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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1735/78

of 25 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 organization 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 Regulation (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 26 July 1978.

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

Done at Brussels, 25 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 25 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	92.82
10.01 B	Durum wheat	138.57 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	91.13 ⁽⁶⁾
10.03	Barley	87.62
10.04	Oats	80.84
10.05 B	Maize, other than hybrid maize for sowing	87.72 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	78.78 ⁽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	142.17
11.01 B	Rye flour	139.79
11.02 A I a)	Durum wheat groats and meal	225.96
11.02 A I b)	Common wheat groats and meal	151.79

⁽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 1736/78**of 25 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 26 July
1978.

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

Done at Brussels, 25 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 25 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	0.33	0.33	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	2.50	2.50	2.50
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0.66	0.66	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0.46	0.46	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	0.59	0.59	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0.44	0.44	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	4.45	4.45	4.45	4.45
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	3.33	3.33	3.33	3.33
11.07 B	Roasted malt	0	3.88	3.88	3.88	3.88

COMMISSION REGULATION (EEC) No 1737/78

of 20 July 1978

reimposing the levying of customs duties applicable to third countries on
certain products originating in Finland

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Agreement between the Euro-
pean Economic Community and the Republic of
Finland ⁽¹⁾, and in particular Protocol 1 thereof,

Having regard to Council Regulation (EEC) No
699/78 of 20 March 1978 establishing indicative ceil-
ings and Community supervision for imports of
certain products originating in Finland ⁽²⁾, and in parti-
cular Article 1 thereof,

Whereas Article 3 of the abovementioned Protocol
provides that the products listed below, imported
under reduced duty rates according to Article 2, are
subject to the annual ceiling indicated, above which
the customs duties applicable to third countries may
be re-established :

CCT heading No	Description	Ceiling (tonnes)
73.02	Ferro-alloys : E. Ferro-chromium and ferro- silico-chromium	12 453

Whereas imports into the Community of those
products originating in Finland have reached that

ceiling ; whereas the situation on the Community
market requires that customs duties applicable to
third countries on the products in question be reim-
posed,

HAS ADOPTED THIS REGULATION :

Article 1

From 29 July to 31 December 1978, the levying of
customs duties applicable to third countries shall be
reimposed on imports into the Community of the
following products :

CCT heading No	Description	Origin
73.02	Ferro-alloys : E. Ferro-chromium and ferro- silico-chromium	Finland

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, 20 July 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 328, 28. 11. 1973, p. 1.

⁽²⁾ OJ No L 102, 20. 3. 1978, p. 7.

COMMISSION REGULATION (EEC) No 1738/78

of 20 July 1978

reimposing the levying of customs duties applicable to third countries on certain products originating in Sweden

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the European Economic Community and the Kingdom of Sweden ⁽¹⁾, and in particular Protocol 1 thereof,

Having regard to Council Regulation (EEC) No 703/78 of 20 March 1978 establishing indicative ceilings and Community supervision for imports of certain products originating in Sweden ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 3 of the abovementioned Protocol provides that the products listed below, imported under reduced duty rates according to Article 2, are subject to the annual ceiling indicated, above which the customs duties applicable to third countries may be re-established :

CCT heading No	Description	Ceiling (tonnes)
73.02	Ferro-alloys : E. Ferro-chromium and ferro-silico-chromium	23 225

Whereas imports into the Community of those products originating in Sweden have reached that

ceiling ; whereas the situation on the Community market requires that customs duties applicable to third countries on the products in question be reimposed,

HAS ADOPTED THIS REGULATION :

Article 1

From 29 July to 31 December 1978, the levying of customs duties applicable to third countries shall be reimposed on imports into the Community of the following products :

CCT heading No	Description	Origin
73.02	Ferro-alloys : E. Ferro-chromium and ferro-silico-chromium	Sweden

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, 20 July 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 300, 31. 12. 1972, p. 96.

⁽²⁾ OJ No L 102, 14. 4. 1978, p. 25.

COMMISSION REGULATION (EEC) No 1739/78

of 20 July 1978

reimposing the levying of customs duties applicable to third countries on certain products originating in Austria

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the European Economic Community and the Republic of Austria ⁽¹⁾, and in particular Protocol 1 thereof,

Having regard to Council Regulation (EEC) No 698/78 of 20 March 1978 establishing indicative ceilings and Community supervision of imports of certain products originating in Austria ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 3 of the abovementioned Protocol provides that the products listed below, imported under reduced duty rates according to Article 1 (1) to (3), are subject to the annual ceiling indicated, above which the customs duties applicable to third countries may be re-established:

CCT heading No	Description	Ceiling (tonnes)
48.07	Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not constituting printed matter within Chapter 49), in rolls or sheets: C. Other: — Other	12 687

Whereas imports into the Community of those products originating in Austria have reached that

ceiling; whereas the situation on the Community market requires that customs duties applicable to third countries on the products in question be reimposed,

HAS ADOPTED THIS REGULATION:

Article 1

From 29 July to 31 December 1978, the levying of customs duties applicable to third countries shall be reimposed on imports into the Community of the following products:

CCT heading No	Description	Origin
48.07	Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not constituting printed matter within Chapter 49), in rolls or sheets: C. Other: — Other	Austria

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, 20 July 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 300, 31. 12. 1972, p. 1.

⁽²⁾ OJ No L 102, 14. 4. 1978, p. 1.

COMMISSION REGULATION (EEC) No 1740/78
of 25 July 1978

amending Regulation (EEC) No 1579/74 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals

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 24 thereof,

Whereas in view of the need to have available more
up to date information on imports of certain products,
it is necessary to provide for more frequent returns by
Member States; whereas Regulation (EEC) No
1579/74 of 24 June 1974⁽³⁾ should therefore be
amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 5 of Regulation (EEC) No 1579/74, the
following paragraph is hereby added:

‘However, in respect of products falling under
subheadings 07.06 A, 23.02 A I and 23.02 A II of
the Common Customs Tariff, these particulars
shall be communicated to the Commission daily.’

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, 25 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 168, 25. 6. 1974, p. 7.

COMMISSION REGULATION (EEC) No 1741/78

of 25 July 1978

amending Regulation (EEC) No 1387/78 laying down the method for determining the minimum bread-making quality of common wheat

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 4 (3) thereof,Whereas Article 4 of Commission Regulation (EEC)
No 1387/78 of 23 June 1978 laying down the method
for determining the minimum bread-making quality
of common wheat⁽³⁾ specifies that the cost of the
baking test and of the test of amylase activity is to be
borne by the offeror; whereas in the event of a
dispute the cost of the further baking test is to be
borne by the losing party; whereas it should be speci-
fied that the cost of a further test of amylase activity is
also to be borne by the losing party;Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Manage-
ment Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1387/78 is amended as follows:

Article 4 shall read as follows:

- '1. The cost of the baking test and of the test of
amylase activity shall be borne by the offeror.
2. In the event of a dispute the intervention
agency shall again carry out the necessary tests on
the wheat. The cost of these shall be borne by the
losing party.'

*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, 25 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 167, 24. 6. 1978, p. 36.

COMMISSION REGULATION (EEC) No 1742/78

of 25 July 1978

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78⁽²⁾, and in particular
Article 14 (4) thereof,

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

Whereas the import levies on products processed
from cereals and rice were fixed by Regulation (EEC)
No 1447/78⁽⁵⁾, as last amended by Regulation (EEC)
No 1705/78⁽⁶⁾;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products
processed from cereals and rice covered by Regulation
(EEC) No 2744/75⁽⁸⁾, as last amended by Regulation
(EEC) No 1603/78⁽⁹⁾, as fixed in the Annex to
amended Regulation (EEC) No 1447/78, are hereby
altered as shown in the table annexed to this Regula-
tion.

Article 2

This Regulation shall enter into force on 26 July
1978.

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

Done at Brussels, 25 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 142, 30. 5. 1978, p. 23.

⁽⁵⁾ OJ No L 173, 29. 6. 1978, p. 19.

⁽⁶⁾ OJ No L 195, 20. 7. 1978, p. 20.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁹⁾ OJ No L 188, 11. 7. 1978, p. 1.

ANNEX

to the Commission Regulation of 25 July 1978 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./tonne	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 A II ⁽²⁾	168.39	163.39
11.02 B II b) ⁽²⁾	123.22	120.72
11.02 C II ⁽²⁾	147.73	145.23
11.02 D II ⁽²⁾	95.09	92.59
11.02 E II b) ⁽²⁾	168.39	163.39
11.02 F II ⁽²⁾	168.39	163.39

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

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

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

COMMISSION REGULATION (EEC) No 1743/78**of 25 July 1978****introducing monetary compensatory amounts for certain flour-based preparations and amending the method of their application for certain goods falling within heading No 19.03 of the Common Customs Tariff**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 974/71 have been fixed by Regulation (EEC) No 1036/78⁽³⁾, as last amended by Regulation (EEC) No 1719/78⁽⁴⁾;

Whereas these amounts apply to cereal flours falling within heading No 11.01 of the Common Customs Tariff but do not, however, apply to flour-based preparations falling within subheading 19.02 B; whereas, over the past few months, this situation has created an artificial increase in trade in certain of the latter products, has caused trade to be deflected and risks causing disturbance of the market; whereas it is consequently necessary to apply monetary compensatory amounts to goods falling within subheadings 19.02 B II a) 4 aa) and 19.02 B II a) 5 aa) except in small packages;

Whereas this introduction of monetary compensatory amounts is at present restricted to those products in the case of which the situation referred to above has occurred; whereas an extension of this measure must be considered for other products if operations of the same type occur;

Whereas the macaroni, spaghetti and other products falling within heading No 19.03 may be put up in a single package which also contains sauces, meat, cheese and other additional products; whereas the application of the monetary compensatory amounts should depend only on the weight of the macaroni, spaghetti or other products;

Whereas for the reasons stated, it is necessary to amend Part 8 of Annex I to Regulation (EEC) No 1036/78; whereas a transitional period was allowed for the introduction of the amendment for the products falling within tariff heading No 19.03 for the purpose of allowing trade to make the relevant adjustments; whereas for those products with a basis of flour the immediate introduction of monetary compensatory amounts is necessary to stop the speculation in these products;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

Part 8 of Annex I to Regulation (EEC) No 1036/78 is hereby amended as follows:

1. Subject to any changes in the amounts in line with changes in the rates of exchange referred to in Article 2 (1) of Regulation (EEC) No 974/71, the following is added:

⁽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.

Numéro du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif	Montants à percevoir à l'importation et à octroyer à l'exportation Amounts to be charged on imports and granted on exports Beträge, die bei der Einfuhr erhoben und bei der Ausfuhr gewährt werden Importi da riscuotere all'importazione e da concedere all'esportazione Bij de invoer te heffen en bij de uitvoer te verstrekken bedragen Beløb, der skal opkræves ved indførsel og ydes ved udførsel			Montants à octroyer à l'importation et à percevoir à l'exportation Amounts to be granted on imports and charged on exports Beträge, die bei der Einfuhr gewährt und bei der Ausfuhr erhoben werden Importi da concedere all'importazione e da riscuotere all'esportazione Bij de invoer te verstrekken en bij de uitvoer te heffen bedragen Beløb, der skal ydes ved indførsel og opkræves ved udførsel			
	Deutschland DM/100 kg	Belgique/ Luxembourg FB/Flux/100 kg	Nederland Fl./100 kg	United Kingdom £/100 kg	Ireland £/100 kg	Italia Lit/100 kg	France FF/100 kg
1	2	3	4	5	6	7	8
19.02 B II a) 4 aa)	3.63 ⁽⁶⁾	— ⁽⁶⁾	— ⁽⁶⁾	2.503 ⁽⁶⁾	0.210 ⁽⁶⁾	1 746 ⁽⁶⁾	7.20 ⁽⁶⁾
19.02 B II a) 5 aa)	5.54 ⁽⁶⁾	15.50 ⁽⁶⁾	1.08 ⁽⁶⁾	3.812 ⁽⁶⁾	0.320 ⁽⁶⁾	2 660 ⁽⁶⁾	10.97 ⁽⁶⁾

⁽⁶⁾ These amounts shall only apply to goods in immediate packings of a net capacity of 1 kg or less.

2. As regards goods falling within subheadings 19.03 A, 19.03 B I and 19.03 B II of the Common Customs Tariff, the following footnote is added:

'(7) For goods falling within this subheading, the monetary compensatory amount shall be applied only according to the weight of the macaroni, spaghetti and similar products.'

Article 2

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

Paragraph 1 of Article 1 shall apply with effect from 1 August 1978.

Paragraph 2 of Article 1 shall apply with effect from 4 September 1978.

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

Done at Brussels, 25 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION RECOMMENDATION

of 29 June 1978

concerning the general conditions for the application of the reference tariffs provided for in Article 4 (3) of Council Regulation (EEC) No 2831/77 on the fixing of rates for the carriage of goods by road between Member States

(78/624/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2831/77 of 12 December 1977 on the fixing of rates for the carriage of goods by road between Member States⁽¹⁾, and in particular Article 4 (3) thereof,

Having regard to the opinion of the Committee referred to in Article 16 of the said Regulation,

Whereas, in order to meet the objectives assigned to them in the said Regulation, the reference tariffs must promote the fixing of transport rates which correspond to the market situation and to the economic interests of those involved therein;

Whereas, in order to achieve this aim, reference tariffs must, in addition to the price schedules, include all the other rules necessary for calculating the transport rate, that is to say, the transport rate proper together with the associated costs;

Whereas these conditions for application, as an integral part of the reference tariffs, constitute only a recommendation for non-compulsory rules for calculating the transport rate,

MAKES THE FOLLOWING RECOMMENDATION:

Article 1

It is recommended that the road hauliers' professional organizations incorporate in the reference tariffs,

within the meaning of Article 3 of Regulation (EEC) No 2831/77, the rules necessary for the calculation of transport rates (the transport rate proper and the associated costs), which are annexed hereto.

Article 2

The period of validity of this recommendation shall be the same as that of the abovementioned Regulation.

Article 3

This recommendation is addressed to the road hauliers' professional organizations in the Member States designated by the Governments of the Member States pursuant to the third subparagraph of Article 17 (1) of Regulation (EEC) No 2831/77.

Done at Brussels, 29 June 1978.

For the Commission

Richard BURKE

Member of the Commission

⁽¹⁾ OJ No L 334, 24. 12. 1977, p. 22.

GENERAL RULES FOR THE REFERENCE TARIFFS

Article 1

Scope

1. The following provisions apply to the carriage of goods by road for hire and reward between Member States which, pursuant to Council Regulation (EEC) No 2831/77, is subject to a system of reference tariffs.

2. These provisions do not apply in the case of special tariffs governed by special rules.

Article 2

Definition of consignment

'Consignment' means a quantity of goods accepted by one carrier for one consignor at one loading point and carried in one trip in one vehicle for delivery to one consignee at one unloading point. Different points in the same industrial or commercial establishment are considered to be a single loading or unloading point.

Article 3

Transport rate

The transport rate agreed on the basis of the schedules constitutes full payment for:

- (a) the transport operations proper as defined in Article 4;
- (b) vehicle waiting time as defined in Article 5:
 - during loading and unloading,
 - at the customs and at frontier crossing points,
 - en route.

Article 4

Delimitation of transport operations

1. The transport operations proper begin when the goods have been loaded onto the vehicle at the acceptance point and end when they are made available to the consignee of the goods, on the vehicle, at the unloading point.

2. Should other operations be agreed upon, such as the loading or unloading of goods by the carrier, these

operations are paid for in addition to the transport rate.

Article 5

Waiting time

1. Waiting time, covered by the transport rate, begins at the moment when the vehicle is ready at the loading or unloading point and ends when the vehicle has been loaded and unloaded and the transport documents have been surrendered.

Waiting time for loading or unloading is 12 minutes per tonne or part of a tonne in gross weight. The minimum waiting time is 90 minutes per consignment.

If the vehicle is not presented early enough for it to be loaded or unloaded according to the waiting times fixed above, by 6 p.m. or by the time work stops, waiting time is not counted between 6 p.m. or, when work has stopped, one hour before 6 p.m. if the carrier was so informed before transport was effected, and 8 a.m. of the next working day.

Sundays and legal holidays in the country where the vehicle is parked at that time are not considered as working days (nor are any other weekdays on which the premises of the consignor or consignee are closed, if the carrier was so informed before transport was effected).

When waiting time is exceeded and if the cause is attributable to the consignor, the additional waiting time is paid as an extra to the carriage charge, in accordance with the provisions of the tariffs.

2. Waiting time at customs or at frontiers, in so far as it concerns the carriage of the same consignment, as well as waiting time en route in so far as it is due to the client are covered by the transport rates up to a maximum of five hours for each consignment.

Article 6

Basic rules for the calculation of transport rates

1. The transport rate is calculated separately for each consignment.

2. The following factors are to be taken as the basis for the calculation of transport rates according to the tariff schedules :

- (a) the weight of the consignment ;
- (b) the weight class of the consignment ;
- (c) the tariff distance ;
- (d) the class of the goods.

Article 7

Weight of the consignment

1. The weight of the consignment taken as the basis for the calculation of the transport rate is the gross weight of the consignment including packaging, tackle and pallets, rounded up to the nearest 100 kg.
2. Where the goods weigh less than 300 kg per cubic metre, the weight of the consignment in kilograms is determined, before rounding off, by multiplying the number of cubic metres which it occupies by 300 but without exceeding the carrying capacity of the vehicle used.
3. Where the consignor insists on the exclusive use of a vehicle or insists on a specific vehicle and the load does not occupy the full capacity of the vehicle, the weight of the consignment is the carrying capacity of the vehicle.

Article 8

Weight classes

1. The schedules are differentiated into several weight classes, to which corresponds each time a minimum weight.
2. Where the weight of the consignment falls between two weight classes, the rate is calculated according to the lower weight class, unless the application of the higher class corresponding to its minimum weight produces a lower rate.

Article 9

Tariff distance

1. The tariff distance is the distance between the loading point and the unloading point stated in the consignment note calculated in accordance with the tables of distance, with the exception of any sea crossing.
2. The tariff distance is to be calculated via the frontier crossing point or points stated in the consignment note. If no frontier crossing point is stated in the consignment note, or if the frontier crossing point or points cannot be used, the frontier crossing point or points to be taken into consideration in calculating

the transport rate should be that or those which can actually be used and which provide the shortest tariff distance.

3. Where a particular itinerary is agreed upon, the tariff distance is to be calculated for that route.

4. Where, at the request of the consignor or of the consignee, the destination is changed before the goods are unloaded, the tariff distance is to be calculated according to the route actually taken.

Article 10

Classes of goods

The goods are to be divided into several classes ; this classification forms an integral part of the reference tariffs.

Article 11

Consignments consisting of different goods

1. Where a consignment consists of goods falling within different classes of goods and the weights of the goods in each class are not shown separately in the consignment note, the transport rate for the consignment as a whole is to be calculated by reference to the highest class within which the goods making up the consignment fall.

2. Where a consignment consists of goods falling within different classes and the weight of goods in each class is shown separately, the transport rate is to be calculated by applying to the weight of each item of goods the schedules for the total weight of the consignment, in each of the classes in question.

If it is to the advantage of the client, the transport rate for several goods making up a consignment may be calculated by reference to schedules for a weight class which exceeds the total weight of the consignment. In this case, the shadow weight required to reach the highest weight class is to be added to the weight of the preponderant goods, or, where weights are equal, to that of the goods falling within the higher class of goods.

For the purpose of applying these provisions, the weight of packaging, tackle and pallets is to be added to the weight of the goods for which they are used or to which they are attached.

Article 12

Carriage by temperature-controlled vehicles

For carriage by isolated, refrigerated, mechanically refrigerated or heated vehicle, the transport rate is to be increased according to the rules laid down in the tariffs.

*Article 13***Consolidated loads**

1. Where several consignments for a single consignor are carried on one journey in one vehicle, the transport rate is to be calculated by way of derogation from Articles 7 and 9, for each consignment according to the total transport distance between the first loading point and the last unloading point via all intermediate loading or unloading points and according to the schedule for the total weight of the consignment.

For each additional loading point or unloading point the transport rate is increased by a sum fixed by the tariffs.

2. These provisions apply unless application of the other rules would give a lower rate.

*Article 14***Contracts with agents**

Where the contract of carriage is between a carrier and an agent, the transport rate is to be reduced according to the rules laid down in the tariffs.

*Article 15***Roll-on/roll-off transport**

Where a road vehicle is carried by sea for part of the journey, the transport rate is to be calculated by

adding to the rates for the inland portions of the journey obtained by applying the foregoing provisions :

- a sum corresponding to the sea-freight charge paid by the carrier,
- a surcharge to cover those waiting costs of the road vehicle and its crew which concern the sea journey, to be calculated in accordance with the rules laid down in the tariffs.

*Article 16***Special expenditure**

Over and above payment for transport operations, reimbursement is to be made for charges or tolls of whatsoever kind relating to carriage and for other expenses arising en route, where the latter are chargeable to the consignor.

*Article 17***Journeys made unladen**

Compensation may be agreed upon for journeys made unladen which are chargeable to the consignor and are not followed by loading.

COMMISSION DECISION
of 17 July 1978
on the urgent supply of maize meal as food aid to Zaire
(Only the Italian text is authentic)

(78/625/EEC)

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,

Having regard to Council Regulation (EEC) No 696/76 of 25 March 1976 derogating from Regulation (EEC) No 2750/75 in respect of mobilization procedure for cereals to be supplied as food aid⁽⁴⁾,

Whereas on 25 March 1976 the Council of the European Communities declared that it proposed, by way of Community action, to grant 5 555 tonnes of maize meal to Zaire under its 1975/76 food-aid programme;

Whereas, in view of the need to provide quick aid, it is necessary to have recourse to contracts by mutual agreement;

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

HAS ADOPTED THIS DECISION:

Article 1

1. In accordance with Article 1 of Council Regulation (EEC) No 696/76 of 25 March 1976, the Azienda di Stato per gli interventi sui Mercati Agricoli (AIMA), Via Palestro, 81, Roma (intervention agency) shall conclude a private contract for the purchase on the Community market of 5 555 tonnes of maize for delivery to Zaire.

⁽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 L 83, 30. 3. 1976, p. 8.

2. In concluding the private contract, AIMA must seek the least onerous terms possible.

3. The contract shall be for the purchase and supply of the products delivered to Matadi.

4. The product shall be delivered in four lots in new jute sacks of 50 kilograms net weight lined with sacks of six-ply Clupak paper.

The following shall be printed on the sacks:

'Semoules de maïs / Don de la Communauté économique européenne à la république du Zaïre'.

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

The product referred to in Article 1 must meet the following requirements:

- moisture content: 12 % maximum,
- acidity: 0.6 % maximum,
- fat content by weight: 1.5 % maximum.

Products not meeting these requirements shall be refused.

Article 3

1. A security of a value of 10 units of account per tonne shall be given by the party concerned on the signature of the contract. It shall be released on the completion of the operations in question within the time limit laid down and also for those 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 4

Shipment shall be carried out between 1 and 15 August 1978 for Lot 1 (1 500 tonnes), 15 and 30 August 1978 for Lot 2 (1 500 tonnes), 1 and 15 September 1978 for Lot 3 (1 500 tonnes) and 15 and 30 September 1978 for Lot 4 (1 055 tonnes).

Article 5

The intervention agency shall ask that the interested party supplies 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 together with a copy of the private contract.

Article 6

As regards this action, 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 7

This Decision is addressed to the Italian Republic.

Done at Brussels, 17 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 18 July 1978

authorizing Ireland to apply protective measures to trade within the Community in twine, cordage, ropes and cables, whether or not plaited, falling within heading No 59.04 of the Common Customs Tariff, originating in Portugal and in free circulation in the other Member States

(Only the English text is authentic)

(78/626/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty made on 29 May 1978 by the Irish Government to the Commission of the European Communities, for authorization to apply protective measures to trade within the Community in twine, cordage, ropes and cables, whether or not plaited, falling within heading No 59.04 of the Common Customs Tariff, originating in Portugal and in free circulation in the other Member States,

Whereas, in accordance with Article 3 of Protocol 1 to the Agreement between the European Economic Community and the Portuguese Republic⁽¹⁾, the Member States apply different customs duties to imports of the said products from Portugal; whereas in Ireland such imports are subject to customs duties, while in the other Member States they are exempt from duties;

Whereas the disparities in the trade tariff measures applied to these products by the Member States are causing a deflection of trade and thus preventing the execution of the commercial policy measures which are in force in Ireland because of the difficult economic situation in the sector concerned;

Whereas the application submitted shows that there are serious difficulties in the said sector, involving a considerable drop in production and employment and a progressive decline in its market share;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115;

Whereas these measures may consist of levying an additional import charge, designed to offset the existing disparities,

HAS ADOPTED THIS DECISION:

Article 1

Ireland is hereby authorized to levy on imports of twine, cordage, ropes and cables, whether or not plaited, falling within heading No 59.04 of the Common Customs Tariff, originating in Portugal and in free circulation in the other Member States, a countervailing charge of an amount not exceeding the customs duties which it applies to imports of the said products coming direct from Portugal.

Article 2

Ireland shall without delay inform the Commission of the measures taken under this Decision.

Article 3

This Decision shall apply until 31 December 1978.

Article 4

This Decision is addressed to Ireland.

Done at Brussels, 18 July 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 301, 31. 12. 1972, p. 165.