) No 1726/78 of 24 July 1978 opening an invitation to tender for the mobilization of milled long grain rice as food aid for Mauritius 17
- Commission Regulation (EEC) No 1727/78 of 24 July 1978 opening an invitation to tender for the mobilization of common wheat as food aid for Togo 20
- Commission Regulation (EEC) No 1728/78 of 24 July 1978 opening an invitation to tender for the mobilization of milled long grain rice as food aid for Togo . . . 23

Contents (continued)

★ Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry	26
★ Commission Regulation (EEC) No 1730/78 of 24 July 1978 amending for the fourth time Regulation (EEC) No 1608/76 laying down detailed rules for the description and presentation of wines and grape musts	29
★ Commission Regulation (EEC) No 1731/78 of 24 July 1978 fixing the weighting coefficients to be used in calculating the Community market price for pig carcasses	32
Commission Regulation (EEC) No 1732/78 of 24 July 1978 fixing, for certain products processed from fruit and vegetables, the export refunds provided for in Article 6 of Regulation (EEC) No 516/77	34
Commission Regulation (EEC) No 1733/78 of 24 July 1978 amending Regulation (EEC) No 1036/78 fixing the monetary compensatory amounts and certain coefficients and rates for their application	36
Commission Regulation (EEC) No 1734/78 of 24 July 1978 fixing the import levies on white sugar and raw sugar	46

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1720/78**of 24 July 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 the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 25 July
1978.

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

Done at Brussels, 24 July 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 24 July 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	90.85
10.01 B	Durum wheat	138.57 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	89.82 ⁽⁶⁾
10.03	Barley	86.97
10.04	Oats	80.15
10.05 B	Maize, other than hybrid maize for sowing	86.07 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	78.13 ⁽⁴⁾
10.07 C	Grain sorghum	86.02 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	139.41
11.01 B	Rye flour	137.96
11.02 A I a)	Durum wheat groats and meal	225.96
11.02 A I b)	Common wheat groats and meal	148.81

⁽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 1721/78

of 24 July 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 25 July
1978.

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

Done at Brussels, 24 July 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 24 July 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 7	1st period 8	2nd period 9	3rd period 10
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	3.16	3.16	3.16
10.04	Oats	0	0.36	0.36	0.36
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	0.66	0.66	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	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	5.62	5.62	5.62	5.62
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	4.20	4.20	4.20	4.20
11.07 B	Roasted malt	0	4.90	4.90	4.90	4.90

COMMISSION REGULATION (EEC) No 1722/78

of 24 July 1978

opening an invitation to tender for the mobilization of husked long grain rice as food aid for the League of Red Cross Societies

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 organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1260/78 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid ⁽³⁾, and in particular Article 6 thereof,

Whereas on 8 February 1977 the Council of the European Communities declared that it proposed, by way of Community action, to grant 1 000 tonnes of husked long grain rice to the League of Red Cross Societies under its 1976/77 food-aid programme;

Whereas pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75 the goods may be purchased anywhere on the Community market;

Whereas the proposed invitation to tender should be for supply of the products delivered Jakarta, that is at the moment when the goods are actually placed on the dock or in the lighter where applicable;

Whereas in view of the different monetary circumstances in the Member States, the observation of these conditions is not guaranteed by the application of exchange rates applicable in the framework of the common agricultural policy since monetary compensatory amounts do not apply in the rice sector; whereas it is advisable to take account of the monetary situation as regards different offers;

Whereas the award under the invitation to tender must be made to the tenderer offering the best terms;

Whereas, should *force majeure* make it impossible to complete the operation in question within the time limits specified, it must be made clear who is to bear the liability for any resulting costs;

Whereas provision should be made for security to be given to guarantee fulfilment of the obligations arising by virtue of participation in the invitation to tender;

Whereas the Italian intervention agency should be made responsible for the tendering procedure;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency;

Whereas the Monetary Committee will be consulted; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3 (2) of 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 ⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁵⁾, and in particular Article 3 thereof;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the League of Red Cross Societies, by way of Community food-aid action, of 1 000 tonnes of husked long grain rice.

2. The tendering procedure shall take place in Italy in one lot.

The product shall be mobilized on the Community market. Shipment shall be from any Community port.

3. The invitation to tender provided for in paragraph 1 is for supply of products delivered Jakarta that is at the moment when the goods are actually placed on the dock or in the lighter where applicable.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks of a net capacity of 50 kilograms.

Minimum weight of the sacks shall be 600 grams.

On the sacks shall be printed a red cross, 15 × 15 cm, as well as the following:

'Husked rice / Gift of the European Economic Community / Action of the League of Red Cross Societies / For free distribution Jakarta.'

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 7 August 1978.

2. The closing date for the submission of tenders shall be 7 August 1978 at 12 noon.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities*, not less than nine days before the closing date for the submission of tenders.

Article 3

The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.

The rates used for converting into units of account those offers made in national currencies shall be:

- the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
- in other cases, the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms.

However, if the tenders submitted do not appear to correspond to normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 5

1. The successful tenderer shall give security of a value of 10 units of account per tonne; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

2. The security provided for in paragraph 1 may be given in the form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by the Member State.

Article 6

The husked long grain rice referred to in Article 1 to be supplied to the League of Red Cross Societies must meet the following requirements:

- (a) rice, free of odour, of a sound and fair marketable quality;
- (b) moisture content: 15 %;
- (c) percentage of rice grains which are not of unimpaired quality:
 - paddy grains: 1 %,
 - broken rice: 5 %,
 - green grains or grains showing natural malformation 5 % (including up to 0.5 % of red grains);
- (d) tolerance of extraneous matter, consisting of:
 - mineral or vegetable inedible substances provided that they are not toxic 0.01 %,
 - extraneous grains or parts thereof, edible 0.10 %;
- (e) when wholly milled, percentage of wholly milled rice grains which are not of unimpaired quality:
 - chalky grains: 5 %,
 - spotted grains: 1.5 %,
 - yellow grains: 0.05 %,
 - stained grains: maximum 1 %,
 - amber grains: 0.20 %.

Rice not meeting these requirements shall be refused.

Article 7

1. The Italian intervention agency shall be responsible for the operations relating to the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (2) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall ask that the tenderer specifies the following information :

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging ;
- (b) the date of the departure of the ships ; the expected date of arrival of the products at their destination ;

- (c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information provided for to the Commission as soon as it is received.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

Article 8

As regards this tender, the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment.

Article 9

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, 24 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1723/78

of 24 July 1978

opening an invitation to tender for the mobilization of semi-milled long grain rice as food aid for the International Committee of the Red Cross

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 organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1260/78 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid ⁽³⁾, and in particular Article 6 thereof,

Whereas on 30 January 1978 the Council of the European Communities declared that it proposed, by way of Community action, to grant 740 tonnes of semi-milled long grain rice to the International Committee of the Red Cross under its 1977/78 food-aid programme ;

Whereas pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75 goods may be purchased anywhere on the Community market ;

Whereas the proposed invitation to tender should be for supply of the products delivered Ashdod, that is at the moment when the goods are actually placed on the dock or in the lighter where applicable ;

Whereas in view of the different monetary circumstances in the Member States, the observation of these conditions is not guaranteed by the application of exchange rates applicable in the framework of the common agricultural policy since monetary compensatory amounts do not apply in the rice sector ; whereas it is advisable to take account of the monetary situation as regards different offers ;

Whereas the award under the invitation to tender must be made to the tenderer offering the best terms ;

Whereas, should *force majeure* make it impossible to complete the operation in question within the time limits specified, it must be made clear who is to bear the liability for any resulting costs ;

Whereas provisions should be made for security to be given to guarantee fulfilment of the obligations arising by virtue of participation in the invitation to tender ;

Whereas the Italian intervention agency should be made responsible for the tendering procedure ;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency ;

Whereas the Monetary Committee will be consulted ; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3 (2) of 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 ⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁵⁾, and in particular Article 3 thereof ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Tenders are hereby invited for the supply to the International Committee of the Red Cross, by way of Community food-aid action, of 740 tonnes of semi-milled long grain rice.

2. The tendering procedure shall take place in Italy in one lot.

The product shall be mobilized on the Community market. Shipment shall be from any Community port.

3. The invitation to tender provided for in paragraph 1 is for supply of products delivered Ashdod, that is at the moment when the goods are actually placed on the dock or in the lighter where applicable.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks lined with cotton sacks of a net capacity of 50 kilograms.

On the sacks shall be printed a red cross, 15 × 15 cm, as well as the following:

'Rice / Gift of the European Economic Community / Action of the International Committee of the Red Cross / For free distribution'.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 7 August 1978.

2. The closing date for the submission of tenders shall be 7 August 1978 at 12 noon.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities*, not less than nine days before the closing date for the submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.

2. The rates used for converting into units of account those offers made in national currencies shall be:

- the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
- in other cases, the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms.

However, if the tenders submitted do not appear to correspond to normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 5

1. The successful tenderer shall give security of a value of 10 units of account per tonne; the security is

intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

2. The security provided for in paragraph 1 may be given in the form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by the Member State.

Article 6

1. The semi-milled long grain rice referred to in Article 1 to be supplied to the International Committee of the Red Cross must meet the following requirements:

- moisture : 15 %,
- broken rice : 5 % maximum,
- chalky grains : 5 % maximum,
- grains striated with red : 3 % maximum,
- spotted grains : 1.5 % maximum,
- stained grains : 1 % maximum,
- yellow grains : 0.050 % maximum,
- amber grains : 0.20 % maximum.

Rice not meeting these requirements shall be refused.

2. Tenders for supply to the International Committee of the Red Cross of the semi-milled long grain rice referred to in Article 1 must relate to a product with the following characteristics:

- moisture : 15 %,
- broken rice : 5 % maximum,
- chalky grains : 5 % maximum,
- grains striated with red : 3 % maximum,
- spotted grains : 1.5 % maximum,
- stained grains : 1 % maximum,
- yellow grains : 0.050 % maximum,
- amber grains : 0.20 % maximum.

Article 7

1. The Italian intervention agency shall be responsible for the operations relating to the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in this second subparagraph of Article 3 (2) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall ask that the tenderer specifies the following information:

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging;
- (b) the date of the departure of the ships; the expected date of arrival of the products at their destination;

(c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information provided for to the Commission as soon as it is received.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

Article 8

As regards this tender the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment.

Article 9

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, 24 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1724/78

of 24 July 1978

opening an invitation to tender for the mobilization of milled long grain rice as food aid for Jibuti

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 organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1260/78 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid ⁽³⁾, and in particular Article 6 thereof,

Whereas on 30 January 1978 the Council of the European Communities declared that it proposed, by way of Community action, to grant 1 208 tonnes of milled long grain rice to Jibuti under its 1977/78 food-aid programme;

Whereas pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75 the goods may be purchased anywhere on the Community market;

Whereas the proposed invitation to tender should be for supply of the products to the dock or in the lighter where applicable at the port of unloading;

Whereas in view of the different monetary circumstances in the Member States, the observation of these conditions is not guaranteed by the application of exchange rates applicable in the framework of the common agricultural policy since monetary compensatory amounts do not apply in the rice sector; whereas it is advisable to take account of the monetary situation as regards different offers;

Whereas the award under the invitation to tender must be made to the tenderer offering the best terms;

Whereas, should *force majeure* make it impossible to complete the operation in question within the time limits specified, it must be made clear who is to bear the liability for any resulting costs;

Whereas provision should be made for security to be given to guarantee fulfilment of the obligations arising by virtue of participation in the invitation to tender;

Whereas the Italian intervention agency should be made responsible for the tendering procedure in question;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency;

Whereas the Monetary Committee will be consulted; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3 (2) of 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 ⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁵⁾, and in particular Article 3 thereof;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to Jibuti, by way of Community food-aid action, of 1 208 tonnes of milled long grain rice.

2. The tendering procedure shall take place in Italy in two lots of 604 tonnes. The product shall be mobilized on the Community market. Shipment shall be from any Community port.

3. The invitation to tender provided for in paragraph 1 is for supply of products to the dock, or in the lighter where applicable in the port of Jibuti.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks of a net capacity of 50 kilograms.

Minimum weight of the sacks shall be 600 grams. The following shall be printed on the sacks:

« Riz / Don de la Communauté économique européenne à la République de Djibouti. »

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 7 August 1978.

2. The closing date for the submission of tenders shall be 7 August 1978 at 12 noon.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities*, not less than nine days before the closing date for the submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.

2. The rates used for converting into units of account those offers made in national currencies shall be:

- the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
- in other cases, the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms.

However, if the tenders submitted do not appear to reflect normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 5

1. The successful tenderer shall give security of a value of 10 units of account per tonne; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be

forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

2. The security provided for in paragraph 1 may be given in the form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by the Member State.

Article 6

1. The milled long grain rice referred to in Article 1 to be supplied to Jibuti must meet the following requirements:

- moisture: 15 %;
- broken rice: 5 % maximum;
- chalky grains: 5 % maximum;
- grains striated with red: 3 % maximum;
- spotted grains: 1.5 % maximum;
- stained grains: 1 % maximum;
- yellow grains: 0.050 % maximum;
- amber grains: 0.20 % maximum.

Rice not meeting these requirements shall be refused.

2. Tenders for supply to Jibuti of the milled long grain rice referred to in Article 1 must relate to a product with the following characteristics:

- moisture: 15 %;
- broken rice: 5 % maximum;
- chalky grains: 5 % maximum;
- grains striated with red: 3 % maximum;
- spotted grains: 1.5 % maximum;
- stained grains: 1 % maximum;
- yellow grains: 0.050 % maximum;
- amber grains: 0.20 % maximum.

Article 7

1. The Italian intervention agency shall be responsible for the operations relating to the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (2) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall ask that the tenderer specifies the following information :

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging ;
- (b) the date of the departure of the ships ; the expected date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information provided for to the Commission as soon as it is received.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

Article 8

As regards this tender the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment.

Article 9

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, 24 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1725/78

of 24 July 1978

opening an invitation to tender for the mobilization of common wheat as food aid for Ethiopia

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⁾,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid⁽³⁾, and in particular Article 6 thereof,

Whereas on 30 January 1978 the Council of the European Communities declared that by way of Community action it proposed to grant Ethiopia 10 000 tonnes of common wheat under the 1977/78 food-aid programme ;

Whereas pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75 the goods may be purchased anywhere on the Community market ;

Whereas tenders should be invited for the supply of the product to the port of shipment in the vicinity of the vessel, the goods to be set down at the place nominated by the recipient or its agent ;

Whereas tenders may be submitted by tenderers established in any Member State of the Community and may relate to products mobilized anywhere within those Member States ; whereas, in view of the currency situation in the Member States and in order to ensure that the tenders are as comparable as possible, account should be taken of the effect on each tender of the currency situation in the Member State in which the customs export formalities will be completed ;

Whereas the contract should be awarded to the tenderer offering the best terms ;

Whereas in case it should be impossible for reasons of *force majeure* to complete the operation in question within the set time limits, it must be made clear who is to bear any costs resulting therefrom ;

Whereas provision should be made for security to be given to guarantee fulfilment of the obligations arising by virtue of participation in the invitation to tender ;

Whereas the French intervention agency should be made responsible for the tendering procedure in question ;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency ;

Whereas the Monetary Committee will be consulted ; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3 (2) of 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⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Tenders are hereby invited for the supply, by way of Community food-aid action to Ethiopia, of 10 000 tonnes of common wheat.
2. The tendering procedure shall take place in France in one lot.
3. The product shall be mobilized on the Community market.
4. Loading shall be carried out in a Community port.
5. The product referred to in paragraph 1 is to be delivered in new jute sacks of a net capacity of 50 kilograms to the port of shipment in the vicinity of the vessel. The goods must be set down at the place nominated by the recipient country or its agent, the timing of delivery being settled by the tenderer and the recipient country's agent.

Minimum weight of the sacks shall be 600 grams. The following shall be printed on the sacks :

'Wheat / Gift of the European Economic Community to Ethiopia / For free distribution'.

⁽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. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 4 August 1978.
2. The closing date for submission of tenders shall be 4 August 1978 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.
3. For the purpose of rendering the tenders comparable, the prices shall be corrected by the monetary compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2.

Such correction shall be made by :

- increasing prices which mention a Member State whose currency has depreciated or a new Member State,
- reducing prices which mention a Member State whose currency has been revalued.

The monetary compensatory amount shall, where appropriate, be converted into the currency of the Member State in which the invitation to tender is issued using :

- in the case when the currencies concerned are kept at any given moment within a band of 2.25 %, a conversion rate resulting from their central rate,
- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued during a period from the Wednesday of one week

to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms, taking into consideration the adjustment referred to in Article 3 (3).

However, if the tenders submitted do not appear to reflect normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 5

If the tenderer is unable to deliver the goods in compliance with Article 1 (3) on the date given in the notice of invitation to tender as a result of the late availability of the vessels to be used for sea transportation, the resulting costs shall be borne by the intervention agency.

Article 6

1. The tenderer shall give security of a value of five units of account per tonne of goods.

It shall be released :

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3 (2),
- in the case of the successful tenderer for quantities not supplied by reason of *force majeure*.

2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by each Member State.

Article 7

The common wheat referred to in Article 1 to be supplied to Ethiopia must be of fair and sound merchantable quality and correspond at least to the standard quality for which the intervention price is fixed, except that the humidity shall not exceed 15.5 % and that a maximum tolerance of 3 % of sprouted grains and 1.5 % of miscellaneous impurities shall be allowed.

Article 8

1. The French intervention agency shall be responsible for organizing the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In this case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall request the successful tenderer to supply the following information :

- (a) after each shipment a certificate showing the quantities dispatched and the quality of the products ;
- (b) the date of departure of the vessels.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

Article 9

On delivery of the goods at the port of shipment, a handing-over certificate shall be supplied to the successful tenderer, acting as agent for the Community, by the agent of the recipient country, or, in the absence of the latter, by the intervention agency of the Member State in whose territory the port of shipment is situated.

Article 10

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, 24 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1726/78

of 24 July 1978

opening an invitation to tender for the mobilization of milled long grain rice as food aid for Mauritius

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 organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1260/78 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid ⁽³⁾, and in particular Article 6 thereof,

Whereas on 30 January 1978 the Council of the European Communities declared that it proposed, by way of Community action, to grant 1 348 tonnes of milled long grain rice to Mauritius under its 1977/78 food-aid programme ;

Whereas pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75 the goods may be purchased anywhere on the Community market ;

Whereas tenders should be invited for the supply of the product to the port of shipment in the vicinity of the vessel, the goods to be set down at the place nominated by the recipient or its agent ;

Whereas in view of the different monetary circumstances in the Member States, the observation of these conditions is not guaranteed by the application of exchange rates applicable in the framework of the common agricultural policy since monetary compensatory amounts do not apply in the rice sector ; whereas it is advisable to take account of the monetary situation as regards different offers ;

Whereas the award under the invitation to tender must be made to the tenderer offering the best terms ;

Whereas, should *force majeure* make it impossible to complete the operation in question within the time limits specified, it must be made clear who is to bear the liability for any resulting costs ;

Whereas provision should be made for security to be given to guarantee fulfilment of the obligations arising by virtue of participation in the invitation to tender ;

Whereas the Italian intervention agency should be made responsible for the tendering procedure ;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency ;

Whereas the Monetary Committee will be consulted ; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3 (2) of 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 ⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁵⁾, and in particular Article 3 thereof ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Tenders are hereby invited for the supply to Mauritius, by way of Community food-aid action, of 1 348 tonnes of milled long grain rice.

2. The tendering procedure shall take place in Italy in one lot. The product shall be mobilized on the Community market. The products shall be loaded for departure from any Community port.

3. The product referred to in paragraph 1 is to be delivered in new jute sacks of a net capacity of 50 kilograms to the port of shipment in the vicinity of the vessel. The goods must be set down at the place nominated by the recipient country or its agent, the timing of delivery being settled by the tenderer and the recipient country's agent.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

Minimum weight of the sacks shall be 600 grams. The following shall be printed on the sacks:

'Riz blanchi / Don de la Communauté économique européenne à l'Île Maurice'.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 7 August 1978.
2. The closing date for the submission of tenders shall be 7 August 1978 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for the submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. The rates used for converting into units of account those offers made in national currencies shall be:
 - the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
 - in other cases, the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms.

However, if the tenders submitted do not appear to correspond to normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 5

If the tenderer is unable to deliver the goods in compliance with Article 1 (3) on the date given in the notice of invitation to tender as a result of the late

availability of the vessels to be used for sea transportation, the resulting costs shall be borne by the intervention agency.

Article 6

The successful tenderer shall give security of a value of 10 units of account per tonne; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

2. The security provided for in paragraph 1 may be in the form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by the Member State.

Article 7

1. The milled long grain rice referred to in Article 1 to be supplied to Mauritius, must meet the following requirements:

- moisture: 15 %,
- broken rice: 2.5 % maximum,
- chalky grains: 5 % maximum,
- grains striated with red: 3 % maximum,
- spotted grains: 1.5 % maximum,
- stained grains: 1 % maximum,
- yellow grains: 0.050 % maximum,
- amber grains: 0.20 % maximum.

Rice not meeting these requirements shall be refused.

2. Tenders for supply to Mauritius of the long grain milled rice referred to in Article 1 must relate to a product with the following characteristics:

- moisture: 15 %,
- broken rice: 2.5 % maximum,
- chalky grains: 5 % maximum,
- grains striated with red: 3 % maximum,
- spotted grains: 1.5 % maximum,
- stained grains: 1 % maximum,
- yellow grains: 0.050 % maximum,
- amber grains: 0.20 % maximum.

Article 8

1. The Italian intervention agency shall be responsible for the operations relating to the invitation to tender provided for by this Regulation.
2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (2) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall request the successful tenderer to supply the following information :

(a) after each shipment a certificate showing the quantities dispatched and the quality of the products ;

(b) the date of departure of the vessels.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

Article 9

On delivery of the goods at the port of shipment, a handing-over certificate shall be supplied to the successful tenderer, acting as agent for the Community, by the agent of the recipient country or, in the absence of the latter, by the intervention agency of the Member State in whose territory the port of shipment is situated.

Article 10

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, 24 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1727/78

of 24 July 1978

opening an invitation to tender for the mobilization of common wheat as food aid for Togo

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⁾,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid⁽³⁾, and in particular Article 6 thereof,

Whereas on 30 January 1978 the Council of the European Communities declared that by way of Community action it proposed to grant Togo 1 500 tonnes of common wheat under the 1977/78 food-aid programme;

Whereas pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75 the goods may be purchased anywhere on the Community market;

Whereas tenders should be invited for the supply of the product to the port of shipment in the vicinity of the vessel, the goods to be set down at the place nominated by the recipient or its agent;

Whereas tenders may be submitted by tenderers established in any Member State of the Community and may relate to products mobilized anywhere within those Member States; whereas, in view of the currency situation in the Member States and in order to ensure that the tenders are as comparable as possible, account should be taken of the effect on each tender of the currency situation in the Member State in which the customs export formalities will be completed;

Whereas the contract should be awarded to the tenderer offering the best terms;

Whereas in case it should be impossible for reasons of *force majeure* to complete the operation in question within the set time limits, it must be made clear who is to bear any costs resulting therefrom;

Whereas provision should be made for security to be given to guarantee fulfilment of the obligations arising by virtue of participation in the invitation to tender;

Whereas the French intervention agency should be made responsible for the tendering procedure in question;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency;

Whereas the Monetary Committee will be consulted; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3 (2) of 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⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply, by way of Community food-aid action to Togo, of 1 500 tonnes of common wheat.
2. The tendering procedure shall take place in France in one lot.
3. The product shall be mobilized on the Community market.
4. Loading shall be carried out in a Community port.
5. The product referred to in paragraph 1 is to be delivered in new jute sacks of a net capacity of 50 kilograms to the port of shipment in the vicinity of the vessel. The goods must be set down at the place nominated by the recipient country or its agent, the timing of delivery being settled by the tenderer and the recipient country's agent.

Minimum weight of the sacks shall be 600 grams. The following shall be printed on the sacks:

'Froment / Don de la Communauté économique européenne au Togo'.

⁽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. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 4 August 1978.
2. The closing date for submission of tenders shall be 4 August 1978 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.
3. For the purpose of rendering the tenders comparable, the prices shall be corrected by the monetary compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2.

Such correction shall be made by:

- increasing prices which mention a Member State whose currency has depreciated or a new Member State,
- reducing prices which mention a Member State whose currency has been revalued.

The monetary compensatory amount shall, where appropriate, be converted into the currency of the Member State in which the invitation to tender is issued using:

- in the case when the currencies concerned are kept at any given moment within a band of 2.25 %, a conversion rate resulting from their central rate,
- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued during a period from the Wednesday of one week

to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms, taking into consideration the adjustment referred to in Article 3 (3).

However, if the tenders submitted do not appear to reflect normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 5

If the tenderer is unable to deliver the goods in compliance with Article 1 (3) on the date given in the notice of invitation to tender as a result of the late availability of the vessels to be used for sea transportation, the resulting costs shall be borne by the intervention agency.

Article 6

1. The tenderer shall give security of a value of five units of account per tonne of goods.

It shall be released:

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3 (2),
- in the case of the successful tenderer for quantities not supplied by reason of *force majeure*.

2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by each Member State.

Article 7

The common wheat referred to in Article 1 to be supplied to Togo must be of fair and sound merchantable quality and correspond at least to the standard quality for which the intervention price is fixed, except that the humidity shall not exceed 15.5 % and that a maximum tolerance of 3 % of sprouted grains and 1.5 % of miscellaneous impurities shall be allowed.

Article 8

1. The French intervention agency shall be responsible for organizing the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In this case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall request the successful tenderer to supply the following information :

- (a) after each shipment a certificate showing the quantities dispatched and the quality of the products ;
- (b) the date of departure of the vessels.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

Article 9

On delivery of the goods at the port of shipment, a handing-over certificate shall be supplied to the successful tenderer, acting as agent for the Community, by the agent of the recipient country, or, in the absence of the latter, by the intervention agency of the Member State in whose territory the port of shipment is situated.

Article 10

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, 24 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1728/78

of 24 July 1978

opening an invitation to tender for the mobilization of milled long grain rice as food aid for Togo

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 organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1260/78 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid ⁽³⁾, and in particular Article 6 thereof,

Whereas on 30 January 1978 the Council of the European Communities declared that it proposed, by way of Community action, to grant 517 tonnes of milled long grain rice to Togo under its 1977/78 food-aid programme;

Whereas pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75 the goods may be purchased anywhere on the Community market;

Whereas tenders should be invited for the supply of the product to the port of shipment in the vicinity of the vessel, the goods to be set down at the place nominated by the recipient or its agent;

Whereas in view of the different monetary circumstances in the Member States, the observation of these conditions is not guaranteed by the application of exchange rates applicable in the framework of the common agricultural policy since monetary compensatory amounts do not apply in the rice sector; whereas it is advisable to take account of the monetary situation as regards different offers;

Whereas the award under the invitation to tender must be made to the tenderer offering the best terms;

Whereas, should *force majeure* make it impossible to complete the operation in question within the time limits specified, it must be made clear who is to bear the liability for any resulting costs;

Whereas provision should be made for security to be given to guarantee fulfilment of the obligations arising by virtue of participation in the invitation to tender;

Whereas the Italian intervention agency should be made responsible for the tendering procedure;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency;

Whereas the Monetary Committee will be consulted; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3 (2) of 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 ⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁵⁾, and in particular Article 3 thereof;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to Togo by way of Community food-aid action of 517 tonnes of milled long grain rice.

2. The tendering procedure shall take place in Italy in one lot. The product shall be mobilized on the Community market. The product shall be loaded for departure from any Community port.

3. The product referred to in paragraph 1 is to be delivered in new jute sacks of a net capacity of 50 kilograms to the port of shipment in the vicinity of the vessel. The goods must be set down at the place nominated by the recipient country or its agent, the timing of delivery being settled by the tenderer and the recipient country's agent.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

Minimum weight of the sacks shall be 600 grams. The following shall be printed on the sacks :

'Riz blanchi / Don de la Communauté économique européenne au Togo / Distribution gratuite'.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 7 August 1978.
2. The closing date for the submission of tenders shall be 7 August 1978 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for the submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. The rates used for converting into units of account those offers made in national currencies shall be :
 - the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
 - in other cases the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms.

However, if the tenders submitted do not appear to correspond to normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 5

If the tenderer is unable to deliver the goods in compliance with Article 1 (3) on the date given in the notice of invitation to tender as a result of the late

availability of the vessels to be used for sea transportation, the resulting costs shall be borne by the intervention agency.

Article 6

1. The successful tenderer shall give security of a value of 10 units of account per tonne, the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.
2. The security provided for in paragraph 1 may be in the form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by the Member State.

Article 7

1. The milled long grain rice referred to in Article 1 to be supplied to Togo must meet the following requirements :
 - moisture : 15 % ;
 - broken rice : 5 % maximum ;
 - chalky grains : 5 % maximum ;
 - grains striated with red : 3 % maximum ;
 - spotted grains : 1.5 % maximum ;
 - stained grains : 1 % maximum ;
 - yellow grains : 0.050 % maximum ;
 - amber grains : 0.20 % maximum.

Rice not meeting these requirements shall be refused.

2. Tenders for supply to Togo of the long grain milled rice referred to in Article 1 must relate to a product with the following characteristics :
 - moisture : 15 % ;
 - broken rice : 5 % maximum ;
 - chalky grains : 5 % maximum ;
 - grains striated with red : 3 % maximum ;
 - spotted grains : 1.5 % maximum ;
 - stained grains : 1 % maximum ;
 - yellow grains : 0.050 % maximum ;
 - amber grains : 0.20 % maximum.

Article 8

1. The Italian intervention agency shall be responsible for the operations relating to the invitation to tender provided for by this Regulation.
2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (2) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall request the successful tenderer to supply the following information :

- (a) after each shipment a certificate showing the quantities dispatched and the quality of the products ;

(b) the date of departure of the vessels.

The information indicated above shall be forwarded by the intervention to the Commission immediately upon receipt.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

Article 9

On delivery of the goods at the port of shipment, a handing-over certificate shall be supplied to the successful tenderer, acting as agent for the Community, by the agent of the recipient country or, in the absence of the latter, by the intervention agency of the Member State in whose territory the port of shipment is situated.

Article 10

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, 24 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1729/78

of 24 July 1978

laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry

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 1396/78⁽²⁾, and in particular Article 9 (6) thereof,

Whereas Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules governing the production refund for sugar used in the chemical industry⁽³⁾ has introduced a new system of payment; whereas, consequently, the relevant rules of application should be changed and Commission Regulation (EEC) No 835/68 of 28 June 1968 laying down detailed rules for the application of the production refund on sugar used in the chemical industry⁽⁴⁾, as last amended by Regulation (EEC) No 2478/74⁽⁵⁾, should be replaced;

Whereas Article 4 of Regulation (EEC) No 1400/78 provides that the production refund is to be calculated per 100 kilograms of dry matter of glucose, using a yield coefficient to be determined;

Whereas the production refund cannot be granted unless precise information is available; whereas persons qualifying for the refund should therefore be requested to submit a prior application in writing giving certain information;

Whereas, for the purposes of proof and control, a refund certificate must be introduced which is valid for a period which is long enough to allow the trade to make long-term arrangements and gives the information necessary to fix the production refund; whereas, in order to ensure that the sugar concerned is used for the purpose for which the refund certificate was issued, it should be provided that only the applicant may claim on the certificate and only after the basic production in question has been processed;

Whereas, in order to make it possible to check that the basic products are put to the intended use, a

competent body having access to all necessary information must be set up in each Member State; whereas, in order to counteract the effects of delays in payment of the refund, provisions should be made for an advance to be paid to the holder of a certificate as soon as the basic products have been placed under control; whereas, in return, the holder should be required to provide a security as guarantee to the Member State concerned should processing of the basic product not be carried out in accordance with the conditions laid down in the refund certificate; whereas, however, the Member State concerned should be free to decide on appropriate measures to deal with cases of *force majeure* which prevent a certificate holder from fulfilling his obligations;

Whereas, since final payment of the production refund may be made only after processing has taken place and since the trade has an interest in being paid as soon as possible, provision should be made for such payment to be effected shortly after processing;

Whereas, henceforth, the refund is paid for the quantity of basic product processed without reference to a conversion ratio; whereas Commission Regulation (EEC) No 891/69 of 13 May 1969 fixing a uniform conversion ratio for granting the production refund on white sugar used in the manufacture of fructose⁽⁶⁾ should therefore be repealed;

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 coefficient referred to in Article 4 of Regulation (EEC) No 1400/78 is hereby fixed at 2.00.

Article 2

1. Application for a production refund shall be made in writing.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁴⁾ OJ No L 151, 30. 6. 1968, p. 35.

⁽⁵⁾ OJ No L 264, 1. 10. 1974, p. 72.

⁽⁶⁾ OJ No L 115, 14. 5. 1969, p. 11.

2. Every application shall state :

- (a) the name and address of the processor ;
- (b) the quantity of basic products to be processed, expressed in terms of white sugar ;
- (c) the nature of the basic products to be processed ;
- (d) the use to which the basic products are to be put ; and
- (e) the place of processing.

3. Member States may require applicants to furnish additional information.

Article 3

1. Member States shall issue a refund certificate on receipt of the application.

2. Member States shall use national forms for the refund certificate, which, without prejudice to the provisions of other Regulations, Directives or Decisions adopted by Community institutions, shall contain at least the information specified in paragraph 3.

3. The refund certificate shall indicate :

- (a) the name and address of the holder ;
- (b) the date on which the application was lodged ;
- (c) the quantity of basic products to be processed, expressed in terms of white sugar ;
- (d) the use to which the basic product is to be put ;
- (e) the production refund for white sugar applicable the day on which the application was lodged ;
- (f) the last day of validity of the certificate ;
- (g) the place of processing.

Article 4

1. The issue of a refund certificate shall give entitlement to payment of the production refund indicated in the certificate after the basic products have been processed in accordance with the conditions laid down in the certificate.

2. Rights under the certificate shall not be transferable.

Article 5

The refund certificate shall be valid from its day of issue to the end of the month following that of issue.

Article 6

1. Member States shall designate the authorities responsible for control of the processing of basic products.

2. The holder of a refund certificate shall give the authorities referred to in paragraph 1 the following information in writing in sufficient time to enable them to effect the control :

(a) his name and address ;

(b) the nature and quantity of the basic products to be processed ;

(c) the place where the basic products in question are located when the information is furnished.

Member States may require certificate holders to furnish additional information.

Article 7

When the basic products have been placed under control, Member States may make an advance payment to the certificate holder amounting to not more than 80 % of the production refund indicated on the certificate.

Article 8

1. If an advance is paid, Member States shall require a security or recognized equivalent guarantee calculated to ensure repayment of the advance plus 5 %.

2. The security shall be released once processing has taken place in accordance with the conditions laid down in the refund certificate or when the advance plus 5 % has been repaid.

3. Subject as provided in paragraph 4, the repayment referred to in paragraph 1 shall be in proportion to the quantities of basic products which have not been processed under the conditions laid down in the refund certificate.

If the advance is not repaid, the security shall be forfeited in proportion to the amount of the advance to be recovered.

4. If processing cannot be carried out under the conditions laid down in the refund certificate owing to circumstances to be regarded as constituting *force majeure*, and if an application is made to have such circumstances taken into consideration, the Member State concerned shall take such measures as it considers necessary having regard to the circumstances invoked.

Article 9

After the party concerned has informed the competent agency of the chemical product in the manufacture of which the sugar has been used, the production refund or, where an advance has been paid, the difference between the amount advanced and the amount of the production refund shall be paid :

- 1. at the earliest, after it has been established that the basic products have been processed under the conditions laid down in the refund certificate ;
- 2. at the latest, at the end of the months following the month in which it was established that processing was completed.

Article 10

The production refund shall be paid in respect of the quantity of basic product processed.

Article 11

For the purposes of this Regulation, syrup containing sucrose shall be treated as equivalent to a quantity of white sugar corresponding to the amount of sucrose contained in that syrup.

Article 12

Regulations (EEC) No 835/68 and (EEC) No 891/69 are hereby repealed.

Article 13

This Regulation shall enter into force on 1 August 1978.

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

Done at Brussels, 24 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1730/78

of 24 July 1978

amending for the fourth time Regulation (EEC) No 1608/76 laying down detailed rules for the description and presentation of wines and grape musts

THE COMMISSION 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 30 (4) thereof,

Having regard to Council Regulation (EEC) No 2133/74 of 8 August 1974 laying down general rules for the description and presentation of wines and grape musts⁽³⁾, as last amended by Regulation (EEC) No 1475/77⁽⁴⁾,

Whereas Commission Regulation (EEC) No 1608/76 of 4 June 1976⁽⁵⁾, as last amended by Regulation (EEC) No 793/78⁽⁶⁾, laid down detailed rules for the description and presentation of wine and grape musts;

Whereas, so that the consumer may not be misled as regards the origin of wine imported into the Community, it should no longer be possible to put on the label of an imported wine the translation of an expression designating a superior quality which is identical to any designation in the German language used in accordance with Community rules;

Whereas certain wine designation rules prescribed in the legislation of the United States of America and of Canada do not correspond to the Community's rules; whereas a certain amount of time is required to find a permanent solution to this problem; whereas in order to prevent exports to these countries from being adversely affected in the meantime the use of labels not complying with the requirements of Regulations (EEC) No 2133/74 and (EEC) No 1608/76 should be temporarily permitted for wine to be exported there, on condition that those particulars on the labels that do not conform with the Community's rules are prescribed in the countries' legislation and that no confusion with a quality wine psr or a table wine will result;

Whereas, in view of recent memoranda submitted to the Commission, Annexes II, III and IV of Regulation (EEC) No 1608/76 should be altered so that the consumer is given better information on the exact origin of the product in question;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1608/76 is amended as follows:

1. The third subparagraph of Article 2 (4) shall read:

'On the labels of wines imported into the Community, no expression concerning superior quality as referred to in the first subparagraph may be translated into German by any of the following terms: Qualitätswein mit Prädikat, Kabinett, Spätlese, Auslese, Beerenauslese, Trockenbeerenauslese.'

2. The fourth subparagraph of Article 21 (1) shall read as follows:

'Until 31 August 1979 labels not complying with the requirements of Regulation (EEC) No 2133/74 or of this Regulation may be used for table wines and quality wines psr to be exported to the United States of America or Canada provided that those particulars on the labels that do not conform with the Community's rules are prescribed in those two countries' legislation and that no confusion will result with a quality wine psr or a table wine.'

3. In Annex II, points 11 and 15 of Section I (South Africa) are amended to read as follows:

— 11. Wine-growing region "Swartland"

sub-regions:

— Riebeek Berg,

— Groene Kloof.

— 15. Wine-growing region "Coastal Region"

sub-region: Cederberg.'

4. In Annex II, the term 'Montilla-Moriles' is added to Section VII (Spain).

5. In Annex III, Section III (Italy), the words 'Tocai friulano' are added after the words 'Schiava grigia' in the left-hand column and the words 'Tocai italico' are entered in the centre column as being synonymous with 'Tocai friulano'.

6. In Annex IV, Section XIV (Bulgaria) shall read as follows:

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 227, 17. 8. 1974, p. 1.

⁽⁴⁾ OJ No L 164, 2. 7. 1977, p. 1.

⁽⁵⁾ OJ No L 183, 8. 7. 1976, p. 1.

⁽⁶⁾ OJ No L 109, 22. 4. 1978, p. 1.

XIV. BULGARIA

List of varieties accepted in the Community	Accepted synonyms
Misket	Misket Rot ; Misket Karlovo ; Misket Brezovo ; Misket Sungurlare ; Misket Varnenski ; Vrachanski Misket
Muskat Hamburg	
Rkaziteli	Rikat
Furmint	
Italianski Riesling	Welsch-Riesling Welsch-Gold
Riesling	Reinski Riesling Rheinriesling
Fetjaska	Momino grosde Mädchentraube
Tamjanka	Weihrauch
Pinot Chardone	
Uni Blank	
Proslava	Vinenka
Aligote	
Traminer	
Grand noir	
Pamid	Andrianpolitika
Pinot noir	Blauer Spätburgunder Kassenburgunder
Pinot gris	
Alikante bouschet	
Kadarka-Rubin	
Kardinal	
Zartchin	Königstraube
Saperavi	Schwarzbeerige
Karignan	
Chevka	
Dimiat	
Silvanère	
Chardonet	
Muskat Ottonel	
Cabernet-sauvignon	
Kadarka	Gamza
Chiroka melnischka	Large de Melnik
Mavrud	
Merlot	
Rubin	
Bouquet	
Jardonet'	

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, 24 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1731/78**of 24 July 1978****fixing the weighting coefficients to be used in calculating the Community market price for pig carcasses**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1423/78⁽²⁾, and in particular Article 4 (6) thereof,

Whereas the Community market price for pig carcasses, as referred to in Article 4 (2) of Regulation (EEC) No 2759/75, must be established by weighting the prices recorded in each Member State by coefficients expressing the relative size of the pig population of each Member State; whereas these coefficients should be determined on the basis of the number of pigs counted at the beginning of December each year in accordance with Council Directive 76/630/EEC of 20 July 1976 concerning surveys of pig production to be made by the Member States⁽³⁾;

Whereas, in view of the results of the census of December 1977, the weighting coefficients fixed by

Commission Regulation (EEC) No 1652/77 of 22 July 1977 fixing the weighting coefficients to be used in calculating the prices of pig carcasses on Community markets⁽⁴⁾, should be adjusted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The weighting coefficients referred to in Article 4 (2) of Regulation (EEC) No 2759/75 shall be as specified in the Annex to this Regulation.

Article 2

Regulation (EEC) No 1652/77 is hereby repealed.

Article 3

This Regulation shall enter into force on 1 August 1978.

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

Done at Brussels, 24 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 171, 28. 6. 1978, p. 19.

⁽³⁾ OJ No L 223, 16. 8. 1976, p. 4.

⁽⁴⁾ OJ No L 184, 23. 7. 1977, p. 26.

*ANNEX***Coefficients to be used in calculating the Community market price for pig carcasses**

Belgium	6.1
Denmark	11.6
Germany	29.9
France	15.1
Ireland	1.4
Italy	13.2
Luxembourg	0.1
Netherlands	11.8
United Kingdom	10.8

COMMISSION REGULATION (EEC) No 1732/78

of 24 July 1978

fixing, for certain products processed from fruit and vegetables, the export refunds provided for in Article 6 of Regulation (EEC) No 516/77

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 the third subparagraph of Article 6 (2) thereof,

Whereas Article 6 of Regulation (EEC) No 516/77 provides that, where required in order to permit the exportation on the basis of prices ruling in international trade of economically important products not containing added sugar being products listed in Article 1, the difference between the aforesaid prices and Community prices may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 519/77 of 14 March 1977 laying down general rules for granting export refunds on products processed from fruit and vegetables and criteria for fixing the amount of such refunds⁽³⁾ provides that refunds are to be fixed taking into account the existing situation and future trends with regard, on the one hand, to prices and availabilities on the Community market of products processed from fruit and vegetables and, on the other hand, to prices ruling in international trade; whereas account also has to be taken of the costs referred to in (b) of the said Article and of the economic aspect of the proposed exports;

Whereas Article 3 of Regulation (EEC) No 519/77 provides that when prices on the Community market are being determined account shall be taken of the ruling prices which are most favourable from the point of view of exportation; whereas when prices in international trade are being determined account is to be taken of the prices referred to in paragraph 2 of the said Article;

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

Done at Brussels, 24 July 1978.

Whereas peeled tomatoes, tomato concentrates, tomato juice, orange juice and stalked and stoned cherries preserved in a sulphurous solution are economically important products to which no sugar has been added;

Whereas since the refund fixed in accordance with Article 5 of Regulation (EEC) No 516/77 is insufficient to enable the export of cherries preserved by sugar, it should be replaced for this product by the refund provided for in Article 6 of Regulation (EEC) No 516/77;

Whereas it follows from applying these rules and criteria to the present situation on the market, and in particular to prices within the Community and on the world market for products processed from fruit and vegetables, that the refund should be fixed as indicated below;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds provided for in Article 6 of Regulation (EEC) No 516/77 shall be as specified in the Annex hereto.

2. The provisions of Article 6 (1) (b) of Commission Regulation (EEC) No 192/75 of 17 January 1975 laying down detailed rules for the application of export refunds in respect of agricultural products⁽⁴⁾, as last amended by Regulation (EEC) No 2838/77⁽⁵⁾, shall apply to exports of tomato concentrate of the kinds specified in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 July 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 73, 21. 3. 1977, p. 24.

⁽⁴⁾ OJ No L 25, 31. 1. 1975, p. 1.

⁽⁵⁾ OJ No L 327, 20. 11. 1977, p. 23.

ANNEX

to the Commission Regulation of 24 July 1978 fixing, for certain products processed from fruit and vegetables, the export refunds provided for in Article 6 of Regulation (EEC) No 516/77

CCT heading No	Description	Amount in u.a./100 kg of product (including immediate packings)
ex 08.11 E	Stalked and stoned cherries preserved in a sulphurous solution	4.00 ⁽¹⁾
ex 20.02 C	Peeled tomatoes from the 1977 crop ⁽²⁾	10.00 ⁽¹⁾
ex 20.02 C	Tomato concentrate from the 1977 crop ⁽²⁾ :	
	— Dry extract content :	
	— 12 % and over, but less than 18 %	11.26 ⁽¹⁾
	— 18 % and over, but less than 28 %	17.25 ⁽¹⁾
	— 28 % and over, but less than 36 %	21.00 ⁽¹⁾
	— 36 % and over, but less than 95 %	27.02 ⁽¹⁾
	— 95 % and over	71.40 ⁽¹⁾
ex 20.04	Hard cherries preserved by sugar (drained, glaze or crystallized)	20.00 ⁽¹⁾
ex 20.07	Tomato juice from the 1977 crop ⁽²⁾	5.00
ex 20.07	Pure orange juice, with no other substances added :	
	— Not concentrated (between 10 and 12 degrees Brix value)	1.74
	— Concentrated :	
	— Per unit of concentration (11 degrees Brix value)	1.74

⁽¹⁾ For exports to all third countries, with the exception of North America.

⁽²⁾ Applicable until 20 August 1978.

COMMISSION REGULATION (EEC) No 1733/78**of 24 July 1978****amending Regulation (EEC) No 1036/78 fixing the monetary compensatory amounts and certain coefficients and rates for their application**

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 in Part 5 of Annex I to Commission Regulation (EEC) No 1036/78 of 19 May 1978 fixing the monetary compensatory amounts and certain coefficients and rates for their application⁽³⁾, as last amended by Regulation (EEC) No 1719/78⁽⁴⁾, no amount was fixed for whey; whereas, for milk and cream containing whey, monetary compensatory amounts are applicable per 100 kilograms of finished product; whereas it is necessary to disregard the whey content of these products for the calculation of the monetary compensatory amount;

Whereas, as provided in the second paragraph of Note 1 to Part 5 of Annex I to Regulation (EEC) No 1036/78, for skimmed-milk powder consigned to Italy from another Member State in accordance with Regulation (EEC) No 1624/76⁽⁵⁾, the amount indicated is multiplied by the coefficient 0.55; whereas the normal fat content of skimmed-milk powder does not exceed 1.5 % by weight; whereas, however, Article 1 (d) of Council Regulation (EEC) No 986/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed⁽⁶⁾, as last amended by Regulation (EEC) No 2624/77⁽⁷⁾, provides that for the purposes of Regulation (EEC) No 986/68 powdered milk and

powdered buttermilk with a maximum fat content of 11 % are considered to be skimmed-milk powder; whereas the economic situation of these products is largely comparable to that of skimmed-milk powder with a fat content not exceeding 1.5 %; whereas the coefficient referred to above should also be made applicable to milk powder with a fat content by weight exceeding 1.5 % and not exceeding 11 %;

Whereas for the sake of clarity Part 5 of Annex I to Regulation (EEC) No 1036/78 should be republished in full; whereas a transitional period should be provided during which the trade can adapt to the new system; whereas it is indispensable, however, in order to guarantee the proper functioning of the market and to avoid speculation, that this period be as brief as possible;

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

Part 5 of Annex I to Regulation (EEC) No 1036/78 is, subject to any change in the amounts in line with changes in the rates of exchange referred to in Article 2 (1) of Regulation (EEC) No 974/71, replaced by the Annex hereto.

Article 2

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

It shall apply with effect from 7 August 1978.

(1) OJ No L 106, 12. 5. 1971, p. 1.

(2) OJ No L 67, 15. 3. 1976, p. 1.

(3) OJ No L 133, 22. 5. 1978, p. 1.

(4) OJ No L 200, 24. 7. 1978, p. 1.

(5) OJ No L 180, 6. 7. 1976, p. 9.

(6) OJ No L 169, 18. 7. 1968, p. 4.

(7) OJ No L 306, 30. 11. 1977, p. 4.

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

Done at Brussels, 24 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

PART 5
MILK AND MILK PRODUCTS
Monetary compensatory amounts

CCT heading No	Description	Notes	Amounts to be charged on imports and granted on exports		
			Germany DM/100 kg (a)	Belg./Lux. Bfrs/Lfrs/100 kg (a)	Netherlands Fl/100 kg (a)
1	2	3	4	5	6
04.01 A I		(⁹)	1.89 (d)	5.3 (d)	0.37 (d)
04.01 A II		(⁹)	1.80 (c)	5.1 (c)	0.35 (c)
04.01 B I		(⁹)	1.69 (d)	4.8 (d)	0.33 (d)
04.01 B II		(⁹)	1.32 (d)	3.7 (d)	0.26 (d)
04.01 B III		(⁹)	1.06 (d)	3.0 (d)	0.21 (d)
04.02 A II a) 1		(⁹)	23.46	66.2	4.56
04.02 A II a) 2		(⁹)	16.00 (d)	45.1 (d)	3.11 (d)
04.02 A II a) 3		(⁹)	16.00 (d)	45.1 (d)	3.11 (d)
04.02 A II a) 4		(⁹)	12.98 (d)	36.6 (d)	2.52 (d)
04.02 A II b) 1		(¹) (²) (⁹)	23.46	66.2	4.56
04.02 A II b) 2		(¹) (²) (⁹)	16.00 (d)	45.1 (d)	3.11 (d)
04.02 A II b) 3		(⁹)	16.00 (d)	45.1 (d)	3.11 (d)
04.02 A II b) 4		(⁹)	12.98 (d)	36.6 (d)	2.52 (d)
04.02 A III a)	Of a non-fatty lactic dry matter content, by weight: — of less than 15 % — of 15 % or more	(⁹) (⁹)	1.89 (d) 4.17 (d)	5.3 (d) 11.8 (d)	0.37 (d) 0.81 (d)
04.02 A III b)	Of a non-fatty lactic dry matter content, by weight: — of less than 15 % — of 15 % or more but less than 25 % — of 25 % or more	(⁹) (⁹) (⁹) (³) (⁹)	1.51 (d) 4.17 (d) 7.58 (d) 29.24	4.3 (d) 11.8 (d) 21.4 (d) 82.5	0.29 (d) 0.81 (d) 1.47 (d) 5.69
04.02 B I a)		(³) (⁹)	23.46	66.2	4.56
04.02 B I b) 1 aa)		(³) (⁹)	16.00 (d)	45.1 (d)	3.11 (d)
04.02 B I b) 1 bb)		(³) (⁹)	12.98 (d)	36.6 (d)	2.52 (d)
04.02 B I b) 1 cc)		(³) (⁹)	23.46	66.2	4.56
04.02 B I b) 2 aa)		(³) (⁹)			

CCT heading No	Description	Notes	Amounts to be granted on imports and charged on exports			
			United Kingdom £/100 kg (a)	Ireland £/100 kg (a)	Italy Lit/100 kg (a)	France FF/100 kg (a)
1	2	3	7	8	9	10
04.01 A I		(⁹)	1-304 (d)	0-109 (d)	910 (d)	3-75 (d)
04.01 A II		(⁹)	1-237 (c)	0-104 (c)	863 (c)	3-56 (c)
04.01 B I		(⁹)	1-164 (d)	0-098 (d)	812 (d)	3-35 (d)
04.01 B II		(⁹)	0-907 (d)	0-076 (d)	633 (d)	2-61 (d)
04.01 B III		(⁹)	0-731 (d)	0-061 (d)	510 (d)	2-10 (d)
04.02 A II a) 1		(⁹)	16-158	1-357	11 274	46-51
04.02 A II a) 2		(⁹)	11-021 (d)	0-925 (d)	7 690 (d)	31-72 (d)
04.02 A II a) 3		(⁹)	11-021 (d)	0-925 (d)	7 690 (d)	31-72 (d)
04.02 A II a) 4		(⁹)	8-936 (d)	0-750 (d)	6 235 (d)	25-72 (d)
04.02 A II b) 1		(¹)(²)(⁹)	16-158	1-357	11 274	46-51
04.02 A II b) 2		(¹)(²)(⁹)	11-021 (d)	0-925 (d)	7 690 (d)	31-72 (d)
04.02 A II b) 3		(⁹)	11-021 (d)	0-925 (d)	7 690 (d)	31-72 (d)
04.02 A II b) 4		(⁹)	8-936 (d)	0-750 (d)	6 235 (d)	25-72 (d)
04.02 A III a)						
	Of a non-fatty lactic dry matter content, by weight:					
	— of less than 15 %	(⁹)	1-304 (d)	0-109 (d)	910 (d)	3-75 (d)
	— of 15 % or more	(⁹)	2-871 (d)	0-241 (d)	2 003 (d)	8-26 (d)
04.02 A III b)						
	Of a non-fatty lactic dry matter content, by weight:					
	— of less than 15 %	(⁹)	1-042 (d)	0-088 (d)	727 (d)	3-00 (d)
	— of 15 % or more but less than 25 %	(⁹)	2-871 (d)	0-241 (d)	2 003 (d)	8-26 (d)
	— of 25 % or more	(⁹)	5-221 (d)	0-438 (d)	3 643 (d)	15-03 (d)
04.02 B I a)		(³)(⁹)	20-133	1-690	14 048	57-95
04.02 B I b) 1 aa)		(³)(⁹)	16-158	1-357	11 274	46-51
04.02 B I b) 1 bb)		(³)(⁹)	11-021 (d)	0-925 (d)	7 690 (d)	31-72 (d)
04.02 B I b) 1 cc)		(³)(⁹)	8-936 (d)	0-750 (d)	6 235 (d)	25-72 (d)
04.02 B I b) 2 aa)		(³)(⁹)	16-158	1-357	11 274	46-51

CCT heading No	Description	Notes	Amounts to be charged on imports and granted on exports			
			Germany DM/100 kg (a)	Belg./Lux. Bfrs/Lfrs/100 kg (a)	Netherlands Fl/100 kg (a)	
1	2	3	4	5	6	
04.02 B I b) 2 bb)	Of a non-fatty lactic dry matter content, by weight: — of less than 15 % — of 15 % or more Of a non-fatty lactic dry matter content, by weight: — of less than 15 % — of 15 % or more but less than 25 % — of 25 % or more Of a fatty content by weight: — of less than 80 % — of 80 % or more but less than 82 % — of 82 % or more Of a fat content by weight in the dry matter: — of less than 10 % — of 10 % or more but less than 30 % — of 30 % or more Of a fat content by weight in the dry matter: — of less than 55 % — of 55 % or more With the exception of Grana Padano and Parmigiano Reggiano	(3) (9)	16.00 (d)	45.1 (d)	3.11 (d)	
04.02 B I b) 2 cc)		(3) (9)	12.98 (d)	36.6 (d)	2.52 (d)	
04.02 B II a)		(3) (9)	1.89 (d)	5.3 (d)	0.37 (d)	
		(8) (9)	5.32 (d)	15.0 (d)	1.03 (d)	
04.02 B II b)		(3) (9)	1.51 (d)	4.3 (d)	0.29 (d)	
		(8) (9)	5.32 (d)	15.0 (d)	1.03 (d)	
04.03 A		(3) (9)	7.60 (d)	21.4 (d)	1.48 (d)	
		(4)	— (b)	— (b)	— (b)	
04.03 B		(4) (5)	56.34	158.9	10.96	
04.04 A II		(4) (5)	57.74	162.9	11.23	
04.04 C		(4)	— (b)	— (b)	— (b)	
04.04 D II a) 1		(6)	49.03	138.3	9.53	
		(6)	40.27	113.6	7.83	
04.04 D II a) 2		(6)	15.11	42.6	2.94	
		(6)	22.27	62.8	4.33	
		(6)	32.57	91.9	6.33	
04.04 D II b)		(6)	32.57	91.9	6.33	
ex 04.04 E I a)		(6)	38.63	108.9	7.51	
04.04 E I b) 1 bb)		(6)	38.63	108.9	7.51	
04.04 E I b) 2		(6)	55.36	156.1	10.77	
		(6)	45.51	128.4	8.85	
		(6)	41.77	117.8	8.12	

CCT heading No	Description	Notes	Amounts to be granted on imports and charged on exports			
			United Kingdom £/100 kg (a)	Ireland £/100 kg (a)	Italy Lit/100 kg (a)	France FF/100 kg (a)
1	2	3	7	8	9	10
04.02 B I b) 2 bb)	Of a non-fatty lactic dry matter content, by weight: — of less than 15 % — of 15 % or more Of a non-fatty lactic dry matter content, by weight: — of less than 15 % — of 15 % or more but less than 25 % — of 25 % or more Of a fatty content by weight: — of less than 80 % — of 80 % or more but less than 82 % — of 82 % or more	(3) (9)	11·021 (d)	0·925 (d)	7 690 (d)	31·72 (d)
04.02 B I b) 2 cc)		(3) (9)	8·936 (d)	0·750 (d)	6 235 (d)	25·72 (d)
04.02 B II a)		(3) (9)	1·304 (d)	0·109 (d)	910 (d)	3·75 (d)
		(8) (9)	3·664 (d)	0·308 (d)	2 556 (d)	10·55 (d)
04.02 B II b)		(3) (9)	1·042 (d)	0·088 (d)	727 (d)	3·00 (d)
		(8) (9)	3·664 (d)	0·308 (d)	2 556 (d)	10·55 (d)
04.03 A		(3) (9)	5·234	0·439 (d)	3 652 (d)	15·07 (d)
		(4)	— (b)	— (b)	— (b)	— (b)
		(4) (5)	38·796	3·257	27 069	111·66
04.03 B		Of a fat content by weight in the dry matter: — of less than 10 % — of 10 % or more but less than 30 % — of 30 % or more Of a fat content by weight in the dry matter: — of less than 55 % — of 55 % or more With the exception of Grana Padano and Parmigiano Reggiano	(4) (5)	39·766	3·339	27 746
04.04 A II	(4)		— (b)	— (b)	— (b)	— (b)
	(6)		33·762	2·835	23 557	97·18
04.04 C	(6)		27·733	2·329	19 351	79·82
04.04 D II a) 1	(6)		10·402	0·873	7 258	29·94
	(6)		15·339	1·288	10 702	44·15
04.04 D II a) 2	(6)		22·431	1·883	15 651	64·56
	(6)		22·431	1·883	15 651	64·56
04.04 D II b)	(6)		26·601	2·234	18 561	76·57
	(6)		26·601	2·234	18 561	76·57
ex 04.04 E I a)	(6)		38·124	3·201	26 601	109·73
	(6)		31·346	2·632	21 872	90·22
04.04 E I b) 1 bb)	(6)	28·764	2·415	20 070	82·79	
04.04 E I b) 2						

CCT heading No	Description	Notes	Amounts to be charged on imports and granted on exports			
			Germany DM/100 kg (a)	Belg./Lux. Bfrs/Lfrs/100 kg (a)	Netherlands Fl/100 kg (a)	
1	2	3	4	5	6	
04.04 E I b) 5	— Asiago, Caciocavallo, Provolone, Ragusano, Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit as well as the cheeses other than salted Ricotta of a water content, calculated by weight of the non-fatty matter, not exceeding 62 % and of a fat content, by weight, referred to dry matter: — of less than 10 % — of 10 % or more — Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Pau- lin, Taleggio, Butterkäse as well as the cheeses of a water content, calculated by weight of the non- fatty matter, exceeding 62 % and of a fat content, by weight, referred to dry matter: — of less than 10 % — of 10 % or more Of a fat content, by weight in the dry matter: — of less than 10 % — of 10 % or more	(8) (8)	31·46 41·77	88·7 117·8	6·12 8·12	
04.04 E I c)		(8)	21·63	61·0	4·21	
		(8)	32·58	91·9	6·34	
		(8)	9·83	27·7	1·91	
		(8)	16·45	46·4	3·20	
		(8)	55·36	156·1	10·77	
		(8)	35·09	99·0	6·82	
		(7)	—	—	—	
		(7)	—	—	—	
		(7)	0·48	1·3	0·09	
		(7)	1·51	4·1	0·28	
		(7)	—	—	—	
(a) Basic amount per 100 kg net of product.						
(b) Supplementary amount per 100 kg net of product for each % of milk fat content:			0·68	1·9	0·13	
(c) Supplementary amount per 100 kg net of product for each % of milk fat content:			0·64	1·8	0·12	
(d) Supplementary amount per 100 kg net of product for each % of milk fat content:			0·65	1·8	0·13	

CCT heading No	Description	Notes	Amounts to be granted on imports and charged on exports			
			United Kingdom £/100 kg (a)	Ireland £/100 kg (a)	Italy Lit/100 kg (a)	France FF/100 kg (a)
1	2	3	7	8	9	10
04.04 E I b) 5	— Asiago, Caciocavallo, Provolone, Ragusano, Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit as well as the cheeses other than salted Ricotta of a water content, calculated by weight of the non-fatty matter, not exceeding 62 % and of a fat content, by weight, referred to dry matter: — of less than 10 % — of 10 % or more — Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio, Butterkäse as well as the cheeses of a water content, calculated by weight of the non-fatty matter, exceeding 62 % and of a fat content, by weight, referred to dry matter: — of less than 10 % — of 10 % or more Of a fat content, by weight in the dry matter: — of less than 10 % — of 10 % or more	(6) (6)	21-662 28-764	1-819 2-415	15 115 20 070	62-35 82-79
04.04 E I c)		(6) (6)	14-893 22-437	1-250 1-884	10 391 15 655	42-87 64-58
04.04 E II a)		(6)	6-769	0-568	4 723	19-48
04.04 E II b)		(6)	11-329	0-951	7 904	32-61
23.07 B I a) 3		(6)	38-124	3-201	26 601	109-73
23.07 B I a) 4		(6)	24-163	2-029	16 860	69-55
23.07 B I b) 3		(7)	—	—	—	—
23.07 B I c) 3		(7)	—	—	—	—
23.07 B II		(7)	0-410 1-281 —	0-116 0-362 —	459 1 435 —	1-35 4-21 —
(a) Basic amount per 100 kg net of product.						
(b) Supplementary amount per 100 kg net of product for each % of milk fat content:			0-468	0-039	326	1-35
(c) Supplementary amount per 100 kg net of product for each % of milk fat content:			0-439	0-037	306	1-26
(d) Supplementary amount per 100 kg net of product for each % of milk fat content:			0-448	0-038	313	1-29

Notes

- (¹) For skimmed-milk powder sold pursuant to Regulation (EEC) No 2054/76 (OJ No L 228, 20. 8. 1976) the amount indicated shall be multiplied by the coefficient 0.90.
- For skimmed-milk powder consigned to Italy from another Member State in accordance with Regulation (EEC) No 1624/76 (OJ No L 180, 6. 7. 1976) the amount indicated shall be multiplied by the coefficient 0.55.
- For skimmed-milk powder sold pursuant to Regulation (EEC) No 368/77 (OJ No L 52, 24. 2. 1977) or Regulation (EEC) No 443/77 (OJ No L 58, 3. 3. 1977), consigned in the natural state to another Member State, the amount indicated shall be multiplied by the coefficient 0.15.
- (²) In intra-Community trade, where the product has been denatured in accordance with Article 2 of Regulation (EEC) No 990/72 (OJ No L 115, 17. 3. 1972), the basic amount and any additional amount shall be replaced by a single amount of:
- | | | |
|-------------|-------|------------------------------------|
| — DM | 12.93 | per 100 kg for Germany, |
| — Bfrs/Lfrs | 36.5 | per 100 kg for Belgium/Luxembourg, |
| — Fl | 2.51 | per 100 kg for the Netherlands, |
| — £ | 8.904 | per 100 kg for the United Kingdom, |
| — £ | 0.748 | per 100 kg for Ireland, |
| — Lit | 6 213 | per 100 kg for Italy, |
| — FF | 25.63 | per 100 kg for France. |
- (³) The basic amount for 100 kg of product falling within this subheading shall be equal to the sum of the following:
- (a) the amount per 100 kg indicated multiplied by $\frac{1}{100}$ of the weight of milk and cream contained in 100 kg of the product;
- (b) a further amount for each percentage point of sucrose content in 100 kg net of the product, equal to $\frac{1}{100}$ of the amount indicated in Part 7 of Annex I to this Regulation under subheading 17.01 A (undenatured) of the Common Customs Tariff.
- (⁴) However, for butter covered by the measures provided for:
- in Regulation (EEC) No 1282/72 (OJ No L 142, 22. 6. 1972), the amount indicated shall be multiplied by the coefficient 0.40;
 - in Regulation (EEC) No 1717/72 (OJ No L 181, 9. 8. 1972), the amount indicated shall be multiplied by the coefficient 0.40;
 - in Regulation (EEC) No 649/78 (OJ No L 86, 1. 4. 1978), the amount shall be multiplied by the coefficient 0.40;
 - in Regulation (EEC) No 232/75 (OJ No L 24, 31. 1. 1975), the amount indicated shall be multiplied:
 - by the coefficient 0.33 where the butter is to be used in formula A products,
 - by the coefficient 0.53 where the butter is to be used in formula B products.
- (⁵) For imports into the United Kingdom from New Zealand pursuant to Protocol 18, the monetary compensatory amount shall be £ 20.858 per 100 kg and the coefficient shall not be applied to the special levy.
- (⁶) With respect to cheese rinds and wastes the monetary compensatory amount applicable shall be that applicable to products of subheading 04.04 E I c) of a fat content, by weight, in the dry matter of 10 % or more. Products unfit as such for human consumption shall be regarded as cheese wastes.
- (⁷) When completing customs formalities, the applicant shall state on the declaration provided for this purpose the content, expressed in actual weight per 100 kg of finished product, of:
- powdered or granulated milk (excluding whey),
 - powdered or granulated whey,
 - added casein and/or caseinate.

If the milk products contain powdered or granulated milk (excluding whey), the amount shown shall be increased by the following supplementary amounts:

Content by weight in powdered or granulated milk (excluding whey) in the finished product of:	Germany DM/100 kg	Belgium/ Luxembourg Bfrs/Lfrs/ 100 kg	Netherlands Fl/100 kg	United Kingdom £/100 kg	Ireland £/100 kg	Italy Lit/100 kg	France FF/100 kg
More than 12 but less than 30 %	2.59	7.3	0.50	1.781	0.150	1 243	5.13
30 or more but less than 50 %	5.17	14.6	1.01	3.562	0.299	2 485	10.25
50 or more but less than 70 %	7.76	21.9	1.51	5.342	0.449	3 728	15.38
70 or more but less than 80 %	9.70	27.4	1.89	6.678	0.561	4 659	19.22
80 % or more	10.99	31.0	2.14	7.568	0.635	5 281	21.78

In trade with third countries, the coefficient 1.81 shall be applied to the supplementary amounts indicated above. The coefficient shall, however, be 1.64 in the case of products containing skimmed-milk powder sold pursuant to Regulation (EEC) No 2054/76 (OJ No L 228, 20. 8. 1976).

In intra-Community trade, where the product has not been produced in accordance with Regulation (EEC) No 990/72 (OJ No L 115, 17. 3. 1972), the coefficient 1.81 shall be applied to the supplementary amounts indicated above. However, this coefficient shall not be applied to products consigned to Italy from another Member State in accordance with Regulation (EEC) No 1624/76 (OJ No L 180, 6. 7. 1976).

In intra-Community trade and in trade with third countries, where these products contain:

- skimmed-milk powder sold and denatured in accordance with the provisions of Regulation (EEC) No 368/77 (OJ No L 52, 24. 2. 1977) and Regulation (EEC) No 443/77 (OJ No L 58, 3. 3. 1977) or for which the aid has been granted and skimmed-milk powder which has been denatured in accordance with the provisions of Regulation (EEC) No 1844/77 (OJ No L 205, 11. 8. 1977),

and

- either fish meal or fish oil and/or fish liver oil or iron carbonate and/or iron sulphate and/or copper sulphate,

the supplementary amounts indicated above shall be multiplied by the coefficient 0.27.

(⁸) The basic amount for 100 kg of product falling within this subheading shall be equal to the sum of the following:

(a) the amount per 100 kg indicated;

(b) a further amount for each percentage point of sucrose content in 100 kg net of the product, equal to $\frac{1}{100}$ of the amount indicated in Part 7 of Annex I to this Regulation under subheading 17.01 A (undenatured) of the Common Customs Tariff.

(⁹) The basic amount for 100 kg of product falling within this subheading is the amount indicated multiplied by $\frac{1}{100}$ of the weight of milk and cream, other than whey, contained in 100 kg of the product.

When completing the customs formalities the interested party must indicate in the special declaration for this purpose:

— the whey content per 100 kg of finished product,

and, in particular:

— the lactose content of the whey.

NB: The weight of non-lactic fat is not included in the fat content.

COMMISSION REGULATION (EEC) No 1734/78
of 24 July 1978
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1396/78⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1550/78⁽³⁾, as last amended by Regulation (EEC) No 1674/78⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1550/78 to the information at present available to the Commis-

sion that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The levies referred to in Article 15 (1) of Regulation (EEC) No 3330/74 are, in respect of white sugar and standard quality raw sugar, hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 25 July 1978.

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

Done at Brussels, 24 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 182, 5. 7. 1978, p. 17.

⁽⁴⁾ OJ No L 192, 15. 7. 1978, p. 68.

ANNEX

to the Commission Regulation of 24 July 1978 fixing the import levies on white sugar and raw sugar

(u.a. / 100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar ; flavoured or coloured sugar	28.33
	B. Raw sugar	24.26 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.