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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2754/79

of 3 December 1979

on the conclusion of the Agreement on fisheries between the European Economic Community and the Government of Canada and of the Agreement in the form of an exchange of letters concerning that Agreement

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas, by its resolution of 3 November 1976 on certain external aspects of the creation of a 200 mile fisheries zone in the Community with effect from 1 January 1977, the Council agreed that fishing rights for Community fishermen in the waters of third countries must be obtained and preserved by appropriate agreements with the Community;

Whereas the Agreement on fisheries between the European Economic Community and the Government of Canada and the Agreement in the form of an exchange of letters concerning that Agreement should be approved,

HAS ADOPTED THIS REGULATION :

Article 1

The Agreement on fisheries between the European Economic Community and the Government of Canada and the Agreement in the form of an exchange of letters concerning that Agreement are approved on behalf of the Community.

The text of the Agreements is annexed to this Regulation.

Article 2

The President of the Council shall, on behalf of the Community, give the notification provided for in Article XIII of the Agreement on fisheries⁽²⁾.

Article 3

This Regulation shall enter into force the 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, 3 December 1979.

For the Council

The President

B. LENIHAN

⁽¹⁾ OJ No C 127, 21. 5. 1979, p. 84.

⁽²⁾ The date of the entry into force of the Agreement will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

AGREEMENT**on fisheries between the European Economic Community and the Government of Canada**

THE EUROPEAN ECONOMIC COMMUNITY (hereinafter referred to as the 'Community') and

THE GOVERNMENT OF CANADA

RECALLING the close relations between the Community and Canada and, in particular, the Framework Agreement for Commercial and Economic Cooperation between the European Communities and Canada signed in Ottawa on 6 July 1976;

HAVING REGARD to their common desire to ensure the conservation and rational management of the living resources of the waters adjacent to their coasts and their concern for the welfare of their coastal communities and the living resources of the adjacent waters upon which these communities depend;

NOTING that the Government of Canada has extended its jurisdiction over the living resources of its adjacent waters to a limit of up to 200 nautical miles from its coast and exercises within this limit sovereign rights for the purposes of exploring and exploiting, conserving and managing these resources; and having regard to the fact that the Member States of the Community have agreed that the limits of their fishery zones (hereinafter referred to as the fishery zone of the Community) shall extend up to 200 nautical miles from the coast, fishing within these limits being subject to the common fisheries policy of the Community;

TAKING into account the need to coordinate the management of certain living marine resources which occur both in waters under the fisheries jurisdiction of Canada and in the fishery zone of the Community;

NOTING the intention of the two Parties to participate in multilateral cooperation for the conservation and management of the living marine resources in the North-west Atlantic area beyond the limits of national fisheries jurisdiction;

TAKING into account the work of the Third United Nations Conference on the Law of the Sea and resulting State practice;

AFFIRMING that the exercise of sovereign rights by coastal States within their areas of jurisdiction over the living resources for the purpose of exploring, exploiting, conserving and managing these resources, should be conducted in accordance with the principles of international law;

TAKING into account the interest of each Party in developing fisheries in the fishery zone of the other Party;

DESIROUS of establishing the terms and conditions pertaining to fisheries of mutual concern;

NOTING their intention to pursue negotiations for a long-term agreement on fisheries, to develop further cooperation between the two Parties and, in the context of these negotiations, to pursue, in particular, discussion on the nature of Canada's interest in the stocks of the Grand Banks — Flemish Cap area seaward of Canadian fisheries waters,

HAVE AGREED AS FOLLOWS:

Article I

The Government of Canada and the Community undertake to cooperate closely in matters pertaining to the conservation and utilization of the living resources of the sea. They shall take appropriate measures to facilitate such cooperation and shall consult and cooperate in international negotiations and organizations with a view to achieving common fisheries objectives.

Article II

1. In addition to the access granted under the Agreement between Canada and France on their Mutual Fishing Relations, signed in Ottawa on 27 March 1972,

(a) the Government of Canada undertakes to grant access to vessels of Member States of the Commu-

nity to fish within the area off the East Coast of Canada, brought under Canadian fisheries jurisdiction after 31 December 1976, for allotments, as appropriate, of parts of total allowable catches surplus to Canadian harvesting capacity, in accordance with the provisions of this Article ;

- (b) the Community undertakes to grant access to Canadian vessels to fish within the fishery zone of the Community for allotments, as appropriate, of parts of total allowable catches surplus to Community harvesting capacity, in accordance with the provisions of this Article.

2. Each Party shall determine annually for the waters under its fisheries jurisdiction referred to in paragraph 1, subject to adjustment when necessary to meet unforeseen circumstances,

- (a) the total allowable catch for individual stocks or complexes of stocks taking into account the best scientific evidence available to it, the interdependence of stocks, the work of appropriate international organizations and other relevant factors ;
- (b) its harvesting capacity in respect of such stocks ; and,
- (c) after appropriate consultations, allotments, as appropriate, for fishing vessels of the other Party of parts of surpluses of stocks or complexes of stocks and the areas within which these allotments may be fished.

3. Each Party may require that fishing in its area of fisheries jurisdiction by fishing vessels of the other Party shall be subject to licensing requirements. Such licences will be issued to the extent necessary to allow the Party concerned the fishing effort required to take the allocations granted under this Agreement. Fishing vessels of one Party shall, when fishing within the area of fisheries jurisdiction of the other Party, comply with all laws governing fishing activities in that area. Advance notice shall be given where practicable of any new measures, conditions or provisions applying to such fisheries.

Article III

1. Each Party shall take all necessary measures to ensure that its vessels operate in compliance with the provisions of this Agreement and with any measures agreed upon from time to time pursuant to the provisions of this Agreement.

2. Each Party may take within its area of fisheries jurisdiction such measures, in conformity with international law, as may be necessary to ensure compliance

with the provisions of this Agreement by vessels of the other Party.

Article IV

The two Parties undertake to cooperate, either bilaterally or through appropriate international organizations, in order to ensure the proper management and conservation of stocks occurring both within the area under the fisheries jurisdiction of Canada and within the fishery zone of the Community, and stocks of associated species. In particular, they shall endeavour to harmonize the regulatory measures applicable to these stocks, and shall consult frequently and exchange relevant fisheries statistics for this purpose.

Article V

1. The Government of Canada and the Community affirm the need to ensure the conservation of the living resources beyond the limits of national fisheries jurisdiction. They accordingly undertake to cooperate in the light of this principle, either bilaterally or through appropriate international organizations, in order to ensure the proper management and conservation of these living resources.

2. Where the same stock or stocks of associated species occur both within and seaward of Canadian fisheries waters in the Grand Banks — Flemish Cap area, and Community vessels participate or wish to participate in fisheries for such stocks within the area seaward of Canadian fisheries waters, the two Parties shall seek either bilaterally or through appropriate international organizations to agree upon measures for the conservation and management of these stocks within the area seaward of Canadian fisheries waters, taking into account the need for consistency between the measures applying within Canadian fisheries waters and those applying seaward of such waters.

3. Where discrete stocks occur in the Grand Banks — Flemish Cap area seaward of Canadian fisheries waters, and Canadian and Community vessels participate or wish to participate in fisheries for such stocks, the two Parties shall seek, either bilaterally or through appropriate international organizations, to agree upon measures for the conservation and management of these stocks.

4. In the event that third party fishing causes a threat to the conservation of the living resources of the waters beyond and adjacent to the areas referred to in Article II, the two Parties shall consult and seek to agree on action which should be taken to overcome that threat.

Article VI

The two Parties undertake to cooperate, as appropriate in the light of the development of their fisheries relations pursuant to the provisions of Article II, in scientific research required for the purposes of management, conservation and utilization of the living resources of the areas referred to in that Article. For these purposes, scientists of the two Parties shall consult regarding the conduct of such research and the analysis and interpretation of the results obtained.

Article VII

1. Each Party shall, subject to the availability of facilities and the needs of its own vessels, allow vessels which it has licensed pursuant to this Agreement to enter its ports in accordance with applicable laws, regulations and administrative requirements, for the purpose of purchasing bait, supplies or outfits or effecting repairs, or for such other purposes as that Party may determine.

2. Such authorization shall become null and void in respect of any vessel licensed pursuant to this Agreement upon the cancellation or termination of its licence, except for the purpose of entering port to purchase supplies or effect repairs necessary for its outward voyage.

3. The provisions of this Article shall not affect access to the ports of either Party in cases of distress, medical emergency or *force majeure*.

Article VIII

1. The Government of Canada and the Community recognize that States in whose rivers anadromous stocks originate have the primary interest in and responsibility for such stocks, and agree that fishing for anadromous species should not be conducted in areas beyond the limits of national fisheries jurisdiction. They will continue to work together for the establishment of permanent multilateral arrangements reflecting this position.

2. Pursuant to paragraph 1, the Parties shall take measures to prevent their vessel from taking anadromous fish in waters beyond the limits of national fisheries jurisdiction.

3. In the interest of the further conservation of anadromous species, each Party shall ensure, in the context of close scientific cooperation, the regulation of fishing of anadromous species within its area of fisheries jurisdiction. The Government of Canada shall regulate the fishing of Atlantic salmon in the Canadian area of fisheries jurisdiction in such a manner as to avoid as far as possible the catching of

Atlantic salmon of Community origin, and the Community shall limit fishing by its vessels of Atlantic salmon west of 44° W longitude to an annual total agreed for 1978 and 1979, and shall ensure that such catches are taken in accordance with the fishing patterns of 1976 and 1977.

4. The Parties agree to request that the International Council for the Exploration of the Sea conduct a scientific review of the current status of North Atlantic salmon stocks, and that this review be completed and a report made available by 30 April 1979.

Article IX

1. Within the framework provided by the 1976 Framework Agreement for Commercial and Economic Cooperation between Canada and the European Communities, the two Parties will carry out periodic bilateral consultations regarding the development of economic cooperation in the field of fisheries.

2. In such consultations, the two Parties will examine jointly the possibility of expanded bilateral cooperation, including cooperation on such matters as exchanges of technical information and personnel, improvement of utilization and processing of catches, facilitation of cooperative arrangements between Canadian and Community enterprises with respect to the utilization of the living resources of the waters off the Canadian coasts, arrangements for the use of the ports of each Party by fishing vessels of the other Party to ship or discharge crew members or other persons and for such other purposes as may be agreed upon, and expansion of markets for fish and fish products originating in Canada.

Article X

1. The Parties agree to consult periodically on questions relating to the implementation and proper functioning of this Agreement.

2. In the event of a dispute concerning the interpretation or application of this Agreement such a dispute shall be the subject of consultations between the Parties.

Article XI

This Agreement shall be without prejudice to the 1972 Agreement between Canada and France on their Mutual Fishing Relations or to any multilateral Convention to which Canada and the Community or any of its Member States are parties, or to the views of either Party with respect to any question relating to the Law of the Sea.

Article XII

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of Canada.

Article XIII

This Agreement shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for this purpose.

Article XIV

This Agreement shall terminate on 31 December 1979.

Interpretative note to Article II, paragraph 3

With reference to this Article, the Parties agree that fishing effort is a function of both the number of fishing vessels for which licences are issued and the number of fishing days for which such licences are valid.

Interpretative note to Article VIII

With reference to this Article, the Parties agree that the term 'fishing patterns' refers to fishing effort, gear types, seasons and areas of the operation, and note that fishing for salmon off Greenland in 1976 and 1977 did not occur beyond 30 nautical miles from the coast of Greenland.

Community declaration concerning Article XII of the Agreement on fisheries between the European Economic Community and the Government of Canada

Pursuant to the wish expressed by the Government of Canada, the Community confirms that it considers Article XII of the Agreement, which incorporates provisions that are traditionally used in agreements concluded between the European Economic Community and third countries, as having no bearing upon the question of the legal status of the economic zone, currently under discussion at the Third Conference of the United Nations on the Law of the Sea.

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Government of Canada concerning their Agreement on fisheries

A. Letter from the Community to Canada

Sir,

With reference to the Agreement between the Government of Canada and the European Economic Community on fisheries signed today and, in particular, to Article VIII, paragraph 3, thereof, I have the honour to confirm that for 1978 and 1979 the agreed annual total catch of Atlantic salmon, west of 44° W longitude, by Community vessels is 1 190 tonnes.

I would draw your attention to the fact that this letter will be published in the *Official Journal of the European Communities* in the six official languages of the Community, all versions being equally authentic.

I would be obliged if you would kindly let me know that your Government is in agreement with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*For the
Council of the European Communities*

B. Letter from Canada to the Community

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows :

'With reference to the Agreement between the Government of Canada and the European Economic Community on fisheries signed today and, in particular, to Article VIII, paragraph 3, thereof, I have the honour to confirm that for 1978 and 1979 the agreed annual total catch of Atlantic salmon, west of 44° W longitude, by Community vessels is 1 190 tonnes.

I would draw your attention to the fact that this letter will be published in the *Official Journal of the European Communities* in the six official languages of the Community, all versions being equally authentic.

I would be obliged if you would kindly let me know that your Government is in agreement with the foregoing.'

I have the honour to inform you that the Government of Canada is in agreement with the contents of your letter and I confirm that your letter, and this reply to it, the English and French versions of which are equally authentic, constitute a supplementary agreement reached between the Government of Canada and the European Economic Community concerning the Agreement on fisheries signed today.

Please accept, Sir, the assurance of my highest consideration.

For the Government of Canada

COMMISSION REGULATION (EEC) No 2755/79

of 7 December 1979

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 1547/79⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 1658/79⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

— in the case of currencies which are maintained in relation to each other at any given moment within

a band of 2.25 %, a rate of exchange based on their effective parity;

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 6 December 1979;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1658/79 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

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 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 December 1979.

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

Done at Brussels, 7 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 193, 1. 8. 1979, p. 5.

ANNEX

to the Commission Regulation of 7 December 1979 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	77.40
10.01 B	Durum wheat	102.98 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	64.26 ⁽⁶⁾
10.03	Barley	67.27
10.04	Oats	74.98
10.05 B	Maize, other than hybrid maize for sowing	88.23 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	1.08
10.07 B	Millet	45.87 ⁽⁴⁾
10.07 C	Grain sorghum	79.98 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	122.12
11.01 B	Rye flour	103.70
11.02 A I a)	Durum wheat groats and meal	172.85
11.02 A I b)	Common wheat groats and meal	131.02

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

⁽²⁾ Where maize originating in the ACP or OCT is imported into the French overseas departments the levy is reduced by 7.25 ECU/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 1.81 ECU/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 0.60 ECU/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 2756/79

of 7 December 1979

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 organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1547/79⁽²⁾, and in particular Article 15(6) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 1659/79⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 % a rate of exchange based on their effective parity;

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 6 December 1979;

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 to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 December 1979.

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

Done at Brussels, 7 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 193, 1. 8. 1979, p. 7.

ANNEX

to the Commission Regulation of 7 December 1979 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 12	1st period 1	2nd period 2	3rd period 3
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	8.52	8.52	8.52
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	14.09	14.09	14.09
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2757/79
of 7 December 1979

**opening an invitation to tender for the mobilization of common wheat flour as
food aid for the Catholic Relief Services**

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 1547/79⁽²⁾,

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

Having regard to Council Regulation No 129 on the
value of the unit of account and the exchange rates to
be applied for the purposes of the common agricul-
tural policy⁽⁴⁾, as last amended by Regulation (EEC)
No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas on 8 May 1979 the Council of the European
Communities declared that it proposed, by way of
Community action, to grant the equivalent of 7 500
tonnes of common wheat (in other words 5 639
tonnes of common wheat flour) to the Catholic Relief
Service under its 1978/79 food-aid programme;

Whereas pursuant to Article 3 (3) of Council Regula-
tion (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 nomi-
nated by the recipient or its agent;

Whereas tenders may be submitted by tenderers esta-
blished 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 ques-
tion 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 ques-
tion;

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 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

1. Tenders are hereby invited for the supply to the
Catholic Relief Services, by way of Community action,
of 5 639 tonnes of common wheat flour.
2. The tendering procedure shall take place in
France in four lots.
3. The products shall be mobilized on the Commu-
nity market.
4. Shipment shall be from a Community port.
5. The product referred to in paragraph 1 is to be
delivered to the port of shipment in the vicinity of the
vessel. The goods must be set down at the place nomi-
nated by the recipient country or its agent, the timing
of delivery being settled by the tenderer and the recip-
ient country's agent.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, 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.

6. 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.

The following shall be printed on the sacks :

Lot 1 : 272 tonnes :

'Harina de trigo / Donación de la Comunidad económica europea para Cathwell Chile / Destinada a la distribución gratuita

Cathwell / 5124 / Antofagasta'.

Lot 2 : 314 tonnes :

'Harina de trigo / Donación de la Comunidad económica europea para Cathwell Chile / Destinada a la distribución gratuita

Cathwell / 5125 / Coquimbo'.

Lot 3 : 2 326 tonnes :

'Harina de trigo / Donación de la Comunidad económica europea para Cathwell Chile / Destinada a la distribución gratuita

Cathwell / 5126 / Valparaiso'.

Lot 4 : 2 727 tonnes :

'Harina de trigo / Donación de la Comunidad económica europea para Cathwell Chile / Destinada a la distribución gratuita

Cathwell / 5127 / Talcahuano'.

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 21 December 1979.

2. The closing date for submission of tenders shall be 21 December 1979 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,
- 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 (5) 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 12 ECU 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

1. The common wheat flour referred to in Article 1 must meet the following requirements :

- moisture : 14 % maximum,
- protein content : 10.5 % minimum ($N \times 6.25$ on dry matter),
- ash content : 0.62 % maximum referred to dry matter.

Flour not meeting these requirements shall be refused.

2. Tenders for supply of the common wheat flour referred to in Article 1 must relate to a product with the following characteristics :

- moisture : 14 % maximum,
- protein content : 10.5 % minimum ($N \times 6.25$ on dry matter),
- ash content : 0.62 % maximum referred to dry matter.

Article 8

1. The French intervention agency shall be responsible for 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 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, 7 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2758/79

of 7 December 1979

opening an invitation to tender for the mobilization of maize meal as food aid
for the Republic of Senegal

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 1547/79⁽²⁾,

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

Having regard to Council Regulation No 129 on the
value of the unit of account and the exchange rates to
be applied for the purposes of the common agricul-
tural policy⁽⁴⁾, as last amended by Regulation (EEC)
No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas on 8 May 1979 the Council of the European
Communities declared that it proposed, by way of
Community action, to grant 2 222 tonnes of maize
meal to the Republic of Senegal under its 1978/79
food-aid programme ;

Whereas pursuant to Article 3 (3) of Council Regula-
tion (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 nomi-
nated by the recipient or its agent ;

Whereas tenders may be submitted by tenderers esta-
blished 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 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 for the purpose of guaranteeing that the obliga-
tions arising by virtue of participation in the invita-
tion to tender for supplies to Senegal will be fulfilled ;

Whereas the French 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 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

1. Tenders are hereby invited for the supply to the
Republic of Senegal, by way of Community food-aid
action, of 2 222 tonnes of maize meal.

2. The tendering procedure shall take place in
France in one lot. The product shall be mobilized on
the Community market. The product shall be loaded
for the 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 kilo-
grams to the port of shipment in the vicinity of the
vessel. The goods must be set down at the place nomi-
nated by the recipient country or its agent, the timing
of delivery being settled by the tenderer and the recip-
ient country's agent.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, 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.

Minimum weight of the sacks shall be 600 grams.

The following shall be printed on the sacks :

'Semoules de maïs / Don de la Communauté économique européenne à la république du Sénégal / À distribuer gratuitement'.

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 21 December 1979.

2. The closing date for submission of tenders shall be 21 December 1979 at 12 noon.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not later 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,
- 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

1. The tenderer shall give security in an amount of 12 ECU per tonne of the products.

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 6

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

- moisture content : maximum 13 %,
- acidity : 0.6 % maximum.

Products not meeting these requirements shall be refused.

Article 7

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 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 (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 statement giving details of the quantities loaded, the quality of the products and the type of packing ;
- (b) the date of the departure of the ships.

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 8

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 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, 7 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2759/79**of 7 December 1979****opening an invitation to tender for the mobilization of milled long grain rice as food aid for Honduras**

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 1552/79 ⁽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 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,

Having regard to the opinion of the Monetary Committee,

Whereas on 8 May 1979 the Council of the European Communities declared that it proposed, by way of Community action, to grant 1 360 tonnes of milled long grain rice to Honduras under its 1978/79 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 to Puerto Cortes, that is at the moment when the goods are actually placed on the quay 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 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 for supplies to Honduras ;

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 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 Honduras, by way of Community food-aid action, of 1 360 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. Shipment shall be from any Community port.

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

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

The minimum weight of the sacks shall be 600 grams.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 9.

⁽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.

The following shall be printed on the sacks:

'Rice / Gift of the European Economic Community to Honduras / 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 9 January 1980.
2. The closing date for the submission of tenders shall be 9 January 1980 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 ECU 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 12 ECU 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 Honduras 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 Honduras 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 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 operation 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, 7 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2760/79

of 7 December 1979

fixing the prices to be used for calculating the value of agricultural products in intervention storage on 31 December 1979 to be carried forward to the 1980 financial year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section⁽¹⁾, as amended by Regulation (EEC) No 1030/79⁽²⁾, and in particular Article 8 thereof,

Whereas the first paragraph of Article 8 of Regulation (EEC) No 1883/78 provides that prices are to be determined for calculating the value of the agricultural products in intervention storage on 31 December 1979 to be carried forward to the 1980 financial year; whereas these products are generally valued at their purchase price; whereas prices should therefore be based on the actual purchase prices paid by the intervention agencies during a reference period running from 1 January 1979 to the latest month for which the figures are known (including those of products carried over from 1978 and entered in the accounts on 1 January 1979 at their carry-over prices);

Whereas it is not necessary in the case of intervention stocks as at 31 December 1979 to use the provision in the second paragraph of Article 8 of Regulation (EEC) No 1883/78;

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

HAS ADOPTED THIS REGULATION:

Article 1

The prices to be used for calculating the value of agricultural products in intervention storage on 31 December 1979 to be carried over into the 1980 financial year shall be as set out in the Annex hereto.

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, 7 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽²⁾ OJ No L 130, 29. 5. 1979, p. 4.

ANNEX

Prices to be used for calculating the value of agricultural products in intervention storage
on 31 December 1979 to be carried over to the 1980 financial year

(tonnes)

Product	ECU	Belgium Bfrs	Luxembourg Lfrs	Denmark Dkr	Germany DM	France FF	Ireland £ Irl	Italy Lit	Netherlands Fl	United Kingdom £
Common wheat :										
— of bread-making quality	161.50	6 556	6 556	1 190	450	899	106.50	171 308	452	95.00
— not of bread-making quality	149.00	6 049	6 049	1 098	415	830	98.00	158 049	417	87.50
Barley	152.00	6 170	6 170	1 120	423	846	100.00	161 231	425	89.50
Rye	169.00	6 861	6 861	1 245	470	941	111.50	179 263	473	99.50
Durum wheat	211.00	8 566	8 566	1 554	587	1 175	139.00	223 814	591	124.00
Skimmed-milk powder	959.00	39 146	39 146	7 064	2 699	5 339	632.00	1 017 240	2 699	563.50
Butter	2 312.00	94 374	94 374	17 030	6 507	12 871	1 524.00	2 452 408	6 507	1 359.00
Olive oil	1 268.00	51 475	51 475	9 340	3 529	7 059	836.00	1 345 006	3 549	745.00
Oilseeds	344.50	13 985	13 985	2 538	959	1 918	227.00	365 421	964	202.50
Sugar	410.90	16 681	16 681	3 027	1 144	2 288	271.00	435 854	1 150	241.50
Tobacco	2 160.00	87 685	87 685	15 910	6 012	12 025	1 424.00	2 291 177	6 046	1 269.50
Beef and veal										
— quarters	1 909.50	77 516	77 516	14 065	5 315	10 631	1 259.00	2 025 464	5 345	1 122.50
— boned	2 397.10	97 311	97 311	17 657	6 672	13 345	1 580.50	2 542 676	6 710	1 409.00
— preserves	1 848.50	75 040	75 040	13 616	5 145	10 291	1 218.50	1 960 759	5 174	1 086.50

COMMISSION REGULATION (EEC) No 2761/79
of 7 December 1979
fixing the export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1301/79⁽²⁾, and in particular Article 30 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade for the products referred to in that Article and prices for the products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 of 9 December 1969 laying down general rules for the granting of refunds on exports of fruit and vegetables and criteria for fixing their amounts⁽³⁾, as amended by Regulation (EEC) No 2455/72⁽⁴⁾, provides that when refunds are being fixed, account must be taken of the existing situation and future trends with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the quotations and prices referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it necessary to vary the refund for a given product according to the destination of that product;

Whereas sweet fresh oranges, fresh mandarins, fresh lemons and apples of the common quality standards 'Extra' Class, Class I and Class II, 'Extra' Class and Class I hothouse grapes and open ground grapes, shelled almonds and hazelnuts, and unshelled walnuts may at present be exported in economically significant quantities;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent;

Whereas it follows from applying these detailed rules to the present market situation and to its future trends, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refunds should be as set out in the Annex hereto;

Whereas the obligations under 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⁽⁵⁾, as last amended by Regulation (EEC) No 2145/77⁽⁶⁾, may be relaxed in the case of exports to non-member countries outside Europe; whereas, in such a case, Article 11 (4) (c) of Regulation (EEC) No 192/75 may be applied;

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 162, 30. 6. 1979, p. 26.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, 25. 11. 1972, p. 7.

⁽⁵⁾ OJ No L 25, 31. 1. 1975, p. 1.

⁽⁶⁾ OJ No L 249, 30. 9. 1977, p. 12.

HAS ADOPTED THIS REGULATION :

Article 1

1. The export refunds on fruit and vegetables shall be as set out in the Annex hereto.

2. The provisions of Articles 6 (1) (b) and 11 (4) (c) of Commission Regulation (EEC) No 192/75 shall

apply to exports of sweet oranges, mandarins, lemons, table grapes of open ground, walnuts in shell, shelled hazelnuts, and apples as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 December 1979.

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

Done at Brussels, 7 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 7 December 1979 fixing the export refunds on fruit and vegetables

(ECU/100 kg net)		
CCT heading No	Description	Refund
ex 08.02 A I	Sweet fresh oranges : — Of varieties Biondo comune and Sanguigno comune ('Extra' Class, Class I and Class II) — Of other varieties ('Extra' Class, Class I and Class II)	5.32 9.67
ex 08.02 B	Fresh mandarins ('Extra' Class, Class I and Class II)	7.25
ex 08.02 C	Fresh lemons ('Extra' Class, Class I and Class II) For export to : — countries or States with a planned economy in central or eastern Europe — other destinations	6.04 4.23
ex 08.04 A I	Table grapes : — Fresh, open ground ('Extra' Class and Class I) — Fresh, hothouse ('Extra' Class and Class I)	7.00 19.34
ex 08.05 A II	Shelled almonds, other than bitter almonds	9.67
ex 08.05 B	Unshelled walnuts	12.09
ex 08.05 G	Shelled hazelnuts	14.51
ex 08.06 A II	Apples ('Extra' Class, Class I and Class II) other than cider apples For export to : — Botswana, Lesotho, Swaziland, Zambia, Malawi, Mozambique, Tanzania, Kenya, Rwanda, Burundi, Uganda, Somalia, Madagascar, Comoros, Mauritius, Sudan, Ethiopia, Jibuti, the countries of the Arabian peninsula ⁽¹⁾ , Iran and Iraq — countries and territories of Africa other than those mentioned above and South Africa, Syria, Jordan, countries with a planned economy in central and eastern Europe, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Iceland, Finland, Norway, Sweden, Austria and the Faroe Islands	13.50 3.63

⁽¹⁾ For the purpose of this Regulation the 'countries of the Arabian peninsula' are considered to be the following, including the territories attached thereto : Saudi Arabia, Bahrain, Qatar, Kuwait, the Sultanate of Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qawain, Fujairah, Ras Al Khaimah), Yemen Arab Republic (North Yemen) and the People's Democratic Republic of Yemen (South Yemen).

COMMISSION REGULATION (EEC) No 2762/79
of 7 December 1979
altering the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 590/79⁽²⁾,

Having regard to Council Regulation (EEC) No 2749/78 of 23 November 1978 on trade in oils and fats between the Community and Greece⁽³⁾,

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽⁴⁾, as last amended by Regulation (EEC) No 2429/72⁽⁵⁾, and in particular the second sentence of Article 2 (3) thereof,

Whereas the export refunds on oil seeds were fixed by Regulation (EEC) No 2676/79⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2676/79 to the information at present known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds on the products referred to in Article 21 of Regulation No 136/66/EEC, exported to third countries and Greece, as fixed in the Annex to Regulation (EEC) No 2676/79, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 December 1979.

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

Done at Brussels, 7 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 1.

⁽⁴⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁵⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁶⁾ OJ No L 305, 1. 12. 1979, p. 30.

ANNEX

to the Commission Regulation of 7 December 1979 altering the export refunds on oil seeds

(ECU/100 kg)

CCT heading No	Description of goods	Refund
ex 12.01	Colza and rape seed, other than for sowing	16.00
ex 12.01	Sunflower seed, other than for sowing	—

COMMISSION REGULATION (EEC) No 2763/79
of 7 December 1979
correcting the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (EEC) No 1552/79 ⁽²⁾, and in particular the first
sentence of the fourth subparagraph of Article 17 (2)
thereof,

Whereas the export refunds on rice and broken rice
were fixed by Regulation (EEC) No 2753/79 ⁽³⁾;
whereas a check has revealed that the Annex to that
Regulation does not correspond to the one submitted
for the opinion of the management committee;
whereas it is therefore necessary to amend the Regula-
tion in question,

HAS ADOPTED THIS REGULATION :

Article 1

In the Annex to Regulation (EEC) No 2753/79 the
amount '127.00' under subheading 10.06 B II b) for
the exports in the other third countries is replaced by
'135.00'.

Article 2

This Regulation shall enter into force on 8 December
1979.

It shall apply with effect from 7 December 1979.

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

Done at Brussels, 7 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, p. 9.

⁽³⁾ OJ No L 311, 7. 12. 1979, p. 27.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 3 December 1979

replacing a member of the Advisory Committee on Vocational Training

(79/1032/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Council Decision of 18 December 1963 laying down the Rules of the Advisory Committee on Vocational Training⁽¹⁾, as amended by the Decision of 9 April 1968⁽²⁾, and in particular Article 4 thereof,

Having regard to the Council Decision of 16 October 1978 appointing the members and alternates of the Advisory Committee on Vocational Training for the period ending on 15 October 1980,

Whereas one seat for a member of the above Committee in the 'government' category has fallen vacant following the resignation of Mr Keane, of which the Council was informed on 21 November 1979,

Having regard to the nomination submitted on 21 November 1979,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr John R. Maher is hereby appointed as member of the Advisory Committee on Vocational Training in place of Mr Keane for the remainder of the latter's term of office, which runs until 15 October 1980.

Done at Brussels, 3 December 1979.

For the Council

The President

B. LENIHAN

⁽¹⁾ OJ No 190, 30. 12. 1963, p. 3090/63.

⁽²⁾ OJ No L 91, 12. 4. 1968, p. 26.

COUNCIL DECISION**of 3 December 1979****under the Treaties, concerning fishery activities in waters under the sovereignty or jurisdiction of Member States, taken on a temporary basis pending the adoption of permanent Community measures****(79/1033/EEC)**

The Council intends to reach an agreement as early as possible in 1980 on Community measures for the conservation and management of fishery resources and related matters. Pending its decision in the matter and in view both of Article 102 of the Act of Accession and of the need to protect the biological resources and to maintain suitable relations with third countries in fisheries matters, the Council has decided on the following interim measures which will apply from 1 January 1980 until the Council has reached a definitive agreement or until 31 March 1980, whichever is the earlier.

1. The Council agrees that Member States shall conduct their fishing activities in such a way as to take into account the total allowable catches (TACs) submitted by the Commission to the Council in its communication of 21 November 1979 with addendum and corrigendum of 30 November 1979 and the part of the TACs made available to third countries under agreements or arrangements made with them by the Community. The catches taken in the interim period will be offset against the allocations eventually decided upon by the Council for 1980.

The Council further agrees that by 31 January 1980 it will adopt definitive TACs on the basis of Commission proposals resulting from its communication of 21 November 1979 with addendum and corrigendum of 30 November 1979 and from further consideration of relevant scientific, economic and social factors.

2. As regards technical measures for the conservation and surveillance of fishery resources, Member States shall apply the same measures as they applied on 3 November 1976, and other measures taken in accordance with the procedures and criteria of Annex VI to the Council resolution of 3 November 1976.

The Council, bearing in mind the necessity of having a regular flow of information about catches of stocks or groups of stocks for which a TAC has been fixed, agrees to implement with effect from 1 January 1980 a common system of recording and of notification of catches as they relate to the TACs, in accordance with Articles 3, 7, 8, 9 and 11 of the proposal for a Regulation concerning the laying down of control measures which the Commission submitted to the Council on 13 October 1977, and which was amended on 16 January 1978 and 13 November 1978. The Council therefore agreed to examine this draft Regulation with a view to a decision before 31 January 1980.

Done at Brussels, 3 December 1979.

For the Council

The President

B. LENIHAN

NOTICE TO READERS

As a result of the increase in production costs, the prices for the calendar year 1980 of subscriptions to the Official Journal and its Supplement, have been determined as follows :

Official Journal L + C : Bfrs 4 000 / £ 61 / £Irl 66.40

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