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I *Acts whose publication is obligatory*

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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 3375/73 OF THE COUNCIL

of 10 December 1973

on the importation into the Community of certain agricultural products originating in Turkey

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Article 1

The customs duties applicable on importation into the Community of products listed in Annex I originating in Turkey, shall be reduced to the extent indicated in the said Annex.

Having regard to the proposal from the Commission ;

Article 2

Having regard to the Opinion of the European Parliament⁽¹⁾;

The fixed component charged on importation into the Community of products listed below originating in Turkey shall be reduced by 50 %.

Whereas by its Decision No 1/73 the EEC/Turkey Association Council, acting pursuant to Article 35 (3) of the Additional Protocol, as amended by Article 6 of the Supplementary Protocol signed in Ankara on 30 June 1973, of which under the Interim Agreement signed on 30 June 1973, certain provisions were put into force in advance of the appointed date, laid down the arrangements to be applied to the importation into the Community of certain agricultural products originating in Turkey, with effect from the entry into force of the Interim Agreement ;

CCT heading No	Description of goods
11.07	A. Malt, roasted or not : II. Other : a) In the form of flour B. Roasted

Article 3

Whereas with regard to hazelnuts the Community tariff quota of 18 700 metric tons from which Turkey benefited on the original Community market must be increased by 3 000 metric tons to supply, at the reduced rates applicable to this quota, the markets of the new Member States whose duties will be aligned with the preferential rate provided for the quota in accordance with the timetable laid down by the Interim Agreement ;

The fixed component of the duty charged on importation into the Community of products listed in Annex II originating in Turkey shall be reduced to the extent indicated for each of them.

Article 4

Whereas the implementation of that Decision requires the adaptation of the relevant Community rules,

Without prejudice to Article 2(1) and (3) of the Interim Agreement between the European Economic Community and Turkey consequent on the Accession of new Member States to the Community, the products listed hereafter originating in Turkey shall be allowed into the Community at a 2.5 % *ad valorem* duty within the limit of an annual Community tariff quota of 21 700 metric tons :

⁽¹⁾ OJ No C 83, 11. 10. 1973, p. 38.

CCT heading No	Description of goods
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not : ex G. Other : — Hazelnuts

Article 5

This Regulation shall enter into force on 1 January 1974.

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

Done at Brussels, 10 December 1973.

For the Council

The President

I. NØRGAARD

CCT heading No	Description of goods	Amount of reduction
08.06	Apples, pears and quinces, fresh : C. Quinces	60 %
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05 : A. Apricots B. Peaches, including nectarines D. Apples and pears E. Papaws F. Fruit salads : I. Not containing prunes G. Other	60 % 60 % 60 % 60 % 60 % 60 % 60 %
12.03	Seeds, fruit and spores, of a kind used for sowing : C. Grass and other herbage seeds : ex I. Vetches ⁽¹⁾	50 %
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard : ex B. Other : — Prepared or preserved by vinegar or acetic acid, whether or not containing salt, spices or mustard, but not containing sugar, excluding gherkins	60 %
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid : F. Capers and olives ex H. — Other, excluding carrots and mixtures — 'Türlü' mixtures containing French beans, aubergines, courgettes and various other vegetables	60 % 60 % 50 %
20.05	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar : C. Other : ex III. Other : — Fig purée	60 %
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit : A. Nuts (including ground-nuts), roasted	60 %

⁽¹⁾ This concession applies only to commercial seed as defined in Article 2 (D) of Directive No 61/401/EEC of 14 June 1966 (OJ No 125, 11. 7. 1966).

ANNEX II

CCT heading No	Description of goods	Amount of reduction
19.03	Macaroni, spaghetti and similar products	75 %
21.07	Food preparations not elsewhere specified or included :	
	A. Cereals in grain or ear form, precooked or otherwise prepared	50 %
	E. Cheese fondues	50 %
	F. Other :	
	ex 1 b) 2 cc)	
	ex 1 c) 2 cc) — Crushed maize grains, pressure-cooked in water, containing added malt extracts, sugar and salt, intended for use as intermediary products in the manufacture of corn-flakes and similar preparations	50 %
	ex 1 a) 2 bb)	
	ex 1 a) 2 cc) — Products known as 'Bulgur wheat groats', namely partially husked, coarsely ground grains with a small quantity of whole grains, having undergone pre-cooking	50 %
	ex 1 a) 2 aa)	
	ex 1 a) 2 bb)	
	ex 1 b) 2 aa)	
	ex 1 b) 2 bb) — Sweet potatoes for human consumption, prepared or preserved otherwise than by sugar or syrup	50 %
	ex 1 e) 1	
	ex 1 e) 2	
	ex 1 f) — Food preparations consisting of natural honey enriched with royal jelly	50 %

REGULATION (EEC) No 3376/73 OF THE COUNCIL

of 10 December 1973

on the opening, allocation, and administration of a Community tariff quota for hazelnuts, falling within subheading ex 08.05 G of the Common Customs Tariff and originating in Turkey

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas under Article 1 of Council Regulation (EEC) No 3375/73⁽¹⁾ of 10 December 1973 concerning the importation into the Community of certain agricultural products originating in Turkey, the Community must reduce by 37.5 % the duty applied to the import of fresh or dried hazelnuts, shelled or otherwise, falling within subheading ex 08.05 G of the Common Customs Tariff, within the limit of a Community tariff quota of 21 700 metric tons; whereas this quota results from the adaptation, to take account of the Accession of the new Member States, of the Community tariff quota of 18 700 metric tons laid down for the Community as originally constituted in the Agreement establishing an Association between the European Economic Community and Turkey and in the Additional Protocol; whereas the Community tariff quota concerned should therefore be opened for 1974; whereas the application of a 37.5 % reduction to the Common Customs Tariff duty would result in a quota duty of 2.5 % for the Community as originally constituted; whereas, as regards the new Member States, it should be noted that Article 2 (1) and (3) of the Interim Agreement bringing into force certain provisions of the Supplementary Protocol provides that the reductions of customs duties pursuant to the Association Agreement shall be applied by the new Member States from the entry into force of the Interim Agreement in the proportions and according to the time limits laid down, that the rates on which the new Member States shall base those reductions shall be those which they apply at any given moment to non-member countries and that the rates fixed as a result of the reductions regarding the products listed, in particular, in Annex 6 to the Additional Protocol — and which include hazelnuts — may in no case be

lower than those applied by the new Member States with reference to the Community as originally constituted; whereas the reduction to be applied by the new Member States within the framework of the tariff quota under consideration must therefore, in certain cases, be limited to 20 %;

Whereas it is in particular necessary to ensure to all importers of the Member States equal and uninterrupted access to the said quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, to reflect most accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference both to the statistics relating to imports from Turkey over a representative period, and to the economic outlook for the quota period concerned;

Whereas, on the basis of the statistics at present available, which refer only to 1972 and the first few months of 1973, imports into the Member States during 1972 of the product concerned originating in Turkey represent the following percentages of total imports into the Community, whereas if the statistics for the first few months of 1973 were extrapolated, the percentages for the whole year would be as follows:

	<i>Extrapolation</i>	
	1972	1973
Germany	70.60	60.85
Benelux	10.02	18.57
France	9.42	11.02
Italy	0.38	0.28
Denmark	1.52	1.88
Ireland	0.80	1.10
United Kingdom	7.26	6.30

Whereas, taking into account these figures and the foreseeable development of the product concerned during 1974 and, in particular, the forecasts made by some Member States, the initial shares may be fixed

⁽¹⁾ See page 1 of this Official Journal.

approximately at the following percentages :

Germany	65.93
Benelux	10.14
France	8.20
Italy	0.25
Denmark	2.67
Ireland	1.66
United Kingdom	11.15

Whereas in order to take into account the import trends for the product concerned in the Member States, the quota volume should be divided into two instalments, the first instalment being allocated to the Member States, and the second forming a reserve intended ultimately to cover the requirements of the Member States, should their initial share be used up ; whereas, in order to ensure a certain degree of security to importers, the first instalment of the Community quota should be determined at a relatively high level, which under present circumstances could be approximately 80 % of the quota volume ;

Whereas the initial shares may be used up sooner or later ; whereas, in order to take this fact into account and to avoid any break in continuity, it is important that any Member State which has used up almost all its initial share should draw an additional share from the reserve ; whereas this must be done as and when each of its additional shares in the quota is almost entirely used up, and repeated as often as the reserve allows ; whereas the initial and additional shares must be available for use until the end of the quota period ; whereas this method of administration calls for close cooperation between the Member States and the Commission, which must in particular be able to observe the extent to which the quota volume is used up and inform the Member States thereof ;

Whereas if, at a specified date in the quota period, a considerable balance remains in any Member State, it is essential that the Member State should return a certain proportion thereof to the reserve, in order to avoid part of the Community quota remaining unused in one Member State when it could be used in others ; whereas, taking into account the seasonal nature of imports, it seems appropriate to fix the transfer limit of 40 % of the initial share ;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of the shares granted to the above-mentioned Economic Union may be carried out by one of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. During the period from 1 January to 31 December 1974 a Community tariff quota of 21 700 metric tons shall be opened in the Community for fresh or dried hazelnuts, shelled or otherwise, falling within subheading ex 08.05 G, of the Common Customs Tariff and originating in Turkey.
2. Within this tariff quota, the Common Customs Tariff duty is suspended at 2.5 %.
3. The new Member States shall apply within this Community tariff quota, the customs duties calculated in accordance with the relevant provisions of the Act of Accession, in the Interior agreement and in Regulation (EEC) No 3375/73 :
4. This tariff quota shall be allocated and administered in accordance with the following provisions.

Article 2

1. The tariff quota referred to in Article 1 (1) shall be divided into two instalments.
2. The first instalment, amounting to 17 700 metric tons, shall be shared amongst the Member States ; the shares which, subject to Article 5, shall be valid until 31 December 1974, shall be as follows :

Germany	11 669 metric tons
Benelux	1 795 metric tons
France	1 451 metric tons
Italy	45 metric tons
Denmark	472 metric tons
Ireland	294 metric tons
United Kingdom	1 974 metric tons
3. The second instalment, amounting to 4 000 metric tons, shall constitute the reserve.

Article 3

1. If 90 % or more of any Member State's initial share, as laid down in Article 2 (2) — or 90 % of that share less the amount returned into the reserve, where Article 5 has been applied — has been exhausted, that Member State shall without delay, by notifying the Commission, draw a second share in the quota equal to 15 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.
2. If after its initial share has been exhausted 90 % or more of the second share drawn by a Member State has been used, that Member State shall, in the manner provided for in paragraph 1, draw a third share equal to 7.5 % of its initial share.

3. If after its second share has been exhausted 90 % or more of the third share drawn by that Member State has been used, it shall, in the manner provided for in paragraph 1, draw a fourth share equal to the third.

This process shall be applied in like manner until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, Member States may draw smaller shares than those fixed in those paragraphs if there is reason to believe that those shares might not be used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1974.

Article 5

If, by 15 October 1974, a Member State has not used up its initial share, it shall, not later than 31 October 1974, return to the reserve the unused portion of this share in excess of 40 % of the initial amount. It may return a larger quantity if there are reasons to consider that such quantity may not be used.

The Member States shall, not later than 31 October 1974, notify the Commission of the total imports of the products concerned effected under the Community quota up to 15 October 1974 inclusive and, where appropriate, the proportion of their initial shares that they are returning to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3, and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 5 November 1974, notify the Member States of the state of the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that supplementary shares drawn pursuant to Article 3 are opened in such a way that changes may be made without interruption against their accumulative shares of the Community quota.

2. The Member States shall ensure that importers of the said products established in their territory have free access to the shares allocated to them or drawn from the reserve.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

Member States shall regularly inform the Commission of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure the correct application of this Regulation.

Article 10

This Regulation shall enter into force on 1 January 1974.

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

Done at Brussels, 10 December 1973.

For the Council

The President

I. NØRGAARD

REGULATION (EEC) No 3377/73 OF THE COMMISSION

of 14 December 1973

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 No 120/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73⁽²⁾, and in particular Article 13(5) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2076/73⁽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 2076/73 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 the products listed in Article 1 (a), (b) and (c) of Regulation No 120/67/EEC are hereby fixed as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 15 December 1973.

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

Done at Brussels, 14 December 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 212, 1. 8. 1973, p. 1.

ANNEX

to the Commission Regulation of 14 December 1973 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description of goods	u.a./ton
10.01 A	Common wheat and meslin	0
10.01 B	Durum wheat	0 (1)(4)
10.02	Rye	11.12 (5)
10.03	Barley	0
10.04	Oats	0
10.05 B	Maize other than hybrid maize for sowing	0 (2)(3)
10.07 A	Buckwheat	0
10.07 B	Millet	0
10.07 C	Grain sorghum	0
10.07 D	Canary seed ; other cereals	0 (4)
11.01 A	Wheat or meslin flour	0
11.01 B	Rye flour	34.30
11.02 A I a	Durum wheat groats and meal	0
11.02 A I b	Common wheat groats and meal	0

(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./metric ton.

(2) Where maize originating in the AASM and OCT is imported into the French Overseas Departments, the levy is reduced by 6 u.a./metric ton.

(3) Where maize originating in Tanzania, Uganda and Kenya is imported into the Community, the levy is reduced by 1 u.a./metric ton.

(4) Where 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./metric ton.

(5) 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 1234/71 and Commission Regulation (EEC) No 2622/71.

REGULATION (EEC) No 3378/73 OF THE COMMISSION
of 14 December 1973

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 No 120/67/EEC ⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73 ⁽²⁾, and in particular Article 15 (6) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 2077/73 ⁽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 Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The scale of the premiums to be added, pursuant to Article 15 of Regulation No 120/67/EEC, 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 15 December 1973.

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

Done at Brussels, 14 December 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 212, 1. 8. 1973, p. 3.

ANNEX

to the Commission Regulation of 14 December 1973 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour ⁽¹⁾

(u.a./ton)

CCT heading No	Description of goods	Current 12	1st period 1	2nd period 2	3rd period 3
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	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	Miller	0	0.82	0.82	0.41
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

⁽¹⁾ The period of validity of the licence is limited in accordance with Regulation (EEC) No 2196/71 (OJ No L 231, 14. 10. 1971, p. 28), as last amended by Regulation (EEC) No 3148/73 (OJ No L 321, 22. 11. 1973, p. 13).

B. Malt

(u.a./100 kg)

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

REGULATION (EEC) No 3379/73 OF THE COMMISSION
of 14 December 1973
altering the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 120/67/EEC ⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73 ⁽²⁾, and in particular the second sentence of the first subparagraph of Article 16 (4) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas, the corrective amount applicable to the refund on cereals was fixed by Regulation (EEC) No 3361/73 ⁽³⁾ ;

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, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 16 (4) of Regulation No 120/67/EEC which is applicable to the export refunds fixed in advance in respect of cereals is hereby altered as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 15 December 1973.

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

Done at Brussels, 14 December 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 344, 14. 12. 1973, p. 5.

ANNEX

to the Commission Regulation of 14 December 1973 altering the corrective amount applicable to the refund on cereals

(u.c./ton)

CCT heading No	Description of goods	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5	6th period 6
10.01 A	Common wheat, and meslin	—	—	—	—	—	—	—
10.01 B	Durum wheat	—	—	—	—	—	—	—
10.02	Rye	—	—	—	—	—	—	—
10.03	Barley	—	—	—	—	—	—	—
10.04	Oats	—	—	—	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	—	—	—	—	—	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—

REGULATION (EEC) No 3380/73 OF THE COMMISSION
of 14 December 1973
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 1009/67/EEC⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1928/73⁽²⁾, and in particular Article 14(7) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1738/73⁽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 rules and other provisions contained in Regulation (EEC) No 1738/73 to the information at present available 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 levies referred to in Article 14(1) of Regulation No 1009/67/EEC are, in respect of white sugar and standard quality raw sugar, hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 15 December 1973.

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

Done at Brussels, 14 December 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ OJ No L 176, 30. 6. 1973, p. 30.

ANNEX

CCT heading No	Description of goods	Levy <i>(u.a./100 kg)</i>
17.01	Beet sugar and cane sugar, solid : A. Denatured : I. White sugar II. Raw sugar B. Undenatured : I. White sugar II. Raw sugar	 0 0 0 0

REGULATION (EEC) No 3381/73 OF THE COMMISSION
of 14 December 1973
fixing the export levies on starch products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 120/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73⁽²⁾ ;

Having regard to Council Regulation No 371/67/EEC⁽³⁾ fixing production refunds on starches and quellmehl, as last amended by Regulation (EEC) No 179/73⁽⁴⁾, and in particular the last sentence of Article 2 (2) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas, pursuant to Article 2 (2) of Regulation No 371/67/EEC, an export levy may be introduced for products falling within subheadings Nos 11.08 A I, III, IV and V, 11.09, 17.02 B II, 17.05 B and 23.03 A I of the Common Customs Tariff when world market prices for maize or common wheat exceed 6.80 units of account ;

Whereas, by Regulation (EEC) No 1604/71⁽⁵⁾ of 26 July 1971, as amended by Regulation (EEC) No 347/73⁽⁶⁾, the Commission laid down detailed rules for the application of the export levy on starch products ; whereas Article 2 (1) of that Regulation provides that a levy is introduced when it is found that the import levy is at least 0.30 unit of account/100 kg less than the amount of the production refund valid in the current month and that the average of the levies in the immediately following fortnight is at least 0.30 unit of account/100 kg less than the average of the production refund valid in that fortnight ;

Whereas the export levy must be equal, per 100 kg of basic product, to the difference between the production refund valid on the day on which this export levy

is fixed and the average of the levies applicable on the seven days preceding the day it comes into force ; whereas this difference must then be multiplied for the products mentioned in Article 1 by the coefficients relating to these products shown in column 4 of the Annex to Regulation (EEC) No 1052/68⁽⁷⁾, as last amended by Regulation (EEC) No 881/73⁽⁸⁾ ;

Whereas the production refund on maize and common wheat intended for the manufacture of starch and quellmehl is defined in Article 1 of Regulation No 371/67/EEC ;

Whereas, pursuant to Article 4 (a) of Regulation (EEC) No 1604/71 for the new Member States the amounts to be considered respectively as import levy and production refund in accordance with the preceding Articles shall be the levy and the production refund for the product in question respectively, minus the applicable compensatory amount ;

Whereas the export levy must be fixed once a week ; whereas it is altered only if application of Article 2 (2) (a) of Regulation (EEC) No 1604/71 entails an increase or a reduction of more than 0.08 unit of account/100 kg of basic product ;

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 %, at 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 all these provisions to the world market price of maize and common wheat and to the import levies that an export levy should be introduced for the products listed in the Annex,

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No 174, 31. 7. 1967, p. 40.

⁽⁴⁾ OJ No L 25, 30. 1. 1973, p. 6.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 11.

⁽⁶⁾ OJ No L 38, 10. 2. 1973, p. 17.

⁽⁷⁾ OJ No L 179, 25. 7. 1968, p. 8.

⁽⁸⁾ OJ No L 86, 31. 3. 1973, p. 30.

HAS ADOPTED THIS REGULATION :

*Article 2**Article 1*

The export levies provided for in Article 2 (2) of Regulation No 371/67/EEC are hereby fixed as shown in the Table annexed to this Regulation for the products listed therein.

This Regulation shall enter into force on 15 December 1973.

It shall apply from 15 December 1973 for starch products derived from maize and from 17 December 1973 for starch products derived from soft wheat.

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

Done at Brussels, 14 December 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

CCT heading No	Nomenclature in simplified wording	Export levies in u.a./100 kg		
		Ireland	United Kingdom	Other Member States
11.08 A I	Maize starch	5.667	5.667	5,667
11.08 A III	Wheat starch	10.798	10.798	10,798
11.08 A IV	Potato starch	5.667	5.667	5,667
11.08 A V	Starches other than maize, rice, wheat or potato starch	5.667	5.667	5,667
11.09 A	Dried wheat gluten	19.632	19.632	19,632
11.09 B	Wheat gluten, other than dried	19.632	19.632	19,632
17.02 B II a)	Glucose other than glucose containing, in the dry state, 99 % or more by weight of the pure product, in the form of white crystalline powder, whether or not agglomerated ⁽¹⁾	7.392	7.392	7,392
17.02 B II b)	Glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product, other than glucose in the form of white crystalline powder, whether or not agglomerated ⁽¹⁾	5.667	5.667	5,667
17.05 B I	Flavoured or coloured glucose, in the form of white crystalline powder, whether or not agglomerated	7.392	7.392	7,392
17.05 B II	Flavoured or coloured glucose syrup, other than in the form of white crystalline powder, whether or not agglomerated	5.667	5.667	5,667
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product exceeding 40 % by weight	7.040	7.040	7,040

⁽¹⁾ Pursuant to Regulation No 189/66/EEC, the product falling within subheading No 17.02 B I is subject to the same levy as products falling within subheading No 17.02 B II.

REGULATION (EEC) No 3382/73 OF THE COMMISSION
of 14 December 1973
fixing the import levies on 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 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by the Act ⁽²⁾ annexed to the Treaty ⁽³⁾ on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 14 (8) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the import levies on milk and milk products were fixed by Regulation (EEC) No 1443/73 ⁽⁴⁾ 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 rules contained in Regulation (EEC) No 1443/73 to the prices 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 levies referred to in Article 14 (2) of Regulation (EEC) No 804/68 are hereby fixed as shown in the Annex.

Article 2

This Regulation shall enter into force on 16 December 1973.

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

Done at Brussels, 14 December 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 144, 31. 5. 1973, p. 44.

ANNEX

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	A. Of a fat content, by weight, not exceeding 6 % :		
	I. Yoghourt, kephir, curdled milk, whey, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of 2 litres or less less	0110	12.89
	b) Other	0120	10.89
	II. Other :		
	a) In immediate packings of a net capacity of 2 litres or less and of a fat content, by weight :		
	1. Not exceeding 4 %	0130	10.89
	2. Exceeding 4 %	0140	14.02
	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 %	0150	9.89
	2. Exceeding 4 %	0160	13.02
	B. Other, of a fat content, by weight :		
	I. Exceeding 6 % but not exceeding 21 %	0200	34.18
	II. Exceeding 21 % but not exceeding 45 %	0300	72.30
	III. Exceeding 45 %	0400	111.73
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar :		
	I. Whey	0500	3.39
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight :		
	1. Not exceeding 1.5 %	0620	24.89
	2. Exceeding 1.5 % but not exceeding 27 %	0720	69.95
	3. Exceeding 27 % but not exceeding 29 %	0820	71.95
	4. Exceeding 29 %	0920	85.59
	b) Other, of a fat content, by weight :		
	1. Not exceeding 1.5 %	1020	18.89
	2. Exceeding 1.5 % but not exceeding 27 %	1120	63.95
	3. Exceeding 27 % but not exceeding 29 %	1220	65.95
	4. Exceeding 29 %	1320	79.59
	III. Milk and cream, other than in powder or granules :		
	a) In hermetically sealed cans of a net capacity of 454 g or less, or in glass containers of a capacity of 0.5 litre or less and of a fat content, by weight, of 11 % or less :		
	1. Of a fat content, by weight, of 8.9 % or less	1420	15.98
	2. Other	1520	21.57
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 %	1620	72.30
	2. Exceeding 45 %	1720	111.73

Tariff Nomenclature			
CCT heading No	Description of goods	Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	<p>B. Containing added sugar :</p> <p>I. Milk and cream, in powder or granules :</p> <p>a) Special milk for infants ⁽¹⁾, in hermetically sealed cans of a net capacity of 500 g or less and of a fat content, by weight ⁽²⁾ :</p> <p>1. Exceeding 10 % but not exceeding 11 %</p> <p>2. Exceeding 14.5 % but not exceeding 15.5 %</p> <p>3. Exceeding 17 % but not exceeding 18 %</p> <p>4. Exceeding 23 % but not exceeding 24 %</p> <p>b) Other :</p> <p>1. In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight :</p> <p>aa) Not exceeding 1.5 % ⁽³⁾</p> <p>bb) Exceeding 1.5 % but not exceeding 27 % ⁽³⁾</p> <p>cc) Exceeding 27 % ⁽³⁾</p> <p>2. Other, of a fat content, by weight :</p> <p>aa) Not exceeding 1.5 % ⁽³⁾</p> <p>bb) Exceeding 1.5 % but not exceeding 27 % ⁽³⁾</p> <p>cc) Exceeding 27 % ⁽³⁾</p> <p>II. Milk and cream, other than in powder or granules :</p> <p>a) In hermetically sealed cans of a net capacity of 454 g or less and of a fat content, by weight, not exceeding 9.5 %</p> <p>b) Other, of a fat content, by weight :</p> <p>1. Not exceeding 45 % ⁽³⁾</p> <p>2. Exceeding 45 % ⁽³⁾</p>	<p>1810</p> <p>1910</p> <p>2010</p> <p>2110</p> <p>2220</p> <p>2320</p> <p>2420</p> <p>2520</p> <p>2620</p> <p>2720</p> <p>2810</p> <p>2910</p> <p>3010</p>	<p>29.00</p> <p>33.00</p> <p>36.00</p> <p>38.00</p> <p>per kg 0.1889 ⁽⁹⁾</p> <p>per kg 0.6395 ⁽⁹⁾</p> <p>per kg 0.7959 ⁽⁹⁾</p> <p>per kg 0.1889 ⁽¹⁰⁾</p> <p>per kg 0.6395 ⁽¹⁰⁾</p> <p>per kg 0.7959 ⁽¹⁰⁾</p> <p>30.15</p> <p>per kg 0.7230 ⁽¹⁰⁾</p> <p>per kg 1.1173 ⁽¹⁰⁾</p>
04.03	<p>Butter :</p> <p>A. Of a fat content, by weight, not exceeding 85 %</p> <p>B. Other</p>	<p>3110</p> <p>3210</p>	<p>131.45</p> <p>160.37</p>
04.04	<p>Cheese and curd :</p> <p>A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered :</p> <p>I. Of a minimum fat content of 45 % by weight, referred to dry matter, matured for at least 3 months ⁽²⁾ :</p> <p>a) Whole cheese ⁽⁴⁾ of a free-at-frontier value ⁽⁵⁾ per 100 kg net weight of :</p> <p>1. 151.68 u.a. (a) or more but less than 171.68 u.a. (a)</p> <p>2. 171.68 u.a. (a) or more</p>	<p>3314</p> <p>3413</p>	<p>15.00</p> <p>107.04 ⁽¹¹⁾</p>

Tariff Nomenclature			
CCT heading No	Description of goods	Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	b) Vacuum-packed pieces :		
	1. With rind on at least one side, of a net weight :		
	aa) Of 1 kg or more but less than 5 kg and of a free-at-frontier value ⁽⁵⁾ of 171.68 u.a. (a) or more but less than 199.68 u.a. (a) per 100 kg net weight	3514	15.00
	bb) Of 450 g or more and of a free-at-frontier value ⁽⁵⁾ of 199.68 u.a. (a) or more per 100 kg net weight	3612	107.04 ⁽¹¹⁾
	2. Other, of a net weight of 75 g or more but not exceeding 250 g ⁽⁶⁾ and of a free-at-frontier value ⁽⁵⁾ of 219.68 u.a. (a) or more per 100 kg net weight	3712	107.04 ⁽¹¹⁾
	II. Other	3800	107.04
	B. Glarus herb cheese (known as Schabziger) made from skimmed milk and mixed with finely-ground herbs ⁽²⁾	3900	92.74 ⁽¹²⁾
	C. Blue-veined cheese, not grated or powdered	4000	52.98
	D. Processed cheese, not grated or powdered :		
	I. In the blending of which only Emmentaler, Gruyère and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger), put up (in boxes or slices) for retail sale ⁽⁷⁾ , of a free-at-frontier value ⁽⁵⁾ of 140 u.a. or more per 100 kg net weight and of a fat content, by weight, referred to dry matter ⁽²⁾ :		
	a) Not exceeding 48 % in respect of the aggregate of portions or slices	4111	30.00
	b) Not exceeding 48 % in respect of 5/6 of the aggregate of portions or slices and not exceeding 56 % in respect of the remaining 1/6	4211	31.00
	c) Exceeding 48 % but not exceeding 56 % in respect of the aggregate of portions or slices	4311	35.00
	II. Other, of a fat content, by weight :		
	a) Not exceeding 36 % and of a fat content, by weight, referred to dry matter :		
	1. Not exceeding 48 %	4410	88.47
	2. Exceeding 48 %	4510	95.48
	b) Exceeding 36 %	4610	175.48
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :		
a) Not exceeding 47 %	4710	92.74	

Tariff Nomenclature			
CCT heading No	Description of goods	Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	b) Exceeding 47 % but not exceeding 72 % :		
	1. Cheddar, including Chester	4810	85.43
	2. Tilsit and Butterkäse, of a fat content, by weight, referred to the dry matter ⁽²⁾ :		
	aa) Not exceeding 48 %	4922	89.88 ⁽¹⁸⁾
	bb) Exceeding 48 %	5022	89.88 ⁽¹⁴⁾
	3. Kashkaval ⁽²⁾	5030	89.88 ⁽¹⁸⁾
	4. Cheese of sheep's milk or buffalo milk, in containers holding brine, or in sheep- or goat-skin bottles ⁽²⁾	5060	89.88 ⁽¹⁸⁾
	5. Other	5120	89.88
	c) Exceeding 72 % :		
	1. In immediate packings of a net capacity not exceeding 500 g	5210	67.41
	2. Other	5250	169.88
	II. Not specified :		
	a) Grated or powdered	5310	92.74
b) Other	5410	169.88	
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel :		
	A. Lactose and lactose syrup :		
	II. Other than that containing, in the dry state, 99 % or more by weight of the pure product ⁽¹⁶⁾	5500	13.92 ⁽¹⁶⁾
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion :		
	A. Lactose and lactose syrup	5600	13.92
23.07	Sweetened forage; other preparations of a kind used in animal feeding :		
	B. Other, containing starch or glucose or glucose syrup falling within subheadings Nos 17.02 B and 17.05 B, or milk products ⁽⁸⁾ :		
	I. Containing starch, or glucose or glucose syrup :		
	a) Containing no starch or containing 10 % or less by weight of starch :		
	1.		
	2.		
	3. Containing 50 % or more but less than 75 % by weight of milk products	5700	16.17
	4. Containing 75 % or more by weight of milk products	5800	20.51
	b) Containing more than 10 % but not more than 30 % by weight of starch :		
	1.		
	2.		
	3. Containing 50 % or more by weight of milk products	5900	19.12

Tariff Nomenclature			
CCT heading No	Description of goods	Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
23.07 (cont'd)	c) Containing more than 30 % by weight of starch : 1. 2. 3. Containing 50 % or more by weight of milk products	6000	15.61
	II. Containing no starch, glucose or glucose syrup, but containing milk products	6100	20.51

For notes (1) to (6), see notes (1) to (6) of Council Regulation (EEC) No 823/68 (OJ No L 151, 30. 6. 1968).

(*) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :

- a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product;
- b) 6 u.a.; and
- c) 2.72 u.a.

(**) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:

- a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product; and
- b) 2.72 u.a.

(***) The levy is limited to 7.50 u.a. per 100 kg net weight.

(****) The levy is limited to 6 % of the value for customs purposes.

(*) The levy is limited to 53.05 u.a. per 100 kg net weight for imports from Austria, Finland, Rumania and Switzerland (Regulation (EEC) No 1054/68 as amended).

(***) The levy is limited to 73.05 u.a. per 100 kg net weight for imports from Austria, Finland, Rumania and Switzerland (Regulation (EEC) No 1054/68 as amended).

(****) The levy is limited to 53.05 u.a. per 100 kg net weight for imports from Bulgaria, Hungary, Rumania and Turkey (Regulation (EEC) No 1054/68 as amended).

(*) Lactose and lactose syrup falling within subheading No 17.02 A I are, in pursuance of Regulation No 189/66/EEC, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading No 17.02 A II.

(a) For imports into the United Kingdom, this free-at-frontier value shall be reduced by 17.68 u.a. per 100 kg net.

REGULATION (EEC) No 3383/73 OF THE COMMISSION

of 14 December 1973

fixing the refunds on milk and milk products exported in the natural state

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 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by the Act ⁽²⁾ annexed to the Treaty ⁽³⁾ on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 17 ⁽⁴⁾ thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund ;

Whereas Council Regulation (EEC) No 876/68 ⁽⁴⁾ of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds, as amended by Regulation (EEC) No 2429/72 ⁽⁵⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of :

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade ;
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination ;
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market ;

— the need to avoid disturbances on the Community market ; and

— the economic aspect of the proposed exports ;

Whereas Article 3 (1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of :

- (a) prices ruling on third country markets ;
- (b) the most favourable prices in third countries of destination for third country imports ;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries ; and
- (d) free-at-Community-frontier offer prices ;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination ;

Whereas Article 5 (1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks ; whereas the amount of the refund may, however, remain at the same level for more than four weeks ;

Whereas Article 2 of Commission Regulation (EEC) No 1098/68 ⁽⁶⁾ of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products, as last amended by the Act annexed to the Treaty on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, provides that the refund on products falling within subheading No 04.02 B is equal to the sum of two components, the first representing the

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁵⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁶⁾ OJ No L 184, 29. 7. 1968, p. 10.

quantity of milk products and the second representing the quantity of added sucrose ; whereas, however, the latter component applies only if the added sucrose was produced from beet or cane harvested within the Community ;

Whereas for the products falling within subheading No 04.02 B II a) or 04.02 B II b) 1 with a fat content not exceeding 9.5 % by weight the first component referred to above is fixed for 100 kg of the whole product ; whereas for the other products falling within subheading No 04.02 B this component is calculated by multiplying the basic amount by the milk product content of the product in question ; whereas this basic amount is the refund on 1 kilogramme of milk products contained in the product ;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation No 1009/67/EEC ⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1928/73 ⁽²⁾ ;

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 it follows from applying these rules to the present situation on the market in milk and milk products, and in particular to prices for these products within the Community and on the world market, that the refund should be fixed at the amounts shown in the Annex to this Regulation ;

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 refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state are hereby fixed at the amounts shown in the Annex.

Article 2

This Regulation shall enter into force on 17 December 1973.

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

Done at Brussels, 14 December 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

ANNEX

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % :		
	I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of 2 litres or less	0110 00	2.47
	b) Other	0120 00	—
	II. Others :		
	a) In immediate packings of a net capacity of 2 litres or less and of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) of a fat content, by weight, not exceeding 1.5 %	0130 10	
	for exports to :		
	— countries near the Community		2.00
	— other destinations		2.42
	(bb) of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0130 22	
	for exports to :		
	— countries near the Community		2.54
	— other destinations		3.64
	(cc) of a fat content, by weight, exceeding 3 %	0130 31	
	for exports to :		
	— countries near the Community		3.57
	— other destinations		5.35
	2. Exceeding 4 %	0140 00	
	for exports to :		
	— countries near the Community		3.55
	— other destinations		4.65
	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) of a fat content, by weight, not exceeding 1.5 %	0150 10	1.59
	(bb) of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %	0150 21	2.40
	(cc) of a fat content, by weight, exceeding 3 %	0150 31	2.40
	2. Exceeding 4 %	0160 00	2.40
	ex B. Other, excluding whey, of a fat content, by weight :		
	ex I. Exceeding 6 % but not exceeding 21 % :		
	(a) of a fat content, by weight, exceeding 10 % but not exceeding 17 %	0200 10	13.42
	(b) of a fat content, by weight, exceeding 17 %	0200 20	21.96
	II. Exceeding 21 % but not exceeding 45 % :		
	(a) of a fat content, by weight, not exceeding 39 %	0300 10	26.84
	(b) of a fat content, by weight, exceeding 39 %	0300 20	48.80

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.01 (cont'd)	III. More than 45 % : (a) Of a fat content, by weight, not exceeding 68 % (b) Of a fat content, by weight, exceeding 68 %	0400 11 0400 21	56.12 84.18
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar :		
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight :		
	1. Not exceeding 1.5 % :		
	(aa) in immediate packings of a net capacity of 1 kg or less	0620 10	10.00
	(bb) In hermetically sealed cans of a net capacity of over 1 kg	0620 15	10.00
	(cc) Other	0620 21	8.00
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) of a fat content, by weight, not exceeding 11 % :		
	(111) in immediate packings of a net capacity of 1 kg or less	0720 11	10.00
	(222) In hermetically sealed cans of a net capacity of over 1 kg	0720 15	10.00
	(333) Other	0720 17	8.00
	(bb) of a fat content, by weight, exceeding 11 % but not exceeding 17 %	0720 20	21.44
	(cc) of a fat content, by weight, exceeding 17 % but not exceeding 25 %	0720 30	29.66
	(dd) of a fat content, by weight, exceeding 25 %	0720 40	40.62
	3. Exceeding 27 % but not exceeding 29 %	0820 00	43.36
	4. Exceeding 29 % :		
	(aa) of a fat content, by weight, not exceeding 41 %	0920 10	46.10
	(bb) of a fat content, by weight, exceeding 41 %	0920 20	62.54
	b) Other, of a fat content, by weight :		
	1. Not exceeding 1.5 %	1020 00	8.00
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) of a fat content, by weight, not exceeding 11 %	1120 10	8.00
	(bb) of a fat content, by weight, exceeding 11 % but not exceeding 17 %	1120 20	21.44
	(cc) of a fat content, by weight, exceeding 17 % but not exceeding 25 %	1120 30	29.66
	(dd) of a fat content, by weight, exceeding 25 %	1120 40	40.62
	3. Exceeding 27 % but not exceeding 29 %	1220 00	43.36
	4. Exceeding 29 % :		
	(aa) of a fat content, by weight, not exceeding 41 %	1320 10	46.10
	(bb) of a content, by weight, exceeding 41 %	1320 20	62.54

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	III. Milk and cream, other than in powder or granules :		
	a) In hermetically sealed cans of a net capacity of 454 g or less or in glass containers containing 0.5 litres or less and of a fat content, by weight, not exceeding 11 % :		
	ex 1. Of a fat content, by weight, not exceeding 8.9 %		
	(aa) of a fat content, by weight, exceeding 3 % but not exceeding 7.4 %	1420 11	8.04
	(bb) of a fat content, by weight, exceeding 7.4 %	1420 21	10.96
	2. Other	1520 00	13.01
	b) Other, of a fat content, by weight :		
	ex 1. Not exceeding 45 % :		
	(aa) of a fat content, by weight, exceeding 3 % but not exceeding 7.4 %	1620 11	8.04
	(bb) of a fat content, by weight, exceeding 7.4 % but not exceeding 8.9 %	1620 21	10.96
	(cc) of a fat content, by weight, exceeding 8.9 % but not exceeding 11 %	1620 30	13.01
	(dd) of a fat content, by weight, exceeding 11 % but not exceeding 21 %	1620 40	13.42
	(ee) of a fat content, by weight, exceeding 21 % but not exceeding 39 %	1620 50	26.84
	(ff) of a fat content, by weight, exceeding 39 %	1620 60	48.80
	2. Exceeding 45 %	1720 00	56.12
	B. Containing added sugar :		
	I. Milk and cream, in powder or granules :		
	ex b) Other, excluding whey :		
	1. In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2220 00	0.1000 ⁽¹⁾ per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) of a fat content, by weight, not exceeding 11 %	2320 10	0.1000 ⁽¹⁾ per kg
	(22) of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2320 20	0.2144 ⁽¹⁾ per kg
	(33) of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2320 30	0.2966 ⁽¹⁾ per kg
	(44) of a fat content, by weight, exceeding 25 %	2320 40	0.4062 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) of a fat content, by weight, not exceeding 41 %	2420 10	0.4336 ⁽¹⁾ per kg
	(22) of a fat content, by weight, exceeding 41 %	2420 20	0.6254 ⁽¹⁾ per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2520 00	0.0800 ⁽¹⁾ per kg

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.03 (cont'd)	(II) of a fat content, by weight, of 78 % or more, but less than 80 % for exports to : — Canada, Zone E (4), Mexico and Puerto Rico — other destinations	3110 16	66.60 95.10
	(III) of a fat content, by weight, of 80 % or more, but less than 82 % for exports to : — Canada, Zone E (4), Mexico and Puerto Rico — other destinations	3110 22	68.30 97.60
	(IV) of a fat content, by weight, of 82 % or more for exports to : — Canada, Zone E (4), Mexico and Puerto Rico — other destinations	3110 32	70.00 100.00
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99.5 % for exports to : — Canada, Zone E (4), Mexico and Puerto Rico — other destinations	3210 10	70.00 100.00
	(II) Exceeding 99.5 % for exports to : — Canada, Zone E (4), Mexico and Puerto Rico — other destinations	3210 20	85.00 132.00
04.04	Cheese and curd :		
	ex A. Emmentaler and Gruyère, not grated or powdered :		
	II. Other for exports to : — Zone D — Liechtenstein and Switzerland — Austria — other destinations	3800 00	15.00 — 29.80 57.46
	ex C. Blue-veined cheese, not grated or powdered, other than Roquefort :	4000 00	45.00 47.42
	D. Processed cheese, not grated or powdered :		
	II. Other, of a fat content, by weight : a) Not exceeding 36 % and of a fat content, by weight, referred to dry matter :		
	ex 1. Not exceeding 48 % and of a content, by weight, referred to dry matter :		
	(aa) Of 33 % or more but less than 38 % for exports to : — Zone D — Switzerland — other destinations	4410 10	7.00 14.00 20.78
	(bb) Of 38 % or more but less than 43 % and of a fat content, by weight, referred to dry matter :		
	(11) Less than 20 % for exports to : — Zone D — Switzerland — other destinations	4410 20	7.00 14.00 20.78

CCT heading No	Description of goods	Code	Refund (in u.a. 100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Of 20 % or more for exports to : — Zone D — Switzerland — other destinations	4410 30	9.30 20.00 29.43
	(cc) Of 43 % or more and of a fat content, by weight, referred to dry matter :		
	(11) Less than 20 % for exports to : — Zone D — Switzerland — other destinations	4410 40	7.00 14.00 20.78
	(22) Of 20 % or more but less than 40 % for exports to : — Zone D — Switzerland — other destinations	4410 50	9.30 20.00 29.43
	(33) Of 40 % or more for exports to : — Zone D — Switzerland — other destinations	4410 60	12.70 26.70 48.44
	ex 2. Exceeding 48 % and of a content, by weight, referred to dry matter :		
	(aa) Of 33 % or more but less than 38 % for exports to : — Zone D — Switzerland — other destinations	4510 10	7.00 14.00 20.78
	(bb) Of 38 % or more but less than 43 % for exports to : — Zone D — Switzerland — other destinations	4510 20	9.30 20.00 29.43
	(cc) Of 43 % or more but less than 46 % for exports to : — Zone D — Switzerland — other destinations	4510 30	12.70 26.70 48.44
	(dd) Of 46 % or more and of a fat content, by weight, referred to dry matter :		
	(11) Less than 55 % for exports to : — Zone D — Switzerland — other destinations	4510 40	12.70 26.70 48.44

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Of 55 % or more	4510 50	
	for exports to :		
	— Zone D		14.70
	— Switzerland		31.00
	— other destinations		56.05
	b) Exceeding 36 %	4610 00	
	for exports to :		
	— Zone D		14.70
	— Switzerland		31.00
	— other destinations		56.05
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the not-fatty matter :		
	ex a) Not exceeding 47 % :		
	(1) Grana, Parmigiano Reggiano	4710 11	64.38
	(2) Fiore Sardo, Pecorino	4710 16	79.38
	(3) Other, of a fat content, by weight, referred to dry matter of 30 % or more	4710 21	64.38
	b) Exceeding 47 % but not exceeding 72 % :		
	ex 1. Cheddar, including Chester of a fat content, by weight, referred to dry matter of 48 %	4810 30	
	for exports to :		
	— Zone D		15.00
	— Switzerland		12.00
	— Zone E (*)		45.00
	— other destinations		53.59
	ex 5. Other, of a fat content, by weight, referred to dry matter :		
	(aa) Less than 5 % and of a content, by weight referred to dry matter of 32 % or more	5120 11	30.00
	(bb) Of 5 % or more but less than 19 % and of a content, by weight, referred to dry matter of 32 % or more	5120 15	34.54
	(cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 %	5120 21	
	for exports to :		
	— Zone E (*)		40.00
	— Switzerland		1.00
	— other destinations		41.89

CCT heading No	Description of goods	Code	Refund (in u.a./100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(dd) Of 39 % or more :	5120 31	
	(11) Asiago, Caciocavallo, Provolone, Ragusano for exports to :		
	— Switzerland		1.00
	— other destinations		54.38
	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit for exports to :	5120 44	
	— Zone D		13.00
	— Zone E (*)		40.00
	— Switzerland		1.00
	— other destinations		48.91
	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio for exports to :	5120 54	
	— Zone D		13.00
	— Zone E (*)		40.00
	— Switzerland		1.00
	— other destinations		42.28
	(44) Cantal, Colby, Monterey for exports to :	5120 57	
	— Zone D		15.00
	— Zone E (*)		45.00
	— Switzerland		1.00
	— other destinations		53.59
	(55) Other, of a water content, calculated by weight, of the non-fatty matter :	5120 62	
	(aaa) Exceeding 47 % but not exceeding 52 %		
	for exports to :		
	— Switzerland		1.00
	— other destinations		54.38
	(bbb) Exceeding 52 % but not exceeding 62 %	5120 72	
	for exports to :		
	— Zone D		13.00
	— Zone E (*)		40.00
	— Switzerland		1.00
	— other destinations		48.91

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- (1) The weight of added non-lactic matter and lactose should be disregarded for the purpose of calculating fat content.
The refund on 100 kg of product falling within this subheading is equal to the sum of the following components :
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
 - (b) a component calculated in accordance with the provisions of Article 2 (3) Regulation (EEC) No 1098/68.
- (2) The refund on 100 kg of product falling within this subheading is equal to the sum of the following components :
- (a) the amount per 100 kg shown and
 - (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
- (3) 'Special compound feedingstuffs' are feedingstuffs containing :
- (a) skimmed-milk powder,
 - (b) fish meal and
 - (c) active carbon or a mixture of tartazine yellow (E102) and patent blue V (E131) or cochienal red A (E124) or patent blue V (E131).
- (4) Zone E = Territories of the United States of America on the American continent, including Hawaii.
- N.B. : For the purposes of this Regulation 'countries near the Community' means : Zone D, Austria, Liechtenstein, Switzerland, Yugoslavia plus the destinations indicated in Article 2 of Regulation No 1041/67/EEC.
Zones A, B, C, D and E are those defined in Regulation (EEC) No 1098/68 as amended (OJ No L 184, 29. 7. 1968, p. 10).
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The weight of non-milk fat should be disregarded for the purposes of calculating fat content.

REGULATION (EEC) No 3384/73 OF THE COMMISSION
of 14 December 1973
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 136/66/EEC⁽¹⁾ of 22 September 1966 on the establishment of a common organization of the market in oils and fats, as last amended by Regulation (EEC) No 1707/73⁽²⁾, and in particular Article 27 (4) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 1898/73⁽³⁾ and subsequent amending Regulations ;

Whereas, if the subsidy system is to operate normally, subsidies 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 rules and other provisions contained in Regulation (EEC) No 1898/73 to the information at present available to the Commission that the amount of the subsidy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC is hereby fixed as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 17 December 1973.

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

Done at Brussels, 14 December 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 193, 14. 7. 1973, p. 26.

ANNEX

to the Commission Regulation of 14 December 1973 fixing the amount of the subsidy on oil seeds

Subsidy applicable from 17 December 1973 to colza and rape seeds (CCT heading No ex 12.01) and sunflower seeds (CCT heading No ex 12.01) (u.a./100 kg)

	Colza and rape seed	Sunflower seed
Subsidy	0	0
Subsidy in the case of advance fixing :		
— for the month of December 1973	0	0
— for the month of January 1974	0	0
— for the month of February 1974	0	0
— for the month of March 1974	0	0
-- for the month of April 1974	0	—
-- for the month of May 1974	0	—

REGULATION (EEC) No 3385/73 OF THE COMMISSION
of 14 December 1973
determining the world market price for colza and rape seed

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⁽¹⁾ of 22 September 1966 on the establishment of a common organization of the markets in oils and fats, as last amended by Regulation (EEC) No 1707/73⁽²⁾ ;

Having regard to Council Regulation (EEC) No 1569/72⁽³⁾ of 20 July 1972 laying down special measures for colza and rape seed, as last amended by Regulation (EEC) No 1356/73⁽⁴⁾ ;

Having regard to Commission Regulation (EEC) No 2300/73⁽⁵⁾ of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73, as amended by Regulation (EEC) No 2588/73⁽⁶⁾, and in particular Article 9 (4) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas, pursuant to Article 9 (4) of Regulation (EEC) No 2300/73, the Commission must determine the world market price for colza and rape seed ;

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 1898/73⁽⁷⁾ of 13 July 1973 fixing the amount of the subsidy on oil seeds ;

Whereas to enable the price system to operate normally, the world market price 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, applying all these provisions, the world market price for colza and rape seed should be fixed as shown in the Table annexed to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The world market price referred to in Article 9 (4) of Regulation (EEC) No 2300/73 and the rates to be used for converting them into national currencies shall be as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 17 December 1973.

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

Done at Brussels, 14 December 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 141, 28. 5. 1973, p. 28.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 268, 25. 9. 1973, p. 10.

⁽⁷⁾ OJ No L 193, 14. 7. 1973, p. 28.

ANNEX

World market price applicable from 17 December 1973 for colza and rape seed (CCT heading No ex 12.01)

	u.a./100 kg ⁽¹⁾
World market price :	26.281
World market price where the subsidy is fixed in advance :	
— for the month of December 1973 :	26.281
— for the month of January 1974 :	27.105
— for the month of February 1974 :	27.105
— for the month of March 1974 :	26.940
— for the month of April 1974 :	25.046
— for the month of May 1974 :	24.717

⁽¹⁾ The conversion rates from units of account into national currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following :

1 u.a. =	DM	3.21978
1 u.a. =	Fl	3.35507
1 u.a. =	Bfr/Lfr	48.6572
1 u.a. =	FF	5.55419
1 u.a. =	Dkr	7.57831
1 u.a. =	£	0.525715
1 u.a. =	Lit	743.135

REGULATION (EEC) No 3386/73 OF THE COMMISSION
of 14 December 1973
fixing the export 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⁽¹⁾ of 22 September 1966 on the establishment of a common organization of the market in oils and fats, as last amended by Regulation (EEC) No 1707/73⁽²⁾ ;

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

Having regard to Council Regulation No 171/67/EEC⁽⁴⁾ of 27 June 1967 on export refunds and levies on olive oil, as last amended by Regulation (EEC) No 2429/72⁽⁵⁾, and in particular Article 10 (3) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the export levies on olive oil were fixed by Regulation (EEC) No 3256/73⁽⁶⁾ 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 rules and other provisions contained in Regulation (EEC) No 3256/73 to the offer prices known to the Commission that the export levies at present in force should be altered as shown in the Table annexed to this Regulation ;

HAS ADOPTED THIS REGULATION :

Article 1

The export levies referred to in Article 18 of Regulation No 136/66/EEC are hereby fixed as shown in the Table annexed to this Regulation.

These levies are applicable to products falling within subheading 15.07 A presented in immediate packings of a net capacity exceeding 5 kg.

Article 2

This Regulation shall enter into force on 17 December 1973.

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

Done at Brussels, 14 December 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 175, 29. 6. 1973, p. 5.

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

⁽⁴⁾ OJ No 130, 28. 6. 1967, p. 2600/67.

⁽⁵⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁶⁾ OJ No L 331, 1. 12. 1973, p. 55.

ANNEX

Levies on olive oil to third countries and Greece

CCT heading No	Amounts in u.a./100 kg
ex 15.07 A I a)	14.459
ex 15.07 A I b)	19.409
ex 15.07 A II	13.026

REGULATION (EEC) No 3387/73 OF THE COMMISSION
of 14 December 1973

amending Regulation (EEC) 2637/70 as regards export licences issued for products falling within subheading No 04.02 B of the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by the Act⁽²⁾ concerning the Conditions of Accession and the Adjustments to the Treaties, and in particular Articles 13 (3) and 17 (4) thereof;

Whereas Article 2 (1) of Commission Regulation (EEC) No 1098/68⁽³⁾ of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products, as last amended by the abovementioned Act, provides that the refund on products falling within subheading No 04.02 B of the Common Customs Tariff is to be equal to the sum of a component representing the quantity of milk products and a component representing the quantity of added sucrose; whereas experience has shown that the trend of the market in milk products may differ from that of the market in sugar; whereas provision should therefore be made, in respect to the abovementioned products, to enable the refund on one of the components to be fixed separately in advance, and Commission Regulation (EEC) No 2637/70⁽⁴⁾ of 23 December 1970 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products, as last amended by Regulation (EEC) No 2926/73⁽⁵⁾ should be amended accordingly;

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

Regulation (EEC) No 2637/70 is amended by the addition of an Article 34a as follows:

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

Done at Brussels, 14 December 1973.

Article 34a

1. For products falling within subheading No 04.02 B of the Common Customs Tariff, a separate export licence may, on request by the interested party, be applied for and issued in respect of:

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

2. A licence application under the foregoing paragraph, first alternative, and the licence itself, shall, if required, contain in section 12 one of the following endorsements:

‘fixation à l’avance limitée à l’élément lait’
‘Vorausfestsetzung beschränkt auf den Teilbetrag für Milch’
‘Fissazione in anticipo limitate all’elemento latte’
‘Voorfixatie beperkt tot het element melk’
‘Advance fixing limited to the component milk’
‘Forudfastsaettelse begrænset af elementet mælk’

or

‘fixation à l’avance limitée à l’élément sucre’
‘Vorausfestsetzung beschränkt auf den Teilbetrag für Zucker’
‘Fissazione in anticipo limitate all’elemento zucchero’
‘Voorfixatie beperkt tot het element suiker’
‘Advance fixing limited to the component sugar’
‘Forudfastsaettelse begrænset af elementet sukker’.

Article 2

This Regulation shall enter into force on 15 December 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁴⁾ OJ No L 283, 29. 12. 1970, p. 15.

⁽⁵⁾ OJ No L 299, 27. 10. 1973, p. 39.

REGULATION (EEC) No 3388/73 OF THE COMMISSION

of 14 December 1973

opening an invitation to tender for the mobilization of common wheat flour as aid for the Arab Republic of Egypt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 120/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73⁽²⁾ ;

Having regard to Council Regulation (EEC) No 1693/72⁽³⁾ of 3 August 1972 establishing the criteria for the mobilization of cereals to be used as food aid, and in particular Article 6 thereof ;

Whereas on 23 May 1972 and on 14 May 1973 the Council of the European Communities declared that by way of Community action it proposed to grant to the Arab Republic of Egypt the equivalent of 33 000 metric tons of common wheat, in the form of flour, i.e. 21 854 metric tons of common wheat flour, under its 1971/72 and 1972/73 food-aid programmes ;

Whereas examination of the state of the cereals market in the Community indicates that the criteria of Article 3 (3) of Council Regulation (EEC) No 1693/72 should be applied, and in particular that the goods should be purchased on the Community market ;

Whereas the proposed invitation to tender should relate to supply of the goods fob, i.e. up to the point at which they are placed in the hold of the ship at the port of shipment ;

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

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

Whereas provision should be made for security to be given to guarantee fulfilment of obligations arising by virtue of participation in the invitation to tender for the supply of goods to the Arab Republic of Egypt ;

Whereas the French intervention agency should in any event be made responsible for organizing the invitation to tender ;

Whereas it is important that the Commission be informed without delay of the tenders submitted in response to the invitation and of those accepted by the intervention agency ;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION :

Article 1

1. An invitation to tender shall be issued in respect of the supply of 21 854 metric tons of common wheat flour to the Arab Republic of Egypt by way of Community food-aid action.
2. The tendering procedure shall take place in France and shall be in respect of two lots.
3. The goods shall be mobilized on the Community market.
4. Shipment shall be from one of the ports laid down in the Annex.
5. The goods referred to in paragraph 1 shall be supplied fob (that is to say the successful tenderer shall place them in the hold of the ship at the port of shipment) in jute sacks of a maximum net capacity of 67·485 kilogrammes.
6. The following shall be printed on the sacks :
'Wheat flour — gift of the European Community'.

Article 2

1. The award of the contract shall take place on 4 January 1974.
2. The closing date for submission of tenders shall be 4 January 1974 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than ten days before the closing date for submission of tenders.

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 178, 5. 8. 1972, p. 3.

Article 3

The contract shall be awarded to the tenderer who offers the most favourable terms. If it appears, however, that the tenders submitted do not reflect normal market prices and rates, the intervention agency may cancel the invitation to tender.

Article 4

If, because of delay in the provision of ships for effecting transport by sea, the successful tenderer is unable to deliver the goods fob on the date fixed in the notice of invitation to tender, the costs resulting from such delay shall be borne by the intervention agency.

Article 5

1. The successful tenderer shall give security in an amount of 10 units of account per metric ton of goods; the purpose of such security is to guarantee performance of the operations specified in Articles 1 and 6. The security shall be forfeit if those operations are not carried out within the time stipulated, save as regards quantities not delivered for reasons of *force majeure*.

2. The security referred to in paragraph 1 may be given in the form of a cash deposit or of a guarantee issued by a credit institution which satisfies the criteria laid down by each Member State.

Article 6

1. The goods referred to in Article 1 which are to be supplied to the Arab Republic of Egypt must meet the following requirements:

Common wheat flour:

- moisture content: 15 % maximum,
- acidity: 4 ml Na OH/n maximum per 100g (calculated on the dry matter),

— ash content: 0.52 % maximum on the dry matter.

If the goods referred to in Article 1 do not meet the foregoing requirements they shall be rejected and the successful tenderer shall be owner thereof.

2. Tenders for supply to the Arab Republic of Egypt of the goods referred to in Article 1 must relate to products with the following characteristics:

Common wheat flour:

- moisture content: 15 % maximum,
- acidity: 4 ml NaOH/n maximum per 100 g (calculated on the dry matter),
- ash content: 0.52 % maximum on the dry matter.

Article 7

1. The French intervention agency shall be responsible for organizing the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. The intervention agency shall request the successful tenderer to supply the following information:

- (a) After each shipment a certificate showing the quantities dispatched and the quality of the products;
- (b) The date of departure of the ships.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

Article 8

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

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

Done at Brussels, 14 December 1973.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

Number of lot	Port from which consigned	Minimum rate of loading per day	Tonnage fob
1 2	} Community ports	Customs of the port	10 000 metric tons 11 854 metric tons

REGULATION (EEC) No 3389/73 OF THE COMMISSION

of 13 December 1973

laying down the procedure and conditions for the sale of tobacco held by intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 727/70 ⁽¹⁾ of 21 April 1970 on the common organization of the market in raw tobacco, as last amended by the Act ⁽²⁾ concerning the Conditions of Accession and the Adjustments to the Treaties, and in particular Articles 7 ⁽⁴⁾ and 15 thereof ;

Whereas Article 3 of Council Regulation (EEC) No 327/71 ⁽³⁾ of 15 February 1971 laying down certain general rules relating to contracts for first processing and market preparation, to storage contracts and to the disposal of tobacco held by intervention agencies provides that such tobacco is to be sold on price terms determined on the basis of norm prices and premiums, of the costs of first processing and market preparation, and of market trends and demand ;

Whereas, since tobacco is not by nature a homogeneous product, it should be put up for sale in complete lots made up by the intervention agency concerned ;

Whereas the invitations to tender and sales by auction required to enable intervention agencies to dispose of the stocks held by them should not, however, interfere with the normal marketing arrangements provided for in Articles 3 and 4 of Regulation (EEC) No 727/70 ; whereas each proposed remarketing operation must therefore be subject to examination at Community level, in particular as regards the minimum selling price ;

Whereas the contract should be awarded to the tenderer offering the most favourable terms ;

Whereas all tenderers should be required to give security for performance of the obligations arising out of their participation in the invitation to tender ; whereas, in the case of an invitation to tender with a view to exportation, the purpose of the security should also be to guarantee that the tobacco purchased is actually exported from the Community ; whereas purchasers of tobacco at sales by public auctions should also be required to give such security ;

Whereas, to take account of administrative facilities currently existing in the Member States, it should be provided that the customs formalities on exportation are to be carried out in the Member State where the contracts are awarded ;

Whereas the tobacco remarketed should be described by reference to the list of varieties of packaged tobacco classified by quality given in Annex II to Regulation (EEC) No 1727/70 ⁽⁴⁾ of 25 August 1970 on intervention procedure for raw tobacco ; as last amended by Regulation (EEC) No 715/73 ⁽⁵⁾ ;

Whereas a successful tenderer may, for reasons of *force majeure* find himself in a position where he is unable to fulfil his obligations ; whereas measures should be laid down to prevent such person suffering unfair loss ; whereas, to ensure that such measures are applied uniformly and in conformity with the Community notion of *force majeure* as defined in Judgments Nos 4/68 ⁽⁶⁾ and 11/70 ⁽⁷⁾ of the Court of Justice of the European Communities, the Commission must be informed of each case of *force majeure* accepted as such by Member States ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Baled tobacco held by intervention agencies shall be remarketed by invitation to tender or by sale by public auction.

2. 'Invitation to tender' means a procedure whereby all prospective buyers are invited to submit offers and the contract is awarded to the person making the best offer being on offer in accordance with this Regulation.

3. For the purposes of this Regulation, 'public auction' means public proceedings open to all prospective buyers in the course of which the products

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽³⁾ OJ No L 39, 17. 2. 1971, p. 3.

⁽⁴⁾ OJ No L 191, 27. 8. 1970, p. 5.

⁽⁵⁾ OJ No L 68, 15. 3. 1973, p. 16.

⁽⁶⁾ Recueil (1968), 549.

⁽⁷⁾ Recueil (1970), 1125.

concerned, having been previously placed on display, are sold to the person making the highest offer in excess of a specified minimum starting price.

4. Invitations to tender, and the dates, times, places and terms and conditions for sales by public auction, shall be published in such a way as to secure the widest possible publicity, and shall in particular be published in the *Official Journal of the European Communities*.

Article 2

The Commission shall be responsible for deciding, on the basis of all the information at its disposal, when and if any invitation to tender or sale by public auction, for the purposes of sale on the Community market or for export, should be arranged. For this purpose the Member States shall communicate to the Commission full particulars of the varieties, qualities, quantities and storage depots concerned, together with all other data relevant to the issue of an invitation to tender.

The Member States concerned may, in respect of a specified quantity of tobacco, request the Commission to issue an invitation to tender or to arrange for its sale by public auction. In such a case, the Commission shall give a ruling on the request within ten days following its receipt thereof.

Article 3

1. Invitations to tender shall be published in the *Official Journal of the European Communities* not less than sixty days before the closing date for the submission of the tenders.

2. Tenders shall relate to specific, indivisible lots of baled tobacco, which shall be made up from the lots in store, by the intervention agency in the manner most suitable for their commercial distribution, either by presenting them as they were when bought in or by splitting or rearranging them.

3. The tobacco offered for sale shall be described by reference to the classification of baled tobacco set out in Annex II to Regulation (EEC) No 1727/70. The quantity in each lot shall be given in terms of its net weight as determined in accordance with Article 6 (1) of the said Regulation. The intervention agencies shall supply all necessary information as to the characteristics of the various lots.

4. Intervention agencies shall make all necessary arrangements to enable prospective buyers, before submitting their tenders, to examine, on conditions set out in the notice of invitation to tender, samples of the tobacco to be sold.

5. Prospective buyers may obtain samples of the tobacco to be sold on payment of an amount equal to the derived intervention price.

Article 4

1. Tenders shall be submitted by registered letter addressed to the Commission, which shall give an acknowledgment of receipt.

2. Tenders shall indicate :

- (a) the name and address of the person submitting the tender ;
- (b) the lot tendered for and the price offered per kilogramme of net weight in the currency of the Member State in which the sale by tender is taking place.

3. Tenders shall be valid only if accompanied by proof that the security referred to in Article 5 has been duly constituted.

4. Tenders may not be withdrawn.

5. A list of the tenders received, on which the names of tenderers shall not be disclosed, shall be sent by the Commission to the Member States.

Article 5

1. Every tenderer shall provide the intervention agency concerned with security in an amount of 0.28 unit of account per kilogramme of raw tobacco.

2. Such security shall be given in the form of a guarantee from an establishment which meets criteria laid down by the Member State in which it is situated.

The Member States shall notify the Commission of the types of establishment empowered to give guarantees, and of the criteria referred to in the preceding subparagraph.

Article 6

1. Within fifteen days following the closing date for submission of tenders, a decision shall be taken, on the basis of the tenders received and under the procedure laid down in Article 17 of Regulation (EEC) No 727/70, either fixing a minimum selling price for each lot or awarding no contract.

2. Minimum prices 'free loaded for dispatch' shall be fixed, by reference *inter alia* to the norm price, the premium and the costs of first processing and market preparation of the tobacco in question, and to the market situation, at a level such as not to hinder the distribution of such tobacco through normal commercial channels.

3. A successful tenderer shall be designated for each lot in accordance with the procedure referred to in paragraph 1. Should two or more offers be made at identical prices and on identical terms, the contract shall be awarded by drawing lots.

4. In no case may the tobacco purchased be resold to the intervention agencies.

5. Every tenderer shall be informed forthwith of the result of his tender.

Article 7

Save in cases of *force majeure*, the security referred to in Article 5 may be released only if:

- (a) the tender was not validly submitted;
- (b) the tender was unsuccessful;
- (c) the successful tenderer has paid the price at which the contract was awarded, and, in the case of an invitation to tender with a view to exportation, has furnished proof, in the same manner as required for export refunds, that the tobacco has actually been exported. Customs formalities in connection with the exportation shall be completed in the Member State in which the tobacco is sold.

Article 8

1. Notices of sale by public auction shall be published in the *Official Journal of the European Communities* not less than sixty days before the date set for the sale.
2. Not later than one working day before the date set for the sale, there shall be fixed, in accordance with Article 6 (2) and under the procedure provided for in Article 17 of Regulation (EEC) No 727/70, a minimum selling price for each lot.
3. The provisions of Article 3 (2) to (5) shall apply *mutatis mutandis*.
4. In the case of sales by public auction for the purpose of exportation, the purchaser shall give secu-

rity in accordance with Article 5. The security may be given either in the form stipulated in paragraph 2 of the said Article or by a cheque drawn on a bank or in cash. Release of the security shall be governed *mutatis mutandis* by the provisions of Article 7 (c).

5. The Member State concerned shall inform the Commission of the outcome of each sale.

6. In no case may the tobacco purchased be resold to the intervention agencies.

Article 9

If, save in cases of *force majeure*, the tobacco is removed more than thirty days after the date of publication of the outcome of the invitation to tender in the *Official Journal of the European Communities*, the price to be paid by the successful tenderer shall be increased by an amount calculated in accordance with Article 4 (1) (g) of Regulation No 1697/71 ⁽¹⁾.

Article 10

The Member States shall notify the Commission of each case of *force majeure* accepted as such by them for the purposes of Articles 7 and 9.

Article 11

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

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

Done at Brussels, 13 December 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 175, 4. 8. 1971, p. 8.

REGULATION (EEC) No 3390/73 OF THE COMMISSION

of 14 December 1973

increasing the Community quantitative export quotas for certain types of copper ash and residues and for certain types of copper waste and scrap

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Council Regulation (EEC) No 1023/70⁽¹⁾ of 25 May 1970 establishing a common procedure for administering quantitative quotas, and in particular Article 2 thereof;

Having regard to Council Regulation (EEC) No 1627/73⁽²⁾ of 18 June 1973 fixing Community quantitative export quotas for certain types of copper ash and residues and for certain types of copper, aluminium and lead waste and scrap, and in particular Article 2 thereof;

Whereas Regulation (EEC) No 1627/73 fixed the Community quantitative export quotas for 1973 for copper ash and residues and their alloys falling within heading No ex 26.03 of the Common Customs Tariff and for copper waste and scrap and their alloys falling within heading No ex 74.01 (others) of the Common Customs Tariff and 12 845 and 15 030 metric tons respectively, and these quotas were allocated by Commission Regulation (EEC) No 1782/73⁽³⁾ ⁽⁴⁾, of 2 July 1973;

Whereas on the one hand the German and Dutch governments have taken account of the need owing to special circumstances to increase exports of copper ash and residues and their alloys, falling within heading No ex 26.03 of the Common Customs Tariff, by 3 000 and 200 metric tons respectively;

Whereas on the other hand the Dutch government has taken account of the need, owing to special circumstances, to increase exports of copper waste and scrap and their alloys, falling within heading No 74.01 (others) of the Common Customs Tariff, by 250 metric tons, which includes 100 metric tons of plastic covered stranded wire and 150 metric tons of long copper-steel stranded wire which cannot be used by the Community industry;

Whereas as a result of an enquiry carried out into the Community industries in the sector in question it was discovered that, on account of their form and low copper content, the products could not find buyers within the Community;

Whereas the increase in size of these quotas and the consequent increase in size of the shares to be allocated to Germany and the Netherlands for 1973 cannot affect the volume and allocation of the quota to be fixed for 1974;

Whereas, in order to remedy this situation whilst complying with the criteria established for allocating the quota and avoiding compromising the purpose behind the fixing of such a quota, the quotas concerned and consequently the quota-shares allocated to Germany and the Benelux countries also, should, owing to special circumstances, be increased for 1973 within the limits laid down in Articles 1 and 2 of this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Quota Administration Committee,

HAS ADOPTED THIS REGULATION :

Article 1

1. The Community quantitative export quota for copper ash and residues and their alloys falling within heading No ex 26.03 of the Common Customs Tariff opened for the year 1973 by Council Regulation (EEC) No 1627/73 are increased from 12 795 to 15 995 metric tons.
2. The share allocated to the Federal Republic of Germany by Commission Regulation (EEC) No 1782/73 is increased from 3 630 to 6 330 metric tons.
3. The share allocated to the Benelux by Commission Regulation (EEC) No 1782/73 is increased from 600 to 800 metric tons.

Article 2

1. The Community quantitative export quota for copper waste and scrap and their alloys falling within heading No ex 74.01 (others) of the Common Customs Tariff opened for the year 1973 by Council

⁽¹⁾ OJ No L 124, 6. 6. 1970.

⁽²⁾ OJ No L 164, 21. 6. 1973 corrected by OJ No L 227, 15. 8. 1973.

⁽³⁾ OJ No L 179, 3. 7. 1973.

Regulation (EEC) No 1627/73 is increased from 15 030 to 16 430 metric tons.

2. The share allocated to the Benelux by Commission Regulation (EEC) No 1782/73 is increased from 1 750 to 2 000 metric tons.

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 until 31 December 1973.

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

Done at Brussels, 14 December 1973.

For the Commission

The President

François-Xavier ORTOLI

PUBLIC WORKS CONTRACTS

(Publication of notices of public works contracts and licences in conformity with Council Directive 71/305/EEC of 26 July 1971 supplemented by Council Directive 72/277/EEC of 26 July 1972)

MODEL NOTICES OF CONTRACTS**A. Open procedures**

1. Name and address of the authority awarding the contract (Article 16e)⁽¹⁾ :
2. The award procedure chosen (Article 16b) :
3. a) The site (Article 16c) :
b) The nature and extent of the services to be provided and the general nature of the work (Article 16c) :
c) If the contract is subdivided into several lots, the size of the different lots and the possibility of tendering for one, for several, or for all of the lots (Article 16c) :
d) Information relating to the purpose of the contract if the contract entails the drawing up of projects (Article 16c) :
4. Any time limit for the completion of the works (Article 16d) :
5. a) Name and address of the service from which the contract documents and additional documents may be requested (Article 16f) :
b) The final date for making such request (Article 16f) :
c) Where applicable, the amount and terms of payment of any sum payable for such documents (Article 16f) :
6. a) The final date for receipt of tenders (Article 16g) :
b) The address to which they must be sent (Article 16g) :
c) The language or languages in which they must be drawn up (Article 16g) :
7. a) The persons authorized to be present at the opening of tenders (Article 16h) :
b) The date, time and place of this opening (Article 16h) :
8. Any deposits and guarantees required (Article 16i) :
9. The main procedure for financing and payment and/or references to the instruments regulating these (Article 16j) :
10. Where applicable, the specific legal form which must be assumed by the group of contractors to whom the contract is awarded (Article 16k) :
11. The minimum economic and technical standards required of the contractors (Article 16l) :
12. Period during which the tenderer is bound to keep open his tender (Article 16m) :
13. Criteria for the award of the contract. Criteria other than that of the lowest price shall be mentioned if they do not appear in the contract documents (Article 29) :
14. Other information :
15. The date of despatch of the notice (Article 16a) :

⁽¹⁾ The Articles in brackets refer to Council Directive No 71/305/EEC of 26 July 1971 (OJ No L 185, 16. 8. 1971, p. 5).

B. Restricted procedures

1. Name and address of the authority awarding the contract (Article 17a)⁽¹⁾ :
2. The award procedure chosen (Article 17a) :
3. a) The site (Article 17a) :
b) The nature and extent of the services to be provided and the general nature of the work (Article 17a) :
c) If the contract is subdivided into several lots, the size of the different lots and the possibility of tendering for one, for several or for all of the lots (Article 17a) :
d) Information relating to the purpose of the contract if the contract entails the drawing up of projects (Article 17a) :
4. Any time limit for the completion of the works (Article 17a) :
5. Where applicable, the specific legal form which must be assumed by the group of contractors to whom the contract is awarded (Article 17a) :
6. a) The final date for the receipt of requests to participate (Article 17b) :
b) The address to which they must be sent (Article 17b) :
c) The language or languages in which they must be drawn up (Article 17b) :
7. The final date for the dispatch of invitations to tender (Article 17c) :
8. Information concerning the contractor's personal position, and the minimum economic and technical standards required of him (Article 17d) :
9. The criteria for the award of the contract if these are not stated in the invitation to tender (Article 18d) :
10. Other information :
11. The date of despatch of the notice (Article 17a) :

⁽¹⁾ The Articles in brackets refer to Council Directive No 71/305/EEC of 26 July 1971 (OJ No L 185, 16. 8. 1971, p. 5).

Open procedure

1. Stadtverwaltung Herne, 469 Herne/Westf., Friedrich-Ebert-Platz 2, Postbox 820, Federal Republic of Germany.

(101 000 222) or at the Postscheckamt Dortmund (7695), quoting 'Buchungsstelle 600 100', and presentation of receipt of payment. This fee is not refundable.
2. Public invitation to tender pursuant to the regulations governing construction work contracts — Part A (VOB/A).
3. a) Construction work on the Rhine-Ruhr city railway, Herne Section, building lot IV, on the Bahnhofstraße section between Steinweg/Shamrockstraße and Siepen/Kronprinzenstraße.
b) Length of section to be developed: 390 m in cutting, of which approx. 115 m comprises a halt and approx. 275 m section of track; also pedestrian concourse 62.5 m in length) over the station.
Work includes:
125 lm sewerage piping 300 cm diameter, approx. 6 800 m² bored girder piling (anchored behind),
approx. 2 700 m² bored girder piling (with horizontal struts),
approx. 1 000 m² bored pile wall,
approx. 1 000 m² covering,
approx. 98 000 m³ soil removal,
approx. 22 500 m³ stahlbeton reinforced concrete,
approx. 7 000 m³ surface consolidation,
approx. 18 000 m² sealing.
c)
d)
4. About 23 months.
5. a) Bauverwaltungsamt, Verwaltungsgebäude, Freiligrathstraße 12, Room 417.
b) 10 January 1974.
c) Tender documents are issued direct or sent through the post by the Office named under 5 a) against prepayment of DM 150 to the account of the Stadtkasse Herne either at the Herner Sparkasse
6. a) 10 a.m. on 20 February 1974.
b) Bauverwaltungsamt, Verwaltungsgebäude Freiligrathstraße 12, Room 417.
c) German.
7. a) Tenderers and their authorized representatives.
b) 10 a.m., 20 February 1974, in the Bauverwaltungsamt, Room 417.
8. Only guarantees from a credit insurer or credit institution approved in the Federal Republic of Germany will be accepted.
9. Interim and final payments in accordance with the regulations governing construction work contracts — Part B (VOB/B).
10. Groups of contractors associated in a legal form in which each individual is jointly and severally liable.
11. Firms will be considered only if they can provide evidence of having successfully executed similar work.
12. 15 weeks from the date of opening of the tender.
13. In accordance with § 25 VOB/A the contract will be awarded to the tender which appears the most acceptable when all technical and economic aspects are taken into account.
- 14.
15. 6 December 1973.

Open procedure

1. Ministry of Public Works, Roads Directorate, Havnegade 23, 1058 Copenhagen K, Denmark.
2. Public invitation to tender pursuant to Law No 216 of 8 June 1966 relating to tenders, etc.
3. a) Zealand, section of motorway between Ølby near Køge and Ringsted.
b) The work comprises :
Lot 14.9 : Earthworks, drainage and frost-protection work on the section of motorway from kilometre point 46.067 to kilometre point 51.500 with associated resiting of watercourses and bridges and the realignment of roads.
Lot 14.10 : Earthworks, drainage and frost-protection work on the section of motorway from kilometre point 38.580 to kilometre point 46.067 with associated resiting of watercourses and bridges and realignment of roads in the section from kilometre point 42.700 to kilometre point 46.067.
A combined tender may be submitted for lots 14.9 and 14.10 as set out in Special Conditions, Section 2 (2).
Lot 14.9 comprises the following main quantities :
Roadworks :
approx. 250 000 m³ excavation of material,
approx. 42 200 m³ soft soil,
approx. 22 500 m drainage work,
approx. 149 400 m³ gravel for frost protection,
approx. 25 200 m² surfacing of road intersections.
Bridge works : 9 bridges.
Prestressed concrete bridges : 2 bridges :
approx. 560 m foundation piling,
approx. 1 312 m³ concrete,
approx. 126 t mild-steel reinforcement rods,
approx. 30 t prestressed reinforcement rods,
approx. 760 m³ gravel.
Ordinary reinforced concrete bridges : 7 bridges :
approx. 1 980 m³ concrete,
approx. 189 t mild-steel reinforcement rods,
approx. 10 230 m³ gravel.
Lot 14.10 contains the following main quantities :
Road works :
approx. 469 000 m³ excavation,
approx. 29 700 m³ soft soil,
approx. 31 300 m drainage work,
approx. 202 000 m³ gravel for frost protection,
approx. 40 300 m² surfacing of road intersections.
Bridge works : 3 bridges.
Prestressed concrete bridges :
approx. 1 925 m³ concrete,
approx. 50 t prestressed reinforcement rods,
approx. 180 t mild-steel reinforcement rods.
Ordinary reinforced concrete bridges : 1 bridge :
approx. 650 m³ concrete,
approx. 65 t mild-steel reinforcement rods,
approx. 2 700 m³ gravel fill.
c)
d)
4. 15 March 1974 to 1 November 1975. The work is to be completed by a fixed time and on a 'firm price basis' in accordance with Ministry of Housing Circular No 80 dated 9 May 1971.
5. a) Vejdirektoratet, Motorvejskontoret, Skallehardsvej 2, 4700 Naestved — Tel. (03) 723420.
b) 13 December 1973.
The tender documents will be available for inspection at the Motorvejskontoret and at the office of B. Højlund Rasmussen, Consulting Engineers, Vimmelskattet 47, 1161 Copenhagen K — Tel. (01) 142137 as from 13 December 1973.
c) Deposit against return of tender documents : Dkr 1 000 per lot. The deposit is to be paid to the Motorvejskontoret by crossed cheque made out to the Vejdirektoratet, Naestved.
The tender documents are to be returned as soon as possible, and not later than eight days after the contractor has been informed that the contract has been awarded, after which the deposit will be refunded.
6. a) At 2 p.m. on Tuesday, 5 February 1974.
b) Tenders marked 'Vestmotorvejen, parcel 14, entreprise 9 of/eller entreprise 10' are to be handed or despatched to the Vejdirektoratet, Havnegade 23, 1058 Copenhagen K.
c) Danish.
7. a) Tenderers are entitled to be present at the opening of the tenders.
b) At 2 p.m. on Tuesday, 5 February 1974, at the Vejdirektoratet, Havnegade 23, 1058 Copenhagen K (Room 332, Conference Room).
8. Before commencing the work, the contractor will be required to enter into a Contract Guarantee Bond representing 10 % of the contract sum (excluding VAT).
9. Monthly progress payments. 10 % of these payments will be retained until the amount retained has reached 5 % of the whole contract sum.
- 10.
11. On request, and within a week of receiving such request, the tenderer must give proof of his economic standing and professional qualifications by the following information :
— A statement from bankers, showing the contractor's financial standing ;
— A statement of the firm's turnover, on work for the three previous financial years ;
— A list of jobs carried out by the contractor over the past five years, the value of such works, stating the date and place of execution and the name of the Principal.
12. The tenderer is to abide by his offer for six weeks, as from the date of invitation to tender.
13. See item 2.
The tenderer shall also furnish proof that he has sufficient experience to carry out the present work.
- 14.
15. 7 December 1973.

Open procedure

1. Landschaftsverband Westfalen-Lippe, Straßenbauverwaltung, Straßenneubauamt Recklinghausen, 435 Recklinghausen, Westring 51, Federal Republic of Germany.
2. Public invitation to tender pursuant to the regulations governing construction work contracts — Part A (VOB/A).
3. a) Marl.
b) Construction of a bridge to carry the A.77 over the L 612n (L 609n).
Effective spans : average 34.55 m + 29.35 m.
Useful width : 61.50 m.
Angle of crossing : 40°.
The prestressed concrete superstructures have a T-beam cross-section. They are placed separately on the centre pier.
3 500 m³ topsoil to be stripped,
30 000 m³ soil to be excavated,
10 000 m³ soil to be placed,
190 m³ B 120 concrete,
4 900 m³ B 300 reinforced concrete,
420 m³ B 400 reinforced concrete,
850 m³ B 450 reinforced concrete,
3 700 m² superstructure in B 450 prestressed concrete,
350 kg reinforcing steel III.
c)
d)
4. 340 working days.
5. a) Landschaftsverband Westfalen-Lippe, Straßenneubauamt Recklinghausen, Westring 51.
b) 27 December 1973.
c) The tender documents will be dispatched from the Straßenneubauamt Recklinghausen upon receipt of a written request. The fee of DM 15 is to be enclosed in the form of a non-negotiable check, endorsed 'Brücke über die L 612 n'. Payment by any other method will not be accepted. The fee is not returnable.
6. a) 23 January 1974.
b) As under 5 a).
c) German.
7. a) Tenderers and their authorized representatives.
b) 11 a.m. on 23 January 1974, at the Straßenneubauamt Recklinghausen, Westring 51, Room 1.
8. 3 % of the contract price. Guarantee to be valid for five years.
Security in the form of a guarantee bond to be provided for execution of the work according to contract and fulfilment of the performance guarantee.
Only guarantees from a credit insurer or credit institution approved in the Federal Republic of Germany will be accepted.
9. Interim and final payments in accordance with the regulations governing construction work contracts — Part B (VOB/B).
With regard to final accounts, the period of two months for testing and checking specified under the provisions of VOB/B DIN 1961 § 16, item 2, is extended to four months.
- 10.
11. Firms will be considered only if they can provide evidence of having successfully executed similar work.
12. Eight weeks.
13. In accordance with § 25 VOB/A the contract will be awarded to the tender which appears the most acceptable when all technical and economic aspects are taken into account.
- 14.
15. 7 December.

Restricted procedure (1)

1. Telford Development Corporation, Priorslee Hall, Telford, Shropshire TF2 9NT, England.
2. The procedure to be used will be a restricted tender procedure in accordance with Article 5 (2).
3. a) Dawley, Telford.
b) The work will be the first phase of the Dawley/Donnington Distributor Road South, and will consist of earthworks for a dual carriageway road approximately 500 m in length, completion of earthworks for a single carriageway road approximately 900 m in length, construction of a single carriageway road approximately 1.4 km in length and 7.3 m wide, two traffic roundabouts, the improvement of 120 m of existing roadway, the construction of two pedestrian underpasses in reinforced concrete, two retaining walls in reinforced concrete, approximately 1 km of major storm and foul water sewers up to 1 220 mm diameter, and approximately 2 km of road drainage. The stabilization of several mine shafts will also be required.
c) The works are estimated to cost approximately £ 0.43 million.
d)
4. The works are to be partially completed by the end of October 1974 and entirely completed by May 1975.
- 5.
6. a) 31 December 1973.
b) The Director of Engineering Services, Telford Development Corporation, Priorslee Hall, Telford, Shropshire TF2 9NT, England.
c) English.
7. Not later than the 28 January 1974.
8. The references described in Article 25 and 26 (a), (b), (d) and (e) will be required.
9. Lowest acceptable offer in competition among selected contractors.
10. The Conditions of Contract will be the Fifth Edition of the General Conditions of Contract for use in connection with works of civil engineering construction dated June 1973 and published by the Institution of Civil Engineers, London.
11. 10 December 1973.

(1) See Council Directive No 71/305/EEC, Article 12 (3), and Article 15 (OJ No L 185, 16. 8. 1971, p. 8).

Restricted procedure (1)

1. Sheffield Regional Hospital Board, Fulwood House, Old Fulwood Road, Sheffield S10 3TH, England.
2. Restricted procedure.
3. a) Northern General Hospital — Sheffield.
b) Hospital Redevelopment Project. Unit for the mentally handicapped.
The scheme consists of a series of detached single and two storey residential units for children and adults together with occupational therapy and teaching facilities.
Construction is largely traditional brickwork with pitched roofs. Total estimated cost is £ 1 000 000.
The approximate value of the principal sub-contracts is :
Mechanical : £ 110 000.
Electrical : £ 70 000.
The contractor will not be allowed to tender for any of these items.
c)
d) No design required from the contractor.
4. 105 weeks.
5. In the event of a group being awarded the contract, each firm in the group to become jointly and severally responsible for the contract before acceptance, and this will be expressly stated in the contract.
6. a) 28 December 1973.
b) Sheffield Regional Hospital Board, Fulwood House, Old Fulwood Road, Sheffield S10 3TH, Yorks, England.
c) English.
7. Not before 31 January 1974.
8. Details to be in line with Article 25 (a), (b) and (c), or Article 26 (a), (b), (c), (d) and (e) (OJ No L 185 of 16 August 1971).
Proof is required that none of the circumstances quoted in Article 23 (a) to (g) of Council Directive 71/305/EEC apply to the contractor.
9. Lowest acceptable offer in competition.
10. The contract will be executed in accordance with the terms of the Standard Form of Building Contract, Local Authorities Edition, with Quantities, 1963 Edition (July 1973 Revision).
Members of the public will not be invited to the ceremony of the opening of the tenders.
11. 6 December 1973.

(1) See Council Directive No 71/305/EEC, Article 12 (3), and Article 15 (OJ No L 185, 16. 8. 1971, p. 8).

Restricted procedure (1)

1. Établissement public du centre Beaubourg, 35, boulevard de Sébastopol, 75001 Paris. Construction de l'Institut de recherche et de coordination acoustique et musicale.
2. Appel d'offres restreint.
3. a) 75001 Paris ;
b) Lot n° 02, génie civil :
 - structure enterrée en béton armé et précontraint : 12 000 m³ de béton,
 - exécution de chambres acoustiques en maçonnerie,
 - exécution d'ancrages définitifs,
 - exécution de l'étanchéité extérieure du bâtiment du type cuvelage sur 8 000 m² environ.Les fonctions de ce bâtiment exigent des qualités acoustiques exceptionnelles.
c)
d)
4. Appel d'offres restreint : janvier 1974, notification : mai 1974, fin des travaux de génie civil : juillet 1975, livraison du bâtiment : novembre 1975.
5. Les entreprises pourront faire acte de candidature, soit individuellement, soit sous forme de groupement d'entreprises conjointes et solidaires en désignant un mandataire commun.
6. a) Le 7 janvier 1974 ;
b) Monsieur le Président de l'Établissement public du centre Beaubourg, 35, boulevard de Sébastopol, 75001 Paris ;
c) Langue française.
8. Les entreprises ou groupements d'entreprises désirant faire acte de candidature devront adresser une déclaration d'intention de soumissionner, accompagnée de toutes les références techniques nécessaires, en précisant leurs moyens en matériel et main-d'œuvre, leur organisation et le chiffre d'affaires des trois dernières années. Les candidatures devront le cas échéant participer à des réunions à Paris pour des compléments d'information.
9. Seules les entreprises ou groupements d'entreprises disposant des ressources et compétences nécessaires pour réaliser ces travaux pourront être admis à concourir.
- 10.
11. Le 12 décembre 1973.

(1) See Council Directive No 71/305/EEC, Article 12 (3), and Article 15 (OJ No L 185, 16. 8. 1971, p. 8).

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 1769/68 of 6 November 1968 on air transport costs to be included in the value for customs purposes

(Official Journal of the European Communities, No L 285 of 25 November 1968 ; Special Edition 1968 (II))

Page 540, List I, section III, sub-section 1 ; airport of departure : Miami, airport of arrival : Frankfort :

instead of : '85',
read : '95'.

Corrigendum to Commission Regulation (EEC) No 1463/73 of 30 May 1973 laying down detailed rules for the application of 'monetary' compensatory amounts

(Official Journal of the European Communities No L 146 of 4 June 1973)

Page 7, Article 18 :

instead of : 'Regulation (EEC) No 638/73 is repeated . . .'
read : 'Regulation (EEC) No 638/73 is repealed . . .'.

Corrigendum to Commission Regulation (EEC) No 3110/73 of 15 November 1973 altering the monetary compensatory amounts

(Official Journal of the European Communities No L 317 of 19 November 1973)

Pages 2 and 3, Annex I, part 1 :

instead of :

	United Kingdom	Ireland	Italia
10.03			8 365
11.02 A III	0,629	.	
11.02 C III		0,341	
11.02 C IV		1,807	
	United Kingdom	Ireland	Italia
10.03			8 356
11.02 A III	0,692		
11.02 C III		1,341	
11.02 C IV		0,807	

read :