

# Official Journal

## of the European Communities

Volume 19 No L 39  
14 February 1976

English Edition

## Legislation

### Contents

#### I *Acts whose publication is obligatory*

- ★ Council Regulation (EEC) No 311/76 of 9 February 1976 on the compilation of statistics on foreign workers . . . . . 1
- ★ Council Regulation (EEC) No 312/76 of 9 February 1976 amending the provisions relating to the trade union rights of workers contained in Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community . . . . . 2
- Commission Regulation (EEC) No 313/76 of 13 February 1976 fixing the import levies on cereals and on wheat or rye flour groats and meal . . . . . 3
- Commission Regulation (EEC) No 314/76 of 13 February 1976 fixing the premiums to be added to the import levies on cereals, flour and malt . . . . . 5
- Commission Regulation (EEC) No 315/76 of 13 February 1976 fixing the import levies on milk and milk products . . . . . 7
- Commission Regulation (EEC) No 316/76 of 13 February 1976 opening an invitation to tender for the mobilization of durum wheat as food aid for the Democratic Republic of Somalia . . . . . 13
- Commission Regulation (EEC) No 317/76 of 13 February 1976 opening an invitation to tender for the mobilization of milled rice as food aid for the Democratic Republic of Somalia . . . . . 16
- ★ Commission Regulation (EEC) No 318/76 of 13 February 1976 on an invitation to tender for the levy and/or the refund for the export of common wheat to the countries of Zones II and III . . . . . 19
- ★ Commission Regulation (EEC) No 319/76 of 13 February 1976 on the sale at prices fixed in advance of certain boned beef held by intervention agencies . . . . . 23
- ★ Commission Regulation (EEC) No 320/76 of 13 February 1976 concerning the issue while protective measures are in force of import licences for 50 000 young bovine animals for fattening . . . . . 27

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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

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★ Commission Regulation (EEC) No 321/76 of 13 February 1976 on an amended system for the importation of certain young bovine animals of highland breeds intended for fattening while protective measures are in force . . . . .	30
Commission Regulation (EEC) No 322/76 of 13 February 1976 abolishing the export levy on white sugar and raw sugar . . . . .	33
Commission Regulation (EEC) No 323/76 of 13 February 1976 abolishing the export levy on syrups and other sugars . . . . .	34
Commission Regulation (EEC) No 324/76 of 13 February 1976 fixing the import levies on olive oil . . . . .	35
Commission Regulation (EEC) No 325/76 of 13 February 1976 fixing the import levies on white sugar and raw sugar . . . . .	37
Commission Regulation (EEC) No 326/76 of 13 February 1976 altering the basic amount of the import levy on syrups and certain other sugar products . . . . .	38

---

II *Acts whose publication is not obligatory*

**Council**

76/206/EEC :

★ Council Decision of 9 February 1976 on intervention by the European Social Fund in favour of persons occupied in the textile and clothing industries . . . . .	39
------------------------------------------------------------------------------------------------------------------------------------------------------------------	----

76/207/EEC :

★ Council Directive of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions . . . . .	40
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**NOTICE TO READERS**

The delivery of Official Journal of the European Communities No L 40 of 16 February 1976 will be delayed due to the exceptional size of this publication.

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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 311/76  
of 9 February 1976  
on the compilation of statistics on foreign workers**

THE COUNCIL OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community, and in particular Article 213  
thereof,

Having regard to the proposal from the Commission,  
Having regard to the opinion of the European Parlia-  
ment <sup>(1)</sup>,

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

Whereas statistics should be made available  
concerning the number of foreign workers and the  
first employment taken up by such workers in the  
Member States of the Community,

HAS ADOPTED THIS REGULATION :

*Article 1*

1. Member States shall, in respect of workers who  
are nationals of another Member State or of a third  
country, compile statistics on :

- the number of workers,
- the first employment taken up by the worker  
concerned in its territory in a given year.

The statistics shall comprise the following informa-  
tion :

- nationality,
- sex,
- age,
- branch of activity or occupational group,
- region.

2. Member States shall compile statistics once a  
year from the various sources normally available to

them, in particular social security data, censuses, statis-  
tics supplied by employers or residence or work  
permits.

*Article 2*

1. Upon the entry into force of this Regulation,  
Member States shall forward to the Commission all  
available data on the information referred to in Article  
1 (1).

Within a maximum period of five years following the  
entry into force of this Regulation, Member States  
shall forward to the Commission all the data on the  
information referred to in Article 1 (1).

2. Member States, when forwarding the data to the  
Commission, shall state the sources used.

*Article 3*

1. In implementing this Regulation, Member States  
shall collaborate closely with the Commission.

2. Member States shall inform the Commission not  
later than 31 March each year of progress made in  
applying the second subparagraph of Article 2 (1).

The Commission shall report to the Council on the  
basis of the information obtained.

*Article 4*

This Regulation shall enter into force on the first day  
of the month following that 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, 9 February 1976.

*For the Council*  
*The President*  
G. THORN

<sup>(1)</sup> OJ No C 129, 11. 12. 1972, p. 13.

<sup>(2)</sup> OJ No C 60, 26. 7. 1973, p. 7.

**COUNCIL REGULATION (EEC) No 312/76**

of 9 February 1976

**amending the provisions relating to the trade union rights of workers contained in Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 49 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 should be specified in Article 8 of Council Regulation (EEC) No 1612/68 of 15 October 1968 on freedom of movement for workers within the Community<sup>(3)</sup>, that workers who are nationals of one Member State and who are employed in the territory of another Member State shall also enjoy equality of treatment as regards the exercise of trade union rights with respect to eligibility for the administration or management posts of a trade union,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 8 of Regulation (EEC) No 1612/68 shall be amended as follows:

1. The following shall be added to the first sentence of paragraph 1 after 'including the right to vote':  
'and to be eligible for the administration or management posts of a trade union.'
2. Paragraph 2 is hereby deleted.

*Article 2*

This Regulation shall enter into force on the third day following that 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, 9 February 1976.

*For the Council*

*The President*

G. THORN

<sup>(1)</sup> OJ No C 280, 8. 12. 1975, p. 43.

<sup>(2)</sup> OJ No C 12, 17. 1. 1976, p. 2.

<sup>(3)</sup> OJ No L 257, 19. 10. 1968, p. 2.

**COMMISSION REGULATION (EEC) No 313/76****of 13 February 1976****fixing the import levies on cereals and on wheat or rye flour groats and meal**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No  
2727/75 of 29 October 1975 on the common organ-  
ization of the market in cereals<sup>(1)</sup>, as amended by  
Regulation (EEC) No 3058/75<sup>(2)</sup>, and in particular  
Article 15 (5) thereof,

Whereas the import levies on cereals, wheat and rye  
flour, and wheat groats and meal were fixed by Regula-  
tion (EEC) No 38/76<sup>(3)</sup> and subsequent amending  
Regulations ;

Whereas it follows from applying the provisions  
contained in Regulation (EEC) No 38/76, to the offer

prices and today's quotations known to the Commis-  
sion 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 (EEC) No  
2727/75 are hereby fixed as shown in the table  
annexed to this Regulation.

*Article 2*

This Regulation shall enter into force on 14 February  
1976.

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

Done at Brussels, 13 February 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

(1) OJ No L 281, 1. 11. 1975, p. 1.

(2) OJ No L 306, 26. 11. 1975, p. 3.

(3) OJ No L 6, 13. 1. 1976, p. 1.

## ANNEX

## to the Commission Regulation of 13 February 1976 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	31.66
10.01 B	Durum wheat	52.05 <sup>(1)</sup> <sup>(5)</sup>
10.02	Rye	49.79 <sup>(6)</sup>
10.03	Barley	25.70
10.04	Oats	14.89
10.05 B	Maize other than hybrid maize for sowing	33.71 <sup>(2)</sup> <sup>(3)</sup>
10.07 A	Buckwheat	2.31
10.07 B	Millet	13.77 <sup>(4)</sup>
10.07 C	Grain sorghum	34.33 <sup>(4)</sup>
10.07 D	Canary seed; other cereals	0 <sup>(5)</sup>
11.01 A	Wheat or meslin flour	55.90
11.01 B	Rye flour	81.31
11.02 A I a	Durum wheat groats and meal	90.69
11.02 A I b	Common wheat groats and meal	59.36

<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 originated in the ACP or OCT is imported into the French overseas departments, the levy is reduced by 6 u.a./metric ton as provided for in Regulation (EEC) No 1599/75.

<sup>(3)</sup> Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.50 u.a./metric ton.

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

<sup>(5)</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>(6)</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 2754/75 and Commission Regulation (EEC) No 2622/71.

**COMMISSION REGULATION (EEC) No 314/76****of 13 February 1976****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as amended by Regulation (EEC) No 3058/75<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 2832/75<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 (EEC) No 2727/75, to the import levies fixed in advance in respect of cereals and malt is hereby fixed as shown in the tables annexed to this Regulation.

*Article 2*

This Regulation shall enter into force on 14 February 1976.

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

Done at Brussels, 13 February 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 306, 26. 11. 1975, p. 3.

<sup>(3)</sup> OJ No L 283, 1. 11. 1975, p. 4.

## ANNEX

to the Commission Regulation of 13 February 1976 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

(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	1.52	1.52	7.17
10.02	Rye	0	1.21	1.21	5.65
10.03	Barley	0	0	0	5.69
10.04	Oats	0	1.21	1.21	5.65
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0.40
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

## B. Malt

(u.a. / metric ton)

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	0	10.13	10.13
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	7.57	7.57
11.07 B	Roasted malt	0	0	0	8.82	8.82



**COMMISSION REGULATION (EEC) No 315/76**  
**of 13 February 1976**  
**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 of 27 June 1968 on the common organization of the market in milk and milk products<sup>(1)</sup>, as last amended by Regulation (EEC) No 740/75<sup>(2)</sup>, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Regulation (EEC) No 829/75<sup>(3)</sup>, as last amended by Regulation (EEC) No 193/76<sup>(4)</sup>;

Whereas it follows from applying the rules contained in Regulation (EEC) No 829/75 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 February 1976.

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

Done at Brussels, 13 February 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 74, 22. 3. 1975, p. 1.

<sup>(3)</sup> OJ No L 79, 28. 3. 1975, p. 31.

<sup>(4)</sup> OJ No L 23, 30. 1. 1976, p. 29.

## 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	0110	18.58
	b) Other	0120	16.58
	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	16.58
	2. Exceeding 4 %	0140	20.20
	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 %	0150	15.58
	2. Exceeding 4 %	0160	19.20
	B. Other, of a fat content, by weight :		
	I. Exceeding 6 % but not exceeding 21 %	0200	39.56
	II. Exceeding 21 % but not exceeding 45 %	0300	83.69
	III. Exceeding 45 %	0400	129.34
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar :		
	I. Whey	0500	13.80
	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	79.52
	2. Exceeding 1.5 % but not exceeding 27 %	0720	94.71
	3. Exceeding 27 % but not exceeding 29 %	0820	96.71
	4. Exceeding 29 %	0920	110.03
	b) Other, of a fat content, by weight :		
	1. Not exceeding 1.5 %	1020	73.52
	2. Exceeding 1.5 % but not exceeding 27 %	1120	88.71
	3. Exceeding 27 % but not exceeding 29 %	1220	90.71
	4. Exceeding 29 %	1320	104.03
	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	10.66
	2. Other	1520	14.39
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 %	1620	83.69
	2. Exceeding 45 %	1720	129.34

Tariff Nomenclature			
CCT heading No	Description of goods	Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
04.02 (cont'd)	B. Containing added sugar :		
	I. Milk and cream, in powder or granules :		
	a) Special milk for infants <sup>(1)</sup> , in hermetically sealed cans of a net capacity of 500 g or less and of a fat content, by weight, exceeding 10 % but not exceeding 27 % <sup>(2)</sup>	1820	30-00
	b) Other :		
	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 % <sup>(3)</sup>	2220	per kg 0.7352 <sup>(9)</sup>
	bb) Exceeding 1.5 % but not exceeding 27 % <sup>(3)</sup>	2320	per kg 0.8871 <sup>(9)</sup>
	cc) Exceeding 27 % <sup>(3)</sup>	2420	per kg 1.0403 <sup>(9)</sup>
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 % <sup>(3)</sup>	2520	per kg 0.7352 <sup>(10)</sup>
	bb) Exceeding 1.5 % but not exceeding 27 % <sup>(3)</sup>	2620	per kg 0.8871 <sup>(10)</sup>
	cc) Exceeding 27 % <sup>(3)</sup>	2720	per kg 1.0403 <sup>(10)</sup>
	II. Milk and cream, other than in powder or granules :		
	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 %	2810	19.97
b) Other, of a fat content, by weight :			
1. Not exceeding 45 % <sup>(3)</sup>	2910	per kg 0.8369 <sup>(10)</sup>	
2. Exceeding 45 % <sup>(3)</sup>	3010	per kg 1.2934 <sup>(10)</sup>	
04.03	Butter :		
A. Of a fat content, by weight, not exceeding 85 %	3110	152.17	
B. Other	3210	185.65	
04.04	Cheese and curd :		
A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered :			
I. Of a minimum fat content of 45 % by weight, referred to dry matter, matured for at least 3 months <sup>(2)</sup> :			
a) Whole cheese <sup>(4)</sup> of a free-at-frontier value <sup>(5)</sup> per 100 kg net weight of :			
1. 196.06 u.a. (a) or more but less than 216.06 u.a. (a)	3318	15.00	
2. 216.06 u.a. (a) or more	3417	129.90 <sup>(11)</sup>	

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) Pieces packed in vacuum or in inert gas :		
	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 <sup>(5)</sup> of 216.06 u.a. (a) or more but less than 244.06 u.a. (a) per 100 kg net weight	3518	15.00
	bb) Of 450 g or more and of a free-at-frontier value <sup>(5)</sup> of 244.06 u.a. (a) or more per 100 kg net weight	3616	129.90 <sup>(11)</sup>
	2. Other, of a net weight of 75 g or more but not exceeding 250 g <sup>(6)</sup> and of a free-at-frontier value <sup>(5)</sup> of 264.06 u.a. (a) or more per 100 kg net weight	3716	129.90 <sup>(11)</sup>
	II Other	3800	129.90
	B. Glarus herb cheese (known as Schabziger) made from skimmed milk and mixed with finely-ground herbs <sup>(2)</sup>	3900	102.44 <sup>(12)</sup>
	C. Blue-veined cheese, not grated or powdered	4000	96.10
	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 for retail sale <sup>(7)</sup> , of a free-at-frontier value <sup>(5)</sup> of not less than 150 u.a. per 100 kg net weight and of a fat content, by weight, in the dry matter, not exceeding 56 % <sup>(2)</sup>	4120	30.00
	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	102.65
	2. Exceeding 48 %	4510	110.30
	b) Exceeding 36 %	4610	190.30
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	102.44	

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
04.04 (cont'd)	<p>b) Exceeding 47 % but not exceeding 72 % :</p> <p>1. Cheddar, including Chester :</p> <p>aa) Whole Cheddar cheeses <sup>(4)</sup> made from unpasteurized milk, of a minimum fat content of 50 % by weight, in the dry matter, matured for a least nine months and of a free-at-frontier value of not less than 193.10 u.a. per 100 kg net weight <sup>(2)</sup></p> <p>bb) Other</p> <p>2. Tilsit and Butterkäse, of a fat content, by weight, referred to the dry matter <sup>(2)</sup> :</p> <p>aa) Not exceeding 48 %</p> <p>bb) Exceeding 48 %</p> <p>3. Kashkaval <sup>(2)</sup></p> <p>4. Cheese of sheep's milk or buffalo milk in containers holding brine, or in sheep- or goat-skin bottles <sup>(2)</sup></p> <p>5. Other</p> <p>c) Exceeding 72 % :</p> <p>1. In immediate packings of a net capacity not exceeding 500 g</p> <p>2. Other</p> <p>II. Not specified :</p> <p>a) Grated or powdered</p> <p>b) Other</p>	<p>4831</p> <p>4850</p> <p>4922</p> <p>5022</p> <p>5030</p> <p>5060</p> <p>5120</p> <p>5210</p> <p>5250</p> <p>5310</p> <p>5410</p>	<p>15.00</p> <p>128.47</p> <p>106.30 <sup>(13)</sup></p> <p>106.30 <sup>(14)</sup></p> <p>106.30 <sup>(15)</sup></p> <p>106.30 <sup>(15)</sup></p> <p>106.30</p> <p>79.73</p> <p>186.30</p> <p>102.44</p> <p>186.30</p>
17.02	<p>Other sugars ; sugar syrups ; artificial honey (whether or not mixed with natural honey) ; caramel :</p> <p>A. Lactose and lactose syrup :</p> <p>II. Other than that containing, in the dry state, 99 % or more by weight of the pure product <sup>(16)</sup></p>	5500	16.25
17.05	<p>Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion :</p> <p>A. Lactose and lactose syrup</p>	5600	16.25
23.07	<p>Sweetened forage ; other preparations of a kind used in animal feeding :</p> <p>B. Other, containing starch or glucose or glucose syrup falling within subheadings 17.02 B and 17.05 B, or milk products <sup>(8)</sup> :</p> <p>I. Containing starch, or glucose or glucose syrup :</p> <p>a) Containing no starch or containing 10 % or less by weight of starch :</p> <p>1. ....</p> <p>2. ....</p> <p>3. Containing 50 % or more but less than 75 % by weight of milk products</p> <p>4. Containing 75 % or more by weight of milk products</p>	<p>5700</p> <p>5800</p>	<p>57.14</p> <p>74.05</p>

Tariff Nomenclature		Code	Levy (in u.a./100 kg net weight unless otherwise indicated)
CCT heading No	Description of goods		
23.07 (cont'd)	b) Containing more than 10% but not more than 30% by weight of starch :	5900	68.75
	1.....		
	2.....		
	3. Containing 50% or more by weight of milk products	6000	55.26
	c) Containing more than 30% by weight of starch :		
	1.....		
2.....	6100	74.05	
3. Containing 50% or more by weight of milk products			
	II. Containing no starch, glucose or glucose syrup, but containing milk products		

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

(7) 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) 2.64 u.a.

(8) 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) 2.64 u.a.

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

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

(11) The levy is limited to 48.65 u.a. per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

(12) The levy is limited to 68.65 u.a. per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

(13) The levy is limited to 48.65 u.a. per 100 kg net weight for imports from Bulgaria, Hungary, Romania and Turkey (Regulation (EEC) No 1054/68 as amended).

(14) Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.

(a) For imports into the United Kingdom, this free-at-frontier value shall be reduced by 9.99 u.a. per 100 kg net.

**NB :** For the purposes of heading No 04.04, the exchange rate to be applied in converting into national currencies the unit of account referred to in the subdivisions of this heading shall, notwithstanding general rule C 3 contained in Part I, Section I of the Common Customs Tariff be the representative rate, if such a rate is fixed pursuant to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy (OJ No 106, 30. 10. 1962, p. 2553/62).

## COMMISSION REGULATION (EEC) No 316/76

of 13 February 1976

opening an invitation to tender for the mobilization of durum wheat as food aid  
for the Democratic Republic of Somalia

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No  
2727/75 of 29 October 1975 on the common organiza-  
tion of the market in cereals <sup>(1)</sup>, as amended by Regula-  
tion (EEC) No 3058/75 <sup>(2)</sup>,

Having regard to Council Regulation (EEC) No  
2750/75 of 29 October 1975 laying down the condi-  
tions for the mobilization of cereals as food aid <sup>(3)</sup>, and  
in particular Article 6 thereof,

Whereas on 17 February 1975 the Council of the  
European Communities declared that it proposed, by  
way of Community action, to grant 2 000 metric tons  
of durum wheat to the Democratic Republic of  
Somalia under its 1974/75 food-aid programme;

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

Whereas the proposed invitation to tender should be  
for supply of the products delivered cif, that is at the  
moment when the goods are actually placed in lighter  
at the port of unloading;

Whereas in view of the different monetary circum-  
stances in the Member States, the observation of these  
conditions is not guaranteed by the application of  
exchange rates applicable in the framework of the  
common agricultural policy since monetary compensa-  
tory amounts do not apply for durum wheat; whereas  
it is advisable to take account of the monetary situa-  
tion as regards different offers;

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 time  
limits specified, it must be made clear who is to bear  
the liability for any resulting costs;

Whereas provision should be made for security to be  
given for the purpose of guaranteeing that the obliga-

tions arising by virtue of guaranteeing that the obliga-  
tions arising by virtue of participation in the invita-  
tion to tender for supplies to the Democratic Republic  
of Somalia will be fulfilled;

Whereas the Italian intervention agency should be  
made responsible for the tendering procedure;

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

Whereas the Monetary Committee will be consulted;  
whereas, in view of the urgency, the measures envis-  
aged should be adopted in accordance with the condi-  
tions laid down in Article 3(2) of Council Regulation  
No 129 on the value of the unit of account and the  
exchange rates to be applied for the purposes of the  
common agricultural policy <sup>(4)</sup>, as last amended by  
Regulation (EEC) No 2543/73 <sup>(5)</sup>, and in particular  
Article 3 thereof;

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 to the  
Democratic Republic of Somalia, by way of Commu-  
nity food-aid action, of 2 000 metric tons of durum  
wheat.
2. The tendering procedure shall take place in Italy  
in one lot. The product shall be mobilized on the  
Community market. The product shall be loaded for  
departure from any Community port.
3. The invitation to tender provided, for in para-  
graph 1 is for supply of products delivered cif that is  
to say, actually placed in lighter of the port of Moga-  
discio.
4. The successful tenderer shall deliver the product  
specified in paragraph 1 in new jute sacks of a net  
capacity of 50 kilogrammes. The following shall be  
printed on the sacks :

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 306, 26. 11. 1975, p. 3.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 89.

<sup>(4)</sup> OJ No 106, 30. 10. 1962, p. 2553/62.

<sup>(5)</sup> OJ No L 263, 19. 9. 1973, p. 1.

'Durum Wheat — gift of the European Community — to be distributed free of charge.'

#### Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 1 March 1976.
2. The closing date for the receipt of tenders shall be 1 March 1976 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

#### Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. The rates used for converting into units of account those offers made in national currencies shall be :
  - the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
  - in other cases the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of offers.

#### Article 4

The contract shall be awarded to the tenderer offering the best terms, taking into consideration the adjustment referred to in Article 3(3).

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

#### Article 5

1. The tenderer shall give security in an amount of five units of account per metric ton of goods.

It shall be released :

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3(2),

— in the case of the successful tenderer for quantities not supplied by reason of *force majeure*.

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

#### Article 6

The product referred to in Article 1 which is to be supplied for human consumption to the Democratic Republic of Somalia must be of fair and sound merchantable quality, be free from odour, and correspond at least to the standard quality for which the intervention price is fixed.

#### Article 7

1. The Italian intervention agency shall be responsible for organizing the invitation to tender provided for by this Regulation.
2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.
3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

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

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3(3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall ask that the tenderer specifies the following information :
  - (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and the type of packing ;
  - (b) the date of the departure of the ships, the estimated date of arrival of the products at their destination ;
  - (c) all possible contingencies which might occur during transportation of the products.



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

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it

shall send as soon as possible to the latter the information necessary for releasing the security.

*Article 8*

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, 13 February 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 317/76

of 13 February 1976

opening an invitation to tender for the mobilization milled rice as food aid for the Democratic Republic of Somalia

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 of 25 July 1967 on the common organization of the market in rice<sup>(1)</sup>, as last amended by Regulation (EEC) No 668/75<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid<sup>(3)</sup>, and in particular Article 6 thereof,

Whereas on 18 March 1975 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 8 000 metric tons of husked rice (in other words, 6 200 metric tons of round grain milled rice) to the Democratic Republic of Somalia under its 1974/75 food-aid programme;

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

Whereas the proposed invitation to tender should be for supply of the products delivered cif, that is at the moment when the goods are actually placed in lighter at the port of unloading;

Whereas in view of the different monetary circumstances in the Member States, the observation of these conditions is not guaranteed by the application of exchange rates applicable in the framework of the common agricultural policy since monetary compensatory amounts do not apply in the rice sector; whereas it is advisable to take account of the monetary situation as regards different offers;

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

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

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

Whereas the Italian intervention agency should be made responsible for the tendering procedure;

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 Monetary Committee will be consulted; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3(2) of Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(4)</sup>, as last amended by Regulation (EEC) No 2543/73<sup>(5)</sup>, and in particular Article 3 thereof;

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 Democratic Republic of Somalia, by way of Community food-aid action, of 6 200 metric tons of round grain milled rice.
2. The tendering procedure shall take place in Italy in one lot. The product shall be mobilized on the Community market. The product shall be loaded for departure from any Community port.
3. The invitation to tender provided for in paragraph 1 is for supply of products delivered cif that is to say, actually placed in lighter of the port of Mogadiscio,

<sup>(1)</sup> OJ No 174, 31. 7. 1967, p. 1.

<sup>(2)</sup> OJ No L 72, 20. 3. 1975, p. 18.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 89.

<sup>(4)</sup> OJ No 106, 30. 10. 1962, p. 2553/62.

<sup>(5)</sup> OJ No L 263, 19. 9. 1973, p. 1.

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

The following shall be printed on the sacks :

'Milled rice — gift of the European Community — to be distributed free of charge.'

#### Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 1 March 1976.

2. The closing date for the receipt of tenders shall be 1 March 1976 at 12 noon.

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

#### Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.

2. The rates used for converting into units of account those offers made in national currencies shall be :

- the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
- in other cases the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of offers.

#### Article 4

The contract shall be awarded to the tenderer offering the best terms.

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

#### Article 5

1. The tenderer shall give security of a value of 10 units of account per metric ton of the product ; for the successful tenderer 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 regard 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

1. The round grain milled rice referred to in Article 1 to be supplied to the Democratic Republic of Somalia must meet the following requirements :

- moisture : 15 %,
- broken rice : 5 % maximum,
- chalky grains : 3 % maximum,
- grains striated with red : 3 % maximum,
- spotted grains : 1 % maximum,
- stained grains : 0.50 % maximum,
- yellow grains : 0.050 %,
- amber grains : 0.125 % maximum.

Rice not meeting these requirements shall be refused.

2. Tenders for supply to the Democratic Republic of Somalia of the round grain milled rice referred to in Article 1 must relate to a product with the following characteristics :

- moisture : 15 %,
- broken rice : 5 % maximum,
- chalky grains : 3 % maximum,
- grains striated with red : 3 % maximum,
- spotted grains : 1 % maximum,
- stained grains : 0.5 % maximum,
- yellow grains : 0.050 % maximum,
- amber grains : 0.125 % maximum.

#### Article 7

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

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

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

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

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3(2) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

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

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and the type of packing ;
- (b) the date of the departure of the ships ; the estimated date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

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

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

*Article 8*

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, 13 February 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 318/76

of 13 February 1976

on an invitation to tender for the levy and/or the refund for the export of common wheat to the countries of Zones II and III

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as amended by Regulation (EEC) No 3058/75<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 2747/75 of 29 October 1975 laying down general rules to be applied in the event of the cereals market being disturbed<sup>(3)</sup>, and in particular Article 4(2) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds<sup>(4)</sup>, and in particular Article 5 thereof,

Whereas, having regard to the current situation on the cereals market, there should be opened in respect of common wheat an invitation to tender for the export levy provided for in the first indent of Article 2(1) of Regulation (EEC) No 2747/75 and for the export refund provided for in Article 5 of Regulation (EEC) No 2746/75; whereas, in order to safeguard Community supplies whilst at the same time participating in the supply of certain markets, the invitation to tender for export should be limited to the markets concerned, which are situated in Zones II and III as defined in the Annex to Commission Regulation (EEC) No 306/76 of 12 February 1976 redefining the destination zones for export refunds or levies on cereals and rice<sup>(5)</sup>;

Whereas the detailed rules governing invitations to tender are as regards the export levy contained in Commission Regulation (EEC) No 3130/73 of 16 November 1973 establishing the conditions for the application of the system of tendering for export levies on cereals<sup>(6)</sup>, as last amended by Regulation (EEC) No 771/75<sup>(7)</sup>, and as regards the export refund in Commission Regulation (EEC) No 279/75 of 4 February 1975 laying down detailed rules for the appli-

cation of the system of tendering for export refunds on cereals<sup>(8)</sup>;

Whereas the objective of the tendering procedure can be attained only if every successful tenderer fulfils all the commitments entered into by him when submitting his tender; whereas these commitments include an obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring the tenderer to give security when submitting his tender;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to make provision such that the effective period of validity of licences issued to successful tenderers in connection with the invitation to tender is identical;

Whereas provision must be made to ensure the smooth operation of the procedure for tendering for export levies and refunds; whereas to this end it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

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 shall be invited for the export levy provided for in the first indent of Article 2(1) of Council Regulation (EEC) No 2747/75 and/or the export refund provided for in Article 5 of Regulation (EEC) No 2746/75.

2. The invitation to tender shall relate to common wheat for export to countries of Zones II and III as defined in the Annex to Regulation (EEC) No 306/76.

3. The invitation shall remain open until 20 May 1976. During this period weekly awards shall be made, the time limits for the submission of tenders to be as prescribed in the notice of invitation to tender.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 306, 26. 11. 1975, p. 3.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 82.

<sup>(4)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(5)</sup> OJ No L 38, 13. 2. 1976, p. 14.

<sup>(6)</sup> OJ No L 319, 20. 11. 1975, p. 10.

<sup>(7)</sup> OJ No L 77, 26. 3. 1975, p. 13.

<sup>(8)</sup> OJ No L 31, 5. 2. 1975, p. 8.

*Article 2*

A tender shall be valid only if it relates to an amount of not less than 1 000 metric tons.

*Article 3*

1. The security referred to in Article 3 of Regulation (EEC) No 3130/73 and of Regulation (EEC) No 279/75 shall be 20 units of account per metric ton.

2. By way of derogation from Article 7 (1) of Regulations (EEC) No 3130/73 and (EEC) No 279/75, the security provided for in paragraph 1 shall subject to *force majeure* be released only in respect of any quantity for which the tender was not accepted or for which the tenderer furnishes proof of arrival at its destination, such proof to be furnished as provided in the second, third and fourth subparagraphs of Article 11 (1) of Regulation (EEC) No 192/75 (1).

*Article 4*

The zone of destination as specified in Article 1 (2) shall be indicated in section 13 of the licence application and of the licence itself. The issue of a licence shall carry with it the obligation to export to that destination.

*Article 5*

If a tenderer fails to comply with the undertaking given by him pursuant to Article 2 (3) (b) of Regulations (EEC) No 3130/73 and (EEC) No 279/75, no export licence shall be issued and the security lodged pursuant to Article 3 (1) of those Regulations shall accordingly be forfeit.

*Article 6*

1. By way of derogation from the provisions of Article 9 (1) of Regulation (EEC) No 193/75 (2), export licences issued under Article 8 (1) of Regulation (EEC) No 3130/73 or under the like provision of Regulation (EEC) No 279/75 shall for the purpose of determining their period of validity be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in the previous paragraph until the end of the fourth month following that of issue.

*Article 7*

1. If the obligation to export is not fulfilled, the security mentioned in Article 3 of Regulations (EEC)

(1) OJ No L 25, 31. 1. 1975, p. 1.

(2) OJ No L 25, 31. 1. 1975, p. 10.

No 3130/73 and (EEC) No 279/75 shall be forfeit in respect of a quantity equal to the difference between 93 % of the net quantity indicated on the export licence and the net quantity actually exported.

2. However, if the quantity exported is less than 7 % of the net quantity indicated on the licence, the security shall be forfeit in its entirety.

3. On request by the titular holder of the licence, Member States may release the security by instalments in proportion to the quantities of product for which proof of exportation as referred to in Article 7 (1) of Regulations (EEC) No 3130/73 and (EEC) No 279/75 has been furnished, provided that such proof establishes that a quantity equal to at least 7 % of the net quantity indicated on the licence has been exported.

*Article 8*

The tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

*Article 9*

During the period in which summer time applies in Italy, the times fixed for the submission of tenders shall be regarded in that Member State as extended by one hour. During the period during which summer time does not apply in the United Kingdom and in Ireland, the times fixed for the submission of tenders shall be regarded in those Member States as brought forward by one hour.

*Article 10*

1. By way of derogation from Article 5 of Regulations (EEC) No 3130/73 and (EEC) No 279/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 :

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75,
- to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75,
- to make no award.

2. Where a maximum export refund is fixed a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed a contract shall be awarded to any tenderer whose tender indi-

cates a rate of levy equal to or greater than such minimum export levy.

*Article 11*

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

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

Done at Brussels, 13 February 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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## ANNEX

Weekly tender for the levy/refund for the export of common wheat to the countries of  
Zones II and III

Expiry of the period for the submission of tenders (date/time)

## I

1	2	3
Number of tender	Quantity in metric tons	Amount of export levy in national currency per metric ton
1		
2		
3		
4		
5		
etc.		

## II

1	2	3
Number of tender	Quantity in metric tons	Amount of export refund in national currency per metric ton
1		
2		
3		
4		
5		
etc.		



## COMMISSION REGULATION (EEC) No 319/76

of 13 February 1976

on the sale at prices fixed in advance of certain boned beef 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 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(1)</sup>, as last amended by Regulation (EEC) No 1855/74<sup>(2)</sup>, and in particular Article 7(3) thereof,

Whereas Commission Regulation (EEC) No 79/75 of 14 January 1975<sup>(3)</sup>, as amended by Regulation (EEC) No 1282/75<sup>(4)</sup>, provides for the sale by monthly tender of boned beef held by the intervention agencies; whereas not all the meat offered for tender has been allocated; whereas in particular tenderers to whom no allocation has been made might be interested in taking supplies of meat;

Whereas it is appropriate to put on sale the remaining quantities of meat boned in accordance with Commission Regulation (EEC) No 1315/74 of 28 May 1974 on the boning of beef bought in by the intervention agencies<sup>(5)</sup>, repealed by Regulation (EEC) No 2630/75<sup>(6)</sup>; whereas the quantities held by the French intervention agency are not sufficient to justify a new tender for the month of March;

Whereas certain boned beef should be sold at prices fixed in advance in accordance with Articles 2 to 5 of Commission Regulation (EEC) No 216/69 of 4 February 1969 on detailed rules of application for the disposal of frozen beef and veal bought in by intervention agencies<sup>(7)</sup>, while at the same time provision should be made for certain derogations which have proved necessary, particularly as regards payment for the goods; whereas, in order to avoid affecting the normal operation of sales by tender, sales at fixed prices may take place for a limited period only;

Whereas removal from storage may be interrupted by *force majeure*; whereas the intervention agencies should therefore be permitted to take the necessary action in such cases;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

1. During the period 16 to 27 February 1976, and within the limit of the quantities available, the Irish intervention agency shall sell up to 6 000 metric tons, and the Danish and German intervention agencies shall sell up to 2 000 metric tons of beef, boned in accordance with Regulation (EEC) No 1315/74, for which the cuts and prices are set out in Annex I.

2. During the period 16 February to 31 March 1976, the French intervention agency shall sell up to 1 250 metric tons of beef boned in accordance with Regulation (EEC) No 1315/74 for which the cuts and prices are set out in Annex II.

3. The sales shall take place in accordance with articles 2 to 5 of Regulation (EEC) No 216/69 and the provisions of this Regulation.

4. Information concerning the qualities available and the places where the products are stored may be obtained by those interested from the addresses listed in Annex III.

*Article 2*

By way of derogation from Article 5(1) of Regulation (EEC) No 216/69 the price shall be paid as and when the goods are removed from store, in proportion to the quantities removed and not later than the day preceding each removal.

*Article 3*

By way of derogation from Article 4(5) of Regulation (EEC) No 216/69, if the quantities available from an intervention agency are less than those for which offers are received on the day of entry into force of this Regulation all such offers shall be considered to have been made at the same time.

(1) OJ No L 148, 28. 6. 1968, p. 24.

(2) OJ No L 195, 18. 7. 1974, p. 14.

(3) OJ No L 10, 15. 1. 1975, p. 9.

(4) OJ No L 131, 22. 5. 1975, p. 17.

(5) OJ No L 144, 29. 5. 1974, p. 11.

(6) OJ No L 268, 17. 10. 1975, p. 16.

(7) OJ No L 28, 5. 2. 1969, p. 10.

*Article 4*

Where by reason of *force majeure*, the purchaser is unable to comply with the time limit set for taking delivery, the intervention agency shall take such action as it considers necessary having regard to the circumstances invoked.

The intervention agency shall inform the Commission of each case of *force majeure* and of the action taken in respect thereof.

*Article 5*

There will be no sale of boned beef held by the French intervention agency by tendering procedure as provided for by Regulation (EEC) No 79/75 in the month of March 1976.

*Article 6*

This Regulation shall enter into force on 14 February 1976.

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

Done at Brussels, 13 February 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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

Prix de vente exprimés en unités de compte par tonne — Verkaufspreis, ausgedrückt in RE/Tonne — Prezzi di vendita espressi in unità di conto per tonnellata — Verkoopprijzen, uitgedrukt in rekeneenheden per ton — Selling prices, expressed in units of account per metric ton — Salgspris udtrykt i RE/ton

1. DANMARK	Ungtyre	Tyre	Køer	Køer med kalvetænder
	1. Kvalitet	Prima Kvalitet		
Mørbrad	3 958		4 050	
Filet	2 705		2 705	
Kød af bagfjerdinger (med undtagelse af filet og mørbrad)	2 276		2 038	
Udbenede forfjerdinger	1 715		1 517	
2. DEUTSCHLAND				
	Jungbullen		Ochsen	
Filets mit Kopf, ohne Strang	5 172		5 172	
Roastbeefs	3 772		3 635	
Kugeln	2 300		2 275	
Unterschalen	2 263		2 235	
Hüftstücke	2 179		2 179	
Oberschalen	2 375		2 375	
3. IRELAND				
	Cows		Steers 1, 2 and Heifers 2	
Filets	3 567		3 800	
Striploins	2 170		2 700	
Insides	—		2 097	
Outsides	—		1 924	
Knuckles	—		1 902	
Butts	—		1 900	
Hindquarters (excluding filets and striploins)	1 296		—	
Cube rolls	2 400		2 601	
Forequarters (excluding cube rolls)	—		1 234	

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

Prix de vente exprimés en unités de compte par tonne — Verkaufspreis, ausgedrückt in RE/Tonne — Prezzi di vendita espressi in unità di conto per tonnellata — Verkoopprijzen, uitgedrukt in rekeneenheden per ton — Selling prices, expressed in units of account per metric ton — Salgspris udtrykt i RE/ton

FRANCE	Vaches et bœufs
Caisse «A»	1 526
Caisse «M»	2 476
Romstecks	2 300
Tendes de tranches	2 547
Tranches grasses	2 400

*ANNEXE III — ANHANG III — ALLEGATO III — BIJLAGE III — ANNEX III — BILAG III***Adresses des organismes d'intervention — Adressen van de interventiebureaus —  
Anschriften der Interventionsstellen — Addresses of the intervention agencies — Indirizzi  
degli organismi d'intervento — Interventionsorganernes adresser**

- DANMARK :** Direktoratet for Markedsordningerne  
Torvegade 2  
DK-1400 København K  
Tel. (01) Sundby 9810, Telex 15 137 DK
- DEUTSCHLAND :** Einfuhr- und Vorratsstelle für Schlachtvieh, Fleisch und  
Fleischerzeugnisse (EVSt)  
6000 Frankfurt am Main 18  
Adickesallee 40  
Tel. (06 11) 55 04 61, Telex EVFLF D 04 111 56
- FRANCE :** Office national interprofessionnel du bétail et des viandes (ONIBEV)  
8-10, boulevard de Vaugirard,  
75738 Paris CEDEX 15  
téléphone 273 88 00
- IRELAND :** Department of Agriculture and Fisheries, Agriculture House  
Kildare Sreet  
Dublin 2  
Tel. (01) 78 90 11, ext. 23 56, Telex 4280 and 5118
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## COMMISSION REGULATION (EEC) No 320/76

of 13 February 1976

concerning the issue while protective measures are in force of import licences for 50 000 young bovine animals for fattening

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(1)</sup>, as last amended by Regulation (EEC) No 1855/74 <sup>(2)</sup>, and in particular Article 21 (2) thereof,

Whereas the suspension of the issue of import licences has been relaxed by Commission Regulation (EEC) No 76/76 of 16 January 1976 setting up a system linking imports of beef and veal products effected by way of protective measures with the sale of beef held by intervention agencies <sup>(3)</sup>; whereas these arrangements do not, however, permit the importation of young bovine animals;

Whereas there is generally a shortage of young fattening cattle throughout the Community, and it was to meet this situation that the arrangements provided for in Article 11 of Regulation (EEC) No 805/68 were established, whereas those arrangements have been suspended since the protective measures came into force;

Whereas in connection with the relaxation of these measures account has been taken of the availability of supplies of such animals within the Community in particular by Commission Regulation (EEC) No 2476/75 of 29 September 1975 concerning the issue while protective measures are in force of import licences for a further 30 000 calves and young bovine animals for fattening <sup>(4)</sup>; whereas this measure only applies to applications for import licences lodged up to 29 February 1976; whereas the reasons which led to the adoption of Regulation (EEC) No 2476/75 still exist; whereas, however, the implementation of that Regulation has met with numerous difficulties and only about 10 000 animals were able to be imported under it; whereas the importation of the remaining number of animals should be permitted and it should at the same time be made possible to import 30 000 additional animals; whereas the levy on such imports should be reduced and the date for lodging applications for import licences should be extended to the end of March 1976,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. There shall be issued in accordance with the special conditions laid down in this Regulation import licences for 50 000 young bovine animals for fattening, of a minimum weight of 220 kilograms and a maximum weight of 300 kilograms.

Where the imported young bovine animal weighs not more than 10 % under 220 kilograms, it shall be considered as being imported under this Regulation.

2. The licences shall be issued by the competent body:

- in Italy in respect of a maximum of 48 500 head;
- in the Federal Republic of Germany in respect of a maximum of 1 500 head.

3. Licences issued under the provisions of this Regulation shall be valid only in the Member State of issue.

*Article 2*

1. Each of the Member States concerned shall take all necessary steps to guarantee importers free access to the quota allotted to it, irrespective of the place of establishment of such importers within the Community.

2. The extent to which a Member State's quota has been utilized shall be established by reference to the import licences issued.

3. Not later than the fifth day of each month, the Member States concerned shall notify the Commission by telex of the total number of animals for which import licences were issued during the previous month.

*Article 3*

1. Applications for import licences shall relate to live animals expressed in head of cattle.

2. Each application shall relate to a minimum of 100 head and shall be accompanied by:

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 195, 18. 7. 1974, p. 14.

<sup>(3)</sup> OJ No L 10, 17. 1. 1976, p. 21.

<sup>(4)</sup> OJ No L 253, 30. 9. 1975, p. 28.

- (a) an undertaking in writing from the importer that the young bovine animals will be fattened in the importing Member State for a period of 120 days from the day on which they are put into free circulation ;
- (b) the lodging of a security equal to 60 units of account per head.

3. The levy applicable to young bovine animals imported under this Regulation shall be equal to 55 % of the full levy.

4. Applications for licences and the licences themselves shall include in Section 12 one of the following endorsements :

- 'Valid for ... young male bovine animals for fattening (Regulation (EEC) No 320/76); licence valid in ... (Member State of delivery)',
- 'Gültig für ... männliche Jungrinder für die Mast (Verordnung (EWG) Nr. 320/76); Lizenz gültig in ... (ausstellender Mitgliedstaat)',
- 'Valido per ... giovani bovini maschi destinati all'ingrasso (regolamento (ECC) n. 320/76); titolo valido in ... (Stato membro di rilascio)',
- 'Geldig voor ... jonge mannelijke runderen, bestemd voor de mesterij (Verordening (EEG) nr. 320/76); certificaat geldig in ... (Lid-Staat van afgifte)',
- 'Gyldig for ... ungtyre bestemt til opfedning (forordning (EØF) nr. 320/76); licens gyldig i ... (udstedelsemedlemsstaten)',
- 'valable pour jeunes bovins mâles destinés à l'engraissement (règlement (CEE) no 320/76); certificat valable en ... (Etat membre de délivrance)'.

5. Section 20 of the licence shall include one of the following endorsements :

- 'Applicable levy : 55 % of full levy',
- 'Geltende Abschöpfung : 55 % der vollen Abschöpfung',
- 'Prelievo applicabile : 55 % del prelievo intero',
- 'Toe te passen heffing : 55 % van de volle heffing',
- 'Gældende afgift : 55 % af hele afgiften',
- 'Prélèvement applicable : 55 % du prélèvement entier'.

#### Article 4

1. The security shall be released forthwith :
- (a) when the competent authorities in the importing Member State receive proof from the importer that the animal in question has :

- not been slaughtered before the expiry of the period specified in Article 3 (2) (a), or
- died as a result of sickness or accident before the expiry of such period ;

(b) in respect of every animal for which no import licence was issued.

2. If the proof referred to in paragraph 1 (a) is not furnished within 150 days from the day on which the animal was put into free circulation, the security shall be forfeit.

For those animals, however, for which the import licences have not been used, an amount equal only to five units of account per head shall be forfeited.

#### Article 5

1. Each animal imported on the terms set out in Article 1 shall be identified by the placing on at least one of its ears of either :

- an indelible tattoo, or
- an official or officially approved earmark.

2. Such tattoo or mark shall be so designed as to enable the verification, if necessary, of the date when the animal was put into free circulation and the identity of the importer by recording them at the time of putting into free circulation.

#### Article 6

1. Import licences issued under this Regulation shall be valid for 30 days from their day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75.

2. Applications for licences may be lodged up to 31 March 1976.

#### Article 7

Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

#### Article 8

Regulation (EEC) No 2476/75 is hereby repealed.

#### Article 9

This Regulation shall enter into force on 16 February 1976.

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

Done at Brussels, 13 February 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 321/76

of 13 February 1976

on an amended system for the importation of certain young bovine animals of highland breeds intended for fattening while protective measures are in force

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(1)</sup>, as last amended by Regulation (EEC) No 1855/74<sup>(2)</sup>, and in particular Article 21 (2) thereof,

Whereas the suspension of the issue of import licences has been replaced by Commission Regulation (EEC) No 76/76 of 16 January 1976 setting up a system linking imports of beef and veal products effected by way of protective measures with the sale of beef held by intervention agencies<sup>(3)</sup>; whereas, however, young bovine animals may not be imported under these arrangements;

Whereas in certain regions of the Community there is a particular demand, which the Community market has difficulty in meeting, for young bovine animals of certain highland breeds for fattening; whereas this demand is justified by reason of the structural situation of cattle breeding in those regions;

Whereas, therefore, the importation of such animals was permitted by Commission Regulation (EEC) No 3248/75 of 11 December 1975 concerning the issue while protective measures are in force of import licences for certain young bovine animals of highland breeds for fattening<sup>(4)</sup>; whereas this measure only applies to applications for import licences submitted by March 1976; whereas the reasons which led to the adoption of the said Regulation still exist; whereas, therefore, the quantities that may be imported each month should be increased and the applicable levy should be lowered from 75 % to 40 % of the full levy,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Import licences for young male bovine animals for fattening, weighing more than 220 kg but not more than 300 kg, of the brindled Alpine Simmental

breed without permanent teeth and of grey, brown or Pinzgau Alpine breeds, shall be issued, in accordance with the special conditions laid down in this Regulation.

Where the weight of the imported young bovine animals exceeds 300 kg by a maximum of 10 %, or is less than 220 kg by a maximum of 10 %, the animal shall be considered imported under this Regulation.

2. Applications for import licences shall relate to live animals expressed in head of cattle.

3. Applications shall relate to a minimum of 100 head and shall be accompanied by:

- (a) a written undertaking from the applicant that the animals will be fattened in the importing Member State for a period of 120 days from the day on which they are put into free circulation;
- (b) the lodging of a security equal to 60 units of account per head.

*Article 2*

1. Applications for import licences shall be submitted to the competent bodies in the Member States from 23 to 27 February and from 15 to 19 March 1976:

Applications for licences and the licences themselves shall include:

(a) in section 12, one of the following endorsements:

- valid for young male bovine cattle intended for fattening (Regulation (EEC) No 321/76);
- gültig für männliche Junggrinder für die Mast (Verordnung (EWG) Nr. 321/76);
- valable pour jeunes bovins mâles destinés à l'engraissement (règlement (CEE) n° 321/76);
- valido per giovani bovini maschi destinati all'ingrasso (regolamento (CEE) n. 321/76);
- geldig voor jonge mannelijke runderen, bestemd voor de mesterij (Verordening (EEG) nr. 321/76);
- gyldig for ungtyre bestemt til opfedning (forordning (EØF) nr. 321/76);

(b) In Section 14 particulars of the country of origin.

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 195, 18. 7. 1974, p. 14.

<sup>(3)</sup> OJ No L 10, 17. 1. 1976, p. 21.

<sup>(4)</sup> OJ No L 322, 13. 12. 1975, p. 17.



The issue of a licence shall carry with it the obligation to import from the country indicated.

2. The Member States shall notify the Commission by telex at the latest on the second working day following the expiry of the period for the receipt of applications of the total numbers applied for in accordance with paragraph 1 in respect of each of the third countries concerned.

The Commission shall decide, subject to an overall monthly limit of 10 000 head, to what extent applications can be accepted.

If the applications for licences exceed the limit as aforesaid the Commission shall specify percentages by which the quantities applied for shall be reduced.

3. Licences shall be issued on 15 March 1976 for applications submitted from 23 to 27 February 1976 and 5 April 1976 for applications submitted from 15 to 19 March 1976.

4. In addition to the production of an import licence, importation shall be subject to production of an official document drawn up by the competent authorities in the third country indicated in Section 14 of the import licence, certifying that the young bovine animals come within the description set out in Article 1 (1).

#### Article 3

1. The security shall be released forthwith :

(a) when the competent authorities in the importing Member State receive proof from the importer that the animal in question :

- has not been slaughtered before the expiry of the period specified in Article 1 (3) (a), or
- has died as a result of sickness or accident before the expiry of such period ;

(b) in respect of every animal for which no import licence has been issued.

2. If the proof referred to in paragraph 1 (a) is not furnished within 30 days from the expiry of the period specified in Article 1 (3) (a), the security shall be forfeit.

For those animals, however, for which the import licences have not been used, an amount equal only to five units of account per head shall be forfeit.

#### Article 4

1. Each animal imported on the terms set out in Article 1 shall be identified by means of :

- an indelible tattoo, or
- an official or officially approved earmark placed on at least one of its ears.

2. Such tattoo or mark shall be so designed as to enable the verification, if necessary, of the date when the animal was put into free circulation and the identity of the importer by recording them at the time of putting into free circulation.

#### Article 5

The levy applicable to young bovine animals imported under this Regulation shall be equal to 40 % of the full levy.

#### Article 6

1. Import licences issued under this Regulation shall be valid for 30 days from their actual day of issue.

2. The licence shall include in Section 20 one of the following entries :

- Applicable levy : 40 % of full levy,
- Geltende Abschöpfung : 40 % der vollen Abschöpfung,
- Prélèvement applicable : 40 % du prélèvement entier,
- Prelievo applicabile : 40 % del prelievo intero,
- Toe te passen heffing : 40 % van de volle heffing,
- Gældende afgift : 40 % af hele afgiften.

In addition, where the third subparagraph of Article 2 (2) is applied, the licence shall include in Section 20 one of the following entries :

- Licence valid for (quantity in words and figures) head,
- Lizenz gültig für (Menge in Buchstaben und Zahlen) Stück Vieh,
- Certificat valable pour (quantité en lettres et en chiffres) têtes,
- Titolo valido per (quantità in lettere e in cifre) capi,
- Certificaat geldig voor (hoeveelheid in letters en cijfers) stuks vee,
- Licens gyldig for (mængde i bogstaver og tal) stk.

#### Article 7

Regulation (EEC) No 3248/75 is hereby repealed.

#### Article 8

This Regulation shall enter into force on 16 February 1976.

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

Done at Brussels, 13 February 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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**COMMISSION REGULATION (EEC) No 322/76****of 13 February 1976****abolishing the 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 (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar<sup>(1)</sup>, as last amended by Regulation (EEC) No 3058/75<sup>(2)</sup>, and in particular Article 17 (6) thereof,

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

Whereas the export levy on white sugar and raw sugar was fixed by Regulation (EEC) No 1702/75<sup>(4)</sup>, as last amended by Regulation (EEC) No 3091/75<sup>(5)</sup>;

Whereas it follows from applying the rules, criteria and other provisions contained in Regulation (EEC) No 1702/75 to the information at present available to the Commission, that the export levy on white sugar and raw sugar should be abolished,

HAS ADOPTED THIS REGULATION :

*Article 1*

Regulation 1702/75, as last amended by Regulation 3091/75, is hereby repealed.

*Article 2*

This Regulation shall enter into force on 14 February 1976.

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

Done at Brussels, 13 February 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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<sup>(1)</sup> OJ No L 359, 31. 12. 1974, p. 1.

<sup>(2)</sup> OJ No L 306, 26. 11. 1975, p. 3.

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

<sup>(4)</sup> OJ No L 172, 3. 7. 1975, p. 15.

<sup>(5)</sup> OJ No L 308, 28. 11. 1975, p. 27.

**COMMISSION REGULATION (EEC) No 323/76**  
**of 13 February 1976**  
**abolishing the export levy on syrups and other sugars**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No  
3330/74 of 19 December 1974 on the common organi-  
zation of the market in sugar<sup>(1)</sup>, as last amended by  
Regulation (EEC) No 3058/75<sup>(2)</sup>, and in particular  
Article 17 (6) thereof,

Whereas the export levy on syrups and other sugar  
was introduced by Regulation (EEC) No 403/74<sup>(3)</sup>, as  
last amended by Regulation (EEC) No 1678/75<sup>(4)</sup>;

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

No 403/74 to the information at present available to  
the Commission, that the export levy on syrups and  
other sugars should be abolished,

HAS ADOPTED THIS REGULATION :

*Article 1*

Regulation (EEC) No 403/74, as last amended by  
Regulation (EEC) No 1678/75 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 14 February  
1976.

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

Done at Brussels, 13 February 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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<sup>(1)</sup> OJ No L 359, 31. 12. 1974, p. 1.

<sup>(2)</sup> OJ No L 306, 26. 11. 1975, p. 3.

<sup>(3)</sup> OJ No L 44, 16. 2. 1974, p. 12.

<sup>(4)</sup> OJ No L 168, 1. 7. 1975, p. 68.

## COMMISSION REGULATION (EEC) No 324/76

of 13 February 1976

fixing the import levies on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EEC) No 1707/73<sup>(2)</sup>, and in particular Article 13 (4) thereof,

Having regard to Council Regulation No 162/66/EEC of 27 October 1966 on trade in oils and fats between the Community and Greece<sup>(3)</sup>, and in particular Articles 3 (4) and 9 thereof,

Having regard to Council Regulation (EEC) No 443/72 of 29 February 1972 on the levies on refined olive oil and on certain products containing olive oil<sup>(4)</sup>, and in particular Article 9 thereof,

Having regard to Council Regulation (EEC) No 1912/74 of 22 July 1974 on imports of olive oil from Tunisia<sup>(5)</sup>, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 303/74 of 4 February 1974 on imports of olive oil from Morocco<sup>(6)</sup>, and in particular Article 5 thereof,

Whereas the levies on olive oil were fixed by Commission Regulation (EEC) No 3046/75<sup>(7)</sup>, as last amended by Regulation (EEC) No 267/76<sup>(8)</sup>;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3046/75 to the offer prices known to the Commission that levies at present in force should be altered as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies referred to in Article 13 of Regulation No 136/66/EEC, Article 3 of Regulation No 162/66/EEC, Article 9 of Regulation (EEC) No 443/72, Article 5 of Regulation (EEC) No 1912/74 and Article 5 of Regulation (EEC) No 303/74 are hereby fixed as shown in the table annexed to this Regulation.

*Article 2*

This Regulation shall enter into force on 16 February 1976.

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

Done at Brussels, 13 February 1976.

*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 197, 29. 10. 1966, p. 3393/66.

<sup>(4)</sup> OJ No L 54, 3. 3. 1972, p. 3.

<sup>(5)</sup> OJ No L 202, 24. 7. 1974, p. 6.

<sup>(6)</sup> OJ No L 34, 7. 2. 1974, p. 4.

<sup>(7)</sup> OJ No L 303, 22. 11. 1975, p. 28.

<sup>(8)</sup> OJ No L 33, 7. 2. 1976, p. 21.

## ANNEX

## Levies on imports from 16 February 1976 in u.a./100 kg

CCT heading No	Products entirely obtained in one of these countries and transported directly from one of these countries to the Community			Products not entirely obtained in Greece or not transported from that country to the Community	Third countries
	Greece	Morocco	Tunisia		
07.01 N II	7.803	13.360	13.360	14.060	13.360
07.03 A II	7.803	13.260	13.260	14.060	13.260
15.07 A I a)	39.927	70.941	70.941	74.141	74.141
15.07 A I b)	53.595	95.227	95.227	101.227	101.227
15.07 A II a)	35.470	63.411 <sup>(1)(2)</sup>	63.411 <sup>(1)(2)</sup>	63.911 <sup>(2)</sup>	63.911 <sup>(2)(2)</sup>
15.07 A II b)	35.470	63.411 <sup>(1)(2)</sup>	63.411 <sup>(1)(2)</sup>	63.911 <sup>(2)</sup>	63.911 <sup>(2)(2)</sup>
15.17 A I	17.735	31.956	31.956	31.956	31.956
15.17 A II	28.376	51.129	51.129	51.129	51.129
23.04 A	2.838	5.113	5.113	5.113	5.113

<sup>(1)</sup> The levy to be charged on imports of this product is defined in Council Regulations (EEC) No 303/74 and (EEC) No 1912/74 and Commission Regulations (EEC) No 1936/75 and (EEC) No 1937/75.

<sup>(2)</sup> The levy to be charged on imports of olive oil other than refined, entirely obtained in Spain or in Turkey and transported directly from one of these countries to the Community, is defined in Council Regulations (EEC) No 2164/70 and (EEC) No 306/74 and Commission Regulation (EEC) No 1938/75.

<sup>(3)</sup> The products falling within this subheading are defined in Commission Regulations (EEC) No 618/72 and (EEC) No 3366/75, as amended by Regulation (EEC) No 86/76.

**COMMISSION REGULATION (EEC) No 325/76**  
**of 13 February 1976**  
**fixing the import levies on white sugar and raw sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar<sup>(1)</sup>, as last amended by Regulation (EEC) No 3058/75<sup>(2)</sup>, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1675/75<sup>(3)</sup>, as last amended by Regulation (EEC) No 309/76<sup>(4)</sup>;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1675/75 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 15 (1) of Regulation (EEC) No 3330/74 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 14 February 1976.

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

Done at Brussels, 13 February 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

<sup>(1)</sup> OJ No L 359, 31. 12. 1974, p. 1.

<sup>(2)</sup> OJ No L 306, 26. 11. 1975, p. 3.

<sup>(3)</sup> OJ No L 168, 1. 7. 1975, p. 61.

<sup>(4)</sup> OJ No L 38, 13. 2. 1976, p. 21.

ANNEX

to the Commission Regulation of 13 February 1976 fixing the import levies on white sugar and raw sugar

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	7·11 5·45 <sup>(1)</sup>  7·11 5·45 <sup>(1)</sup>

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

**COMMISSION REGULATION (EEC) No 326/76****of 13 February 1976****altering the basic amount of the import levy on syrups and certain other sugar products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar <sup>(1)</sup>, as last amended by Regulation (EEC) No 3058/75 <sup>(2)</sup>, and in particular Article 15 (7) thereof,

Whereas the basic amount of the import levy on syrups and certain other sugar products was fixed by Regulation (EEC) No 207/76 <sup>(3)</sup>, as last amended by Regulation (EEC) No 299/76 <sup>(4)</sup>;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 207/76

to the information at present available to the Commission that the basic amount of the levy at present in force should be altered as shown in this Regulation,

HAS ADOPTED THIS REGULATION :

*Article 1*

The basic amount of the import levy on the products listed in Article 1 (1) d) of Regulation (EEC) No 3330/74 is hereby fixed, per 100 kilogrammes of product, at 0.0711 unit of account per percentage point of sucrose content.

*Article 2*

This Regulation shall enter into force on 14 February 1976.

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

Done at Brussels, 13 February 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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<sup>(1)</sup> OJ No L 359, 31. 12. 1974, p. 1.  
<sup>(2)</sup> OJ No L 306, 26. 11. 1975, p. 3.  
<sup>(3)</sup> OJ No L 26, 31. 1. 1976, p. 23.  
<sup>(4)</sup> OJ No L 37, 12. 2. 1976, p. 23.



## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DECISION

of 9 February 1976

on intervention by the European Social Fund in favour of persons occupied in the textile and clothing industries

(76/206/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 71/66/EEC of 1 February 1971 on the reform of the European Social Fund<sup>(1)</sup>, and in particular Article 4 thereof,Having regard to the proposal from the Commission, Having regard to the opinion of the European Parliament<sup>(2)</sup>,Having regard to the opinion of the Economic and Social Committee<sup>(3)</sup>,Whereas the time limit referred to in the second paragraph of Article 3 of Council Decision 72/429/EEC of 19 December 1972 on intervention by the European Social Fund in favour of persons occupied in the textile industry<sup>(4)</sup>, expired on 1 January 1976;

Whereas, however, the employment situation in the Community textile sector continues to be affected by quantitative and qualitative imbalances and it appears necessary to prolong the specific joint action aimed at ensuring a better adaptation of labour supply and demand in this sector;

Whereas the employment difficulties encountered in the textile sector have progressively affected the clothing sector,

HAS DECIDED AS FOLLOWS:

*Article 1*

1. Operations which are aimed at facilitating the employment and the geographical and occupational mobility of persons occupied in the textile industry, including the processing of chemical fibres, and in the clothing industry, whose activities are directly

affected, or are in danger of being affected, by quantitative or qualitative measures for structural adaptation and who are to pursue activities as employed persons either within those industries or outside them, shall be eligible for assistance from the Social Fund pursuant to Article 4 of Decision 71/66/EEC.

2. Operations for the benefit of self-employed persons in charge of textile or clothing undertakings, in particular small craft undertakings, who are to pursue activities as self-employed persons, shall also be eligible for assistance from the Fund on the terms laid down in paragraph 1.

*Article 2*

Aids included in the list laid down by Council Regulation (EEC) No 2397/71 of 8 November 1971 on aids which may qualify for assistance from the European Social Fund<sup>(5)</sup>, as amended by Regulation (EEC) No 1761/74<sup>(6)</sup>, may also receive assistance from the Fund by virtue of this Decision.

*Article 3*

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

It shall apply to operations of which the draft has received the approval of the Commission during a period beginning 2 January 1976 and ending 18 months after the entry into force of this Decision.

Done at Brussels, 9 February 1976.

*For the Council**The President*

G. THORN

<sup>(1)</sup> OJ No L 28, 4. 2. 1971, p. 15.<sup>(2)</sup> OJ No C 280, 8. 12. 1975, p. 65.<sup>(3)</sup> Opinion delivered on 27 November 1975 (not yet published in the Official Journal).<sup>(4)</sup> OJ No L 291, 28. 12. 1972, p. 160.<sup>(5)</sup> OJ No L 249, 10. 11. 1971, p. 58.<sup>(6)</sup> OJ No L 185, 9. 7. 1974, p. 1.

## COUNCIL DIRECTIVE

of 9 February 1976

on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions

(76/207/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 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 Council, in its resolution of 21 January 1974 concerning a social action programme<sup>(3)</sup>, included among the priorities action for the purpose of achieving equality between men and women as regards access to employment and vocational training and promotion and as regards working conditions, including pay;

Whereas, with regard to pay, the Council adopted on 10 February 1975 Directive 75/117/EEC on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women<sup>(4)</sup>;

Whereas Community action to achieve the principle of equal treatment for men and women in respect of access to employment and vocational training and promotion and in respect of other working conditions also appears to be necessary; whereas, equal treatment for male and female workers constitutes one of the objectives of the Community, in so far as the harmonization of living and working conditions while maintaining their improvement are *inter alia* to be furthered; whereas the Treaty does not confer the necessary specific powers for this purpose;

Whereas the definition and progressive implementation of the principle of equal treatment in matters of social security should be ensured by means of subsequent instruments,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

1. The purpose of this Directive is to put into effect in the Member States the principle of equal treatment for men and women as regards access to employment, including promotion, and to vocational training and as regards working conditions and, on the conditions referred to in paragraph 2, social security. This principle is hereinafter referred to as 'the principle of equal treatment.'

2. With a view to ensuring the progressive implementation of the principle of equal treatment in matters of social security, the Council, acting on a proposal from the Commission, will adopt provisions defining its substance, its scope and the arrangements for its application.

*Article 2*

1. For the purposes of the following provisions, the principle of equal treatment shall mean that there shall be no discrimination whatsoever on grounds of sex either directly or indirectly by reference in particular to marital or family status.

2. This Directive shall be without prejudice to the right of Member States to exclude from its field of application those occupational activities and, where appropriate, the training leading thereto, for which, by reason of their nature or the context in which they are carried out, the sex of the worker constitutes a determining factor.

3. This Directive shall be without prejudice to provisions concerning the protection of women, particularly as regards pregnancy and maternity.

4. This Directive shall be without prejudice to measures to promote equal opportunity for men and women, in particular by removing existing inequalities which affect women's opportunities in the areas referred to in Article 1(1).

<sup>(1)</sup> OJ No C 111, 20. 5. 1975, p. 14.

<sup>(2)</sup> OJ No C 286, 15. 12. 1975, p. 8.

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

<sup>(4)</sup> OJ No L 45, 19. 2. 1975, p. 19.

*Article 3*

1. Application of the principle of equal treatment means that there shall be no discrimination whatsoever on grounds of sex in the conditions, including selection criteria, for access to all jobs or posts, whatever the sector or branch of activity, and to all levels of the occupational hierarchy.

2. To this end, Member States shall take the measures necessary to ensure that :

- (a) any laws, regulations and administrative provisions contrary to the principle of equal treatment shall be abolished ;
- (b) any provisions contrary to the principle of equal treatment which are included in collective agreements, individual contracts of employment, internal rules of undertakings or in rules governing the independent occupations and professions shall be, or may be declared, null and void or may be amended ;
- (c) those laws, regulations and administrative provisions contrary to the principle of equal treatment when the concern for protection which originally inspired them is no longer well founded shall be revised ; and that where similar provisions are included in collective agreements labour and management shall be requested to undertake the desired revision.

*Article 4*

Application of the principle of equal treatment with regard to access to all types and to all levels, of vocational guidance, vocational training, advanced vocational training and retraining, means that Member States shall take all necessary measures to ensure that :

- (a) any laws, regulations and administrative provisions contrary to the principle of equal treatment shall be abolished ;
- (b) any provisions contrary to the principle of equal treatment which are included in collective agreements, individual contracts of employment, internal rules of undertakings or in rules governing the independent occupations and professions shall be, or may be declared, null and void or may be amended ;
- (c) without prejudice to the freedom granted in certain Member States to certain private training establishments, vocational guidance, vocational training, advanced vocational training and retraining shall be accessible on the basis of the same criteria and at the same levels without any discrimination on grounds of sex.

*Article 5*

1. Application of the principle of equal treatment with regard to working conditions, including the conditions governing dismissal, means that men and women shall be guaranteed the same conditions without discrimination on grounds of sex.

2. To this end, Member States shall take the measures necessary to ensure that :

- (a) any laws, regulations and administrative provisions contrary to the principle of equal treatment shall be abolished ;
- (b) any provisions contrary to the principle of equal treatment which are included in collective agreements, individual contracts of employment, internal rules of undertakings or in rules governing the independent occupations and professions shall be, or may be declared, null and void or may be amended ;
- (c) those laws, regulations and administrative provisions contrary to the principle of equal treatment when the concern for protection which originally inspired them is no longer well founded shall be revised ; and that where similar provisions are included in collective agreements labour and management shall be requested to undertake the desired revision.

*Article 6*

Member States shall introduce into their national legal systems such measures as are necessary to enable all persons who consider themselves wronged by failure to apply to them the principle of equal treatment within the meaning of Articles 3, 4 and 5 to pursue their claims by judicial process after possible recourse to other competent authorities.

*Article 7*

Member States shall take the necessary measures to protect employees against dismissal by the employer as a reaction to a complaint within the undertaking or to any legal proceedings aimed at enforcing compliance with the principle of equal treatment.

*Article 8*

Member States shall take care that the provisions adopted pursuant to this Directive, together with the relevant provisions already in force, are brought to the attention of employees by all appropriate means, for example at their place of employment.

*Article 9*

1. Member States shall put into force the laws, regulations and administrative provisions necessary in order to comply with this Directive within 30 months of its notification and shall immediately inform the Commission thereof.

However, as regards the first part of Article 3(2)(c) and the first part of Article 5(2)(c), Member States shall carry out a first examination and if necessary a first revision of the laws, regulations and administrative provisions referred to therein within four years of notification of this Directive.

2. Member States shall periodically assess the occupational activities referred to in Article 2 (2) in order to decide, in the light of social developments, whether there is justification for maintaining the exclusions concerned. They shall notify the Commission of the results of this assessment.

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

*Article 10*

Within two years following expiry of the 30-month period laid down in the first subparagraph of Article

9 (1), Member States shall forward all necessary information to the Commission to enable it to draw up a report on the application of this Directive for submission to the Council.

*Article 11*

This Directive is addressed to the Member States.

Done at Brussels, 9 February 1976.

*For the Council*

*The President*

G. THORN

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