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## Legislation

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## I

*(Acts whose publication is obligatory)*

**REGULATION (EEC) No 427/75 OF THE COMMISSION****of 21 February 1975****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 <sup>(1)</sup> of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 85/75 <sup>(2)</sup>, and in particular Article 13 (5) thereof ;

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2524/74 <sup>(3)</sup> and subsequent amending Regulations ;

Whereas it follows from applying the provisions contained in Regulation (EEC) No 2524/74 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 22 February 1975.

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

Done at Brussels, 21 February 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 11, 16. 1. 1975, p. 1.

<sup>(3)</sup> OJ No L 271, 5. 10. 1974, p. 9.

## ANNEX

to the Commission Regulation of 21 February 1975 fixing the import levies on cereals and on wheat or rye flour groats and meal

(u.a./metric ton)

CCT heading No	Description of goods	Levies
10.01 A	Common wheat and meslin	25.08
10.01 B	Durum wheat	7.44 <sup>(1)</sup> <sup>(4)</sup>
10.02	Rye	21.80 <sup>(5)</sup>
10.03	Barley	4.42
10.04	Oats	10.81
10.05 B	Maize other than hybrid maize for sowing	22.01 <sup>(2)</sup> <sup>(3)</sup>
10.07 A	Buckwheat	0
10.07 B	Millet	0
10.07 C	Grain sorghum	23.62
10.07 D	Canary seed ; other cereals	0 <sup>(4)</sup>
11.01 A	Wheat or meslin flour	54.21
11.01 B	Rye flour	49.64
11.02 A I a	Durum wheat groats and meal	30.41
11.02 A I b	Common wheat groats and meal	57.76

<sup>(1)</sup> 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.

<sup>(2)</sup> 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.

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

<sup>(4)</sup> 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.

<sup>(5)</sup> 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 428/75 OF THE COMMISSION****of 21 February 1975****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 <sup>(1)</sup> of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 85/75 <sup>(2)</sup>, and in particular Article 15 (6) thereof ;

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 2017/74 <sup>(3)</sup> and subsequent amending Regulations ;

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 22 February 1975.

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

Done at Brussels, 21 February 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 11, 16. 1. 1975, p. 1.

<sup>(3)</sup> OJ No L 210, 1. 8. 1974, p. 4.

## ANNEX

to the Commission Regulation of 21 February 1975 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour<sup>(1)</sup>

(u.a./metric ton)

CCT heading No	Description of goods	Current 2	1st period 3	2nd period 4	3rd period 5
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	5.90
10.02	Rye	0	0	0	2.17
10.03	Barley	0	1.45	1.45	1.45
10.04	Oats	0	0	0	3.25
10.05 B	Maize other than hybrid maize for sowing	0	0.95	0.95	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	3.61
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

<sup>(1)</sup> 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)

CCT heading No	Description of goods	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
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	0.258	0.258	0.258	0.258
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0.193	0.193	0.193	0.193
11.07 B	Roasted malt	0	0.225	0.225	0.225	0.225

## REGULATION (EEC) No 429/75 OF THE COMMISSION

of 21 February 1975

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<sup>(1)</sup> of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 85/75<sup>(2)</sup>;

Having regard to Council Regulation No 359/67/EEC<sup>(3)</sup> of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 1129/74<sup>(4)</sup>;

Having regard to Council Regulation (EEC) No 1132/74<sup>(5)</sup> of 29 April 1974 on production refunds in the cereals and rice sectors, amended by Regulation (EEC) No 2518/74<sup>(6)</sup>, and in particular Article 7 (2) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas, pursuant to Article 7 (2) of Regulation (EEC) No 1132/74, an export levy may be introduced for products falling within subheadings 11.08 A, 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 and common wheat on the one hand, and for broken rice on the other hand exceed respectively 8.745 and 10.907 units of account;

Whereas, by Regulation (EEC) No 1981/74<sup>(7)</sup>, as last amended by Regulation (EEC) No 281/75<sup>(8)</sup>, 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 for maize, wheat or broken rice 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<sup>(9)</sup>, as last amended by Regulation (EEC) No 881/73<sup>(10)</sup>;

Whereas the production refund on maize, common wheat and broken rice intended for the manufacture of starch is defined in Article 1 of Regulation (EEC) No 1132/74;

Whereas, pursuant to Article 2 (3) of Regulation (EEC) No 1981/74 for the new Member States the amounts to be considered respectively as import levy and production refund 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 1981/74 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, common wheat and broken rice and to the import levies that an export levy should be introduced for the products listed in the Annex,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export levies provided for in Article 7 (2) of Regulation (EEC) No 1132/74 are hereby fixed as shown in the table annexed to this Regulation for the products listed therein.

*Article 2*

This Regulation shall enter into force on 22 February 1975.

It shall apply from 22 February 1975 for starch products derived from maize, from 24 February 1975 for starch products derived from soft wheat, and from 25 February 1975 for starch products derived from broken rice.

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

(2) OJ No L 11, 16. 1. 1975, p. 1.

(3) OJ No 174, 31. 7. 1967, p. 1.

(4) OJ No L 128, 10. 5. 1974, p. 20.

(5) OJ No L 128, 10. 5. 1974, p. 24.

(6) OJ No L 270, 5. 10. 1974, p. 1.

(7) OJ No L 207, 29. 7. 1974, p. 9.

(8) OJ No L 31, 5. 2. 1975, p. 15.

(9) OJ No L 179, 25. 7. 1968, p. 8.

(10) OJ No L 86, 31. 3. 1973, p. 30.



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

Done at Brussels, 21 February 1975.

*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			
		Denmark	Ireland	United Kingdom	Other Member States
11.08 A I	Maize starch	2.140	2.096	1.729	2.140
11.08 A II	Rice starch	5.563	5.563	5.563	5.563
11.08 A III	Wheat starch	5.020	5.020	3.986	5.020
11.08 A IV	Potato starch	2.140	2.096	1.729	2.140
11.08 A V	Starches other than maize, rice, wheat or potato starch	2.140	2.096	1.729	2.140
11.09 A	Dried wheat gluten	9.128	9.128	7.248	9.128
11.09 B	Wheat gluten, other than dried	9.128	9.128	7.248	9.128
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 <sup>(1)</sup>	2.791	2.734	2.255	2.791
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 <sup>(1)</sup>	2.140	2.096	1.729	2.140
17.05 B I	Flavoured or coloured glucose, in the form of white crystalline powder, whether or not agglomerated	2.791	2.734	2.255	2.791
17.05 B II	Flavoured or coloured glucose syrup, other than in the form of white crystalline powder, whether or not agglomerated	2.140	2.096	1.729	2.140
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	2.658	2.604	2.148	2.658

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

**REGULATION (EEC) No 430/75 OF THE COMMISSION**  
**of 21 February 1975**  
**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<sup>(1)</sup> 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<sup>(2)</sup>, and in particular Article 27 (4) thereof;

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 2535/74<sup>(3)</sup>, as last amended by Regulation (EEC) No 377/75<sup>(4)</sup>;

Whereas in the absence of the indicative price for the 1975/76 marketing year for colza and rape seed in case of pre-fixation for the month of July 1975 the amount of subsidy on these products has been obtainable only on the basis of the indicative price for the month of July 1974, as amended by Regulation (EEC) No 2496/74<sup>(5)</sup>, this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative price for the 1975/76 marketing year is known;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2535/74 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*

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.

2. The amount of the subsidy for the month of July 1975 will, however, as for colza and rape seeds, be confirmed or replaced as from 24 February 1975 to take into account the indicative price which is fixed for these products for the 1975/76 marketing year.

*Article 2*

This Regulation shall enter into force on 24 February 1975.

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

Done at Brussels, 21 February 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 175, 29. 6. 1973, p. 5.

<sup>(3)</sup> OJ No L 271, 5. 10. 1974, p. 38.

<sup>(4)</sup> OJ No L 41, 15. 2. 1975, p. 23.

<sup>(5)</sup> OJ No L 268, 3. 10. 1974, p. 1.

*ANNEX***to the Commission Regulation of 21 February 1975 fixing the amount of the subsidy on oil seeds**

Subsidy applicable from 24 February 1975 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	0.639	0
Subsidy in the case of advance fixing :		
— for the month of February 1975	0.639	0
— for the month of March 1975	0.869	0
— for the month of April 1975	1.591	0
— for the month of May 1975	1.591	0
— for the month of June 1975	1.664	—
— for the month of July 1975	0.054	—

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**REGULATION (EEC) No 431/75 OF THE COMMISSION**  
**of 21 February 1975**  
**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<sup>(1)</sup> 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<sup>(2)</sup>;

Having regard to Council Regulation (EEC) No 1569/72<sup>(3)</sup> of 20 July 1972 laying down special measures for colza and rape seed, as last amended by Regulation (EEC) No 3477/73<sup>(4)</sup>;

Having regard to Commission Regulation (EEC) No 2300/73<sup>(5)</sup> 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 last amended by Regulation (EEC) No 3182/74<sup>(6)</sup>, 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 2535/74<sup>(7)</sup> of 4 October 1974 fixing the amount of

the subsidy on oil seeds, as last amended by Regulation (EEC) No 430/75<sup>(8)</sup>;

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 24 February 1975.

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

Done at Brussels, 21 February 1975.

*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 357, 28. 12. 1973, p. 6.

(5) OJ No L 236, 24. 8. 1973, p. 28.

(6) OJ No L 339, 18. 12. 1974, p. 16.

(7) OJ No L 271, 5. 10. 1974, p. 38.

(8) See page 7 of this Official Journal.

## ANNEX

**World market price applicable from 24 February 1975 for colza and rape seed (CCT heading No ex 12.01)**

	<i>u.a./100 kg <sup>(1)</sup></i>
World market price :	23·741
World market price where the subsidy is fixed in advance :	
— for the month February 1975	23·741
— for the month March 1975	23·741
— for the month April 1975	23·019
— for the month May 1975	23·019
— for the month June 1975	22·946
— for the month July 1975	22·946

<sup>(1)</sup> 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	5·95174
1 u.a. =	Dkr	7·57831
1 u.a. =	£	0·574597
1 u.a. =	I £	0·574597
1 u.a. =	Lit	877·185

## REGULATION (EEC) No 432/75 OF THE COMMISSION

of 21 February 1975

opening an invitation to tender for the mobilization of common wheat as aid  
for the Republic of India

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 <sup>(1)</sup> of 13 June 1967 on the common organiza-  
tion of the market in cereals, as last amended by Regu-  
lation (EEC) No 85/75 <sup>(2)</sup> ;

Having regard to Council Regulation (EEC) No  
1693/72 <sup>(3)</sup> of 3 August 1972 laying down the condi-  
tions for the mobilization of cereals as food aid, and  
in particular Article 6 thereof ;

Whereas on 26 November 1974 the Council of the  
European Communities declared that by way of  
Community action it proposed to grant the Republic  
of India 150 000 metric tons of common wheat under  
the 1974/75 food-aid programme ;

Whereas pursuant to Article 3 (3) of Council Regula-  
tion (EEC) No 1693/72 the goods may be purchased  
anywhere on the Community market ;

Whereas tenders should be invited for the supply of  
the product to the port of shipment in the vicinity of  
the vessel, the goods to be set down at the place nomi-  
nated by the recipient or its agent ;

Whereas the contract should be awarded to the  
tenderer offering the best terms ;

Whereas in case it should be impossible for reasons of  
*force majeure* to complete the operation in question  
within the set time limits, it must be made clear who  
is to bear any costs resulting therefrom ;

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

Whereas the French intervention agency should be  
made responsible for the tendering procedure in ques-  
tion ;

Whereas the Commission must be informed quickly  
of the tenders submitted in response to the invitation  
and of those accepted by the intervention agency ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

1. Tenders are hereby invited for the supply, by way of Community food aid action, to the Republic of India of 150 000 metric tons of common wheat.
2. The tendering procedure shall take place in France in three lots of 50 000 metric tons each.
3. The product shall be mobilized on the Community market.
4. Loading shall take place for shipment from any Community port.
5. The product referred to in paragraph 1 is to be delivered bulk to the port of shipment in the vicinity of the vessel. The goods must be set down at the place nominated by the recipient country or its agent, the timing of delivery being settled by the tenderer and the recipient country's agent.

*Article 2*

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 7 March 1975.
2. The closing date for submission of tenders shall be 7 March 1975 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

*Article 3*

The contract shall be awarded to the tenderer who makes the most favourable offer.

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

<sup>(2)</sup> OJ No L 11, 16. 1. 1975, p. 1.

<sup>(3)</sup> OJ No L 178, 5. 8. 1972, p. 3.

However, if the tenders submitted do not appear to reflect normal market prices and costs, the intervention agency may cancel the invitation to tender.

#### Article 4

If the tenderer is unable to deliver the goods in compliance with Article 1 (5) on the date given in the notice of invitation to tender as a result of the late availability of the vessels to be used for sea transportation, the resulting costs shall be borne by the intervention agency.

#### Article 5

1. The successful tenderer shall give security of a value of five units of account per metric ton of the product; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeited if those operations are not carried out within the prescribed time limit save as regards quantities not delivered owing to *force majeure*.

2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by each Member State.

#### Article 6

The common wheat referred to in Article 1 to be supplied to the Republic of India must be of fair and sound merchantable quality and correspond at least to the standard quality for which the intervention price is fixed, except that the humidity shall not exceed 14.5 % and that a maximum tolerance of 3 % of sprouted grains and 1.5 % of miscellaneous impurities shall be allowed.

#### Article 7

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

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

3. On the other hand, if the successful tenderer is established in a Member State other than the one collecting the tenders, and if the product is dispatched through a frontier post of the Member State where the successful tenderer is established, the intervention agency of the latter Member State shall be responsible for the operations relating to the tendering.

In this case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

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

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

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

#### Article 8

On delivery of the goods at the port of shipment, a handing-over certificate shall be supplied to the successful tenderer acting as agent for the Community, by the agent of the recipient country or, in the absence of the latter, by the intervention agency of the Member State in whose territory the port of shipment is situated.

#### Article 9

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

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

Done at Brussels, 21 February 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

## REGULATION (EEC) No 433/75 OF THE COMMISSION

of 21 February 1975

opening a new invitation to tender for the mobilization of common wheat as food aid for the Islamic Republic of Mauritania

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<sup>(1)</sup> of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 85/75<sup>(2)</sup>;Having regard to Council Regulation (EEC) No 1693/72<sup>(3)</sup> of 3 August 1972 laying down the conditions for the mobilization of cereals as food aid, and in particular Article 6 thereof;

Whereas on 21 March 1974 the Council of the European Communities declared by way of Community action it proposed to grant the Islamic Republic of Mauritania 4 000 metric tons of common wheat under its 1973/74 food-aid programme;

Whereas the invitation to tender opened in the Community under Commission Regulation (EEC) No 182/75<sup>(4)</sup> of 24 January 1975 opening an invitation to tender for the mobilization of common wheat as aid to Mauritania was not allocated; whereas a new invitation to tender should therefore be opened;

Whereas pursuant to Article 3(3) of Council Regulation (EEC) No 1693/72 the goods may be purchased anywhere on the Community market;

Whereas the proposed invitation to tender should be for supply of the products delivered cif, that is at the moment when the goods are actually removed from the ship's hold at the port of unloading;

Whereas the award under the invitation to tender must be made in favour of the tenderer offering the best terms;

Whereas, should *force majeure* make it impossible to complete the operation in question within the set time limits, it should be made clear who is to bear the liability for any resulting costs;

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

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

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency;

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

HAS ADOPTED THIS REGULATION:

## Article 1

1. Tenders are hereby invited for the supply to the Islamic Republic of Mauritania by way of Community food-aid action of 4 000 metric tons of common wheat.

2. The tendering procedure shall take place in France in two lots. The product shall be mobilized on the Community market. The product shall be loaded for the departure from any Community port.

3. The invitation to tender provided for in paragraph 1 is for supply of products delivered cif, that is at the moment when the goods are actually removed from the ship's hold at the port of unloading.

4. The successful tenderer shall deliver the product specified in paragraph 1 cif to the port of Nouakchott in new jute sacks of a net capacity of 50 kilogrammes.

The following shall be printed on the sacks:

'Froment — Don de la Communauté économique européenne — Distribution gratuite.'

## Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 7 March 1975.

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

<sup>(2)</sup> OJ No L 11, 16. 1. 1975, p. 1.

<sup>(3)</sup> OJ No L 178, 5. 8. 1972, p. 3.

<sup>(4)</sup> OJ No L 20, 25. 1. 1975, p. 18.



2. The closing date for submission of tenders shall be 7 March 1975 at 12 noon.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

#### Article 3

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

1. The successful tenderer shall give security in an amount of five units of account per metric ton of goods; the purpose of such security is to guarantee performance of the operations specified in Article 1. 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 conforming to the criteria laid down by the Member State.

#### Article 5

The common wheat referred to in Article 1 to be supplied to the Islamic Republic of Mauritania must be of fair and sound merchantable quality and correspond at least to the standard quality for which the intervention price is fixed, except that the moisture content shall not exceed 15.5 % and that a maximum of 3 % of sprouted grains and 1.5 % of miscellaneous impurities shall be allowed.

#### Article 6

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. On the other hand, if the successful tenderer is established in a Member State other than the one collecting the tenders, and if the product is dispatched through a frontier post of the Member State where the successful tenderer is established, the intervention agency of the latter Member State shall be responsible for the operations relating to the tendering.

In this case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

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

- (a) after each shipment a certificate showing the quantities dispatched and the quality of the products;
- (b) the date of departure of the vessels;
- (c) all possible contingencies which might occur during transportation of the products.

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

#### Article 7

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, 21 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

**REGULATION (EEC) No 434/75 OF THE COMMISSION****of 21 February 1975****providing for a system of import authorizations with respect to imports into Ireland of certain textile products originating in the Republic of Korea**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the arrangement regarding international trade in textiles, concluded for the Community by the Council Decision of 21 March 1974<sup>(1)</sup>, and in particular Article 3 thereof;

Having regard to Council Regulation (EEC) No 1439/74<sup>(2)</sup> of 4 June 1974 establishing common rules for imports from third countries, and in particular Article 12 thereof;

After consultations with the Advisory Committee set up in Article 5 of that Regulation and with the Government of the Republic of Korea in conformity with the provisions of Article 3 (3) of the aforementioned arrangement;

Whereas imports from the Republic of Korea into the Community market in Ireland have not previously been subject to restriction; whereas a sharp and substantial increase in imports of shirts of all fibres from the Republic of Korea has been recorded by the Irish authorities;

Whereas the products concerned are offered for sale in the Community market in Ireland at prices which are substantially below those prevailing for similar goods of comparable quality in that market;

Whereas imports in 1974 into that market of the products concerned from the Republic of Korea greatly exceeded imports of similar products from all other sources outside the European Economic Community and likewise exceeded the volume of imports from the Republic of Korea of similar products in 1973;

Whereas, the aforementioned sharp and substantial increases in imports of shirts from the Republic of Korea has had deleterious effects on the employment situation in the shirt-making industry in Ireland since the latter half of 1974 with an acceleration in the rate

of unemployment, widespread short-time working and threats of permanent closures for many firms;

Whereas it appears from the factors indicated above and from the statistics and other information supplied by the Irish authorities in the course of the consultations mentioned above that the Community market in Ireland is being disrupted by imports of shirts from the Republic of Korea;

Whereas further sharp and substantial increases in imports of shirts from the Republic of Korea are believed to be imminent, and failure to take immediate protective action would cause further injury to the Irish textile industry in general and to Irish producers of like or directly competing products in particular which would be difficult to remedy;

Whereas, given that the threat of substantial injury originated in imports intended for the Community market in Ireland, it appears justified at present, having regard to existing trade flows, to restrict the application of the protective measures to imports into Ireland;

Whereas these interim protective measures should remain in force until the entry into force of appropriate measures taken by the Council or until the expiry of six weeks following the entry into force of this Regulation, whichever is the sooner,

HAS ADOPTED THIS REGULATION:

*Article 1*

The importation into the Community market in Ireland of the products shown below originating in the Republic of Korea shall be subject to the production of an import authorization, to be issued by the competent Irish authorities on presentation of an export visa issued by the competent authorities of the Government of the Republic of Korea. The total quantity of such products for which import authorizations are issued during the period 1 March to 31 August 1975 shall not exceed the following quantities:

<sup>(1)</sup> OJ No L 118, 30. 4. 1974, p. 1.

<sup>(2)</sup> OJ No L 159, 15. 6. 1974, p. 1.

CCT heading No	Description of goods	Quantity (dozens)
ex 60.04	Men's and boys' knitted synthetic shirts; women's and girls' knitted synthetic shirts knitted cotton shirts,	} 7 750
ex 61.03 ex 61.04	Men's and boys' shirts of synthetic fibres Women's and girls' shirts of synthetic fibres	} 6 250

*Article 2*

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

2. It shall remain in force until the entry into force of appropriate measures to be taken by the Council under Articles 12 (6) and 13 of Regulation (EEC) No 1439/74 or until the expiry of six weeks following its entry into force whichever is the sooner.

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

Done at Brussels, 21 February 1975.

*For the Commission*

*The President*

François-Xavier ORTOLI

**REGULATION (EEC) No 435/75 OF THE COMMISSION****of 21 February 1975****re-establishing the levying of the customs duties on spoons, forks, fish-eaters, butter-knives, ladles, and similar kitchen or tableware, of stainless steel, falling within subheading 82.14 A, originating in South Korea, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3054/74 of 2 December 1974 apply**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 3054/74 <sup>(1)</sup> of 2 December 1974 establishing preferential tariffs in respect of certain products originating in developing countries, and in particular Article 4 (2) thereof ;

Whereas Article 1 (3) and (4) of that Regulation provides that the customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1971 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1972 cif imports coming from other countries and from countries and territories already covered by such arrangements ;

Whereas, having regard to that ceiling, the amounts for products originating in any one of the countries or territories listed in Annex B to that Regulation should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex A to that Regulation ; whereas, for these products, this reduced percentage will be 30 % ;

Whereas Article 2 (2) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries or territories once the relevant Community maximum amount has been reached ;

Whereas, in respect of spoons, forks, fish-eaters, butter-knives, ladles, and similar kitchen or tableware, of stainless steel, the ceiling, calculated as indicated above, should be 2 858 000 units of account, and therefore the maximum amount 857 400 units of account ; whereas on 14 February 1975, the amounts of imports into the Community of spoons, forks, fish-eaters, etc., of stainless steel, originating in South Korea, a country covered by preferential tariff arrangements, reached that maximum amount ; whereas, bearing in mind the objectives of Regulation (EEC) No 3054/74 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to South Korea,

HAS ADOPTED THIS REGULATION :

*Article 1*

As from 25 February 1975, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3054/74 of 2 December 1974, shall be re-established in respect of the following products, imported into the Community and originating in South Korea :

CCT heading No	Description of goods
82.14	Spoons, forks, fish-eaters, butter-knives, ladles, and similar kitchen or tableware : A. Of stainless steel

*Article 2*

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

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

**REGULATION (EEC) No 436/75 OF THE COMMISSION****of 21 February 1975****on the provisional interruption of the standing invitation to tender in respect of subsidies to be granted on sugar by virtue of Regulations (EEC) No 3062/74, (EEC) No 312/75 and (EEC) No 314/75**

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<sup>(1)</sup> of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 2476/74<sup>(2)</sup>, and in particular Articles 16 (5) and 25 (3) thereof;

Having regard to Regulation (EEC) No 608/72<sup>(3)</sup> of 23 March 1972 laying down rules to be applied in cases of considerable rises in the prices of sugar on the world market, and in particular Article 3 thereof;

Having regard to Council Regulation (EEC) No 2932/74<sup>(4)</sup> of 18 November 1974 on the grant and financing of a subsidy on sugar produced in excess of the maximum quota and on the financing of the subsidy on sugar imports, and in particular Article 1 (2) thereof;

Whereas by virtue of Commission Regulation (EEC) No 3062/74<sup>(5)</sup> of 3 December 1974 on a standing invitation to tender to determine subsidies for import of white and raw sugar, as last amended by Regulation (EEC) No 363/75<sup>(6)</sup>, and by virtue of Commission Regulation (EEC) No 314/75<sup>(7)</sup> of 7 February 1975 on a standing invitation to tender to determine subsidies on the importation of white and raw sugar without authorization to export subsequently free of levy a corresponding quantity, as amended by Regulation

(EEC) No 363/75, certain Member States issue partial invitations to tender in respect of import of the said sugar;

Whereas by virtue of Commission Regulation (EEC) No 312/75<sup>(8)</sup> of 7 February 1975 a standing invitation to tender to determine subsidies for white sugar produced in excess of the maximum quota and in respect of which no export levy is to apply has been opened;

Whereas in particular caused by the necessity to adapt the terms of the abovementioned invitations to tender these invitations should be interrupted provisionally;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The standing invitations to tender referred to in Regulations (EEC) No 3062/74, (EEC) No 312/75 and (EEC) No 314/75 shall be interrupted until 1 March 1975.

*Article 2*

This Regulation shall enter into force on 22 February 1975.

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

Done at Brussels, 21 February 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

**REGULATION (EEC) No 437/75 OF THE COMMISSION**  
**of 21 February 1975**  
**altering the special export levy 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<sup>(1)</sup> of 18 December 1967 on the common  
organization of the market in sugar, as last amended  
by Regulation (EEC) No 2476/74<sup>(2)</sup>;

Having regard to Council Regulation (EEC) No  
608/72<sup>(3)</sup> of 23 March 1972 laying down rules to be  
applied in cases of considerable price rises on the  
world sugar market, and in particular Article 1 (2)  
thereof;

Whereas the special export levy on white sugar and  
raw sugar was fixed by Regulation (EEC) No  
1791/74<sup>(4)</sup>, as last amended by Regulation (EEC) No  
422/75<sup>(5)</sup>;

Whereas it follows from applying the rules, criteria  
and other provisions contained in the Regulation

(EEC) No 1791/74 to the information at present avail-  
able to the Commission, that the special export levy at  
present in force should be altered as shown in the  
Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The special export levy on sugar provided for in the  
second subparagraph of Article 16 (1) of Regulation  
No 1009/67/EEC fixed in the Annex to amended  
Regulation (EEC) No 1791/74 is altered as shown in  
the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 22 February  
1975.

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

Done at Brussels, 21 February 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

## ANNEX

to the Commission Regulation of 21 February 1975 altering the special export levy on  
white sugar and raw sugar

(u.a./100 kg)

CCT heading No	Description of goods	Amount of the special export levy
17.01	Beet sugar and cane sugar, solid : A. Denatured : I. White sugar II. Raw sugar B. Undenatured : I. White sugar ex II. Raw sugar other than candy sugar	   46.00 36.50 <sup>(1)</sup>  46.00 36.50 <sup>(1)</sup>

<sup>(1)</sup> This amount applies to raw sugar with a 92 % yield. If the yield of the exported raw sugar is different from 92 % the levy to be applied shall be calculated in conformity with Article 2 of Regulation (EEC) No 1076/72.

**REGULATION (EEC) No 438/75 OF THE COMMISSION****of 21 February 1975****amending the amounts applicable as compensatory amounts for cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty <sup>(1)</sup> concerning the accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels 22 January 1972;

Having regard to Council Regulation (EEC) No 229/73 <sup>(2)</sup> of 31 January 1973 laying down general rules for a system of compensatory amounts for cereals and fixing these amounts for certain products, as last amended by Regulation (EEC) No 1860/74 <sup>(3)</sup>, and in particular Article 7 thereof;

Having regard to Council Regulation (EEC) No 243/73 <sup>(4)</sup> of 31 January 1973 laying down general rules for a system of compensatory amounts for rice and fixing these amounts for certain products, as amended by Regulation (EEC) No 1999/74 <sup>(5)</sup>, and in particular Article 5 thereof;

Whereas compensatory amounts for cereals and rice have been fixed pursuant to Regulation (EEC) No 246/75 <sup>(6)</sup>, as last amended by Regulation (EEC) No 423/75 <sup>(7)</sup>;

Whereas the application of the rules referred to in Regulation (EEC) No 246/75 requires that the amounts at present in force should be amended as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amounts applicable as compensatory amounts shown in the Annexes to amended Regulation (EEC) No 246/75 are amended as shown in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 22 February 1975.

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

Done at Brussels, 21 February 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

<sup>(1)</sup> OJ No L 73, 27. 3. 1972, p. 5.

<sup>(2)</sup> OJ No L 27, 1. 2. 1973, p. 25.

<sup>(3)</sup> OJ No L 197, 19. 7. 1974, p. 1.

<sup>(4)</sup> OJ No L 29, 1. 2. 1973, p. 26.

<sup>(5)</sup> OJ No L 209, 31. 7. 1974, p. 5.

<sup>(6)</sup> OJ No L 27, 1. 2. 1975, p. 7.

<sup>(7)</sup> OJ No L 47, 21. 2. 1975, p. 27.



## ANNEXE A — BILAG A — ANHANG A — ALLEGATO A — BIJLAGE A — ANNEX A

Montants applicables au titre des montants compensatoires pour les céréales

Beløb, der skal anvendes som udligningsbeløb for korn

Für Getreide als Ausgleichsbeträge anzuwendende Beträge

Importi applicabili a titolo di importi di compensazione per i cereali

Als compenserende bedragen toe te passen bedragen voor granen

Amounts applicable as compensatory amounts for cereals

(RE/UC/u.a./1 000 kg)

Nº du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolltarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief CCT heading No	DK	IRL	UK
10.05 B	—	14.61	22.00

## ANNEXE C — BILAG C — ANHANG C — ALLEGATO C — BIJLAGE C — ANNEX C

Montants applicables au titre des montants compensatoires pour les produits transformés à base de céréales et de riz

Beløb, der skal anvendes som udligningsbeløb for produkter, der er forarbejdet på basis af korn og ris

Für Getreide- und Reisverarbeitungserzeugnisse als Ausgleichsbeträge anzuwendende Beträge

Importi applicabili a titolo di importi di compensazione per i prodotti trasformati dei cereali e del riso

Als compenserende bedragen toe te passen bedragen voor op basis van granen en rijst verwerkte produkten

Amounts applicable as compensatory amounts for products processed from cereals or rice

(RE/UC/t. a. /100 kg)

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolltarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarif CCT heading No	DK	IRL	UK
11.01 E I <sup>(1)</sup>	—	2.045	3.080
11.01 E II <sup>(1)</sup>	—	1.490	2.244
11.02 A V a) 1 <sup>(1)</sup>	—	2.045	3.080
11.02 A V a) 2 <sup>(1)</sup>	—	2.045	3.080
11.02 A V b) <sup>(1)</sup>	—	1.490	2.244
11.02 B II c) <sup>(1)</sup>	—	2.045	3.080
11.02 C V <sup>(1)</sup>	—	2.045	3.080
11.02 D V <sup>(1)</sup>	—	1.490	2.244
11.02 E II c) <sup>(1)</sup>	—	2.045	3.080
11.02 F V <sup>(1)</sup>	—	1.490	2.244
11.02 G II	—	0.365	0.550
11.06 B II	—	2.352	3.542
23.02 A I a)	0,109	0.209	0.432
23.02 A I b) 1	0,109	0.209	0.432
23.02 A I b) 2	0,109	0.209	0.432
23.02 A II a)	0,109	0.209	0.432
23.02 A II b)	0,109	0.209	0.432
23.07 B I a) 1	—	0.234	0.352
23.07 B I a) 2	—	0.234	0.352
23.07 B I b) 1	—	0.731	1.100
23.07 B I b) 2	—	0.731	1.100
23.07 B I c) 1	—	1.096	1.650
23.07 B I c) 2	—	1.096	1.650

<sup>(1)</sup> Pour la distinction entre les produits des n°s 11.01 et 11.02, d'une part, et ceux de la sous-position 23.02 A, d'autre part, sont considérés comme relevant des n°s 11.01 et 11.02 les produits ayant simultanément :

- une teneur en amidon (déterminée d'après la méthode polarimétrique Ewers modifiée) supérieure à 45 % (en poids) sur matière sèche,
- une teneur en cendres (en poids) sur matière sèche (déduction faite des matières minérales ayant pu être ajoutées) inférieure ou égale à 1,6 % pour le riz, 2,5 % pour le froment et le seigle, 3 % pour l'orge, 4 % pour le sarrasin, 5 % pour l'avoine et 2 % pour les autres céréales.

Les germes de céréales, même en farines, relèvent en tout cas du n° 11.02.

<sup>(1)</sup> Med henblik på sondringen mellem varer tariferet under pos. 11.01 og 11.02 på den ene side og under pos. 23.02 A på den anden side anses som tariferet under pos. 11.01 og 11.02 varer, der samtidig har

- et indhold af stivelse (bestemt ved Ewers modificerede polarimetriske metode) på over 45 vægtprocent, beregnet på grundlag af tørsubstansen,
- et askeindhold (efter fradrag af eventuelle tilsatte mineralske stoffer) på 1,6 vægtprocent eller derunder for ris, 2,5 vægtprocent eller derunder for hvede og rug, 3 vægtprocent eller derunder for byg, 4 vægtprocent eller derunder for boghvede, 5 vægtprocent eller derunder for havre og 2 vægtprocent eller derunder for de øvrige kornsorter, beregnet på grundlag af tørsubstansen.

Kim af korn samt mel deraf tariferes under alle omstændigheder under pos. 11.02.

- (<sup>1</sup>) Für die Abgrenzung der Erzeugnisse der Tarifnummern 11.01 und 11.02 von denen der Tarifstelle 23.02 A gelten als Erzeugnisse der Tarifnummern 11.01 und 11.02 Erzeugnisse, die gleichzeitig folgendes aufweisen :
- einen auf den Trockenstoff bezogenen Stärkegehalt (bestimmt nach dem abgeänderten polarimetrischen Ewers-Verfahren) von mehr als 45 Gewichtshundertteilen,
  - einen auf den Trockenstoff bezogenen Aschegehalt (abzüglich etwa zugesetzter Mineralstoffe), der bei Reis 1,6 Gewichtshundertteile oder weniger, bei Weizen und Roggen 2,5 Gewichtshundertteile oder weniger, bei Gerste 3 Gewichtshundertteile oder weniger, bei Buchweizen 4 Gewichtshundertteile oder weniger, bei Hafer 5 Gewichtshundertteile oder weniger und bei anderen Getreidearten 2 Gewichtshundertteile oder weniger beträgt.

Getreidekeime, auch gemahlen, gehören auf jeden Fall zur Tarifnummer 11.02.

- (<sup>1</sup>) Per la distinzione tra i prodotti delle voci nn. 11.01 e 11.02 da un lato, e quelli della sottovoce 23.02 A dall'altro, si considerano come appartenenti alle voci nn. 11.01 e 11.02 i prodotti che abbiano simultaneamente :
- un tenore in amido (determinato in base al metodo polarimetrico Ewers modificato), calcolato sulla materia secca, superiore al 45 % (in peso),
  - un tenore in ceneri (in peso), calcolato sulla materia secca (dedotte le sostanze minerali che possono essere state aggiunte), inferiore o pari a 1,6 % per il riso, a 2,5 % per il frumento e la segala, a 3 % per l'orzo, a 4 % per il grano saraceno, a 5 % per l'avena ed a 2 % per gli altri cereali.

I germi di cereali, anche sfarinati, rientrano comunque nella voce n. 11.02.

- (<sup>1</sup>) Voor het onderscheid tussen de produkten van de nummers 11.01 en 11.02 enerzijds en die van de onderverdeling 23.02 A anderzijds, worden geacht onder de nummers 11.01 en 11.02 te vallen de produkten die tegelijkertijd :
- een zetmeelgehalte hebben (bepaald volgens de gewijzigde polarimetrische methode van Ewers) van meer dan 45 gewichtspercenten, berekend op de droge stof, en
  - een asgehalte hebben (onder aftrek van eventueel toegevoegde minerale stoffen), berekend op de droge stof, van ten hoogste : 1,6 gewichtspercent voor rijst, 2,5 gewichtspercenten voor tarwe en rogge, 3 gewichtspercenten voor gerst, 4 gewichtspercenten voor boekweit, 5 gewichtspercenten voor haver en 2 gewichtspercenten voor andere granen.

Graankiemen ook indien gemalen, vallen in elk geval onder nummer 11.02.

- (<sup>1</sup>) For the purpose of distinguishing between products falling within headings Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within headings Nos 11.01 and 11.02 shall be those meeting the following specifications :
- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
  - an ash content, by weight, referred to dry matter (after deduction of any added minerals) not exceeding 1.6 % for rice, 2.5 % for wheat and rye, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

## REGULATION (EEC) No 439/75 OF THE COMMISSION

of 21 February 1975

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community;

Having regard to Council Regulation No 120/  
67/EEC<sup>(1)</sup> of 13 June 1967 on the common organiza-  
tion of the market in cereals, as last amended by Regu-  
lation (EEC) No 85/75<sup>(2)</sup>, and in particular Article 14  
(4) thereof;

Having regard to Council Regulation No 359/  
67/EEC<sup>(3)</sup> of 25 July 1967 on the common organiza-  
tion of the market in rice, as last amended by Regula-  
tion (EEC) No 1129/74<sup>(4)</sup>, and in particular Article 12  
(4) thereof;

Whereas the import levies on products processed  
from cereals and rice were fixed by Regulation (EEC)  
No 229/75<sup>(5)</sup>, as last amended by Regulation (EEC)  
No 424/75<sup>(6)</sup>;

Whereas the levy on the basic product as last fixed  
differs from the average levy by more than 0.25 unit

of account per 100 kilogrammes of basic product;  
whereas, pursuant to Article 1 of Regulation (EEC) No  
1579/74<sup>(7)</sup>, the levies at present in force must there-  
fore be altered as shown in the table annexed to this  
Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on products  
processed from cereals and rice covered by Regulation  
(EEC) No 1052/68<sup>(8)</sup>, as last amended by Regulation  
(EEC) No 881/73<sup>(9)</sup>, as fixed in the Annex to  
amended Regulation (EEC) No 229/75 are hereby  
altered as shown in the table annexed to this Regula-  
tion.

*Article 2*

This Regulation shall enter into force on 22 February  
1975.

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

Done at Brussels, 21 February 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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

(2) OJ No L 11, 16. 1. 1975, p. 1.

(3) OJ No 174, 31. 7. 1967, p. 1.

(4) OJ No L 128, 10. 5. 1974, p. 20.

(5) OJ No L 24, 31. 1. 1975, p. 33.

(6) OJ No L 47, 21. 2. 1975, p. 31.

(7) OJ No L 168, 25. 6. 1974, p. 7.

(8) OJ No L 179, 25. 7. 1968, p. 8.

(9) OJ No L 86, 31. 3. 1973, p. 30.

## ANNEX

to the Commission Regulation of 21 February 1975 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./100 kg	
	Third countries (other than AASM and OCT, Tanzania, Uganda and Kenya)	AASM, OCT, Tanzania, Uganda and Kenya
11.01 E I <sup>(2)</sup>	4.404	3.904
11.01 E II <sup>(2)</sup>	2.462	2.333
11.01 K <sup>(2)</sup>	2.583	0
11.02 A V a) 1 <sup>(2)</sup>	0.500	3.904
11.02 A V a) 2 <sup>(2)</sup>	4.404	2.212
11.02 A V b) <sup>(2)</sup>	2.462	2.212
11.02 A IX <sup>(2)</sup>	2.583	2.333
11.02 B II c) <sup>(2)</sup>	3.720	3.470
11.02 B II d) <sup>(2)</sup>	3.909	3.659
11.02 C V <sup>(2)</sup>	3.720	3.470
11.02 C VIII <sup>(2)</sup>	3.909	3.659
11.02 D V <sup>(2)</sup>	2.462	2.212
11.02 D VIII <sup>(2)</sup>	2.583	2.333
11.02 E II c) <sup>(2)</sup>	4.404	3.904
11.02 E II d) <sup>(2)</sup>	4.617	4.117
11.02 F V <sup>(2)</sup>	4.404	3.904
11.02 F IX <sup>(2)</sup>	2.583	2.333
11.02 G II	2.127	1.627
11.06 B I	1.700	0
11.06 B II	5.192	3.312
11.08 A I	1.700	0
11.08 A IV	1.700	0
11.08 A V	1.700	0
17.02 B II a) <sup>(3)</sup>	8.000	0
17.02 B II b) <sup>(3)</sup>	5.500	0
17.05 B I	8.000	0
17.05 B II	5.500	0
23.03 A I	15.000	0

<sup>(2)</sup> For the purpose of distinguishing between products falling within headings Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

<sup>(3)</sup> 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.

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DECISION

of 17 February 1975

on the Community financing of certain expenditure in respect of food aid for  
Somalia supplied under the 1974/75 programme

(75/127/EEC)

THE COUNCIL OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community ;

Having regard to Council Regulation (EEC) No  
1703/72<sup>(1)</sup> of 3 August 1972 amending Regulation  
(EEC) No 2052/69 on the Community financing of  
expenditure arising from the implementation of the  
1967 Food Aid Convention and laying down rules for  
the Community financing of expenditure arising from  
the implementation of the 1971 Food Aid Conven-  
tion, and in particular Articles 8 (1) and 10 (1) thereof ;

Having regard to the proposal from the Commission ;

Whereas, in view of the crisis still facing Somalia, it  
appears necessary for the Community to cover the  
cost of delivering food aid in the form of cereals to  
the cif stage or, where the supply agreement so  
provides, to the places of destination,

HAS DECIDED AS FOLLOWS :

*Sole Article*

In the case of Community food aid for Somalia under  
the 1974/75 programme, Community financing shall  
also cover the cost of delivering the products to the cif  
stage. Where the supply agreement so provides, such  
financing may cover the cost of delivery to the places  
of destination and may in such cases take the form of  
a fixed contribution.

Done at Brussels, 17 February 1975.

*For the Council*

*The President*

R. RYAN

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<sup>(1)</sup> OJ No L 180, 8. 8. 1972, p. 1.

**COUNCIL DECISION****of 17 February 1975****on the Community financing of certain expenditure in respect of food aid in the form of cereals supplied under the 1973/74 programme**

(75/128/EEC)

**THE COUNCIL OF THE EUROPEAN  
COMMUNITIES,**

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 1703/72<sup>(1)</sup> of 3 August 1972 amending Regulation (EEC) No 2052/69 on Community financing of expenditure occasioned by the implementation of the 1967 Food Aid Convention and laying down rules for the Community financing of expenditure arising from the implementation of the 1971 Food Aid Convention, and in particular Articles 8 (1) and 10 (1) thereof ;

Having regard to the proposal from the Commission ;

Whereas it appears necessary for the Community to assume responsibility for the costs of shipment to the places of destination of 4 500 metric tons of aid in the form of cereals allocated under the 1973/74 programme to the Rwandese Republic,

**HAS DECIDED AS FOLLOWS :***Sole Article*

In the case of Community food aid for the Rwandese Republic under the 1973/74 programme, Community financing shall cover the cost of delivery of the product to the places of destination.

Done at Brussels, 17 February 1975.

*For the Council**The President*

R. RYAN

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<sup>(1)</sup> OJ No L 180, 8. 8. 1972, p. 1.

## COUNCIL DIRECTIVE

of 17 February 1975

on the approximation of the laws of the Member States relating to collective redundancies

(75/129/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament<sup>(1)</sup>;

Having regard to the Opinion of the Economic and Social Committee<sup>(2)</sup>;

Whereas it is important that greater protection should be afforded to workers in the event of collective redundancies while taking into account the need for balanced economic and social development within the Community;

Whereas, despite increasing convergence, differences still remain between the provisions in force in the Member States of the Community concerning the practical arrangements and procedures for such redundancies and the measures designed to alleviate the consequences of redundancy for workers;

Whereas these differences can have a direct effect on the functioning of the common market;

Whereas the Council resolution of 21 January 1974<sup>(3)</sup> concerning a social action programme makes provision for a Directive on the approximation of Member States' legislation on collective redundancies;

Whereas this approximation must therefore be promoted while the improvement is being maintained within the meaning of Article 117 of the Treaty,

HAS ADOPTED THIS DIRECTIVE:

## SECTION I

## Definitions and scope

## Article 1

1. For the purposes of this Directive:

(a) 'collective redundancies' means dismissals effected by an employer for one or more reasons not

<sup>(1)</sup> OJ No C 19, 12. 4. 1973, p. 10.

<sup>(2)</sup> OJ No C 100, 22. 11. 1973, p. 11.

<sup>(3)</sup> OJ No C 13, 12. 2. 1974, p. 1.

related to the individual workers concerned where, according to the choice of the Member States, the number of redundancies is:

— either, over a period of 30 days:

(1) at least 10 in establishments normally employing more than 20 and less than 100 workers;

(2) at least 10 % of the number of workers in establishments normally employing at least 100 but less than 300 workers;

(3) at least 30 in establishments normally employing 300 workers or more;

— or, over a period of 90 days, at least 20, whatever the number of workers normally employed in the establishments in question;

(b) 'workers' representatives' means the workers' representatives provided for by the laws or practices of the Member States.

2. This Directive shall not apply to:

(a) collective redundancies affected under contracts of employment concluded for limited periods of time or for specific tasks except where such redundancies take place prior to the date of expiry or the completion of such contracts;

(b) workers employed by public administrative bodies or by establishments governed by public law (or, in Member States where this concept is unknown, by equivalent bodies);

(c) the crews of sea-going vessels;

(d) workers affected by the termination of an establishment's activities where that is the result of a judicial decision.

## SECTION II

## Consultation procedure

## Article 2

1. Where an employer is contemplating collective redundancies, he shall begin consultations with the workers' representatives with a view to reaching an agreement.



2. These consultations shall, at least, cover ways and means of avoiding collective redundancies or reducing the number of workers affected, and mitigating the consequences.

3. To enable the workers' representatives to make constructive proposals the employer shall supply them with all relevant information and shall in any event give in writing the reasons for the redundancies, the number of workers to be made redundant, the number of workers normally employed and the period over which the redundancies are to be effected.

The employer shall forward to the competent public authority a copy of all the written communications referred to in the preceding subparagraph.

### SECTION III

#### Procedure for collective redundancies

##### *Article 3*

1. Employers shall notify the competent public authority in writing of any projected collective redundancies.

This notification shall contain all relevant information concerning the projected collective redundancies and the consultations with workers' representatives provided for in Article 2, and particularly the reasons for the redundancies, the number of workers to be made redundant, the number of workers normally employed and the period over which the redundancies are to be effected.

2. Employers shall forward to the workers' representatives a copy of the notification provided for in paragraph 1.

The workers' representatives may send any comments they may have to the competent public authority.

##### *Article 4*

1. Projected collective redundancies notified to the competent public authority shall take effect not earlier than 30 days after the notification referred to in Article 3(1) without prejudice to any provisions governing individual rights with regard to notice of dismissal.

Member States may grant the competent public authority the power to reduce the period provided for in the preceding subparagraph.

2. The period provided for in paragraph 1 shall be used by the competent public authority to seek solutions in the problems raised by the projected collective redundancies.

3. Where the initial period provided for in paragraph 1 is shorter than 60 days, Member States may grant the competent public authority the power to extend the initial period to 60 days following notification where the problems raised by the projected collective redundancies are not likely to be solved within the initial period.

Member States may grant the competent public authority wider powers of extension.

The employer must be informed of the extension and the grounds for it before expiry of the initial period provided for in paragraph 1.

### SECTION IV

#### Final provisions

##### *Article 5*

This Directive shall not affect the right of Member States to apply or to introduce laws, regulations or administrative provisions which are more favourable to workers.

##### *Article 6*

1. Member States shall bring into force the laws, regulations and administrative provisions needed in order to comply with this Directive within two years following its notification and shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the texts of the laws, regulations and administrative provisions which they adopt in the field covered by this Directive.

##### *Article 7*

Within two years following expiry of the two year period laid down in Article 6, Member States shall forward all relevant information to the Commission to enable it to draw up a report for submission to the Council on the application of this Directive.

##### *Article 8*

This Directive is addressed to the Member States.

Done at Brussels, 17 February 1975.

*For the Council*

*The President*

R. RYAN

**COUNCIL DIRECTIVE**

of 17 February 1975

**on the establishment of common rules for certain types of combined road/rail carriage of goods between Member States**

(75/130/EEC)

**THE COUNCIL OF THE EUROPEAN COMMUNITIES,**

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament<sup>(1)</sup>;

Having regard to the Opinion of the Economic and Social Committee<sup>(2)</sup>;

Whereas the introduction of a common transport policy includes, *inter alia*, the drawing up of common rules applicable to the carriage of goods by road from or to the territory of a Member State or across the territory of one or more Member States; whereas these rules must be drawn up in such a way as to make possible the progressive development of transport methods based on the complementary functions of various types of transport and on the specific means and requirements of transport operators and users;

Whereas the use of the road/rail method for the international carriage of goods by road is economically advantageous over long distances; whereas it reduces road traffic and thus enhances road safety; whereas at the same time it contributes to the protection of the environment; whereas its development is encouraged by freedom from all quantitative restrictions and by the elimination of various existing administrative restraints; whereas control measures must be provided to ensure that the regulations are complied with;

Whereas such a system should be introduced for a period of time long enough for the system ultimately applied to be determined in the light of experience,

**HAS ADOPTED THIS DIRECTIVE:***Article 1*

1. For the purposes of this Directive:

— 'combined road/rail carriage' means road transport of goods between Member States where the tractor

unit, lorry, trailer, semi-trailer or their swop bodies are transported by rail between the nearest suitable rail loading station to the point of loading and the nearest suitable rail unloading station to the point of unloading;

— 'swop body' means the part of a vehicle which is intended to bear the load, has supports and, by means of a device which is part of the vehicle, may be detached from the vehicle and re-incorporated therein.

2. Transport using the railway principally to overcome a natural obstacle shall not be considered as combined road/rail carriage for the purposes of this Directive.

*Article 2*

Each of the Member States shall, by 1 October 1975, liberalize the combined road/rail carriage referred to in Article 1 from all quota systems and systems of authorization.

*Article 3*

In the case of combined carriage for hire or reward, a transport document which fulfils at least the requirements laid down in Article 6 of Council Regulation No 11<sup>(3)</sup> of 27 June 1960 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79 (3) of the Treaty establishing the European Economic Community, shall also specify the rail loading and unloading stations. These details shall be recorded before the transport operation is carried out and shall be confirmed by means of a stamp affixed by the rail authorities in the stations concerned when that part of the journey carried out by rail has been completed.

*Article 4*

1. When a frontier is crossed on the road journey before the rail journey, Member States may require the operator to prove that the rail authorities or a body authorized by them have made a reservation for the transport by rail of the tractor unit, lorry, trailer, semi-trailer, or the swop bodies thereof.

<sup>(1)</sup> OJ No C 138, 31. 12. 1972, p. 25.

<sup>(2)</sup> OJ No C 131, 13. 12. 1972, p. 21.

<sup>(3)</sup> OJ No 52, 16. 8. 1960, p. 1121/60.

2. Member States may authorize the inspection authorities to require the rail carriage document to be produced on completion of the rail part of the combined road/rail journey.

*Article 5*

Member States shall inform the Commission by 30 June 1975 of the measures taken to implement this Directive.

*Article 6*

This Directive shall not affect the conditions in force in each Member State governing admission to the occupation of road transport operator and access to the transport market.

*Article 7*

The Commission will report to the Council by 31 December 1977 on the implementation of this Directive and will submit proposals in this connection.

This Directive shall be valid until 31 December 1978. The Council, acting on a proposal from the Commission, will decide before that date on the arrangements to be applied.

*Article 8*

This Directive is addressed to the Member States.

Done at Brussels, 17 February 1975.

*For the Council*

*The President*

R. RYAN

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# COMMISSION

## COMMISSION DECISION

of 12 February 1975

**fixing the maximum amount of the subsidy for the fifth partial invitation to tender for white and raw sugar issued under Regulation (EEC) No 3062/74**

(Only the German, Italian, Dutch, and English texts are authentic)

(75/131/EEC)

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<sup>(1)</sup> of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 2476/74<sup>(2)</sup>, and in particular Article 16 (5) thereof;

Having regard to Council Regulation (EEC) No 608/72<sup>(3)</sup> of 23 March 1972 laying down rules to be applied in cases of considerable rises in the prices of sugar on the world market, and in particular Article 3 thereof;

Having regard to Commission Regulation (EEC) No 3062/74<sup>(4)</sup> of 3 December 1974 on a standing invitation to tender to determine subsidies for imports of white and raw sugar, as last amended by Regulation (EEC) No 313/75<sup>(5)</sup>, and in particular Article 8 (1) thereof;

Whereas, pursuant to Article 8 (1) of Commission Regulation (EEC) No 3062/74, a maximum amount of the subsidy shall be fixed for the partial invitation to tender in question, specially taking into account the supply situation within the Community and the sugar prices within the Community and on the world market;

Whereas, following an examination of the tenders submitted in response to the fifth partial invitation to

tender according to the provisions laid down in Article 8 (2) and (3) of Regulation (EEC) No 3062/74, the provisions set out in Article 1 should be adopted;

Whereas the Management Committee for Sugar has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS DECISION:

### *Article 1*

The maximum amount of the import subsidy for the fifth partial invitation to tender issued under Regulation (EEC) No 3062/74 is hereby fixed at 23.685 units of account per 100 kilogrammes of sugar, expressed in white value.

### *Article 2*

This Decision is addressed to the Federal Republic of Germany, the Italian Republic, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 12 February 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

<sup>(1)</sup> OJ No 308, 18. 12. 1967, p. 1.

<sup>(2)</sup> OJ No L 264, 1. 10. 1974, p. 70.

<sup>(3)</sup> OJ No L 75, 28. 3. 1972, p. 5.

<sup>(4)</sup> OJ No L 324, 4. 12. 1974, p. 7.

<sup>(5)</sup> OJ No L 35, 8. 2. 1975, p. 8.

## COMMISSION DECISION

of 13 February 1975

discontinuing the first partial invitation to tender for white and raw sugar  
issued under Regulation (EEC) No 314/75

(Only the German, Italian, Dutch and English texts are authentic)

(75/132/EEC)

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<sup>(1)</sup> of 18 December 1967 on the common  
organization of the market in sugar, as last amended  
by Regulation (EEC) No 2476/74<sup>(2)</sup>, and in particular  
Article 16 (5) thereof ;Having regard to Regulation (EEC) No 608/72<sup>(3)</sup> of  
23 March 1972 laying down rules to be applied in  
cases of considerable rises in the prices of sugar on  
the world market, and in particular Article 3 thereof ;Having regard to Commission Regulation (EEC) No  
314/75<sup>(4)</sup> of 7 February 1975 on a standing invitation  
to tender to determine subsidies to be granted for  
imports of white and raw sugar without authorization  
to export subsequently a corresponding quantity free  
of the levy, and in particular Article 8 (1) thereof ;Whereas, pursuant to Article 8 (1) of Commission  
Regulation (EEC) No 314/75 a maximum amount of  
the subsidy shall be fixed for the partial invitation to  
tender in question, specially taking into account the  
supply situation within the Community and the sugar  
prices within the Community and on the world  
market ; whereas however a decision may be taken to  
discontinue the tender ;Whereas, following an examination of the tenders  
submitted in response to the partial invitation totender according to the provisions laid down in  
Article 8 (2) and (3) of Regulation (EEC) No 314/75, it  
should be decided to discontinue the first partial invi-  
tation to tender ;Whereas the measures provided for in this Decision  
are in accordance with the Opinion of the Manage-  
ment Committee for Sugar,

HAS ADOPTED THIS DECISION :

*Article 1*It is hereby decided to discontinue the first partial  
invitation to tender issued under Regulation (EEC) No  
314/75.*Article 2*This Decision is addressed to the Federal Republic of  
Germany, the Italian Republic, the Kingdom of the  
Netherlands and the United Kingdom of Great  
Britain and Northern Ireland.

Done at Brussels, 13 February 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*<sup>(1)</sup> OJ No 308, 18. 12. 1967, p. 1.<sup>(2)</sup> OJ No L 264, 1. 10. 1974, p. 70.<sup>(3)</sup> OJ No L 75, 28. 3. 1972, p. 5.<sup>(4)</sup> OJ No L 35, 8. 2. 1975, p. 7.

**COMMISSION DECISION**

of 13 February 1975

**discontinuing the first partial invitation to tender for white sugar issued under  
Regulation (EEC) No 312/75**

(Only the French, Dutch, and German texts are authentic)

(75/133/EEC)

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 <sup>(1)</sup> of 18 December 1967 on the common  
organization of the market in sugar, as last amended  
by Regulation (EEC) No 2476/74 <sup>(2)</sup>, and in particular  
Article 16 (5) thereof ;Having regard to Regulation (EEC) No 608/72 <sup>(3)</sup> of  
23 March 1972 laying down rules to be applied in  
cases of considerable rises in the prices of sugar on  
the world market, and in particular Article 3 thereof ;Having regard to Commission Regulation (EEC) No  
312/75 <sup>(4)</sup> of 7 February 1975 on a standing invitation  
to tender to determine subsidies for white sugar  
produced in excess of the maximum quota and in  
respect of which no export levy is to apply, and in  
particular Article 6 (1) thereof ;Whereas, pursuant to Article 6 (1) of Commission  
Regulation (EEC) No 312/75 a maximum amount of  
the subsidy shall be fixed for the partial invitation to  
tender in question, having regard in particular to the  
differences between the sugar prices within the  
Community and on the world market ; whereas, in  
accordance with this Article, the maximum amount is  
bound by the maximum amount to be fixed by virtue  
of the standing invitation to tender to determine  
subsidies on the importation of white and raw sugar  
without authorization to export subsequently free of  
levy a corresponding quantity ; whereas however a  
decision may be taken to discontinue the tender ;Whereas, following an examination of the tenders  
submitted in response to the partial invitation to  
tender according to the provisions laid down in  
Article 6 (2) of Regulation (EEC) No 312/75, it should  
be decided to discontinue the first partial invitation to  
tender ;Whereas the measures provided for in this Decision  
are in accordance with the Opinion of the Manage-  
ment Committee for Sugar,

HAS ADOPTED THIS DECISION :

*Article 1*It is hereby decided to discontinue the first partial  
invitation to tender under Regulation (EEC) No  
312/75.*Article 2*This Decision is addressed to the Kingdom of  
Belgium, the Federal Republic of Germany, the  
French Republic, and the Kingdom of the Nether-  
lands.

Done at Brussels, 13 February 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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<sup>(1)</sup> OJ No 308, 18. 12. 1967, p. 1.<sup>(2)</sup> OJ No L 264, 1. 10. 1974, p. 70.<sup>(3)</sup> OJ No L 75, 28. 3. 1972, p. 5.<sup>(4)</sup> OJ No L 35, 8. 2. 1975, p. 5.

## COMMISSION DECISION

of 13 February 1975

fixing the minimum export levy for the invitation to tender for the export of  
husked long grain rice issued under Regulation (EEC) No 3037/74

(75/134/EEC)

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community;

Having regard to Council Regulation No 359/  
67/EEC<sup>(1)</sup> of 25 July 1967 on the common organiza-  
tion of the market in rice, as last amended by Regula-  
tion (EEC) No 1129/74<sup>(2)</sup>;

Having regard to Council Regulation (EEC) No  
2737/73<sup>(3)</sup> of 8 October 1973 laying down general  
rules to be applied in the event of the rice market  
being disturbed, and in particular Article 4(2) thereof;

Having regard to Commission Regulation (EEC) No  
3197/73<sup>(4)</sup> of 23 November 1973 establishing the  
conditions for the application of the system of  
tendering for export levies on rice, and in particular  
Article 5(1) thereof;

Whereas an invitation to tender for the export levy on  
husked long grain rice was issued under Commission  
Regulation (EEC) No 3037/74<sup>(5)</sup> of 2 December 1974,  
as amended by Regulation (EEC) No 3251/74<sup>(6)</sup>;  
whereas the notice of invitation to tender<sup>(7)</sup>, as last  
amended on 5 February 1975<sup>(8)</sup>, associated with this  
Regulation specified that the total tonnage for which  
the export levy could be fixed was approximately  
30 000 metric tons;

Whereas Article 5(1) of Regulation (EEC) No 3197/73  
allows the Commission, in accordance with the proce-  
dure laid down in Article 26 of Regulation No 359/  
67/EEC, to fix a minimum export levy; whereas,  
when this minimum levy is being fixed, account must  
be taken of the criteria set out in Article 3(1)(b) and  
(d) of Regulation (EEC) No 2737/73, namely:

— the objectives of the common organization of the  
market in rice, namely to balance that market  
both as regards supplies and as regards trade, and

— the economic aspect of the exports;

Whereas Article 5(2) of Regulation (EEC) No 3197/73  
stipulates that the award is made to the tenderer or  
tenderers whose tenders quote a levy equal to or  
higher than the minimum;

Whereas it follows from applying these rules to the  
present situation on the market for the rice in ques-  
tion that the minimum export levy should be fixed as  
shown in Article 1; whereas the tonnage of husked  
long grain rice to which this minimum applies is 500  
metric tons;

Whereas the measures provided for in this Decision  
are in accordance with the Opinion of the Manage-  
ment Committee for Cereals,

HAS ADOPTED THIS DECISION:

*Article 1*

The minimum export levy for husked long grain rice  
fixed on the basis of tenders submitted for 13  
February 1975 is hereby fixed at 4.682 units of  
account per metric ton.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 13 February 1975.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

<sup>(1)</sup> OJ No 179, 31. 7. 1967, p. 1.

<sup>(2)</sup> OJ No L 128, 10. 5. 1974, p. 20.

<sup>(3)</sup> OJ No L 282, 9. 10. 1973, p. 13.

<sup>(4)</sup> OJ No L 326, 27. 11. 1973, p. 10.

<sup>(5)</sup> OJ No L 323, 3. 12. 1974, p. 5.

<sup>(6)</sup> OJ No L 346, 24. 12. 1974, p. 38.

<sup>(7)</sup> OJ No C 152, 3. 12. 1974, p. 6.

<sup>(8)</sup> OJ No C 27, 5. 2. 1975, p. 2.