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NOTICE TO READERS

Due to the exceptional accumulation of work at the end of this year, the delivery of the final numbers to be published in 1979 will be considerably delayed.

It will be necessary to publish several editions carrying the same date.

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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (ECSC, EEC, EURATOM) No 2764/79
of 6 December 1979**

**amending Regulation (ECSC, EEC, Euratom) No 300/76 determining the
categories of officials entitled to allowances for shiftwork, and the rates and
conditions thereof**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to Council Regulation (EEC, Euratom, ECSC) No 259/68 laying down the Staff Regulations of officials and conditions of employment of other servants of the European Communities⁽¹⁾, as last amended by Regulation (Euratom, ECSC, EEC) No 3085/78⁽²⁾, and in particular the second paragraph of Article 56a of the Staff Regulations,

Having regard to the proposal from the Commission, submitted after consulting the Staff Regulations Committee,

Whereas it is for the Council, acting on a proposal from the Commission submitted after consulting the Staff Regulations Committee, to determine the categories of officials entitled to allowances for shiftwork, and the rates and conditions thereof;

Whereas staff employed in certain telex services do shiftwork within the meaning of Article 56a of the Staff Regulations; whereas Regulation (ECSC, EEC, Euratom) No 300/76⁽³⁾ should be correspondingly amended,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 (1) of Regulation (ECSC, EEC, Euratom) No 300/76 the text of the part of the first subparagraph preceding the indents shall be replaced by the following:

'1. An official paid from research and investment appropriations and employed in an establishment of the Joint Research Centre or in indirect action, or paid from operating appropriations and employed in a computer centre, a security department or a telex service, who is engaged in shiftwork within the meaning of Article 56a of the Staff Regulations, shall be entitled to an allowance of:'

Article 2

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

It shall apply from 1 January 1980.

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

Done at Brussels, 6 December 1979.

For the Council

The President

L. PRETI

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 369, 29. 12. 1978, p. 6.

⁽³⁾ OJ No L 38, 13. 2. 1976, p. 1.

**COUNCIL REGULATION (EEC) No 2765/79
of 6 December 1979**

increasing the Community tariff quota opened for 1979 by Regulation (EEC) No 2921/78 for raw silk (not thrown) falling within heading No 50.02 of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Whereas, by Regulation (EEC) No 2921/78⁽¹⁾, the Council opened and allocated among the Member States a zero-duty Community tariff quota for raw silk (not thrown) falling within heading No 50.02 of the Common Customs Tariff, the volume of which was fixed at 4 200 tonnes;

Whereas, having regard to the increase in consumption recorded in 1979, it can be estimated that the quota volume of 4 200 tonnes will not be sufficient to satisfy requirements; whereas the quota volume should be increased by 200 tonnes to take into account these requirements; whereas, to safeguard the Community nature of the tariff quota in question, this additional volume should be allocated to the Community reserve set up by Article 2 (2) of Regulation (EEC) No 2921/78,

HAS ADOPTED THIS REGULATION:

Article 1

The Community tariff quota opened by Regulation (EEC) No 2921/78 for raw silk (not thrown) falling within heading No 50.02 of the Common Customs Tariff shall be increased from 4 200 to 4 400 tonnes.

Article 2

This increase of 200 tonnes shall be allocated to the Community reserve provided for in Article 2 (2) of Regulation (EEC) No 2921/78 which shall thus be increased from 805 to 1 005 tonnes.

Article 3

This Regulation shall enter into force on 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, 6 December 1979.

For the Council

The President

L. PRETI

⁽¹⁾ OJ No L 354, 18. 12. 1978, p. 18.

COUNCIL REGULATION (EEC) No 2766/79
of 6 December 1979

increasing the Community tariff quota opened for 1979 by Regulation (EEC) No 2691/78 for newsprint falling within subheading 48.01 A of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 28 and 113 thereof,

Having regard to the proposal from the Commission,

Whereas, for newsprint falling within subheading 48.01 A of the Common Customs Tariff, a duty-free Community tariff quota, the amount of which was fixed at 2 500 000 tonnes, was opened by the Council and allocated among the Member States by Regulation (EEC) No 2691/78 ⁽¹⁾; whereas by that Regulation, the benefit of the tariff quota in question was extended to certain types of paper which, apart from the criterion of watermarks, correspond to the definition of newsprint given in the Additional Note to Chapter 48 of the Common Customs Tariff;

Whereas, on the basis of the most recent data on this product for 1979, it can be estimated that the additional imports from non-member countries required by the Community amount to 200 000 tonnes; whereas the size of the quota should be increased by this quantity to take account of the requirements noted; whereas, in order to safeguard the Community character of the tariff quota in question, a relatively low part of the additional volume should be allocated to the Community reserve set up pursuant to Regulation (EEC) No 2691/78, the balance of this volume being apportioned between Member States on a *pro rata* basis for actual requirements noted,

HAS ADOPTED THIS REGULATION:

Article 1

1. The volume of the Community tariff quota opened by Regulation (EEC) No 2691/78 for newsprint falling within subheading 48.01 A of the Common Customs Tariff is hereby increased from 2 500 000 to 2 700 000 tonnes.

2. A first instalment of the additional volume, amounting to 185 000 tonnes, shall be apportioned as follows among certain Member States:

Denmark	50 000 tonnes
Germany	69 000 tonnes
United Kingdom	66 000 tonnes

3. The second instalment, amounting to 15 000 tonnes, shall constitute the reserve.

The amount of the Community reserve set up by virtue of Article 2 (3) of Regulation (EEC) No 2691/78 is thus increased from 241 000 to 256 000 tonnes.

Article 2

This Regulation shall enter into force on 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, 6 December 1979.

For the Council

The President

L. PRETI

⁽¹⁾ OJ No L 324, 18. 11. 1978, p. 4.

**COMMISSION REGULATION (EEC) No 2767/79
of 10 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 organiza-
tion 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 agricul-
tural 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 Regula-
tion (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
7 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 11
December 1979.

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

Done at Brussels, 10 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 10 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	75.79
10.01 B	Durum wheat	101.37 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	63.43 ⁽⁶⁾
10.03	Barley	66.54
10.04	Oats	76.45
10.05 B	Maize, other than hybrid maize for sowing	87.26 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	45.00 ⁽⁴⁾
10.07 C	Grain sorghum	79.04 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	119.86
11.01 B	Rye flour	102.54
11.02 A I a)	Durum wheat groats and meal	170.35
11.02 A I b)	Common wheat groats and meal	128.58

⁽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 2768/79

of 10 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 organ-
ization 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 agricul-
tural 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
7 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 11
December 1979.

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

Done at Brussels, 10 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 10 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	6.59	6.59	6.59
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 2769/79

of 7 December 1979

opening an invitation to tender for the mobilization of grain sorghum as food aid for the Republic of Niger

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⁾,

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 by way of Community action it proposed to grant the Republic of Niger 4 000 tonnes of sorghum under its 1978/79 food-aid programme;

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

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

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

currency situation in the Member State in which the customs export formalities will be completed;

Whereas the contract should be awarded to the tenderer who makes the best offer;

Whereas it must be made clear who is to bear any costs which arise in the event that for reasons of *force majeure* the operation in question is not completed within the time stipulated;

Whereas provision should be made for security to be given for the purpose of guaranteeing that the obligations arising by virtue of participation in the invitation to tender for supplies to the Republic of Niger will be fulfilled;

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

Whereas it is important that the Commission be informed without delay 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 the Republic of Niger by way of Community food-aid action of 4 000 tonnes of grain sorghum.

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

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

⁽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.

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

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

'Sorgho / Don de la Communauté économique européenne à la république du Niger'.

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

1. The tenderer shall give security in an amount of 6 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 6

1. The product specified in Article 1 to be supplied for human consumption to the Republic of Niger must meet the following requirements:

Sorghum:

it must be of fair merchantable quality, free from odour, with a moisture content not exceeding 14 %.

2. Tenders for supply to the Republic of Niger of the product specified in Article 1 must relate to products having the following characteristics:

Sorghum:

fair and sound merchantable quality, free from odour, with a moisture content not exceeding 14 %.

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 estimated date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

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

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 2770/79**of 10 December 1979****on the sale of skimmed-milk powder intended for feed for calves and amending
Regulation (EEC) No 1687/76**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 1761/78⁽²⁾, and in
particular Articles 7 (5) and 28 thereof,

Whereas there is at present scope for the sale of
skimmed-milk powder held in public storage because
less of this product is now available on the market for
use in particular, in the manufacture of compound
feedingstuffs for calves; whereas, to secure supplies for
that industry, skimmed-milk powder which in public
storage over a year old should therefore be sold;
whereas the price must reflect the current situation on
the market in compound feedingstuffs for calves;

Whereas, as regards the definition of the prescribed
use, reference should be made to the provisions, appli-
cable to aid available to purchasers, of Commission
Regulation (EEC) No 990/72 of 15 May 1972 on
detailed rules for granting aid for skimmed milk
processed into compound feedingstuffs and for
skimmed-milk powder for use as feed⁽³⁾, as last
amended by Regulation (EEC) No 270/78⁽⁴⁾, or of
Commission Regulation (EEC) No 1725/79 of 26 July
1979 on the rules for granting aid to skimmed milk
processed into compound feedingstuffs and skimmed-
milk powder intended for feed for calves⁽⁵⁾;

Whereas the Member States should notify the
Commission of the quantities of skimmed-milk
powder sold pursuant to this Regulation;

Whereas Commission Regulation (EEC) No 1687/76
of 30 June 1976 laying down common detailed rules
for verifying the use and/or destination of products
from intervention⁽⁶⁾, as last amended by Regulation
(EEC) No 2568/79⁽⁷⁾, is applicable; whereas, there-
fore, the Annex thereto must be supplemented accord-
ingly;

Whereas the Management Committee for Milk and
Milk Products has not delivered an opinion within the
time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Skimmed-milk powder bought in pursuant to Article
7 (1) of Regulation (EEC) No 804/68 and stored prior
to 1 January 1979 shall be sold as provided below.

Article 2

1. The skimmed-milk powder shall be sold:

- (a) in quantities of not less than 10 tonnes;
- (b) ex warehouse, at a price equal to the buying in
price paid by the intervention agency plus 0.40
ECU per 100 kg.

2. Purchase applications reaching the intervention
agency on the same day shall be regarded as having
been submitted at the same time. Should applications
exceed the quantity available at a warehouse, the inter-
vention agency, failing an amicable arrangement with
the parties concerned, shall draw lots to determine the
allocation of the quantity available.

Purchase applications introduced in pursuance of
Regulation (EEC) No 2213/76 has the priority.

Article 3

Skimmed-milk powder shall be sold only to
purchasers undertaking in writing to have it denatured
or processed into compound feedingstuffs within two
months from the date of conclusion of the sale
contract:

- either in accordance with Articles 2 and 3 or 4 of
Regulation (EEC) No 990/72, where denaturing or
processing takes place before the entry into force
of Regulation (EEC) No 1725/79,
- or in accordance with Article 3 or 4 of Regulation
(EEC) No 1725/79.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 115, 17. 5. 1972, p. 1.

⁽⁴⁾ OJ No L 40, 10. 2. 1978, p. 8.

⁽⁵⁾ OJ No L 199, 7. 8. 1979, p. 1.

⁽⁶⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽⁷⁾ OJ No L 294, 21. 11. 1979, p. 14.

Article 4

1. Purchase contracts shall name the Member State in which denaturing or processing into compound feedingstuffs is to take place.
2. The intervention agency shall permit prospective purchasers to draw samples. The latter, by virtue of their signature of the contract, shall be deemed to have renounced any claim regarding the quality or characteristics of the skimmed-milk powder sold.

Article 5

1. The intervention agency shall sell the skimmed-milk powder only if, not later than the date of conclusion of the purchase contract, a payment on account is made of 2 ECU/100 kg for the whole quantity covered by the contract.
2. The taking-over of any quantity by the purchaser shall be conditional on:
 - (a) payment of the balance of the purchase price;
 - (b) the lodging of a processing security, the amount of which shall be 3 ECU/100 kg.

Article 6

1. The purchaser shall take delivery of the skimmed-milk powder within 15 days of the conclusion of the contract of sale. Delivery of the skimmed-milk powder may be taken in instalments, each of which shall not be less than 10 tonnes.
2. Save in cases of *force majeure*, if the buyer has not taken delivery of the skimmed-milk powder within the period prescribed, the contract of sale shall be cancelled in respect of the quantities not taken and the payment on account shall be forfeited in respect of those quantities.

Article 7

Member States shall notify the Commission on Tuesday of each week at the latest of the quantities of

skimmed-milk powder which, during the preceding week:

- have been the subject of a sales contract under this Regulation, or
- have been removed from storage.

Article 8

The following paragraph 19 and the following footnote⁽¹⁹⁾ relating thereto shall be inserted after paragraph 18 in the Annex to Regulation (EEC) No 1687/76 under 'II. Products subject to a use and/or destination other than that mentioned under I':

- '19. Commission Regulation (EEC) No 2770/79 of 10 December 1979 on the sale of skimmed-milk powder intended for feed for calves⁽¹⁹⁾:

— section 104:

"to be denatured or processed (Regulation (EEC) No 2770/79",

"à dénaturer ou transformer (règlement (CEE) n° 2770/79)",

"til denaturering eller forarbejdning (forordning (EØF) nr. 2770/79)",

"zur Denaturierung oder Verarbeitung (Verordnung (EWG) Nr. 2770/79)",

"destinato alla denaturazione o trasformazione (regolamento (CEE) n. 2770/79)",

"voor denaturering of verwerking (Verordening (EEG) nr. 2770/79)";

— Section 106:

the date on which the sales contract was concluded with the intervention agency.

⁽¹⁹⁾ OJ No L 315, 11. 12. 1979, p. 11.'

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, 10 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 2771/79

of 10 December 1979

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 organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1547/79⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1552/79⁽⁴⁾, and in particular Article 12 (4) 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⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 2628/79⁽⁷⁾, as last amended by Regulation (EEC) No 2738/79⁽⁸⁾;

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 7 December 1979;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3.02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽⁹⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75⁽¹⁰⁾, as last amended by Regulation (EEC) No 2245/78⁽¹¹⁾, as fixed in the Annex to amended Regulation (EEC) No 2628/79, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 December 1979.

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

Done at Brussels, 10 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 L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 188, 26. 7. 1979, p. 9.

⁽⁵⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 303, 29. 11. 1979, p. 15.

⁽⁸⁾ OJ No L 310, 6. 12. 1979, p. 14.

⁽⁹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 273, 29. 9. 1978, p. 1.

ANNEX

to the Commission Regulation of 10 December 1979 altering the import levies on products processed from cereals and rice

ECT heading No	Levies in ECU/tonne	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 B II a) ⁽²⁾	104.19	101.17
11.02 C I ⁽²⁾	124.73	121.71
11.02 D I ⁽²⁾	80.61	77.59
11.02 E II a) ⁽²⁾	142.97	136.93
11.02 F I ⁽²⁾	142.97	136.93
11.02 G I	63.09	57.05
11.07 A I a)	146.28	135.40
11.07 A I b)	112.05	101.17
11.08 A III	123.29	102.74
11.09	368.14	186.80

⁽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 2772/79
of 10 December 1979
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1328/79⁽³⁾, as last amended by Regulation (EEC) No 2752/79⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1328/79 to the information 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 referred to in Article 15 (1) of Regulation (EEC) No 3330/74 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 December 1979.

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

Done at Brussels, 10 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 162, 30. 6. 1979, p. 85.

⁽⁴⁾ OJ No L 311, 7. 12. 1979, p. 26.

ANNEX

to the Commission Regulation of 10 December 1979 fixing the import levies on white sugar and raw sugar

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form:	
	A. White sugar; flavoured or coloured sugar	20.12
	B. Raw sugar	15.90 ⁽¹⁾

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 6 December 1979

amending Directive 79/116/EEC concerning minimum requirements for certain tankers entering or leaving Community ports

(79/1034/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 84 (2) thereof,

Whereas it has proved necessary to make certain minor amendments of a technical nature to Council Directive 79/116/EEC of 21 December 1978 concerning minimum requirements for certain tankers entering or leaving Community ports ⁽¹⁾,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Article 1 (1) of Directive 79/116/EEC the text of item A. (i) (g) shall be replaced by the following:

- '(g) where chemicals are being transported in bulk, information on whether or not the vessel is in possession of a certificate of fitness under the terms of the IMCO code for the construction and equipment of ships carrying dangerous chemicals in bulk, or
- where liquified gases are being transported in bulk, information on whether or not the vessel is in possession of a certificate of fitness under the terms of the IMCO code for the construction and equipment of ships carrying liquified gases in bulk'.

Article 2

In the Annex to Directive 79/116/EEC the following entries shall be added to Section C:

'Certificate of fitness for the carriage of dangerous chemicals in bulk under the terms of the IMCO code ☐ ☐

Certificate of fitness for the carriage of liquified gases under the terms of the IMCO code ☐ ☐

Article 3

Member States shall bring into force, after consulting the Commission, the laws, regulations and administrative provisions necessary to implement this Directive as soon as possible, and in any case by 31 December 1980. They shall inform the Commission and the other Member States thereof.

Article 4

This Directive is addressed to Member States.

Done at Brussels, 6 December 1979.

For the Council

The President

L. PRETI

⁽¹⁾ OJ No L 33, 8. 2. 1979, p. 33.

FOURTH SUPPLEMENTARY AGREEMENT

to the Agreement of 21 March 1955 on the establishment of through international railway tariffs

(79/1035/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING IN COUNCIL,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 70 thereof, and the Convention on the Transitional Provisions, and in particular the second paragraph of Article 10 and subparagraph 2 of the third paragraph of Article 10,

Having regard to the Agreement of 21 March 1955 on the establishment of through international railway tariffs⁽¹⁾, as amended by the Supplementary Agreement of 16 March 1956⁽²⁾, by the second Supplementary Agreement of 23 March 1959⁽³⁾ and by the third Supplementary Agreement of 22 November 1973⁽⁴⁾,

Having regard to the Decision of the Council of the European Communities of 22 January 1972 on the accession of new Member States to the European Coal and Steel Community, and in particular Article 3 (1) of the Act annexed thereto,

HAVE AGREED AS FOLLOWS:

Article 1

The Agreement of 21 March 1955, as amended, shall be supplemented as follows:

1. The beginning of the first paragraph of Article 2 shall be replaced by the following:
‘Taking into account Annex IV of this Agreement the through international tariffs which are the subject of the Agreement...’
2. The following Annex shall be added:

‘ANNEX IV

to the Agreement of 21 March 1955 on the establishment of through international railway tariffs

The following shall be added to the provisions of the Agreement relating to the establishment of through tariffs and to the calculation of carriage costs:

1. As long as the United Kingdom railways do not apply general internal tariffs for the carriage of goods, the provisions of the Agreement shall be applied by analogy for the purpose of calculating, in accordance with through international tariffs, the sectional charge in the United Kingdom.
2. In the case of carriage by train ferry, the stations, within the meaning of Article 13 of the Agreement, shall be those also open to wagon ferry traffic.

⁽¹⁾ OJ ECSC No 9, 19. 4. 1955, p. 701.

⁽²⁾ OJ ECSC No 10, 30. 4. 1956, p. 130/56.

⁽³⁾ OJ No 22, 9. 4. 1959, p. 431/59.

⁽⁴⁾ OJ No L 347, 17. 12. 1973, p. 64.

3. The charges for the carriage referred to in point 2 with a CIM through consignment note shall be obtained taking into account the following provisions :

Train ferry within a railway network :

- the sea crossing shall be included in the sectional distance of the railway network concerned,
- the sectional charge of this network shall be calculated by multiplying its basic distance charge by the sectional distance calculated in accordance with the first indent and by the coefficient of degressivity,
- a surcharge may be imposed.

Train ferry linking two railway networks :

For the railway networks in question one or other of the following rules may be adopted :

- (a) — the sea crossing shall be included in the sectional distances of the adjoining railway networks, on the basis of the agreements between the two railway networks concerned,
 - charging is governed by the usual rules,
 - a surcharge may be imposed ;
- (b) — the sea crossing shall be disregarded for the purpose of establishing the total distance of carriage,
 - the sectional charges of the adjoining railway networks shall be established according to the usual rules,
 - a separate charge shall be added for the sea crossing by train ferry.'

Article 2

The text of this Supplementary Agreement, as recorded in the minutes of the proceedings of the Council ⁽¹⁾, shall be published in the *Official Journal of the European Communities*.

Article 3

This Supplementary Agreement shall enter into force on 1 February 1980.

⁽¹⁾ This Supplementary Agreement was concluded at the 613th Council meeting held on 6 December 1979.

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 :

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