

Official Journal

of the European Communities

ISSN 0378-6978

L 323

Volume 21

17 November 1978

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2683/78

of 16 November 1978

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78⁽²⁾, and in particular
Article 13 (5) thereof,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2510/78⁽³⁾ 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 recorded for a given period in
relation to the Community currencies referred to
in the previous subparagraph ;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 2510/78 to the
offer prices and today's quotations known to the
Commission that the levies at present in force should
be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products listed in
Article 1 (a), (b) and (c) of Regulation (EEC) No
2727/75 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 17
November 1978.

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

Done at Brussels, 16 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 301, 28. 10. 1978, p. 1.

ANNEX

to the Commission Regulation of 16 November 1978 fixing the import levies on cereals
and on wheat or rye flour, groats and meal

(u.a./tonne)

CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	80.43
10.01 B	Durum wheat	120.96 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	80.58 ⁽⁶⁾
10.03	Barley	87.36
10.04	Oats	79.56
10.05 B	Maize, other than hybrid maize for sowing	79.09 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	1.61
10.07 B	Millet	46.90 ⁽⁴⁾
10.07 C	Grain sorghum	77.95 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	123.80
11.01 B	Rye flour	124.00
11.02 A I a)	Durum wheat groats and meal	198.39
11.02 A I b)	Common wheat groats and meal	133.15

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.50 u.a./tonne.

⁽²⁾ Where maize originating in the ACP or OCT is imported into the French overseas departments, the levy is reduced by 6 u.a./tonne as provided for in Regulation (EEC) No 706/76.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.50 u.a./tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.50 u.a./tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 2684/78**of 16 November 1978****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78 ⁽²⁾, and in particular
Article 15 (6) thereof,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2511/78 ⁽³⁾ 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 recorded for a given period in
relation to the Community currencies referred to
in the previous subparagraph ;

Whereas, on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in
force, which are to be added to the levies, should be
altered as shown in the tables annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION :

Article 1

The scale of the premiums to be added, pursuant to
Article 15 of Regulation (EEC) No 2727/75, to the
import levies fixed in advance in respect of cereals
and malt is hereby fixed as shown in the tables
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 17
November 1978.

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

Done at Brussels, 16 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 301, 28. 10. 1978, p. 3.

ANNEX

to the Commission Regulation of 16 November 1978 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.a./tonne)

CCT heading No	Description	Current 11	1st period 12	2nd period 1	3rd period 2
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	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	7.35
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

(u.a./tonne)

CCT heading No	Description	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
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 2685/78

of 16 November 1978

fixing the minimum import levies on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1562/78⁽²⁾,

Having regard to Council Regulation No 162/66/EEC of 27 October 1966 on trade in oils and fats between the Community and Greece⁽³⁾,

Having regard to Council Regulation (EEC) No 2843/76 of 23 November 1976 laying down special measures in particular for the determination of the offers of olive oil on the world market⁽⁴⁾, as amended by Regulation (EEC) No 2361/77⁽⁵⁾, and in particular Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 2844/76 of 23 November 1976 laying down special measures in particular for the determination of the offers of olive oil on the Greek market⁽⁶⁾, as amended by Regulation (EEC) No 2361/77, and in particular Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil from Algeria⁽⁷⁾, as amended by Regulation (EEC) No 2388/77⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil from Morocco⁽⁹⁾, as amended by Regulation (EEC) No 2388/77, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil from Tunisia⁽¹⁰⁾, as amended by Regulation (EEC) No 2388/77, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽¹¹⁾, as amended by Regulation (EEC) No

2387/77⁽¹²⁾, and in particular Article 10 (2) thereof,

Whereas, in Regulation (EEC) No 1362/76 of 14 June 1976⁽¹³⁾, the Commission decided to use the tendering procedure to fix the levies on olive oil;

Whereas Article 4 of Commission Regulation (EEC) No 3188/76 of 23 December 1976 on detailed rules for the implementation of the special measures for the determination of offers of olive oil on the world market and the Greek market⁽¹⁴⁾, as last amended by Regulation (EEC) No 2413/77⁽¹⁵⁾, lays down the criteria for fixing the rate of the minimum levy;

Whereas that rate must be fixed for each of the products concerned on the basis of an examination of the world or Greek markets and of the Community market, and also of the levy rates indicated by the tenderers;

Whereas account should be taken of the oil content of products other than olive oil; whereas, however, no levies are applied to imports of oil-cake and other residues falling within subheading 23.04 A of the Common Customs Tariff and having an oil content of not more than 3 %;

Whereas account should be taken in applying the levy of the provisions of the agreements between the Community and certain non-member countries; whereas, in particular, the levy must be calculated on the basis of the levy to be collected on imports from non-member countries;

Whereas the 1977/78 olive oil marketing year has been extended until 31 December 1978 by Regulation (EEC) No 2580/78⁽¹⁶⁾;

Whereas the application of the rules described above to the levy rates submitted by tenderers on 13 and 14 November 1978 results in the fixing of the minimum levies as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on imports of olive oil shall be as shown in the Annex.

Article 2

This Regulation shall enter into force on 17 November 1978.

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

⁽²⁾ OJ No L 185, 7. 7. 1978, p. 1.

⁽³⁾ OJ No 197, 29. 10. 1966, p. 3393/66.

⁽⁴⁾ OJ No L 327, 26. 11. 1976, p. 4.

⁽⁵⁾ OJ No L 277, 29. 10. 1977, p. 2.

⁽⁶⁾ OJ No L 327, 26. 11. 1976, p. 6.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁸⁾ OJ No L 278, 29. 10. 1977, p. 14.

⁽⁹⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽¹⁰⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽¹¹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹²⁾ OJ No L 278, 29. 10. 1977, p. 13.

⁽¹³⁾ OJ No L 154, 15. 6. 1976, p. 13.

⁽¹⁴⁾ OJ No L 359, 30. 12. 1976, p. 26.

⁽¹⁵⁾ OJ No L 279, 1. 11. 1977, p. 55.

⁽¹⁶⁾ OJ No L 309, 1. 11. 1978, p. 13.

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

Done at Brussels, 16 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 16 November 1978 fixing the minimum import levies on olive oil

(u.a. / 100 kg)

CCT heading No	Greece	Non-member countries
07.01 N II	6-00	10-00
07.03 A II	6-00	10-00
15.07 A I a)	32-00 ⁽³⁾	57-00 ⁽³⁾
15.07 A I b)	29-00 ⁽³⁾	54-00 ⁽³⁾
15.07 A I c)	32-00 ⁽³⁾	56-00 ⁽³⁾
15.07 A II a)	35-00	63-00 ⁽¹⁾
15.07 A II b)	48-00	88-00 ⁽²⁾
15.17 B I a)	14-00	25-00
15.17 B I b)	22-00	40-00
23.04 A	2-00 ⁽⁴⁾	4-00 ⁽⁴⁾

⁽¹⁾ For imports of oil falling within this tariff subheading :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 3.20 u.a./100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 2.56 u.a./100 kg.

⁽²⁾ For imports of oil falling within this tariff subheading :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 6 u.a./100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 4.80 u.a./100 kg.

⁽³⁾ For imports of oil falling within this tariff subheading and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

- (a) Greece and Spain : 0.50 u.a./100 kg ;
- (b) Turkey : 18.50 u.a./100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Algeria, Morocco, Tunisia : 20.50 u.a./100 kg provided that the operator furnishes proof of having paid the export tax applied by those countries ; however, the repayment may not exceed the amount of the tax in force.

⁽⁴⁾ Pursuant in Article 3 of Regulations (EEC) No 2843/76 and (EEC) No 2844/76, no import levy is collected on oil-cake and other residues falling within subheading 23.04 A of the Common Customs Tariff and having an oil content of not more than 3 %.

COMMISSION REGULATION (EEC) No 2686/78

of 15 November 1978

making the importation into the United Kingdom of trousers originating in India subject to authorization

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1439/74 of 4 June 1974 on common rules for imports ⁽¹⁾, and in particular Article 12 thereof,

After consultation within the Advisory Committee established by Article 5 of that Regulation,

Whereas imports of trousers falling within heading Nos 61.01 and 61.02 of the Common Customs Tariff (NIMEXE codes 61.01-62, 64, 66, 72, 74, 76; 61.02-66, 68 and 72, from all third countries, already accounted in 1977 for a considerable share of the Community market; whereas, in the case of the United Kingdom, that share has since increased still further;

Whereas quantitative limits have already been established for the products in question in accordance with the provisions of the Multifibre Agreement (MFA) and of bilateral Agreements negotiated between the Community and certain supplying countries;

Whereas imports into the United Kingdom of the product concerned originating in India have increased sharply and substantially in the past few months;

Whereas all these factors have given rise to disruption of the United Kingdom market and are causing serious damage to Community producers;

Whereas, in pursuance of the Arrangement regarding international trade in textiles, the Community has negotiated an Agreement on trade in textile products with India; whereas this Agreement contains specific provision for recourse to safeguard measures;

Whereas, in view of the market disruption referred to above, the Community has applied the procedures provided for in the said Agreement, which allow appropriate safeguard measures to be taken in order to limit imports into the United Kingdom of the product in question, account being taken of import trends, and these procedures have led to a mutually agreed solution;

Whereas, in particular, under the Agreement negotiated by the Community with India, compliance with the quantitative export limits established or to be established by virtue of the said Agreement is ensured by a double-checking system, whose effectiveness depends on the establishment of a system of control by the Community; whereas in order to establish such a system it is necessary to make import of the goods in question from India subject to authorization;

Whereas, in order to ensure that the import authorization arrangements referred to above are not evaded by anticipatory exports or indirect imports liable to cause injury to Community producers which would be difficult to remedy, it is necessary to establish the said arrangements as soon as possible,

HAS ADOPTED THIS REGULATION:

Article 1

The importation into the United Kingdom of the goods indicated below, originating in India and exported from that country in 1978, is hereby made subject to the production of an import authorization issued by the United Kingdom authorities:

Category	CCT heading No	NIMEXE code (1978)	Description	Quantitative limit from 1. 1. to 31. 12. 1978
6	ex 61.01	61.01-62, 64, 66, 72, 74, 76	Men's and boys' woven breeches, shorts and trousers	110 000 pieces
	ex 61.02	61.02-66, 68, 72	Women's, girls' and infants' woven trousers	

⁽¹⁾ OJ No L 159, 15. 6. 1974, p. 1.

Article 2

1. Import authorizations shall be issued automatically and without delay, within the limits of the quantity specified above, upon presentation of the export documents agreed under the Agreement on trade in textile products negotiated with India and reproduced in Annex C to Regulation (EEC) No 3019/77 ⁽¹⁾.

Imports effected between 1 January 1978 and the date of entry into force of this Regulation shall be deducted from this quantity where the goods in question were exported from India during this period.

2. Without prejudice to the provisions of paragraph 1, import authorizations shall be issued automatically

and without delay upon presentation of a bill of lading proving that the goods in question were placed on board in India for export to the United Kingdom before the date of entry into force of this Regulation.

Article 3

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

2. It shall apply until 31 December 1978, subject to the adoption of a Council Regulation in accordance with Articles 12 (6) and 13 of Regulation (EEC) No 1439/74.

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

Done at Brussels, 15 November 1978.

For the Commission

Lorenzo NATALI

Vice-President

⁽¹⁾ OJ No L 357, 31. 12. 1977, p. 1.

COMMISSION REGULATION (EEC) No 2687/78**of 16 November 1978****abolishing the countervailing charge on tomatoes originating in Romania**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1766/78⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Commission Regulation (EEC) No 2662/78
of 13 November 1978⁽³⁾ introduced a countervailing
charge on tomatoes originating in Romania;

Whereas the present trend of prices for Romanian
products on the representative markets referred to in
Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by
Regulation (EEC) No 668/78⁽⁵⁾, recorded or calcu-

lated in accordance with the provisions of Article 5 of
that Regulation, indicates that entry prices have been
at least equal to the reference price for two consecu-
tive market days; whereas the conditions specified in
the second indent of Article 26 (1) of Regulation
(EEC) No 1035/72 are therefore fulfilled and the coun-
tervailing charge on imports of these products origi-
nating in Romania can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2662/78 is hereby repealed.

Article 2

This Regulation shall enter into force on 17
November 1978.

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

Done at Brussels, 16 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 12.

⁽³⁾ OJ No L 320, 14. 11. 1978, p. 16.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 90, 5. 4. 1978, p. 5.

COMMISSION REGULATION (EEC) No 2688/78
of 16 November 1978
fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1254/78⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof;

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 2245/78⁽⁵⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas it follows from applying these rules and criteria to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

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

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

The export refunds on malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 November 1978.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 273, 29. 9. 1978, p. 1.

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

Done at Brussels, 16 November 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 16 November 1978 fixing the export refunds on malt

<i>(u.a. / tonne)</i>	
CCT heading No	Refund
11.07 A I b)	79.80
11.07 A II b)	97.65
11.07 B	113.80

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 19 June 1978

concerning the conclusion of the European Convention for the protection of animals kept for farming purposes

(78/923/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas the European Convention for the protection of animals kept for farming purposes (hereinafter referred to as 'the Convention') has been drawn up within the Council of Europe with the aim of protecting animals kept for farming purposes, particularly in modern intensive production systems;

Whereas Council Directive 70/373/EEC of 20 July 1970 on the introduction of Community methods of sampling and analysis for the official control of feedingstuffs ⁽³⁾, as last amended by Directive 76/372/EEC ⁽⁴⁾, Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽⁵⁾, as last amended by Directive 78/117/EEC ⁽⁶⁾ and Council Directive 74/63/EEC of 17 December 1973 on the fixing of maximum permitted levels for undesirable substances and products in feeding-

stuffs ⁽⁷⁾, as last amended by Directive 76/934/EEC ⁽⁸⁾, have introduced common rules which may be affected by the Convention, and especially by the implementation of certain of its provisions;

Whereas other provisions of the Convention cover areas for which the Community has not yet introduced common rules;

Whereas the protection of animals is not in itself one of the objectives of the Community; whereas, however, there are disparities between existing national laws on the protection of animals kept for farming purposes which may give rise to unequal conditions of competition and which may consequently have an indirect effect on the proper functioning of the common market;

Whereas, moreover, the Convention deals with matters which are covered by the common agricultural policy;

Whereas it would therefore seem that Community participation in the Convention is necessary for the attainment of the objectives of the Community;

Whereas stock-farming in Greenland is carried on in conditions which are fundamentally different from those obtaining in the other regions of the Community on account of the general circumstances and in particular the climate, the low density of population and the exceptional size of the island; whereas, therefore, the Convention should not apply to Greenland,

⁽¹⁾ OJ No C 83, 4. 4. 1977, p. 43.

⁽²⁾ OJ No C 204, 30. 8. 1976, p. 26.

⁽³⁾ OJ No L 170, 3. 8. 1970, p. 2.

⁽⁴⁾ OJ No L 102, 15. 4. 1976, p. 8.

⁽⁵⁾ OJ No L 270, 14. 12. 1970, p. 1.

⁽⁶⁾ OJ No L 40, 10. 2. 1978, p. 19.

⁽⁷⁾ OJ No L 38, 11. 2. 1974, p. 31.

⁽⁸⁾ OJ No L 364, 31. 12. 1976, p. 20.

HAS DECIDED AS FOLLOWS :

Article 1

The European Convention for the protection of animals kept for farming purposes is hereby approved on behalf of the European Economic Community.

The text of the Convention is annexed to this Decision.

Article 2

The President of the Council shall deposit the instrument of approval in accordance with Article 14 of the Convention ⁽¹⁾.

When depositing the instrument of approval, the President of the Council shall, in accordance with Article 16 of the Convention, state that the Convention will not apply to Greenland.

Done at Luxembourg, 19 June 1978.

For the Council

The President

P. DALSAGER

⁽¹⁾ The date of entry into force of the Convention will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

**EUROPEAN CONVENTION
FOR THE PROTECTION OF ANIMALS
KEPT FOR FARMING PURPOSES**

**CONVENTION EUROPÉENNE
SUR LA PROTECTION DES ANIMAUX
DANS LES ÉLEVAGES**

COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

STRASBOURG

Provisional edition

Édition provisoire

THE MEMBER STATES OF THE COUNCIL OF EUROPE

signatory hereto,

Considering that it is desirable to adopt common provisions for the protection of animals kept for farming purposes, particularly in modern intensive stock-farming systems,

HAVE AGREED AS FOLLOWS:

CHAPTER I

General principles*Article 1*

This Convention shall apply to the keeping, care and housing of animals, and in particular to animals in modern intensive stock-farming systems. For the purposes of this Convention, 'animals' shall mean animals bred or kept for the production of food, wool, skin or fur or for other farming purposes, and 'modern intensive stock-farming systems' shall mean systems which predominantly employ technical installations operated principally by means of automatic processes.

Article 2

Each Contracting Party shall give effect to the principles of animal welfare laid down in Articles 3 to 7 of this Convention.

Article 3

Animals shall be housed and provided with food, water and care in a manner which — having regard to their species and to their degree of development, adaptation and domestication — is appropriate to their physiological and ethological needs in accordance with established experience and scientific knowledge.

Article 4

1. The freedom of movement appropriate to an animal, having regard to its species and in accordance with established experience and scientific knowledge, shall not be restricted in such a manner as to cause it unnecessary suffering or injury.

2. Where an animal is continuously or regularly tethered or confined, it shall be given the space appropriate to its physiological and ethological needs in accordance with established experience and scientific knowledge.

Article 5

The lighting, temperature, humidity, air circulation, ventilation, and other environmental conditions such as gas concentration or noise intensity in the place in which an animal is housed, shall — having regard to

its species and to its degree of development, adaptation and domestication — conform to its physiological and ethological needs in accordance with established experience and scientific knowledge.

Article 6

No animal shall be provided with food or liquid in a manner, nor shall such food or liquid contain any substance, which may cause unnecessary suffering or injury.

Article 7

1. The condition and state of health of animals shall be thoroughly inspected at intervals sufficient to avoid unnecessary suffering and in the case of animals kept in modern intensive stock-farming systems at least once a day.

2. The technical equipment used in modern intensive stock-farming systems shall be thoroughly inspected at least once a day, and any defect discovered shall be remedied with the least possible delay. When a defect cannot be remedied forthwith, all temporary measures necessary to safeguard the welfare of the animals shall be taken immediately.

CHAPTER II

Detailed implementation*Article 8*

1. A Standing Committee shall be set up within a year of the entry into force of this Convention.

2. Each Contracting Party shall have the right to appoint a representative to the Standing Committee. Any Member State of the Council of Europe which is not a Contracting Party to the Convention shall have the right to be represented on the Committee by an observer.

3. The Secretary General of the Council of Europe shall convene the Standing Committee whenever he finds it necessary and in any case when a majority of the representatives of the Contracting Parties or the representative of the European Economic Community, being itself a Contracting Party, request its convocation.

4. A majority of representatives of the Contracting Parties shall constitute a quorum for holding a meeting of the Standing Committee.

5. The Standing Committee shall take its decision by a majority of the votes cast. However, unanimity of the votes cast shall be required for:

- (a) the adoption of the recommendations provided for in Article 9 (1);
- (b) the decision to admit observers other than those referred to in paragraph 2 of this Article;
- (c) the adoption of the report referred to in Article 13; this report could set out, where appropriate, divergent opinions.

6. Subject to the provisions of this Convention. The Standing Committee shall draw up its own Rules of Procedure.

Article 9

1. The Standing Committee shall be responsible for the elaboration and adoption of recommendations to the Contracting Parties containing detailed provisions for the implementation of the principles set out in Chapter I of this Convention, to be based on scientific knowledge concerning the various species of animals.

2. For the purpose of carrying out its responsibilities under paragraph 1 of this Article, the Standing Committee shall follow developments in scientific research and new methods in animal husbandry.

3. Unless a longer period is decided upon by the Standing Committee, a recommendation shall become effective as such six months after the date of its adoption by the Committee. As from the date when a recommendation becomes effective each Contracting Party shall either implement it or inform the Standing Committee by notification to the Secretary General of the Council of Europe of the reasons why it has decided that it cannot implement the recommendation or can no longer implement it.

4. If two or more Contracting Parties or the European Economic Community, being itself a Contracting Party, have given notice in accordance with paragraph 3 of this Article of their decision not to implement or no longer to implement a recommendation, that recommendation shall cease to have effect.

Article 10

The Standing Committee shall use its best endeavours to facilitate a friendly settlement of any difficulty which may arise between Contracting Parties concerning the implementation of this Convention.

Article 11

The Standing Committee may express an advisory opinion on any question concerning the protection of animals at the request of a Contracting Party.

Article 12

Each Contracting Party may appoint one or more bodies from which the Standing Committee may request information and advice to assist it in its work. Contracting Parties shall communicate to the Secretary General of the Council of Europe the names and addresses of such bodies.

Article 13

The Standing Committee shall submit to the Committee of Ministers of the Council of Europe, at the expiry of the third year after the entry into force of this Convention and of each further period of three years, a report on its work and on the functioning of the Convention, including if it deems it necessary proposals for amending the Convention.

CHAPTER III

Final provisions

Article 14

1. This Convention shall be open to signature by the Member States of the Council of Europe and by the European Economic Community. It shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

2. This Convention shall enter into force six months after the date of the deposit of the fourth instrument of ratification, acceptance or approval by a Member State of the Council of Europe.

3. In respect of a signatory Party ratifying, accepting or approving after the date referred to in paragraph 2 of this Article, the Convention shall enter into force six months after the date of the deposit of its instrument of ratification, acceptance or approval.

Article 15

1. After the entry into force of this Convention, the Committee of Ministers of the Council of Europe may, upon such terms and conditions as it deems appropriate, invite any non-member State to accede thereto.

2. Such accession shall be effected by depositing with the Secretary General of the Council of Europe an instrument of accession which shall take effect six months after the date of its deposit.

Article 16

1. Any Contracting Party may, at the time of signature or when depositing its instrument of ratification,

acceptance, approval or accession, specify the territory or territories to which this Convention shall apply.

2. Any Contracting Party may, when depositing its instrument of ratification, acceptance, approval or accession or at any later date, by declaration addressed to the Secretary General of the Council of Europe, extend this Convention to any other territory or territories specified in the declaration and for whose international relations it is responsible or on whose behalf it is authorized to give undertakings.

3. Any declaration made in pursuance of the preceding paragraph may, in respect of any territory mentioned in such declaration, be withdrawn according to the procedure laid down in Article 17 of this Convention.

Article 17

1. Any Contracting Party may, in so far as it is concerned, denounce this Convention by means of a notification addressed to the Secretary General of the Council of Europe.

2. Such denunciation shall take effect six months after the date of receipt by the Secretary General of such notification.

Article 18

The Secretary General of the Council of Europe shall notify the Member States of the Council and any Contracting Party not a Member State of the Council of :

- (a) any signature ;
- (b) any deposit of an instrument of ratification, acceptance, approval or accession ;
- (c) any date of entry into force of this Convention in accordance with Articles 14 and 15 thereof ;
- (d) any recommendation of the kind referred to in Article 9 (1) and the date on which it takes effect ;
- (e) any notification received in pursuance of the provisions of Article 9 (3) ;
- (f) any communication received in pursuance of the provisions of Article 12 ;
- (g) any declaration received in pursuance of the provisions of Article 16 (2) and (3) ;
- (h) any notification received in pursuance of the provisions of Article 17 and the date on which denunciation takes effect.

LES ÉTATS MEMBRES DU CONSEIL DE L'EUROPE,

signataires de la présente convention,

considérant qu'il est souhaitable d'adopter des dispositions communes pour protéger les animaux dans les élevages, en particulier dans les systèmes modernes d'élevage intensif,

SONT CONVENUS DE CE QUI SUIT :

TITRE PREMIER

Principes généraux

Article premier

La présente convention s'applique à l'alimentation, aux soins et au logement des animaux, en particulier dans les systèmes modernes d'élevage intensif. Au sens de la présente convention, on entend par « animaux » ceux qui sont élevés ou gardés pour la production de denrées alimentaires, de laine, de peaux, de fourrures ou à d'autres fins agricoles et par « systèmes modernes d'élevage intensif » ceux qui utilisent surtout des installations techniques exploitées principalement à l'aide de dispositifs automatiques.

Article 2

Chaque partie contractante donne effet aux principes de protection des animaux fixés dans la présente convention aux articles 3 à 7.

Article 3

Tout animal doit bénéficier d'un logement, d'une alimentation et des soins qui — compte tenu de son espèce, de son degré de développement, d'adaptation et de domestication — sont appropriés à ses besoins physiologiques et éthologiques, conformément à l'expérience acquise et aux connaissances scientifiques.

Article 4

1. La liberté de mouvement propre à l'animal, compte tenu de son espèce et conformément à l'expérience acquise et aux connaissances scientifiques, ne doit pas être entravée de manière à lui causer des souffrances ou des dommages inutiles.

2. Lorsqu'un animal est continuellement ou habituellement attaché, enchaîné ou maintenu, il doit lui être laissé un espace approprié à ses besoins physiologiques et éthologiques, conformément à l'expérience acquise et aux connaissances scientifiques.

Article 5

L'éclairage, la température, le degré d'humidité, la circulation d'air, l'aération du logement de l'animal et les autres conditions ambiantes telles que la concentration des gaz ou l'intensité du bruit, doivent — compte

tenu de son espèce, de son degré de développement, d'adaptation et de domestication — être appropriés à ses besoins physiologiques et éthologiques, conformément à l'expérience acquise et aux connaissances scientifiques.

Article 6

Aucun animal ne doit être alimenté de telle sorte qu'il en résulte des souffrances ou des dommages inutiles et son alimentation ne doit pas contenir de substances qui puissent lui causer des souffrances ou des dommages inutiles.

Article 7

1. La condition et l'état de santé de l'animal doivent faire l'objet d'une inspection approfondie à des intervalles suffisants pour éviter des souffrances inutiles, soit au moins une fois par jour dans le cas d'animaux gardés dans des systèmes modernes d'élevage intensif.

2. Les installations techniques dans les systèmes modernes d'élevage intensif doivent faire l'objet, au moins une fois par jour, d'une inspection approfondie et tout défaut constaté doit être éliminé dans les délais les plus courts. Lorsqu'un défaut ne peut être éliminé sur le champ, toutes les mesures temporaires nécessaires pour préserver le bien-être des animaux doivent être prises immédiatement.

TITRE II

Dispositions détaillées pour la mise en œuvre

Article 8

1. Il est constitué, dans l'année qui suit la date d'entrée en vigueur de la présente convention, un comité permanent.

2. Toute partie contractante a le droit de désigner un représentant au comité permanent. Tout État membre du Conseil de l'Europe qui n'est pas partie contractante à la convention a le droit de se faire représenter au comité par un observateur.

3. Le secrétaire général du Conseil de l'Europe convoque le comité permanent chaque fois qu'il l'estime nécessaire et, en tout cas, si la majorité des repré-

sentants des parties contractantes ou le représentant de la Communauté économique européenne, elle-même partie contractante, en formulent la demande.

4. La majorité des représentants des parties contractantes constitue le quorum nécessaire pour tenir une réunion du comité permanent.

5. Le comité permanent prend ses décisions à la majorité des voix exprimées; toutefois, l'unanimité des voix exprimées est exigée pour:

- a) l'adoption des recommandations visées au paragraphe 1 de l'article 9;
- b) la décision d'admettre des observateurs autres que ceux visés au paragraphe 2 du présent article;
- c) l'adoption du rapport visé à l'article 13, rapport qui, le cas échéant, fait état des opinions divergentes.

6. Sous réserve des dispositions de la présente convention, le comité permanent établit son règlement intérieur.

Article 9

1. Le comité permanent est chargé d'élaborer et d'adopter des recommandations aux parties contractantes contenant des dispositions détaillées en vue de l'application des principes énoncés au titre premier de la présente convention; ces dispositions doivent se fonder sur les connaissances scientifiques concernant les différentes espèces.

2. Aux fins de l'accomplissement de ses tâches telles que visées au paragraphe 1 du présent article, le comité permanent suit l'évolution de la recherche scientifique et des nouvelles méthodes en matière d'élevage.

3. Sauf si un délai plus long est fixé par le comité permanent, toute recommandation prend effet en tant que telle six mois après la date de son adoption par le comité. À partir de la date à laquelle une recommandation prend effet, toute partie contractante doit, soit la mettre en œuvre, soit informer le comité permanent par notification adressée au secrétaire général du Conseil de l'Europe des raisons pour lesquelles elle a décidé qu'elle n'est pas ou n'est plus en mesure de la mettre en œuvre.

4. Si deux ou plusieurs parties contractantes ou la Communauté économique européenne, elle-même partie contractante, ont notifié conformément au paragraphe 3 du présent article, leur décision de ne pas mettre ou de ne plus mettre en œuvre une recommandation, cette recommandation cesse d'avoir effet.

Article 10

Le comité permanent facilite autant que de besoin le règlement amiable de toute difficulté qui peut surgir entre parties contractantes concernant l'application de la présente convention.

Article 11

Le comité permanent peut, à la demande d'une partie contractante, exprimer un avis consultatif sur toute question relative à la protection des animaux.

Article 12

En vue d'assister le comité permanent dans ses travaux, toute partie contractante peut désigner un ou plusieurs organes auxquels ce comité peut demander des informations et des conseils. Les parties contractantes communiquent au secrétaire général du Conseil de l'Europe le nom et l'adresse desdits organes.

Article 13

Le comité permanent soumet au comité des ministres du Conseil de l'Europe, à l'expiration de la troisième année après l'entrée en vigueur de la présente convention et à l'expiration de chaque période ultérieure de trois ans, un rapport sur ses travaux et sur le fonctionnement de la convention, en y incluant s'il l'estime nécessaire des propositions visant à amender la convention.

TITRE III

Dispositions finales

Article 14

1. La présente convention est ouverte à la signature des États membres du Conseil de l'Europe ainsi qu'à celle de la Communauté économique européenne. Elle sera ratifiée, acceptée ou approuvée. Les instruments de ratification, d'acceptation ou d'approbation seront déposés près le secrétaire général du Conseil de l'Europe.

2. La présente convention entrera en vigueur six mois après la date du dépôt du quatrième instrument de ratification, d'acceptation ou d'approbation d'un État membre du Conseil de l'Europe.

3. Elle entrera en vigueur à l'égard de toute partie signataire qui la ratifiera, l'acceptera ou l'approuvera après la date visée au paragraphe 2 du présent article, six mois après la date du dépôt de son instrument de ratification, d'acceptation ou d'approbation.

Article 15

1. Après l'entrée en vigueur de la présente convention, le comité des ministres du Conseil de l'Europe pourra inviter, selon les modalités qu'il jugera opportunes, tout État non membre du Conseil à adhérer à la présente convention.

2. L'adhésion s'effectuera par le dépôt, près le secrétaire général du Conseil de l'Europe, d'un instrument d'adhésion qui prendra effet six mois après la date de son dépôt.

Article 16

1. Toute partie contractante peut, au moment de la signature ou au moment du dépôt de son instrument de ratification, d'acceptation, d'approbation ou d'adhésion, désigner le ou les territoires auxquels s'appliquera la présente convention.

2. Toute partie contractante peut, au moment du dépôt de son instrument de ratification, d'acceptation, d'approbation ou d'adhésion, ou à tout autre moment par la suite, étendre l'application de la présente convention, par déclaration adressée au secrétaire général du Conseil de l'Europe, à tout autre territoire désigné dans la déclaration et dont elle assure les relations internationales ou pour lequel elle est habilitée à stipuler.

3. Toute déclaration faite en vertu du paragraphe précédent pourra être retirée, en ce qui concerne tout territoire désigné dans cette déclaration, aux conditions prévues par l'article 17 de la présente convention.

Article 17

1. Toute partie contractante pourra, en ce qui la concerne, dénoncer la présente convention en adressant une notification au secrétaire général du Conseil de l'Europe.

2. La dénonciation prendra effet six mois après la date de la réception de la notification par le secrétaire général.

Article 18

Le secrétaire général du Conseil de l'Europe notifiera aux États membres du Conseil et à toute partie contractante non membre du Conseil :

- a) toute signature ;
- b) le dépôt de tout instrument de ratification, d'acceptation, d'approbation ou d'adhésion ;
- c) toute date d'entrée en vigueur de la présente convention conformément à ses articles 14 et 15 ;
- d) toute recommandation visée au paragraphe 1 de l'article 9 et la date à laquelle elle prendra effet ;
- e) toute notification reçue en application des dispositions du paragraphe 3 de l'article 9 ;
- f) toute communication reçue en application des dispositions de l'article 12 ;
- g) toute déclaration reçue en application des dispositions des paragraphes 2 et 3 de l'article 16 ;
- h) toute notification reçue en application des dispositions de l'article 17 et la date à laquelle la dénonciation prendra effet.

In witness whereof, the undersigned, being duly authorized thereto, have signed this Convention.

Done at Strasbourg, this ... day of March 1976, in English and in French, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each of the signatory and acceding Parties.

En foi de quoi, les soussignés, dûment autorisés à cet effet, ont signé la présente convention.

Fait à Strasbourg, le .. mars 1976, en français et en anglais, les deux textes faisant également foi, en un seul exemplaire qui sera déposé dans les archives du Conseil de l'Europe. Le secrétaire général du Conseil de l'Europe en communiquera copie certifiée conforme à chacune des parties signataires et adhérentes.

For the Government
of the Republic of Cyprus :

Pour le gouvernement
de la république de Chypre :

For the Government
of the Kingdom of Denmark :

Pour le gouvernement
du royaume de Danemark :

P. VON DER HUDE

For the Government
of the French Republic :

Pour le gouvernement
de la République française :

For the Government
of the Federal Republic of Germany :

Pour le gouvernement
de la république fédérale d'Allemagne :

For the Government
of the Hellenic Republic :

Pour le gouvernement
de la République hellénique :

For the Government
of the Icelandic Republic :

Pour le gouvernement
de la République islandaise :

For the Government
of Ireland

Pour le gouvernement
d'Irlande :

For the Government
of the Italian Republic :

Pour le gouvernement
de la République italienne :

For the Government of the
Grand Duchy of Luxembourg :

Pour le gouvernement du
grand-duché de Luxembourg :

For the Government
of Malta :

Pour le gouvernement
de Malte :

For the Government
of the Kingdom of the Netherlands :

Pour le gouvernement
du royaume des Pays-Bas :

For the Government
of the Kingdom of Norway :

Pour le gouvernement
du royaume de Norvège :

For the Government
of the Kingdom of Sweden :

Pour le gouvernement
du royaume de Suède :

For the Government
of the Swiss Confederation :

Pour le gouvernement
de la Confédération suisse :

For the Government
of the Turkish Republic :

Pour le gouvernement
de la République turque :

For the Government
of the United Kingdom of Great Britain
and Northern Ireland :

Pour le gouvernement
du Royaume-Uni de Grande-Bretagne
et d'Irlande du Nord :

Peter FOSTER

For the European
Economic Community :

Pour la Communauté
économique européenne :

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2524/78 of 27 October 1978 amending for the 15th time Regulation (EEC) No 2042/75 on special detailed rules for the application of the system of import and export licences for cereals and rice

(Official Journal of the European Communities No L 301 of 28 October 1978)

Page 39, Annex, Part B :

for: '11.02 E II e) 1',

read: '11.02 E II d) 1'.
