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Contents

I *Acts whose publication is obligatory*

- * Commission Regulation (EEC) No 2728/81 of 10 September 1981 amending, as regards their application by variety of Community-produced tobacco, Regulations (EEC) No 1727/70, (EEC) No 1728/70, (EEC) No 2603/71, (EEC) No 638/74 and (EEC) No 410/76 1
- * Commission Regulation (EEC) No 2729/81 of 14 September 1981 laying down special rules implementing the system of import and export licences and the advance fixing of refunds in respect of milk and milk products 19
- * Commission Regulation (EEC) No 2730/81 of 14 September 1981 establishing a list of agencies in non-member importing countries entitled to issue invitations to tender in the milk and milk products sector 25
- * Commission Regulation (EEC) No 2731/81 of 14 September 1981 amending Regulation (EEC) No 210/69 on communications between Member States and the Commission with regard to milk and milk products 34

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2728/81
of 10 September 1981

amending, as regards their application by variety of Community-produced tobacco, Regulations (EEC) No 1727/70, (EEC) No 1728/70, (EEC) No 2603/71, (EEC) No 638/74 and (EEC) No 410/76

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece, and in particular Article 73 thereof,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular the first subparagraph of Article 3 (3), Article 5 (6), Article 6 (10) and Article 7 (4) thereof,

Having regard to Council Regulation (EEC) No 1697/71 of 26 July 1971 on the financing of intervention expenditure in respect of raw tobacco ⁽²⁾, as last amended by Regulation (EEC) No 330/74 ⁽³⁾, and in particular Article 6 (2) thereof,

Whereas Council Regulation (EEC) No 1534/81 of 19 May 1981 fixing for the 1981 harvest the norm and intervention prices and the premiums granted to purchasers of leaf tobacco, the derived intervention prices for baled tobacco and the reference qualities ⁽⁴⁾ introduced the list of tobacco varieties grown in Greece together with the definition of their reference qualities; whereas corresponding amendments should therefore be made to the Regulations containing provisions referring to the various varieties and reference qualities of tobacco, namely the following Regulations:

- Commission Regulation (EEC) No 1727/70 of 25 August 1970 on intervention procedures for raw tobacco ⁽⁵⁾, as last amended by Regulation (EEC) No 290/81 ⁽⁶⁾,

- Commission Regulation (EEC) No 2603/71 of 6 December 1971 on detailed rules for the conclusion of contracts for first processing and market preparation of tobacco held by intervention agencies ⁽⁷⁾, as last amended by Regulation (EEC) No 290/81,

- Commission Regulation (EEC) No 638/74 of 20 March 1974 fixing the maximum tolerance for quantity losses resulting from the storage of raw tobacco by intervention agencies ⁽⁸⁾, as amended by Regulation (EEC) No 1979/79 ⁽⁹⁾,

- Commission Regulation (EEC) No 410/76 of 23 February 1976 fixing the maximum permissible weight losses in connection with the supervision of the first processing and market preparation of tobacco ⁽¹⁰⁾, as last amended by Regulation (EEC) No 290/81;

Whereas a scale of price increases and reductions for varieties grown in Greece was introduced by Annex I to the Act of Accession of Greece into Commission Regulation (EEC) No 1728/70 ⁽¹¹⁾, as last amended by Regulation (EEC) No 290/81; whereas, however, on the basis of a more detailed appraisal of the range of qualities of Greek tobacco and the introduction of the classification of varieties of this tobacco by Regulation (EEC) No 1534/81 this scale should be amended;

Whereas Article 1 of Council Regulation (EEC) No 327/71 ⁽¹²⁾ makes provision, in respect of leaf tobacco purchased by intervention agencies, for the conclusion of first processing and market preparation contracts by a tendering procedure, under which contracts must be awarded to the highest tender, provided it does not exceed an amount to be fixed for each variety;

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 175, 4. 8. 1971, p. 8.

⁽³⁾ OJ No L 37, 9. 2. 1974, p. 5.

⁽⁴⁾ OJ No L 156, 15. 6. 1981, p. 1.

⁽⁵⁾ OJ No L 191, 27. 8. 1970, p. 5.

⁽⁶⁾ OJ No L 32, 4. 2. 1981, p. 9.

⁽⁷⁾ OJ No L 269, 8. 12. 1971, p. 11.

⁽⁸⁾ OJ No L 77, 22. 3. 1974, p. 30.

⁽⁹⁾ OJ No L 228, 8. 9. 1979, p. 23.

⁽¹⁰⁾ OJ No L 50, 26. 2. 1976, p. 11.

⁽¹¹⁾ OJ No L 191, 27. 8. 1970, p. 18.

⁽¹²⁾ OJ No L 39, 17. 2. 1971, p. 3.

Whereas Commission Regulation (EEC) No 2603/71 fixed these amounts; whereas, since the last updating of these amounts, the components used for the calculation have changed considerably for certain varieties; whereas, therefore, the amounts should be updated again accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1727/70 is hereby amended as follows:

1. Annex I is amended in accordance with Annex I to this Regulation;
2. Annex II is amended in accordance with Annex II to this Regulation;
3. Annex IV is amended in accordance with Annex III to this Regulation.

Article 2

Regulation (EEC) No 1728/70 is hereby amended as follows:

1. Annex I is amended in accordance with Annex IV to this Regulation;
2. Annex II is amended in accordance with Annex V to this Regulation.

Article 3

The Annex to Regulation (EEC) No 2603/71 is hereby replaced by Annex VI to this Regulation.

Article 4

The Annex to Regulation (EEC) No 638/74 is hereby replaced by Annex VII to this Regulation.

Article 5

Regulation (EEC) No 410/76 is hereby amended in accordance with Annex VIII to this Regulation.

Article 6

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

It shall apply for the first time to tobacco harvested in 1981.

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

Done at Brussels, 10 September 1981.

For the Commission
Poul DALSGER
Member of the Commission

ANNEX I

Annex I to Regulation (EEC) No 1727/70 is amended as follows:

I. The varieties entered against Serial No 1 are replaced by the following:

'1. BADISCHER GEUDERTHEIMER'.

II. Number 10 is replaced by the following:

'10. (a) KENTUCKY and hybrids thereof, (b) MORO DI CORI, (c) SALENTO

Category A: leaf of ample size, fully ripe, of firm and elastic texture, well-cured and in good condition, brown without damage, of good combustibility.

Category B: leaf fully ripe, of firm texture, without curing and condition defects, brown in colour, with some damage, with good combustibility ⁽¹⁾.

Category C: leaf sufficiently ripe, of possible light or coarse texture, with some defects as regards condition, uneven brown in colour, with some damage, possibly prominent.'

III. The varieties entered against Serial No 11 are replaced by the following:

'11. (a) FORCHHEIMER HAVANNA II c); (b) NOSTRANO DEL BRENTA; (c) RESISTENTE 142; (d) GOJANO'.

IV. The following entries are added:

17. BASMA

Quality I/II: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the first ('protomana'), up to 15 cm long, colour golden-yellow, orange to yellow-red, with good elasticity, shiny, fairly bodied, porous structure and fine texture, with strong pleasant aroma, good combustibility.

Quality III: leaf ripe, showing slight damage and/or curing defects, with slight disease blemishes, from all positions on the plant, up to 20 cm long, colour light yellow, yellow-green, reddish or light brown, with fairly porous structure and fine texture, medium elasticity, moderately shiny and bodied, very good combustibility, with pleasant aroma.

Quality IV: poor leaf, papery or crude, showing marked curing defects, coming from all primings, regardless of size, not uniform in colour, showing marked integrity defects, injured by diseases or insects, with mild aroma, but having the minimum requirements for intervention.

Quality I/III: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the first ('protomana'), up to 15 cm long, colour golden-yellow, orange to yellow-red, with good elasticity, shiny, fairly bodied, porous structure and fine texture, with strong, typical aroma, good combustibility.

Leaf as described above constitutes 45 % of quality I/III.

Leaf ripe showing slight damage and/or curing defects, with slight disease blemishes, from all positions on the plant, up to 20 cm long, colour light yellow, yellow-green, reddish or light brown, with fairly porous structure and fine texture, medium elasticity, moderately shiny and bodied, with strong, typical aroma, very good combustibility.

Leaf as described above constitutes 55 % of quality I/III ⁽¹⁾.

⁽¹⁾ Reference quality.

18. KATERINI and similar varieties

- Quality I/II: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the first ('protomana'), up to 20 cm long, colour light yellow (Bashi Bagli), orange to reddish (Katerini), of porous structure, good elasticity, shiny, fairly bodied, fine texture and very good combustibility.
- Quality III: leaf ripe with slight damage and/or curing defects, with slight disease blemishes, from all positions on the plant, up to 25 cm long, colour yellow, orange, yellow-green, reddish or light brown, of porous structure, medium elasticity and shiny, moderately bodied, fine texture and very good combustibility.
- Quality IV: poor leaf, papery or crude, with marked curing defects, coming from all primings, regardless of size, not uniform in colour, showing marked defects of integrity and disease injuries, but having the minimum requirements for intervention.
- Quality I/III: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the first ('protomana'), up to 20 cm long, colour light yellow or orange to reddish, of porous structure, good elasticity, shiny, fairly bodied, fine texture and very good combustibility.

Leaf as above constitutes 45 % of quality I/III.

Leaf ripe with slight damage and/or curing defects, with slight disease blemishes, from all positions on the plant, up to 25 cm long, colour yellow, orange, yellow-green, reddish or light brown, of porous structure, moderately bodied, medium elasticity and shiny, fine texture and very good combustibility.

Leaf as described above constitutes 55 % of quality I/III ⁽¹⁾.

19. KABA KOULAK classic

- Quality I/II: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except top leaves, up to 25 cm long for Macedonia Kaba Koulak and to 20 cm long for Karatzova and Kontoula, of moderate to deep yellow colour, good elasticity, shiny, of porous structure, fine texture and excellent combustibility.
- Quality III: leaf ripe, with some slight damage and/or curing defects, with slight disease blemishes, from all positions on the plant, up to 30 cm long for Macedonia Kaba Koulak and 25 cm long for Karatzova and Kontoula, colour yellow, yellow-green, reddish, of fairly porous structure and fairly fine texture, medium elasticity and moderately shiny, excellent combustibility.
- Quality IV: leaf ripe and sufficiently undamaged, with marked curing defects and injuries coming from all primings, regardless of size, not uniform in colour, but having the minimum requirements for intervention.
- Quality I/III: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except top leaves, up to 25 cm long for Macedonia Kaba Koulak and to 20 cm long for Karatzova and Kontoula, of moderate to deep yellow colour, good elasticity, shiny, of porous structure, fine texture and excellent combustibility.

Leaf as described above constitutes 47 % of quality I/III.

Leaf ripe, with some slight damage and/or curing defects, with slight disease blemishes, from all positions on the plant, up to 30 cm long for Macedonia Kaba Koulak and 25 cm long for Karatzova and Kontoula, colour yellow, yellow-green, reddish, of fairly porous structure and fairly fine texture, medium elasticity and moderately shiny, excellent combustibility.

Leaf as described above constitutes 53 % of quality I/III ⁽¹⁾.

⁽¹⁾ Reference quality.

20. (a) KABA KOULAK non-classic
 (b) ELASSONA, MYRODATA SMYRNE, TRAPEZOUS and PHI 1

Quality I/II: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the top leaves, up to 30 cm long for Macedonia Kaba Koulak and Trapezous, 20 cm long for Elassona and Phi 1 and 15 cm long for Myrodata Smyrne, of light yellow to reddish colour, good elasticity, shiny, fairly porous structure, fine texture and excellent combustibility.

Quality III: leaf ripe and reasonably undamaged, with slight curing defects, with slight disease blemishes, from all positions on the plant, up to 35 cm long for Macedonia Kaba Koulak and Trapezous, 25 cm long for Elassona and Phi 1 and 20 cm long for Myrodata Smyrne, of yellow, yellow-green or light brown colour, of fairly porous structure, fairly fine texture, fairly elastic and shiny, very good combustibility.

Quality IV: leaf ripe and sufficiently undamaged, with marked curing defects and serious injuries, coming from all primings, regardless of size, not uniform in colour, but having the minimum requirements for intervention.

Quality I/III: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the top leaves, up to 30 cm long for Macedonia Kaba Koulak and Trapezous, 20 cm long for Elassona and Phi 1 and 15 cm long for Myrodata Smyrnes, of light yellow to reddish colour, good elasticity, shiny, fairly porous structure, fine texture and excellent combustibility.

Leaf as described above constitutes 47 % of quality I/III.

Leaf ripe and reasonably undamaged, with slight curing defects, with slight disease blemishes, from all positions on the plant, up to 35 cm long for Macedonia Kaba Koulak and Trapezous, 25 cm long for Elassona and Phi 1 and 20 cm long for Myrodata Smyrnis, of yellow, yellow-green or light brown colour, of fairly porous structure, fairly fine texture, fairly elastic and shiny, very good combustibility.

Leaf as described above constitutes 53 % of quality I/III ⁽¹⁾.

21. MYRODATA AGRINION

Quality I/II: leaf ripe, undamaged, sound, without curing defects, from all positions on the plant except the first ('protomana'), up to 25 cm long, of yellow to deep orange colour, of good elasticity, shiny, porous structure, fine texture and excellent combustibility.

Quality III: leaf ripe and reasonably undamaged, slight curing defects, with slight disease blemishes, from all positions on the plant, up to 30 cm long, of yellow, yellow-green or light reddish colour, fairly porous structure and fairly fine texture, fairly elastic and shiny, excellent combustibility.

Quality IV: leaf sufficiently ripe and undamaged, with marked curing defects and disease injuries, coming from all primings, regardless of size, not uniform in colour, but having the minimum requirements for intervention.

Quality I/III: leaf ripe, undamaged, sound, without curing defects, from all positions on the plant except the first ('protomana'), up to 25 cm long, of yellow to deep orange colour, of good elasticity, shiny, porous structure, fine texture and excellent combustibility.

Leaf as described above constitutes 47 % of quality I/III.

Leaf ripe and reasonably undamaged, with slight curing defects, with slight disease blemishes, from all positions on the plant, up to 30 cm long, of yellow, yellow-green or light reddish colour, fairly porous structure and fairly fine texture, fairly elastic and shiny, excellent combustibility.

Leaf as described above constitutes 53 % of quality I/III ⁽¹⁾.

⁽¹⁾ Reference quality.

22. ZICHNOMYRODATA

- Quality I/II: leaf ripe, undamaged, sound, without curing defects, from all positions on the plant except top leaves, up to 20 cm long, from light yellow to light orange colour, good elasticity, shiny, porous structure, fine texture, excellent combustibility.
- Quality III: leaf ripe and reasonably undamaged, with slight curing defects, with slight disease blemishes, from all positions on the plant, up to 25 cm long, colour yellow, yellow-green or light reddish, fairly porous structure and fairly fine texture, fairly elastic and shiny; excellent combustibility.
- Quality IV: leaf ripe and sufficiently undamaged, with marked curing defects and disease injuries, coming from all primings, regardless of size, not uniform in colour, but having the minimum requirements for intervention.
- Quality I/III: leaf ripe, undamaged, sound, without curing defects, from all positions on the plant except top leaves, up to 20 cm long, light yellow to light orange colour, good elasticity, shiny, porous structure, fine texture; excellent combustibility.

Leaf as described above constitutes 47 % of quality I/III.

Leaf ripe and reasonably undamaged, with slight curing defects, with slight disease blemishes, from all positions on the plant, up to 25 cm long, colour yellow, yellow-green or light reddish, fairly porous structure and fairly fine texture, fairly elastic and shiny; excellent combustibility.

Leaf as described above constitutes 53 % of quality I/III ⁽¹⁾.

23. TSEBELIA

- Quality I/II: leaf ripe, undamaged, sound without curing defects, from all positions on the plant except the first ('protomana'), up to 35 cm long, colour yellow-red, orange to reddish, of porous structure, good elasticity, shiny, fairly bodied, fine texture and very good combustibility.
- Quality III: leaf ripe and reasonably undamaged, with minor curing defects, from all positions on the plant, up to 40 cm long, colour light yellow, yellow-green, reddish or light brown, fairly porous structure, fairly elastic and shiny, fairly bodied, fairly fine texture, very good combustibility.
- Includes leaves with slight disease blemishes and/or minor damage.
- Quality IV: leaf poor, papery or crude, with marked curing defects, coming from all primings, regardless of size, not uniform in colour, showing marked integrity defects and disease injuries, but having the minimum requirements for intervention.
- Quality I/III: leaf ripe, undamaged, sound, without curing defects, from all positions on the plant except the first ('protomana'), up to 35 cm long, colour yellow-red, orange to reddish, of porous structure, good elasticity and shiny, fairly bodied, fine texture and very good combustibility.

Leaf as described above constitutes 45 % of quality I/III.

Leaf ripe and reasonably undamaged, with minor curing defects, from all positions on the plant, up to 40 cm long, colour light yellow, yellow-green, reddish or light brown, fairly porous structure, fairly elastic and shiny, fairly bodied, fairly fine texture, very good combustibility; includes leaves with slight disease blemishes and/or minor damage.

Leaf as described above constitutes 55 % of quality I/III ⁽¹⁾.

⁽¹⁾ Reference quality.

24. MAVRA

Quality I/II: leaf ripe, undamaged, sound, without curing defects, from all positions on the plant except the first ('protomana'), up to 30 cm long, colour yellow-reddish or orange to reddish, with porous structure, fine texture, good elasticity, shiny, fairly bodied, good combustibility.

Quality III: leaf ripe and reasonably undamaged, showing minor curing defects, from all positions on the plant, up to 40 cm long, colour yellowish, yellow-green (lemon), reddish or light brown, fairly porous structure and fairly fine texture, fairly elastic and shiny, fairly bodied, of good combustibility.

Includes also leaves with slight disease blemishes and/or minor damage.

Quality IV: leaf poor, papery or crude, with marked curing defects, coming from all primings, regardless of size, not uniform in colour, showing marked integrity defects and disease injuries, but having the minimum requirements for intervention.

Quality I/III: leaf ripe, undamaged, sound, without curing defects, from all positions on the plant except the first ('protomana'), up to 30 cm long, colour yellow-reddish or orange to reddish, with porous structure, fine texture, good elasticity and shiny, fairly bodied, good combustibility.

Leaf as described above constitutes 45 % of quality I/III.

Leaf ripe and reasonably undamaged, showing minor curing defects, from all positions on the plant, up to 40 cm long, colour yellowish, yellow-green (lemon), reddish or light brown, fairly porous structure and fairly fine texture, fairly elastic and shiny, fairly bodied, of good combustibility; includes also leaves with slight disease blemishes and/or minor damage.

Leaf as described above constitutes 55 % of quality I/III ⁽¹⁾.

25. BURLEY GR

Quality A: leaf fully ripe, fully developed, undamaged, sound, without curing defects, from the middle stalk position, of uniform medium nut-brown to nut-red colour, porous structure, fine texture, excellent combustibility ⁽¹⁾.

Quality B: leaf ripe and sufficiently developed, showing some slight curing defects, sufficiently undamaged, with slight injuries, mostly of the lower stalk position, of varying shades of nut-brown colour, with moderately porous structure, moderately fine texture and very good combustibility.

Quality C: leaf ripe but not fully developed (coarse), partially broken, with serious disease injuries, regardless of size, priming and colour, with marked curing defects (crude, burned), but having the minimum requirements for intervention.

26. VIRGINIA GR

Quality A: leaf fully ripe, fully developed, sound, undamaged, without curing defects, of uniform lemon yellow to medium orange colour, well bodied, fine texture and good combustibility, mainly from the middle stalk position ⁽¹⁾.

Quality B: leaf ripe and developed, sufficiently undamaged, slightly disease-injured, showing some minor curing defects, colour slightly variegated lemon, orange or light red with light greenish tint, and good combustibility, coming mostly from the lower stalk position.

Quality C: leaf ripe but not fully developed, sufficiently undamaged, with serious injuries, regardless of size and priming, with marked curing defects, of variegated colour (from yellow to nut-brown or light green), but having the minimum requirements for intervention.

⁽¹⁾ Reference quality.

ANNEX II

Annex II to Regulation (EEC) No 1727/70 is amended as follows:

I. The varieties entered against Serial No 1 are replaced by the following:

'1. BADISCHER GEUDERTHEIMER'.

II. Number 10.I is replaced by the following:

'10. (a) KENTUCKY and hybrids thereof, (b) MORO DI CORI, (c) SALENTO.

I. Tobacco from the 1980 and subsequent harvests:

- | | |
|-------------|--|
| Category A: | leaf of ample size, fully ripe, of firm and elastic texture, well-cured and in good condition, brown without damage, of good combustibility. |
| Category B: | leaf fully ripe, of firm texture, without curing and condition defects, brown in colour, with some damage, with good combustibility ⁽¹⁾ . |
| Category C: | leaf sufficiently ripe, of possibly light or coarse texture, with some defects as regards condition, uneven brown in colour; with some damage, possibly prominent. |

III. The varieties entered against Serial No 11 are replaced by the following:

'11. (a) FORCHHEIMER HAVANNA II c); (b) NOSTRANO DEL BRENTA; (c) RESISTENTE 142; (d) GOJANO'.

IV. The following entries are added:

17. BASMA

- | | |
|----------------|---|
| Quality I/II: | leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the first ('protomana'), up to 15 cm long, colour golden-yellow, orange to yellow-red, with good elasticity, shiny, fairly bodied, porous structure and fine texture, with strong pleasant aroma, good combustibility. |
| Quality III: | leaf ripe and reasonably undamaged, with slight curing defects and slight disease blemishes, up to 20 cm long, colour light yellow, reddish or light brown, with fairly porous structure and fine texture, medium elasticity, moderately shiny and bodied, with pleasant aroma, very good combustibility. |
| Quality IV: | poor leaf, papery or crude, showing marked handling defects, coming from all primings, regardless of size, not uniform in colour, showing marked integrity defects, with mild aroma, injured by disease or insects, but having the minimum requirements for intervention. |
| Quality I/III: | leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the first ('protomana'), up to 15 cm long, colour golden-yellow, orange to yellow-red, with good elasticity and shiny, fairly bodied, porous structure and fine texture, with strong, typical aroma, good combustibility. |

Leaf as described above (I/II) constitutes 45 % of quality I/III.

Leaf ripe and reasonably undamaged, with slight curing defects and slight disease blemishes, up to 20 cm long, colour light yellow, reddish or light brown, with fairly porous structure and fine texture, medium elasticity, moderately shiny and bodied, with strong, typical aroma, very good combustibility.

Leaf as described above (III) constitutes 55 % of quality I/III ⁽¹⁾.

⁽¹⁾ Reference quality.

18. KATERINI and similar varieties

- Quality I/II: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the first ('protomana'), up to 20 cm long, colour light yellow or orange to reddish, of porous structure, good elasticity, shiny, fairly bodied, fine texture and very good combustibility.
- Quality III: leaf ripe with slight damage and curing defects, with slight disease blemishes, from all positions on the plant, up to 25 cm long, colour yellow, orange, yellow-green, reddish or light brown, of porous structure, medium elasticity and shiny, fairly bodied, fine texture and very good combustibility.
- Quality IV: poor leaf, papery or crude, with marked handling defects, coming from all primings, regardless of size, not uniform in colour, showing marked defects of integrity and disease injuries, but having the minimum requirements for intervention.
- Quality I/III: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the first ('protomana'), up to 20 cm long, colour light yellow or orange to reddish, of porous structure, good elasticity, shiny, fairly bodied, fine texture and very good combustibility.

Leaf as described above (I/II) constitutes 45 % of quality I/III.

Leaf ripe with slight damage and curing defects, with slight disease blemishes, from all positions on the plant, up to 25 cm long, colour yellow, orange, yellow-green, reddish or light brown, of porous structure, medium elasticity and shiny, fairly bodied, fine texture and very good combustibility.

Leaf as described above constitutes 55 % of quality I/III ⁽¹⁾.

19. KABA KOULAK classic

- Quality I/II: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except top leaves, up to 25 cm long for Macedonia Kaba Koulak and to 20 cm long for Karatzova and Kontoula, of moderate to deep yellow colour, good elasticity, shiny, of porous structure, fine texture and excellent combustibility.
- Quality III: leaf ripe with some slight damage and/or curing defects, with slight disease blemishes, from all positions on the plant, up to 30 cm long for Macedonia Kaba Koulak and 25 cm long for Karatzova and Kontoula, of yellow to reddish colour, of fairly porous structure and fairly fine texture, medium elasticity, shiny, excellent combustibility.
- Quality IV: leaf mature and sufficiently undamaged, with marked handling defects, with serious injuries, coming from all primings, regardless of size, colour light yellow-green, green or brown, but having the minimum requirements for intervention.
- Quality I/III: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except top leaves, up to 25 cm long for Macedonia Kaba Koulak and to 20 cm long for Karatzova and Kontoula, of moderate to deep yellow colour, good elasticity, shiny, of porous structure, fine texture and excellent combustibility.

Leaf as described above constitutes 47 % of quality I/III.

Leaf ripe with some slight damage and/or curing defects, with slight disease blemishes, from all positions on the plant, up to 30 cm long for Macedonia Kaba Koulak and 25 cm long for Karatzova and Kontoula, of yellow to reddish colour, of fairly porous structure and fairly fine texture, medium elasticity, shiny, excellent combustibility.

Leaf as described above constitutes 53 % of quality I/III ⁽¹⁾.

⁽¹⁾ Reference quality.

20. (a) KABA KOULAK non-classic
(b) ELASSONA, MYRODATA SMYRNE, TRAPEZOUS and PHI 1

Quality I/II: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except top leaves, up to 30 cm long for Macedonia Kaba Koulak and Trapezous, 20 cm long for Elassona and Phi 1, and 15 cm long for Myrodata Smyrne, of light yellow to reddish colour, good elasticity, shiny, fairly porous structure, fine texture and excellent combustibility.

Quality III: leaf ripe and reasonably undamaged, with slight curing defects, with slight disease blemishes, from all positions on the plant, up to 35 cm long for Macedonia Kaba Koulak and Trapezous, 25 cm long for Elassona and Phi 1, and 20 cm long for Myrodata Smyrne, of yellow to light brown colour, fairly porous structure, fairly fine texture, fairly elastic and shiny, very good combustibility.

Quality IV: leaves mature and sufficiently undamaged, with marked handling defects and serious injuries, coming from all primings, regardless of size, not uniform in colour, but having the minimum requirements for intervention.

Quality I/III: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except top leaves, up to 30 cm long for Macedonia Kaba Koulak and Trapezous, 20 cm long for Elassona and Phi 1, and 15 cm long for Myrodata Smyrne, of light yellow to reddish colour, good elasticity, shiny, fairly porous structure, fine texture and excellent combustibility.

Leaf as described above (I/II) constitutes 47 % of quality I/III.

Leaf ripe and reasonably undamaged, with slight curing defects, with slight disease blemishes, from all positions on the plant, up to 35 cm long for Macedonia Kaba Koulak and Trapezous, 25 cm long for Elassona and Phi 1, and 20 cm long for Myrodata Smyrne, of yellow to light brown colour, fairly porous structure, fairly fine texture, fairly elastic and shiny, very good combustibility.

Leaf as described above (III) constitutes 53 % of quality I/III ⁽¹⁾.

21. MYRODATA AGRINION

Quality I/II: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the first ('protomana'), up to 25 cm long, of yellow to deep orange colour, of good elasticity, shiny, porous structure, fine texture and excellent combustibility.

Quality III: leaf ripe and reasonably undamaged, with slight curing defects, with slight disease blemishes, from all positions on the plant, up to 30 cm long, of yellow to light reddish colour, fairly porous structure and fairly fine texture, fairly elastic and shiny, excellent combustibility.

Quality IV: leaves sufficiently mature and undamaged, with marked handling defects, serious disease injuries, coming from all primings, regardless of size, not uniform in colour, but having the minimum requirements for intervention.

Quality I/III: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the first ('protomana'), up to 25 cm long, of yellow to deep orange colour, of good elasticity, shiny, porous structure, fine texture and excellent combustibility.

Leaf as described above (I/II) constitutes 47 % of quality I/III.

Leaf ripe and reasonably undamaged, with slight curing defects, with slight disease blemishes, from all positions on the plant, up to 30 cm long, of yellow to light reddish colour, fairly porous structure and fairly fine texture, fairly elastic and shiny, excellent combustibility.

Leaf as described above (III) constitutes 53 % of quality I/III ⁽¹⁾.

⁽¹⁾ Reference quality.

22. ZICHNOMYRODATA

- Quality I/II: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except top leaves, up to 20 cm long, from light yellow to light orange in colour, good elasticity, shiny, porous structure, fine texture and excellent combustibility.
- Quality III: leaf ripe and reasonably undamaged, with slight curing defects, with slight disease blemishes, from all positions on the plant, up to 25 cm long, of yellow to light reddish colour, fairly porous structure and fairly fine texture, fairly elastic and shiny, excellent combustibility.
- Quality IV: leaf poor, papery or crude, with marked handling defects and disease injuries, coming from all primings, regardless of size, not uniform in colour, but having the minimum requirements for intervention.
- Quality I/III: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except top leaves, up to 20 cm long, from light yellow to light orange in colour, good elasticity, shiny, porous structure, fine texture and excellent combustibility.

Leaf as described above constitutes 47 % of quality I/III.

Leaf ripe and reasonably undamaged, with slight curing defects, with slight disease blemishes, from all positions on the plant, up to 25 cm long, of yellow to light reddish colour, fairly porous structure and fairly fine texture, fairly elastic and shiny, excellent combustibility.

Leaf as described above (III) constitutes 53 % of quality I/III ⁽¹⁾.

23. TSEBELIA

- Quality I/II: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the first ('protomana'), up to 35 cm long, colour yellow-red, orange to reddish, of porous structure, good elasticity, shiny, fairly bodied, fine texture and very good combustibility.
- Quality III: leaf ripe and reasonably undamaged, with minor curing defects, from all positions on the plant, up to 40 cm long, colour from light yellow to reddish or light brown, fairly porous structure, fairly elastic and shiny, fairly bodied, fairly fine texture, very good combustibility; includes also leaves with slight disease blemishes and/or minor damage.
- Quality IV: poor leaf, papery or crude, with marked handling defects, coming from all primings, regardless of size, not uniform in colour, showing marked integrity defects and serious disease injuries, but having the minimum requirements for intervention.
- Quality I/III: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the first ('protomana'), up to 30 cm long, colour yellow-red, orange to reddish, of porous structure, elastic and shiny, fairly bodied, fine texture and very good combustibility.

Leaf as described above (I/II) constitutes 45 % of quality I/III.

Leaf ripe and reasonably undamaged, with minor curing defects, from all positions on the plant, up to 40 cm long, colour from light yellow to reddish or light brown, fairly porous structure, fairly elastic and shiny, fairly bodied, fairly fine texture, very good combustibility; includes also leaves with slight disease blemishes and/or minor damage.

Leaf as described above constitutes 55 % of quality I/III ⁽¹⁾.

⁽¹⁾ Reference quality.

24. MAVRA

- Quality I/II: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the first ('protomana'), up to 30 cm long, colour yellow-reddish or orange to reddish, with porous structure, fine texture, good elasticity, shiny, fairly bodied, good combustibility.
- Quality III: leaf ripe and reasonably undamaged, with minor curing defects, from all positions on the plant, up to 40 cm long, colour from yellowish to reddish or light brown, fairly porous structure and fairly fine texture, fairly elastic and shiny, fairly bodied, of good combustibility; includes also leaves with slight disease blemishes and/or minor damage.
- Quality IV: leaf poor, papery or crude, with marked handling defects, from all primings, regardless of size, not uniform in colour, showing marked integrity defects and disease injuries, but having the minimum requirements for intervention.
- Quality I/III: leaf ripe, undamaged, sound, well-cured, from all positions on the plant except the first ('protomana'), up to 30 cm long, colour yellow-reddish or orange to reddish, with porous structure, fine texture, elastic and shiny, fairly bodied, good combustibility.

Leaf as described above constitutes 45 % of quality I/III.

Leaf ripe and reasonably undamaged, with minor curing defects, from all positions on the plant, up to 40 cm long, colour from yellowish to reddish or light brown, fairly porous structure and fairly fine texture, fairly elastic and shiny, fairly bodied, of good combustibility; includes also leaves with slight disease blemishes and/or minor damage.

Leaf as described above constitutes 55 % of quality I/III ⁽¹⁾.

25. BURLEY GR

- Quality A: leaf fully ripe, fully developed, undamaged, sound, well-cured, from the middle stalk position, of uniform medium nut-brown to nut-red colour, porous structure, fine texture, excellent combustibility ⁽¹⁾.
- Quality B: leaf ripe and sufficiently developed, showing some slight handling defects, sufficiently undamaged, with slight injuries, coming mostly from lower stalk position, of varying shades of nut-brown colour, with moderately porous structure, moderately fine texture and very good combustibility.
- Quality C: leaf mature but not fully developed (coarse), partially broken, with serious disease injuries, regardless of size, priming and colour with marked handling defects, but having the minimum requirements for intervention.

26. VIRGINIA GR

- Quality A: leaf fully ripe, fully developed, from the middle stalk position, sound, undamaged, well-cured, of a uniform lemon yellow to medium orange colour, fine texture and good combustibility ⁽¹⁾.
- Quality B: leaf ripe and developed, coming mostly from the lower stalk position, sufficiently undamaged, slightly disease-injured, showing some minor handling defects, colour slightly variegated yellow, lemon, orange or light red with light greenish tint and good combustibility.
- Quality C: leaf mature but not fully developed, sufficiently undamaged, with serious injuries, regardless of size and priming, with marked handling defects, of variegated colour (from yellow to nut-brown or light green), but having the minimum requirements for intervention.

⁽¹⁾ Reference quality.

ANNEX III

Annex IV to Regulation (EEC) No 1727/70 is amended as follows:

I. The varieties entered against Serial No 1 are replaced by the following:

'1. Badischer Geudertheimer'.

II. The varieties entered against Serial No 11 are replaced by the following:

'11. (a) Forchheimer Havanna II c) (b) Nostrano del Brenta (c) Resistente 142 (d) Gojano'.	{ 26 % }	{ 16 % }
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III. The following entries are added:

Serial No	Varieties	Moisture	
		Leaf tobacco	Baled tobacco
'17	Basma	17 %	13 %
18	Katerini and similar varieties	16 %	13 %
19	Kaba Koulak classic	17 %	13 %
20	(a) Kaba Koulak non-classic (b) Elassona, Myrodata Smyrne, Trapezous and Phi 1	} 17 %	} 13 %
21	Myrodata Agrinion	15 %	14 %
22	Zichnomyrodata	17 %	13 %
23	Tsebelia	14 %	13 %
24	Mavra	14 %	13 %
25	Burley GR	22 %	13 %
26	Virginia GR	19 %	13 %

ANNEX IV

Annex I to Regulation (EEC) No 1728/70 is amended as follows:

I. The varieties entered against Serial No 1 are replaced by the following:

- '1. Badischer Geudertheimer'.

II. The varieties entered against Serial No 11 are replaced by the following:

- '11. (a) Forchheimer Havanna II c)
(b) Nostrano del Brenta
(c) Resistente 142
(d) Gojano'.

III. The following entries are added:

Serial No	Varieties	Grade	Class I	Class II	Class III
'17	Basma	I/III	112	100 ⁽¹⁾	
		I/II	139	124	
		III	91	81	
		IV	34	30	
18	Katerini and similar varieties	I/III	100 ⁽¹⁾		
		I/II	124		
		III	81		
		IV	30		
19	Kaba Koulak classic	I/III	100 ⁽¹⁾		
		I/II	112		
		III	89		
		IV	30		
20	(a) Kaba Koulak non-classic (b) Elassona, Myrodata Smyrne, Trapezous and Phi 1	I/III	100 ⁽¹⁾	109	
		I/II	112	122	
		III	89	97	
		IV	30	33	
21	Myrodata Agrinion	I/III	100 ⁽¹⁾		
22	Zichnomyrodata	I/II	112		
		III	89		
		IV	30		
23	Tsebelia	I/III	128	115	100 ⁽¹⁾
		I/II	159	143	124
		III	104	93	81
		IV	38	35	30
24	Mavra	I/III	100 ⁽¹⁾	128	
		I/II	124	159	
		III	81	104	
		IV	30	38	
25	Burley GR	A	104	100 ⁽¹⁾	
		B	68	65	
		C	50	48	
26	Virginia GR	A	100 ⁽¹⁾		
		B	65		
		C	50		

⁽¹⁾ Reference quality.'

ANNEX V

Annex II to Regulation (EEC) No 1728/70 is amended as follows:

I. The varieties entered against Serial No 1 are replaced by the following:

- '1. Badischer Geudertheimer'.

II. The varieties entered against Serial No 11 are replaced by the following:

- '11. (a) Forchheimer Havanna II c)
(b) Nostrano del Brenta
(c) Resistente 142
(d) Gojano'.

III. The following entries are added:

Serial No	Varieties	Grade	Class I	Class II	Class III
17	Basma	I/III	112	100 ⁽¹⁾	
		I/II	139	124	
		III	91	81	
		IV	34	30	
18	Katerini and similar varieties	I/III	100 ⁽¹⁾		
		I/II	124		
		III	81		
		IV	30		
19	'Kaba Koulak classic	I/III	100 ⁽¹⁾		
		I/II	112		
		III	89		
		IV	30		
20	(a) Kaba Koulak non-classic (b) Elassona, Myrodata Smyrne, Trapezous and Phi 1	I/III	100 ⁽¹⁾	109	
		I/II	112	122	
		III	89	97	
		IV	30	33	
21	Myrodata Agrinion	I/III	100 ⁽¹⁾		
22	Zichnomyrodata	I/II	112		
		III	89		
		IV	30		
23	Tsebelia	I/III	128	115	100 ⁽¹⁾
		I/II	159	143	124
		III	104	93	81
		IV	38	35	30
24	Mavra	I/III	100 ⁽¹⁾	128	
		I/II	124	159	
		III	81	104	
		IV	30	38	
25	Burley GR	A	104	100 ⁽¹⁾	
		B	68	65	
		C	50	48	
26	Virginia GR	A	100 ⁽¹⁾		
		B	65		
		C	50		

⁽¹⁾ Reference quality.

ANNEX VI

Amount referred to in Article 1 (6) of Regulation (EEC) No 327/71

Serial No	Varieties	Amount in ECU/kg of leaf tobacco
1	Badischer Geudertheimer	0.684
2	Badischer Burley E	0.682
3	Virgin D	0.641
4	(a) Paraguay and hybrids thereof (b) Dragon vert and hybrids thereof Philippin Petit Grammont (Flobecq) Semois Appelterre	0.510
5	Nijkerk	0.410
6	(a) Misionero and hybrids thereof (b) Rio Grande and hybrids thereof	0.511
7	Bright	0.692
8	Burley I	0.644
9	Maryland	0.644
10	(a) Kentucky and hybrids thereof (b) Moro di Cori (c) Salento	0.627
11	(a) Forchheimer Havanna II c) (b) Nostrano del Brenta (c) Resistente 142 (d) Gojano	0.684
12	(a) Beneventano (b) Brasile Selvaggio and similar varieties	0.474
13	Xanti-Yakà	1.088
14	(a) Perustitza (b) Samsun	0.741
15	Erzegovina and similar varieties	0.677
16	(a) Round Tip (b) Scafati (c) Sumatra I	8.000
17	Basma	0.986
18	Katerini and similar varieties	1.006
19	Kaba Koulak classic	0.908
20	(a) Kaba Koulak non-classic (b) Ellassona, Myrodata Smyrne, Trapezous and Phi 1	0.908
21	Myrodata Agrinion	0.908
22	Zichnomyrodata	0.908
23	Tsebelia	0.908
24	Mavra	0.908
25	Burley GR	0.501
26	Virginia GR	0.692

ANNEX VII

TOLERANCE MARGINS IN PERCENTAGE OF NET WEIGHT

I. Tobacco bought in leaves by intervention agency

Varieties	During year of purchase
Dark, air-cured (1, 4, 5, 6, 11, 12)	8 %
Fire-cured (10)	8 %
Special tobaccos (16)	8 %
Light, air-cured (2, 8, 9, 25)	5 %
Flue-cured (3, 7, 26)	5 %
Sun-cured (13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24)	8 %

II. Tobacco bought baled by intervention agency

Varieties	During year of purchase	During the following years
Dark, air-cured (1, 4, 5, 6, 11, 12)	1.5 %	0.7 %
Fire-cured (10)	1.5 %	0.7 %
Special tobaccos (16)	1.5 %	0.7 %
Light, air-cured (2, 8, 9, 25)	1.0 %	0.6 %
Flue-cured (3, 7, 26)	1.0 %	0.8 %
Sun-cured (13, 14, 15)	1.0 %	0.6 %
(17, 18, 19, 20, 21, 22, 23, 24)	2.0 %	1.0 %

ANNEX VIII

The Annex to Regulation (EEC) No 410/76 is amended as follows:

I. The varieties entered against Serial No 1 are replaced by the following:

'1. Badischer Geudertheimer'.

II. The varieties entered against Serial No 11 are replaced by the following:

'11.	(a) Forchheimer Havanna II c) (b) Nostrano del Brenta (c) Resistente 142 (d) Gojano'.	}	26 %
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III. The following entries are added:

Serial No	Varieties	Maximum weight losses (in % of net weight of leaf tobacco) ⁽¹⁾
'17	Basma	13·7
18	Katerini and similar varieties	17·6
19	Kaba Koulak classic	14·9
20	(a) Kaba Koulak non-classic (b) Elassona, Myrodata Smyrne, Trapezous and Phi 1	} 14·9
21	Myrodata Agrinion	
22	Zichnomyrodata	14·9
23	Tsebelia	14·9
24	Mavra	14·9
25	Burley GR	24·4
26	Virginia GR	14·0

(¹) These percentages are increased by four points in the case of tobaccos which have been threshed.'

COMMISSION REGULATION (EEC) No 2729/81

of 14 September 1981

laying down special rules implementing the system of import and export licences and the advance fixing of refunds in respect of milk and milk products

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 the Act of Accession of Greece, and in particular Articles 13 (3) and 17 (4) thereof,

Whereas rules implementing the system of import and export licences and advance fixing of refunds in respect of milk and milk products were laid down by Commission Regulation (EEC) No 2044/75 ⁽²⁾, as last amended by Regulation (EEC) No 3474/80 ⁽³⁾; whereas this Regulation has been amended on numerous occasions; whereas for the sake of clarity and efficient administration it should be consolidated, the special rules for certain products harmonized and the licence security rates adjusted;

Whereas experience of advance fixing of refunds in the milk and milk products sector has, moreover, revealed the need for an improvement in the decision mechanisms operating when the refund is altered; whereas the examination of given situations and decision-making will be facilitated and can proceed more smoothly if the exact quantities in respect of which applications for advance fixing at the rate of refund then current have been made known by the Commission and the Member States as represented on the Management Committee, without the risk of increases as a result of the applications lodged, perhaps for speculative reasons, on the actual day of the deliberations in question; whereas on the day on which these deliberations normally take place there should therefore be no advance fixing of refunds and the rules in question should be supplemented accordingly;

Whereas experience indicates that the interested parties should have a list of agencies which alone are entitled to issue, for the milk and milk products sector, invitations to tender within the meaning of Article 43 of Commission Regulation (EEC) No 3183/80 of 3 December 1980 laying down common detailed rules for the application of the system of import and export

licences and advance-fixing certificates for agricultural products ⁽⁴⁾;

Whereas the provisions of this Regulation either supplement or derogate from the provisions of Regulation (EEC) No 3183/80;

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:

TITLE I

GENERAL RULES CONCERNING IMPORT AND EXPORT LICENCES

Article 1

1. The amount of the security in respect of import and export licences shall be, per 100 kilograms net of the product:

- 1·00 ECU for products falling within heading No 04.01 of the Common Customs Tariff,
- 3·00 ECU for products falling within heading No 04.04 of the Common Customs Tariff,
- 4·00 ECU for products falling within heading No 04.03 of the Common Customs Tariff,
- 2·00 ECU for the other products listed in Article 1 of Regulation (EEC) No 804/68.

2. No security need be lodged, however, in respect of export licences as referred to in Article 6 (1).

Article 2

By way of derogation from the third indent of Article 5 (1) of Regulation (EEC) No 3183/80, an import or export licence shall not be required and may not be presented for operations involving quantities not exceeding:

- 500 kg in the case of products falling within heading Nos 04.03 or 04.04 of the Common Customs Tariff,
- 1 000 kg in the case of the other products listed in Article 1 of Regulation (EEC) No 804/68.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 213, 11. 8. 1975, p. 15.

⁽³⁾ OJ No L 363, 31. 12. 1980, p. 50.

⁽⁴⁾ OJ No L 338, 13. 12. 1980, p. 1.

TITLE II

SPECIAL RULES CONCERNING IMPORT LICENCES

Article 3

The following special rules shall apply to the import licence to be presented under Article 13 (1) of Regulation (EEC) No 804/68 on any importation into the Community of the products listed in Article 1 thereof:

1. An import licence shall be valid from its date of issue within the meaning of Article 21 (1) of Regulation (EEC) No 3183/80 until the end of the second month following that of issue.
2. For products falling within subheadings of the Common Customs Tariff defined by reference to a price in ECU, the applicant may, in his application for an import licence, indicate two subheadings defined by reference to the same value.

The two subheadings indicated on the application shall also be indicated on the licence itself.

TITLE III

SPECIAL RULES CONCERNING EXPORT LICENCES

Section 1

General provisions

Article 4

1. Presentation of an export licence shall be required for the export from the Community of products listed in Article 1 of Regulation (EEC) No 804/68 for which a refund is fixed in advance.
2. Presentation of an export licence shall be required for the export from the Community of products falling within subheading 04.02 A II b) and heading No 04.03 of the Common Customs Tariff in cases where there is no advance fixing of the refund.
3. The application for an export licence and the licence itself shall state in section 13 the country of destination or the special destination within the meaning of Article 5 of Regulation (EEC) No 2730/79.

Article 5

Where the Annex to the Regulation fixing the refunds refers to subheadings not included in the Common Customs Tariff, the application for a licence and the export licence itself shall contain in section 7 a description of the product, in accordance with the said Annex, and 'ex' shall precede the Common Customs Tariff subheading in section 8.

The licence shall be valid only for the product so described.

Section 2

Export licences without advance fixing of the refund

Article 6

1. Where an export licence without advance fixing of the refund relates to a product falling within subheading 04.02 A II or heading No 04.03 of the Common Customs Tariff that is to be exported under a Regulation that precludes the granting of a refund, in particular in the context of food aid, the application for the licence and the licence itself shall, in section 12, refer to the Regulation concerned, using one of the following forms of wording:

- 'Særlig udførsel (forordning (EØF) nr.)',
- 'Sonderausfuhr (Verordnung (EWG) Nr.)',
- 'Ειδική εξαγωγή (κανονισμός (ΕΟΚ) αριθ.)',
- 'Special export (Regulation (EEC) No)',
- 'Exportation spéciale (règlement (CEE) n°)',
- 'Esportazione speciale (regolamento (CEE) n. ...)',
- 'Bijzondere uitvoer (Verordening (EEG) nr.)'.

2. The licences referred to in paragraph 1 shall:

- (a) include, in section 18a, one of the following forms of wording:
 - 'Eksporteres uden restitution',
 - 'Ausfuhr ohne Erstattung',
 - 'Πρός εξαγωγή χωρίς επιστροφή',
 - 'To be exported without refund',
 - 'À exporter sans restitution',
 - 'Da esportare senza restituzione',
 - 'Uitvoer zonder restitutie'.
- (b) be valid only in respect of an export to be carried out under the Regulation referred to in section 12.

Article 7

Export licences without advance fixing of the refund shall be valid from their date of issue within the meaning of Article 21 (1) of Regulation (EEC) No 3183/80 until the end of the second month following that of issue.

*Section 3***Export licences with advance fixing of the refund***Article 8*

1. For the products listed in Article 1 of Regulation (EEC) No 804/68, the refund shall be fixed in advance on request. However, refunds may not be fixed in advance for exports of the products listed in Annex I to the destinations listed therein.

2. In addition to the provisions referred to in the first subparagraph of Article 14 (2) of Regulation (EEC) No 3183/80, applications for export licences with advance fixing of the refund in respect of any of the products referred to in Article 1 of Regulation (EEC) No 804/68 and which are lodged, in accordance with Article 14 of Regulation (EEC) No 3183/80, on a Thursday shall be regarded as having been lodged on the first working day after the Thursday in question.

Article 9

Export licences issued with advance fixing of the refund shall, without prejudice to the provisions of Article 15, be valid from their day of issue within the meaning of Article 21 (1) of Regulation (EEC) No 3183/80 until the end of the period specified in Annex II for the product in question.

However, in particular cases, a special period of validity may be fixed.

Article 10

1. Export licences with advance fixing of the refund for products falling within subheading 04.02 A II b) and heading No 04.03 of the Common Customs Tariff shall only be issued on the fifth working day following the day on which the application is lodged, in so far as special measures are not taken in the intervening period.

2. By way of derogation from Article 9 (1) of Regulation (EEC) No 3183/80, the rights arising from an export licence with advance fixing of the refund for products falling within subheading 04.02 A II b) and heading No 04.03 of the Common Customs Tariff shall not be transferable.

Article 11

1. Where the refund for a product may, in accordance with Annex I, be fixed in advance in respect of certain destinations only, the issue of a licence with advance fixing of the refund shall entail the obligation to export to a destination other than those listed in Annex I.

2. Further, where in accordance with Annex I, advance fixing, whether for all destinations or for certain destinations only, is restricted to certain of the products falling within a subheading of the Common Customs Tariff, the application for a licence and the licence itself shall contain in section 7 the description of the products qualifying for advance fixing and in section 8 the Common Customs Tariff subheading preceded by 'ex'.

The licence shall be valid only for the product so described.

3. Where, under Annex II, a compulsory destination determines the period of validity of a licence, an export licence issued for the relevant product but not showing the compulsory destination shall carry with it the obligation to export to a destination other than the compulsory destination.

Article 12

For the purposes of adjusting a refund fixed in advance when the period of validity of an export licence with advance fixing of the refund is extended in accordance with Article 37 of Regulation (EEC) No 3183/80 on grounds of *force majeure*, exportation shall be regarded as having taken place on the last day of the original period of validity.

Article 13

1. With regard to products falling within subheading 04.02 B of the Common Customs Tariff, the export licence may, at the request of the applicant, be issued either:

- in respect of one only of the two components referred to in Article 2 (1) of Regulation (EEC) No 1098/68, or
- in respect of both these components.

2. Where the first indent of paragraph 1 is applied, there shall be entered in section 12 of the application for a licence and of the licence itself one of the following forms of wording, as appropriate:

- 'Forudfastsættelse for mælkeelementet',
- 'Vorausfestsetzung beschränkt auf den Teilbetrag für Milch',

- 'Προκαθορισμός περιοριζόμενος μόνο στο στοιχείο γάλα',
 - 'Advance fixing in respect of milk component only',
 - 'Fixation à l'avance limitée à l'élément lait',
 - 'Fissazione in anticipo limitata all'elemento latte',
 - 'Vaststelling vooraf beperkt tot het element melk',
- or
- 'Forudfastsættelse for sukkelementet',
 - 'Voraussetzung beschränkt auf den Teilbetrag für Zucker',
 - 'Προκαθορισμός περιοριζόμενος μόνο στο στοιχείο ζάχαρη',
 - 'Advance fixing in respect of sugar component only',
 - 'Fixation à l'avance limitée à l'élément sucre',
 - 'Fissazione in anticipo limitata all'elemento zucchero',
 - 'Vaststelling vooraf beperkt tot het element suiker'.

TITLE IV

SPECIAL RULES IN CASES OF ADVANCE FIXING OF THE REFUND IN CONNECTION WITH AN INVITATION TO TENDER

Article 14

For the purposes of the application of Article 43 of Regulation (EEC) No 3183/80 to the products referred to in Article 1 of Regulation (EEC) No 804/68:

- (a) open invitations to submit tenders by a given date can be regarded as such only where they:
- are issued by public agencies or bodies governed by public law set out on a list to be drawn up in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68,
 - are addressed to an unlimited number of exporters, in particular by publication, and
 - specify the period within which the goods must be delivered and the date and, if fixed, the time by which tenders must be lodged;
- (b) the provisions laid down in Articles 15 and 16 below shall apply.

Article 15

1. In the case of exports in connection with an invitation to tender issued by one of the agencies referred to in Article 14, the export licence with advance fixing of

the refund shall be valid from its date of issue within the meaning of Article 21 (1) of Regulation (EEC) No 3183/80 until the date when the obligations arising from the invitation to tender concerned must be complied with.

However, the period of validity of the licence shall not exceed the period laid down in Annex III.

2. The special measures referred to in Article 10 (1) shall not prevent issue of the export licences referred to in this Article unless they are applicable not later than the fifth working day following the day on which the licence application was lodged.

3. Notwithstanding the second subparagraph of Article 43 (2) of Regulation (EEC) No 3183/80, the time limit within which an applicant for the licence must inform the issuing agency of the results of the invitation to tender, or provide proof that the time limit for tenders has been extended, is hereby fixed at 40 days after the time limit for submission of tenders.

Article 16

1. Where the conditions of an invitation to tender issued by armed forces stationed in the territory of a Member State but not coming under its flag fix only approximately the quantity of milk or milk products to be supplied, since the quantity that will in fact be supplied can be determined only at the end of the delivery period provided for in the invitation to tender, the licence including advance fixing of the refund shall be issued for the quantity (hereinafter called the 'target quantity') fixed approximately under the terms of the invitation to tender. In such cases, one of the following shall be entered in section 12 of the application for a licence and of the licence itself:

- 'Anslæt mængde',
- 'Richtmenge',
- 'Ενδεικτική ποσότητα',
- 'Target quantity',
- 'Quantité indicative',
- 'Quantità indicativa',
- 'Geschatte hoeveelheid'.

The licence may be used only up to that quantity.

The obligation to export shall be fulfilled when the quantity (hereinafter called, the 'definitive quantity') fixed for supply by the agency inviting tenders has been exported. The parties concerned shall submit the relevant evidence to the agency which issued the licence.

2. In cases where the quantity for export proves greater than the target quantity, the agency which issued

the original licence shall at the request of the party concerned issue one or more supplementary licences.

The supplementary licence shall contain the same details as the original licence, except with regard to the quantity and the date of issue. In addition, section 2 shall contain one of the following forms of wording:

‘Ekstra licens’,

‘Zusatzlizenz’,

‘Συμπληρωματικό πιστοποιητικό’,

‘Supplementary licence’,

‘Certificat complémentaire’,

‘Titolo complementare’,

‘Aanvullend certificaat’.

3. Where the definitive quantity is less than the target quantity as indicated in the original licence and in any supplementary licence or licences, the security corresponding to the balance shall be released.

4. The provisions of the first subparagraph of Article 33 (3) and the second and third subparagraphs of Article 43 (2) of Regulation (EEC) No 3183/80 shall not apply in respect of licences as referred to in this Article.

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

Done at Brussels, 14 September 1981.

TITLE V

FINAL PROVISIONS

Article 17

1. Regulation (EEC) No 2044/75 is hereby repealed.
2. All references in Community instruments to Articles of Regulation (EEC) No 2044/75 shall be treated as references to the corresponding Articles of this Regulation.
3. However, Regulation (EEC) No 2044/75 shall continue to apply to licences applied for before the day of application of this Regulation.

Article 18

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

It shall apply with effect from 1 November 1981.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX I

List of products and destinations for which refunds may not be fixed in advance

CCT heading No	Description	Destination
04.04		Austria, Zone D, Ceuta, Melilla, Andorra
ex 04.04 E I b) 5	Butterkäse, Danbo, Edam, Elbo Esrom, Fontal, Fontina, Fynbo, Galantine, Gouda, Havarti, Italico, Maribo, Molbo, Mimolette, Samsø, Saint-Paulin, Tilsit, Tybo and other cheeses of a minimum fat content of 30 % by weight, in the dry matter, and of a water content, calculated by weight, of the non-fatty matter exceeding 52 % but not exceeding 67 %.	Liechtenstein, Switzerland

ANNEX II

Period of validity of export licences with advance fixing of the refund

Period of validity	CCT heading No	Description	Compulsory destination ⁽¹⁾
(a) 30 days	04.04	Cheese and curd	Zone E and Canada
(b) Until the end of the sixth month following that of issue	Other products specified in Article 1 of Regulation (EEC) No 804/68		—

⁽¹⁾ See Article 11 (3). However, where Annex I excludes advance fixing of the refund for certain products and destinations, the issue of an export licence for such products shall make it obligatory to export to a destination other than that indicated in Annex I.

ANNEX III

Maximum period of validity of export licences issued in connection with an invitation to tender

Maximum period of validity	Description of product (CCT heading No)	Comments
(a) Until the end of the 13th month following that of issue	The products listed in Article 1 of Regulation (EEC) No 804/68	Excluding the exports covered by (b)
(b) Until the end of the 18th month following that of issue	Any products specified in Article 1 of Regulation (EEC) No 804/68 exported in connection with an invitation to tender issued by the armed forces (Article 16 (1) of this Regulation)	

COMMISSION REGULATION (EEC) No 2730/81

of 14 September 1981

establishing a list of agencies in non-member importing countries entitled to issue invitations to tender in the milk and milk products sector

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 the Act of Accession of Greece, and in particular Articles 13 (3) and 17 (4) thereof,

Whereas Article 14 of Commission Regulation (EEC) No 2729/81 of 14 September 1981 laying down special rules implementing the system of import and export licences and the advance fixing of refunds in respect of milk and milk products ⁽²⁾ lays down that invitations to tender may only be recognized where they are issued by one of the public agencies or bodies governed by public law set out in a list to be drawn up;

Whereas, in view of trade practice in importing countries in the past and on account of the most recent information available to the Commission, this list may be drawn up as given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of agencies issuing invitations to tender in non-member countries, as referred to in Article 14 of Regulation (EEC) No 2729/81, is given in the Annex.

Article 2

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

It shall apply with effect from 1 November 1981.

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

Done at Brussels, 14 September 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ See page 19 of this Official Journal.

ANNEX

List of the organizations referred to in Article 14

Importing country	Issuing organization
ARGENTINA	Ministère des affaires sociales Buenos Aires
ALGERIA	Office national de commercialisation (Onaco) 29, rue Ben M'Hidi Larbi Office national du lait et de la production laitière (Onalait) 1, place Carnot Hussein Dey, Alger Société nationale des nouvelles galeries algériennes (SNNGA) 67, rue Larbi Tebissi Alger Office national des aliments du bétail 23-25-26, boulevard Zirout Youcef Alger
ANGOLA	Importang-UEE Central Angolana de Importação 22/24 Largo Infante D. Henrique PO Box 1003 Luanda
BANGLADESH	Trading Corporation of Bangladesh HBFC Building 22 Purana Palatan Dacca 2 Bangladesh Consumer Supplies Corporation 66 Dilkusha Commercial Area Dacca
BRAZIL	Interbras Petrobras Comércio Internacional SA Rua Rosario, 90 Rio de Janeiro 20040 Cobec Companhia Brasileira Interpostos Comércio Ave Neda Rio Branco, 123 Rio de Janeiro 20040

Importing country	Issuing organization
BURMA	Ministry of Defence – Rangoon Nyanna Export-Import Corporation 622 Merchant Street Rangoon
BOLIVIA	Corporación Minera de Bolivia Avenida Mariscal Santa Cruz No. 1292 Casilla 349 La Paz Ministerio de Industria, Comercio y Turismo 4 Piso, Edificio Central La Paz Corporación Boliviana de Fomento (CBF) Avenida Camacho Bueno La Paz
BULGARIA	Rodopaimex 2 rue Gavril Guenov Sofia 10000 Hran Exports
CHILE	Central de Abastecimiento del Sistema Nacional de Servicios de Salud Sección Compas Nacionales Avenida Matta 644 Casilla 5028 Santiago
COLOMBIA	Institución de Mercado Agropecuario (Idema) Carrera 10, No. 16 – 82 Bogotá
COSTA RICA	CNP – Consejo Nacional de Producción Apartado PO Box 2205 San José
CUBA	Empresa Cubana Importadora de Alimentos Infanta No. 16 3 Piso Havanna
CZECHOSLOVAKIA	Koospol (Entreprise du commerce extérieur) Lenionova 178 160-67 Praha 6 Czechoslovakia

Importing country	Issuing organization
ECUADOR	El Ministerio de Industria, Comercio e Integración Calle Juan Leon Mera y Roca Quito Ministerio de Agricultura Quito La Empresa Nacional de Productos Vitales (Enprovit) Avenida 10 de Agosto 2133 3 Piso Quito
EGYPT	Alexandria Confectionery and Chocolate Company Foreign Purchasing Committee 373 Canal El Mohmondia Street Alexandria General Authority for Supply Commodities 24 El Gomhouria Street Cairo Ministry of Agriculture Cairo Alexandria Oil and Soap Co. 76, rue Canal El Mahmoudieh Karmouz Alexandria Milk and Food Company (Société MISR pour les produits laitiers et alimentaires) 37, Thalaatharb Str. Cairo
EL SALVADOR	Instituto Regulador de Abastacimientos 7a, Avenida Norte Urbanización Santa Adela Centro de Gobierno Edificio Prodesa San Salvador
ETHIOPIA	Provisional Military Government of Socialist Ethiopia Ministry of National Defence Central Procurement Office PO box 3811 Addis Ababa
GUYANA	Government of Guyana Guyana Stores Ltd PO box 273 Georgetown

Importing country	Issuing organization
HUNGARY	TERIMPEX Budapest V Karolei Utca 9 PO Box Code 1825
INDIA	India Dairy Corporation Derpen R. C. Dutt Berode 390 005 India
IRAN	Iran Dairy Industries Co. Ministry of Agriculture and Rural Development Teheran Iran Milk Production and Distribution Company Teheran
IRAQ	The State Enterprise for Dairy Products PO box 11183 Bank Street Baghdad Ministry of Health Baghdad General Establishment Appliances for Drugs and Medicine (MANSOUR) Baghdad The Dairy Administration Baghdad
ISRAEL	Israeli Dairy Board Tel Aviv
JAPAN	Livestock Industry Promotion Corporation (LIPC) Azadubai Building 2-1 Azadubai Mato Ku Tokyo
JAMAICA	Jamaica Nutritional Holding 8 Ocean Boulevard Kingston
JORDAN	Jordan Armed Forces Hq. Amman Ministère de l'approvisionnement Amman Jordan Dairy Co. PO box 6474 Amman

Importing country	Issuing organization
	Ministry of Defence Amman
	The Soldiers Shop Amman
KUWAIT	Ministry of Health KD5 Central Traders Committee PO box 1070 Safat
	Ministry of Education KD5 Department of Supplies Stores General Administration Building Khalidiya
MALTA	Maltese Government Ministry of Trade Lascaris Valletta
	Milk Marketing Undertaking Hamrun
MEXICO	Compañía Nacional de Subsistencias populares (Conasupo) Avenida de Juarez 92 Mexico I DF
MOROCCO	Ministry of Commerce 5 rue Ar Rich Tour Hassan, Rabat
MALAYA	Majuternak (National Livestock Development Authority) Kuala Lumpur
MOZAMBIQUE	Empresa Nacional de Comercialisação (ENAMOCO)
PAKISTAN	Trading Corporation of Pakistan Press Trust Building II Chundriyar Road Karachi
POLAND	Hortex - Polcoop 00950 Warszawa POB 199

Importing country	Issuing organization
PORTUGAL	Junta Nacional des Produtos Pecuários Lisbõa
PERU	Empresa Nacional de Comercialización de Insumos (ENCI) B. Monteagudo 210 Lima
ROMANIA	Prodexport Vantur Marasinarnu, I Bucharest Romagrimex Bd République, 17 Bucharest Romagricola Bucharest
SINGAPORE	SATS (Singapore Airlines Subsidiary) SIA Building 77 Robinson Road Singapore 0106 Intraco Ltd ICB Building 2 Shenton Way Singapore 0106 Singapore Food Industries Pte. Ltd Stores Road Singapore 2775 Primary Industries Enterprises (Pte.) Ltd Ura Building 45 Maxwell Road Singapore 0106
SRI LANKA	The Cooperative Wholesale Establishment PO box 990 No 440 Union Place Colombo
SWITZERLAND	Butyra Bern (Schweizerische Zentralstelle für Buttersversorgung) Wildhauweg 9 Bern
SUDAN	Ministry of Health Khartoum

Importing country	Issuing organization
SYRIA	General Organization of Food Industries (GOFI) Fardoss Street Damascus PO box 105 Saydliia ou établissements publics (Phormex) General Foreign Trade Organization for Chemical and Foodstuffs (GEZA) Syrian Arab Company for Dairy Products Bab Sharke Damascus Industrial Company for Refrigerating and Dairy Products Hama Street Homs Ministry of Supply and Home Trade Damascus
TRINIDAD	Ministry of Commerce Port of Spain
TUNISIA	Société tunisienne de l'industrie laitière 24, avenue de France Tunis
UNITED ARAB EMIRATES	Ministry of Health Dubai
USSR	Prodintorg Smolenskaya Lennayen 32134 Moskow
VENEZUELA	Corporación de Mercado agrícola Caracas Instituto Nacional de Nutrición (INN) Caracas
YUGOSLAVIA	Koproduct bulevar M. Tito 6 21000 Novi Sad PK Beograd Industrijsko naselje 11213 Padinska Skela

Importing country	Issuing organization
ARMED FORCES IN GERMANY	Army Tenders
	Ahb Nahrung
	British Armed Forces
	Contracting Officer Defence Subsistence Region D-6660 Zweibrücken
	Department of the Army and the Air Force D-8000 München 90
	Ordinance Directorate Headquarters British Army on the Rhine D-4050 Mönchengladbach Rheindaklen
	Kanadisches Beschaffungsministerium D-5400 Koblenz

COMMISSION REGULATION (EEC) No 2731/81

of 14 September 1981

amending Regulation (EEC) No 210/69 on communications between Member States and the Commission with regard to milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Articles 5, 5a and 6 of Regulation (EEC) No 210/69 are hereby replaced by the following:

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 the Act of Accession of Greece, and in particular Article 28 thereof,

Whereas Article 6 of Commission Regulation (EEC) No 210/69 ⁽²⁾, as last amended by Regulation (EEC) No 2826/80 ⁽³⁾, concerns the information which the Member States must communicate to the Commission in respect of exports for which an export licence is requested; whereas, following the consolidation by Commission Regulation (EEC) No 2729/81 ⁽⁴⁾ of the detailed rules implementing the system of import and export licences and the system of advance fixing of refunds in the milk and milk product sector, the aforesaid system of communications should be adapted in the light of experience gained; whereas, as regards invitations to tender issued in importing non-member countries, it is proving necessary to require more information than that which is required under Article 43 ⁽⁵⁾ of Commission Regulation (EEC) No 3183/80 ⁽⁵⁾;

Whereas it is appropriate at this juncture also to revise the provisions of Article 5 of Regulation (EEC) No 210/69 in order to improve the system of information, particularly as regards prices obtaining in the Community and on goods imported into the Community; whereas greater flexibility could be applied as regards the information on import licences provided for in Article 5a of the Regulation;

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

Article 5

1. Member States shall communicate to the Commission by telex:

- (a) not later than every Thursday, the prices (exclusive of tax) obtaining in their territory for the products listed in the Annex, stating the marketing stage to which the price applies;
- (b) not later than the 10th and 25th day of each month the most recent prices known to them for the pilot products listed in Annex I to Regulation (EEC) No 2915/79, stating the origin and quantity in question:
 - free-at-frontier offer prices for imports into the Community;
 - free-at-frontier prices obtaining for imports into the Community;
 - prices for products imported into non-member countries from other non-member countries;
- (c) not later than the 25th day of each month, the most recent prices for casein and caseinate obtaining on the world market and in the Community, stating the marketing stage in question.

2. For the purpose of communicating information on prices ruling in the Community, Member States shall take the necessary steps to obtain information which is as recent, representative, genuine and complete as possible.

Article 5a

Where one or more import licences have been applied for in respect of quantities of one of the products listed in Article 1 of Regulation (EEC) No 804/68 which, in comparison with normal trade flows, may be regarded as abnormally high, the Member State concerned shall inform the Commission by telex as promptly as possible, stating the quantities and provenance of the products in question.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 28, 5. 2. 1969, p. 1.

⁽³⁾ OJ No L 292, 1. 11. 1980, p. 60.

⁽⁴⁾ See page 19 of this Official Journal.

⁽⁵⁾ OJ No L 338, 13. 12. 1980, p. 1.

Article 6

1. Member States shall communicate to the Commission by telex each working day before 6 p.m., for the products referred to in Article 1 of Regulation (EEC) No 804/68, the quantities in respect of which export licence applications have been lodged, within the meaning of Article 14 of Regulation (EEC) No 3183/80, on the day communication takes place, breaking them down by product category, designated by a code number as given in the Regulations fixing refunds for milk and milk products exported without further processing.

Communications concerning export licences for products falling within subheading 04.02 A II b) and heading No 04.03 of the Common Customs Tariff shall distinguish between the export licences referred to in Article 4 (1) and those referred to in Article 4 (2) of Regulation (EEC) No 2729/81 (with or without advance fixing of the refund).

When communicating the information referred to in the subparagraphs above, in respect of products falling within subheading 04.02 A II b) and heading No 04.03 of the Common Customs Tariff, Member States shall state:

- (a) the destination given, in accordance with Article 4 (3) of Regulation (EEC) No 2729/81, in section 13 in the application for the export licence, and
- (b) the quantity or quantities concerned, by destination.

2. A communication shall not be required for the export licences referred to in Article 6 (1) of Regulation (EEC) No 2729/81.

3. Where an exporter who takes part in an invitation to tender within the meaning of Article 14 of Regulation (EEC) No 2729/81 has applied for an export licence, the Member State shall communicate forthwith to the Commission, in addition to the information referred to in Article 43 (3) and (5) of Regulation (EEC) No 3183/80, the following information:

- the quantity in respect of which the exporter has applied for the licence,

- the period for delivery of the goods laid down in the invitation to tender.

If two or more exporters take part in the same invitation to tender, the communication shall distinguish between each licence application under the invitation to tender concerned.

4. Where one or more exporters who have applied for an export licence under an invitation to tender receive an award, the Member State issuing the licence shall communicate forthwith to the Commission:

- the quantity and the product (with the code number referred to in the first subparagraph of paragraph 1) to be delivered by the individual exporter, stating the issuing agency and the final date for submitting tenders for the invitation in question,
- the period of validity of the export licence or licences in question and the amount of the refund fixed in advance.

5. Member States shall communicate forthwith to the Commission the quantities and product (giving the code number provided for in the first subparagraph of paragraph 1) for which export licence applications have lapsed on account of the applicants' not being successful in an invitation to tender, stating the final date for submitting tenders and the issuing agency in question.'

Article 2

In the Annex to Regulation (EEC) No 210/69 the reference to Article 5 (1) (b) is hereby replaced by a reference to Article 5 (1) (a).

Article 3

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

It shall apply with effect from 1 November 1981.

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

Done at Brussels, 14 September 1981.

For the Commission

Poul DALSGER

Member of the Commission