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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 1485/76**

of 21 June 1976

**on the opening, allocation and administration of the Community tariff quota of 30 000 head of heifers and cows other than those intended for slaughter, of certain mountain breeds falling within subheading ex 01.02 A II b) 2 of the Common Customs Tariff**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(1)</sup>,

Whereas the European Economic Community undertook within the framework of the GATT to open an annual Community tariff quota of 20 000 head at a duty of 6 % for heifers and cows other than those intended for slaughter, of certain mountain breeds falling within subheading ex 01.02 A II b) 2 of the Common Customs Tariff; whereas eligibility for such quota is subject to conditions to be determined by the competent authorities of the Member State of destination; whereas, in an exchange of letters with Austria dated 21 July 1972, the Community has undertaken unilaterally to increase the size of the tariff quota from 20 000 to 30 000 head and to lower the quota duty from 6 % to 4 %;

Whereas, under Article 60 of the Act concerning the conditions of accession and the adjustments to the Treaties<sup>(2)</sup>, the new Member States are obliged to apply the Regulations of the common agricultural policy from 1 February 1973 onwards; whereas, therefore, any requirements which may arise in these Member States during the quota period under consideration should be taken into account in the Community tariff quota in question; whereas the abovementioned tariff quota for the period 1 July 1976 to 30 June 1977 should therefore be opened at a duty of

4 % for the Community as originally constituted and at a duty corresponding to the provisions of the abovementioned Act for the new Member States;

Whereas it is in particular necessary to ensure equal and continuous access for all Community importers to the abovementioned quota, and the uninterrupted application of the quota duties, to all imports of the animals in question until the quota is exhausted; whereas, having regard to the principles defined above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas possibilities for the use of such mountain breeds are, however, limited by special factors, both geographical and zootechnical; whereas the Benelux countries and Denmark do not have regions suitable for breeding this kind of cattle; whereas, however, in view of such special factors, the Community nature of the tariff quota in question should be preserved by making provision for requirements which may arise in these Member States; whereas, to this end, these Member States may proceed to draw adequate shares from the Community reserve which has been set up; whereas, in order to reflect as closely as possible the actual trend of the market in question, the initial allocation must be made in proportion to the requirements of each of the Member States concerned, calculated in accordance with statistical data concerning imports from third countries during a representative reference period and with economic prospects for the quota period in question;

Whereas, since the animals in question belong to certain specific breeds which are not specified as such in the statistical nomenclatures of the Member States, no data on imports provided by the Member States could be considered to be sufficiently accurate and representative to be used as a basis for the allocation in question; whereas the extent to which Community tariff quotas for those animals in the Community as originally constituted have been exhausted, and the estimates made by certain Member States enable the requirements of each of them as regards imports from

<sup>(1)</sup> OJ No C 125, 8. 6. 1976, p. 47.

<sup>(2)</sup> OJ No L 73, 27. 3. 1972, p. 14.

third countries for the quota period envisaged to be assessed as follows :

Benelux	1 500 head,
Germany	10 000 head,
France	3 900 head,
Italy	6 100 head ;

Whereas, in the absence of precise information, the needs of the United Kingdom and Ireland may be assessed at 300 and 200 head ;

Whereas, in order to take into account the possible trend of imports of the aforementioned animals into the said Member States, the quota amount of 30 000 head should be divided into two parts, the first being allocated among certain Member States, the second forming a reserve intended subsequently to cover the requirements of those Member States when their initial shares are exhausted and requirements which may arise within other Member States ; whereas in order to ensure a certain degree of security for importers in the aforementioned Member States, the first part of the Community quota should be determined at a comparatively high level which under the present circumstances may be approximately 60 % of the quota amount ;

Whereas the initial shares of those Member States may be used up more or less rapidly ; whereas, in order to take this fact into account and avoid any break in continuity, it is important that that Member State, having used up almost the whole of its initial share, should draw an additional share from the reserve ; whereas this must be done by each of these Member States as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows ; whereas the initial and additional shares must be available until the end of the quota period ; whereas such method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amounts are used and inform Member States thereof ;

Whereas if, at a specified date within the quota period a considerable balance of the initial share of one or other of the Member States is left over, it is essential that that State should return a considerable part of such balance to the reserve in order that part of the Community tariff quota should not remain unused in one Member State while it could be used in others ;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that economic union may be carried out by one of its members,

HAS ADOPTED THIS REGULATION :

#### *Article 1*

1. During the period 1 July 1976 to 30 June 1977, a Community tariff quota of 30 000 head shall be opened within the European Economic Community in respect of the imports from third countries of cows and heifers, other than those intended for slaughter, of the following mountain breeds : grey, brown, yellow and mottled Simmental breed and mottled Pinzgau breed, falling within subheading ex 01.02 A II b) 2 of the Common Customs Tariff.

2. For the purposes of this Regulation, the above-mentioned cows and heifers shall be considered not intended for slaughter if they are not slaughtered within four months following the date of their importation.

Derogations may, however, be granted in the event of an act of God (disease, accident) duly attested by a local authority certificate setting out the reasons for the slaughter.

3. The said quota shall be administered in accordance with the following Articles.

#### *Article 2*

1. Within the framework of the quota referred to in Article 1 (1), the Common Customs Tariff duty for the animals referred to in the said paragraph shall be suspended at 4 %.

2. Within the said tariff quota, the new Member States shall apply duties calculated in accordance with the relevant provisions of the Act of Accession.

#### *Article 3*

1. A first part of 19 000 head shall be allocated among the Member States listed below. The shares shall apply from 1 July 1976 to 30 June 1977, subject to Article 7, and shall be as follows :

Benelux	1 000 head,
Germany	8 800 head,
France	3 400 head,
Ireland	200 head,
Italy	5 300 head,
United Kingdom	300 head.

2. The second part of 11 000 head shall be held as a Community reserve.

#### *Article 4*

If requirements arise in Denmark for cattle referred to in Article 1 (1), this Member State shall draw an adequate share from the reserve, in so far as the reserve permits.

*Article 5*

1. If 90 % or more of the initial quota share of one of the Member States referred to in Article 3, or of that share less the amount returned to the reserve where Article 7 has been applied, has been used up, that Member State shall immediately, by notifying the Commission, draw a second share, in so far as the reserve permits, equal to 15 % of its initial share, rounded off upwards, if necessary, to the next unit.

2. If, after the initial share has been exhausted, 90 % or more of the second share drawn by one of these Member States has been used up, that Member State shall, in accordance with paragraph 1, immediately draw a third share equal to 7.5 % of its initial share, rounded off upwards, if necessary, to the next unit.

3. If, after the second share has been exhausted, 90 % or more of the third share drawn by one of these Member States has been used up, that Member State shall, in accordance with paragraph 1, draw a fourth share equal to the third.

The same method shall be applied until the reserve is exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, each of these Member States may draw shares lower than those fixed in these paragraphs if there are reasons to consider that such shares might not be exhausted. They shall inform the Commission of the grounds which led them to apply this paragraph.

*Article 6*

The additional shares drawn in pursuance of Article 5 shall apply until 30 June 1977.

*Article 7*

If, by 5 April 1977, a Member State has not exhausted its initial share as fixed in Article 3 or as resulting from the application of Article 4, it shall, not later than 25 April 1977, return to the reserve the unused proportion of this share in excess of 20 % of the initial amount.

However, amounts for which import certificates have been issued but not used shall not be returned to the reserve.

The Member States shall, not later than 25 April 1977, notify the Commission of the total imports of the animals in question effected up to 5 April 1977 inclusive and charged against the tariff quota, the amounts referred to in the second subparagraph and, where appropriate, the proportion of their initial share that they return to the reserve.

*Article 8*

The Commission shall keep accounts of the amounts of the shares opened by Member States in accordance with Articles 3, 4 and 5 and shall inform each of them of the extent to which the reserve has been exhausted as soon as it receives the notifications.

The Commission shall, not later than 1 May 1977, notify Member States of the amount in the reserve after the return of shares pursuant to Article 7.

The Commission shall ensure that any drawing which exhausts the reserve is limited to the balance available and, to this end, shall specify the amount thereof to the Member State making the last drawing.

*Article 9*

Member States shall take all measures necessary to ensure that when additional shares are drawn pursuant to Article 4 or 5 it is possible for imports to be counted without interruption against their accumulated shares of the Community quota.

*Article 10*

1. Member States shall take all measures necessary to ensure that access to the tariff quota in question is restricted to cattle as specified in Article 1 (1) and (2).

2. They shall ensure free access to the shares allocated to them for importers established in their territory.

3. The extent to which the shares of the Member States have been used up shall be recorded on the basis of imports submitted for customs clearance under cover of declarations that they have been made available for consumption.

*Article 11*

Member States shall inform the Commission at regular intervals of imports actually charged against their shares.

*Article 12*

Member States and the Commission shall cooperate closely to ensure that the provisions of this Regulation are observed.

*Article 13*

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

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**COUNCIL REGULATION (EEC) No 1486/76**

of 21 June 1976

**on the opening, allocation and administration of the Community tariff quota of 5 000 head of bulls, cows and heifers, other than those intended for slaughter, of certain Alpine breeds falling within subheading ex 01.02 A II b) 2 of the Common Customs Tariff**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(1)</sup>,

Whereas the European Economic Community undertook within the framework of the GATT to open an annual Community tariff quota of 5 000 head at a duty of 4 % for bulls, cows and heifers, other than those intended for slaughter, of certain Alpine breeds falling within subheading ex 01.02 A II b) 2 of the Common Customs Tariff; whereas eligibility for such quota is subject to submission of the following documents:

— bulls:

pedigree certificate,

— female animals:

pedigree certificate or certificate of registration in the herdbook, certifying purity of breed;

Whereas, under Article 60 of the Act concerning the conditions of accession and the adjustments to the Treaties<sup>(2)</sup>, the new Member States are obliged to apply the Regulations of the common agricultural policy from 1 February 1973 onwards; whereas any requirements which may arise in these Member States during the quota period under consideration should, therefore, be taken into account in the Community tariff quota in question; whereas the abovementioned tariff quota for the period 1 July 1976 to 30 June 1977 should, therefore, be opened at a duty of 4 % for the Community as originally constituted and at a duty corresponding to the provisions of the abovementioned Act for the new Member States;

Whereas, it is in particular necessary to ensure equal and continuous access for all Community importers to the abovementioned quota, and the uninterrupted application of the quota duties to all imports of the

animals in question until the quota is exhausted; whereas, having regard to the principles defined above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas possibilities for the use of such mountain breeds are, however, limited by special factors, both geographical and zootechnical; whereas Denmark does not have regions suitable for breeding this kind of cattle; whereas, however, in view of such special factors, the Community nature of the tariff quota in question should be preserved by making provision for requirements which may arise in this Member State; whereas to this end, this Member State may proceed to draw adequate shares from the Community reserve which has been set up; whereas, in order to reflect as closely as possible the actual trend of the market in question, the initial allocation must be made in proportion to the requirements of each of the Member States concerned, calculated in accordance with statistical data concerning imports from third countries during a representative reference period and with economic prospects for the quota period in question;

Whereas, since the animals in question belong to certain specific breeds which are not specified as such in the statistical nomenclatures of the Member States, no data on imports provided by the Member States could be considered to be sufficiently accurate and representative to be used as a basis for the allocation in question; whereas the extent to which Community tariff quotas for those animals, in the Community as originally constituted, have been exhausted, and the estimates made by certain Member States, enable the requirements of each of them as regards imports from third countries for the quota period envisaged to be assessed as follows:

Germany	250 head,
France	120 head,
Italy	4 630 head;

Whereas the needs of Ireland may, in the absence of precise information, be assessed at 25 head;

Whereas, in order to take into account the possible trend of imports of the aforementioned animals into

<sup>(1)</sup> OJ No C 125, 8. 6. 1976, p. 47.

<sup>(2)</sup> OJ No L 73, 27. 3. 1972, p. 14.

the said Member States, the quota amount of 5 000 head should be divided into two parts, the first part being allocated among certain Member States, the second forming a reserve intended subsequently to cover the requirements of these Member States when their initial shares are exhausted and requirements which may arise within other Member States; whereas in order to ensure a certain degree of security for importers in the aforementioned Member States, the first part of the Community quota should be determined at a comparatively high level which under the present circumstances may be about 70 % of the quota amount;

Whereas, the initial shares of those Member States may be used up more or less rapidly; whereas, in order to take this fact into account and avoid any break in continuity, it is important that that Member State, having used up almost the whole of its initial share, should draw an additional share from the reserve; whereas this must be done by each of these Member States as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available until the end of the quota period; whereas such method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amounts are used and inform Member States thereof;

Whereas if, at a specified date within the quota period a considerable balance of the initial share of one or other of the Member States is left over, it is essential that that State should return a considerable part of such balance to the reserve in order that part of the Community quota should not remain unused in one Member State while it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that economic union may be carried out by one of its members,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

During the period 1 July 1976 to 30 June 1977, a Community tariff quota of 5 000 head shall be opened within the European Economic Community in respect of the imports from third countries of bulls, cows and heifers, other than those intended for slaughter, of the following mountain breeds: the

mottled, Simmental breed and the Schwyz and Fribourg breeds, falling within subheading ex 01.02 A II b) 2 of the Common Customs Tariff.

2. Eligibility for this tariff quota shall be subject to the submission:

- in the case of bulls:
  - of a pedigree certificate,
- in the case of female animals:
  - of a pedigree certificate or certificate of registration in the herdbook, certifying purity of breed.

3. The said quota shall be administered in accordance with the following Articles.

#### *Article 2*

1. Within the framework of the quota referred to in Article 1 (1), the Common Customs Tariff duty for the animals referred to in the said paragraph shall be suspended at 4 %.

2. The new Member States shall within the said tariff quotas apply duties calculated in accordance with the relevant provisions of the Act of Accession.

#### *Article 3*

1. A first part of 3 425 head shall be allocated among the Member States listed below. The shares shall apply from 1 July 1976 to 30 June 1977, subject to Article 7, and shall be as follows:

Germany	150 head,
France	100 head,
Ireland	25 head,
Italy	3 150 head.

2. The second part of 1 575 head shall be held as a Community reserve.

#### *Article 4*

If requirements arise in countries of the Benelux Economic Union, in Denmark or in the United Kingdom for cattle referred to in Article 1 (1), these Member States shall draw an adequate share from the reserve, in so far as the reserve permits.

#### *Article 5*

1. If 90 % or more of the initial share of one of the Member States referred to in Article 3, or of that share less the amount returned to the reserve where Article 7 has been applied, has been used up, that Member State shall immediately, by notifying the Commission, draw a second share, in so far as the reserve permits, equal to 15 % of its initial share, rounded off upwards, if necessary, to the next unit.



2. If, after the initial share has been exhausted, 90 % or more of the second share drawn by one of these Member State has been used up, that Member State shall, in accordance with paragraph 1, immediately draw a third share equal to 7.5 % of its initial share, rounded off upwards, if necessary, to the next unit.

3. If, after the second share has been exhausted, 90 % or more of the third share drawn by one of these Member States has been used up, that Member State shall, in accordance with paragraph 1, draw a fourth share equal to the third.

The same method shall be applied until the reserve is exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, each of these Member States may draw shares lower than those fixed in these paragraphs if there are reasons to consider that such shares might not be exhausted. They shall inform the Commission of the grounds which led them to apply this paragraph.

#### *Article 6*

Additional shares drawn in pursuance of Article 5 shall apply until 30 June 1977.

#### *Article 7*

If, by 5 April 1977, a Member State has not exhausted its initial share as fixed in Article 3 or as resulting from the application of Article 4, it shall, not later than 25 April 1977, return to the reserve the unused proportion of the share in excess of 20 % of the initial amount.

However, amounts for which import certificates have been issued but not used shall not be returned to the reserve.

The Member States shall, not later than 25 April 1977, notify the Commission of the total imports of the animals in question effected up to 5 April 1977 inclusive and charged against the tariff quota, the amounts referred to in the second subparagraph and, where appropriate, the proportion of their initial share that they return to the reserve.

#### *Article 8*

The Commission shall keep accounts of the amounts of the shares opened by Member States in accordance

with Articles 3, 4 and 5 and shall inform each of them of the extent to which the reserve has been exhausted as soon as it receives the notification.

The Commission shall, not later than 1 May 1977, notify Member States of the amount in the reserve after the return of shares pursuant to Article 7.

The Commission shall ensure that any drawing which exhausts the reserve is limited to the balance available and, to this end, shall specify the amount thereof to the Member State making the last drawing.

#### *Article 9*

The Member States shall take all measures necessary to ensure that when additional shares are drawn pursuant to Article 4 or 5 it is possible for imports to be counted without interruption against their accumulated shares of the Community quota.

#### *Article 10*

1. Member States shall take all measures necessary to ensure that the access to the tariff quota in question is restricted to cattle as specified in Article 1 (1) and (2).

2. They shall ensure free access to the shares allocated to them for importers established in their territory.

3. The extent to which the shares of the Member States have been used up shall be recorded on the basis of imports submitted for customs clearance under cover of declarations that they have been made available for consumption.

#### *Article 11*

Member States shall inform the Commission at regular intervals of imports actually charged against their shares.

#### *Article 12*

Member States and the Commission shall cooperate closely to ensure that the provisions of this Regulation are observed.

#### *Article 13*

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 21 June 1976.

*For the Council*

*The President*

J. HAMILIUS

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**COUNCIL REGULATION (EEC) No 1487/76**

of 22 June 1976

**amending Regulation (EEC) No 3330/74 on the common organization of the market in sugar**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(1)</sup>,

Whereas Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé<sup>(2)</sup>, as also Council Decision 75/614/EEC of 25 February 1975 concerning the importation of cane sugar originating in the overseas countries and territories (OCT)<sup>(3)</sup>, supplemented by Decision 75/615/EEC<sup>(4)</sup>, and the Agreement between the European Economic Community and the Republic of India on cane sugar<sup>(5)</sup>, affirm two basic principles whereby on the one hand the Community undertakes to purchase and import the sugar at negotiated prices and to provide intervention guarantees, and on the other these undertakings are to be implemented within the framework of the common organization of the market in sugar; whereas the incorporation of Title V concerning the system of preferential imports into Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar<sup>(6)</sup>, as last amended by Regulation (EEC) No 832/76<sup>(7)</sup>, establishes the latter principle on a permanent footing; whereas, therefore, save as otherwise provided, the relevant provisions of the other titles of the said Regulation are applicable to preferential sugar referred to in Article 43 of the said Regulation;

Whereas, however, since Article 8 of Regulation (EEC) No 3330/74 provides that storage costs for white sugar, raw sugar and certain syrups produced prior to the crystallizing stage, manufactured from beet or cane harvested in the Community, shall be reimbursed at a flat rate by the Member States, preferential sugar is not entitled to such reimbursement;

Whereas the system of reimbursement for storage costs is to be regarded as a means of ensuring that supplies are spread as evenly as possible over the entire marketing year; whereas preferential sugar

should be used in attaining this objective, in particular by enabling Community refineries to maintain a steady rhythm of work irrespective of the pattern of supplies which is dependent to a large extent on geographical factors;

Whereas since 1 January 1976 Member States have been able to authorize within the framework of inward processing traffic *inter alia* operations which consist in exporting white sugar then in compensating for such exportation, within a certain period, by a later importation of raw sugar; whereas such operations can have a determining influence on supplies to the Community market, in particular during the period of transition from one harvest to the next; whereas, therefore, the possibility of excluding the use of the inward processing traffic system in the case of the refining of raw sugar should be extended;

Whereas the abovementioned undertakings have the effect of conferring the same rights on preferential sugar as those of Community sugar produced under the quota system; whereas, therefore, preferential sugar should contribute to ensuring normal supplies to the Community which is the main purpose of Article 18 of Regulation (EEC) No 3330/74; whereas, therefore, preferential sugar should be subject to the minimum stock system;

Whereas with regard in particular to the foreseeable beet and sugar production situation in Italy in the 1976/77 sugar marketing year, provision should be made, exceptionally, for Italy to grant adaptation aid during the said marketing year in excess of that currently authorized,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 8 (1) of Regulation (EEC) No 3330/74 shall be replaced by the following:

‘1. Subject to Article 31 (2), storage costs for white sugar, raw sugar and certain syrups produced prior to the crystallizing stage, manufactured from beet or cane harvested in the Community shall be reimbursed at a flat rate by the Member States.

<sup>(1)</sup> OJ No C 53, 8. 3. 1976, p. 24.

<sup>(2)</sup> OJ No L 25, 30. 1. 1976, p. 1.

<sup>(3)</sup> OJ No L 268, 17. 10. 1975, p. 43.

<sup>(4)</sup> OJ No L 268, 17. 10. 1975, p. 45.

<sup>(5)</sup> OJ No L 190, 23. 7. 1975, p. 36.

<sup>(6)</sup> OJ No L 359, 31. 12. 1974, p. 1.

<sup>(7)</sup> OJ No L 100, 14. 4. 1976, p. 1.

The storage costs for preferential sugar referred to in Article 43 shall also be reimbursed at a flat rate by the Member States.

Member States shall charge a levy :

- (a) on each sugar manufacturer :
  - per unit of weight of sugar produced, or
  - per unit of weight of the syrups referred to in the preceding subparagraph and produced and marketed in the natural state ;
- (b) on each importer of preferential sugar per unit of weight of sugar imported and marketed in the natural state ;
- (c) on each sugar refiner of preferential sugar per unit of weight of refined sugar.

The amount of the reimbursement shall be the same for the entire Community. The same rule shall apply to the levy.

However, as regards the 1976/77 sugar marketing year, this Article shall not apply to preferential sugar.'

#### *Article 2*

The second subparagraph of Article 18 (1) of Regulation (EEC) No 3330/74 shall be replaced by the following :

'This minimum stock shall, in principle, be equal to 10 % of the basic quota of each undertaking or to 10 % of an undertaking's production, where its production is smaller than its basic quota. As regards the preferential sugar referred to in Article 43 this minimum stock shall in principle be equal to 10 % of the quantity of preferential sugar which an undertaking refines during a period to be determined.'

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

Done at Luxembourg, 22 June 1976.

#### *Article 3*

The first indent of Article 20 of Regulation (EEC) No 3330/74 shall be replaced by the following :

- the products listed in Article 1 (1) which are intended for the manufacture of the products listed in the same paragraph under (a) and (d),'

#### *Article 4*

The following paragraph shall be inserted into Article 38 of Regulation (EEC) No 3330/74 :

'2a. Notwithstanding paragraphs 1 and 2, during the 1976/77 sugar marketing year, the amount referred to in the first subparagraph of paragraph 1 shall be 9.9 units of account, a portion of which may be granted to the processing industry. This amount shall apply to the quantity of white sugar referred to in the second subparagraph of paragraph 1 increased by 100 000 metric tons of white sugar.'

Moreover, during the 1976/77 sugar marketing year, the Italian Republic may grant additional aid of an amount equal to the production levy laid down for the said marketing year. This aid shall apply to the quantity of white sugar produced during the said marketing year in excess of the basic quota, without however exceeding the maximum quota, up to a limit of 100 000 metric tons.'

#### *Article 5*

This Regulation shall enter into force on 1 July 1976.

*For the Council*

*The President*

J. HAMILIUS

**COUNCIL REGULATION (EEC) No 1488/76**

of 22 June 1976

**laying down provisions for the introduction of a system of minimum stocks in the sugar sector**

THE COUNCIL 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 1487/76<sup>(2)</sup>, and in particular Article 18 (3) thereof,

Having regard to the proposal from the Commission,

Whereas in view of the aims of the common agricultural policy, in particular the stabilization of markets, the maintenance of reasonable prices for the supplies to consumers and the safeguarding of normal supplies for the entire Community and each of its regions, Article 18 of Regulation (EEC) No 3330/74 provides for the establishment of a system of minimum stocks; whereas the said Article lays down that the minimum stock shall in principle be equal to 10% of the basic quota for each undertaking or to 10% of an undertaking's production where its production is smaller than its basic quota; whereas as regards preferential sugar, the said Article provides that the minimum stock must in principle be equal to 10% of the quantity of preferential sugar refined by an undertaking during a period to be determined; whereas, therefore, the stock must be held under certain conditions by the manufacturer and the refiner of the sugar in question; whereas it is necessary to apply this system in such a way as to take account of the existing structures in the sugar sector; whereas the criteria for proper utilization of the minimum stock need to be laid down;

Whereas in order to ensure effective administration of this system, provision should be made for the adoption of implementing provisions in accordance with the procedure laid down in Article 36 of Regulation (EEC) No 3330/74,

HAS ADOPTED THIS REGULATION:

*Article 1*

Without prejudice to the other provisions of this Regulation and in so far as the goods concerned are those

to which Article 8 of Regulation (EEC) No 3330/74 applies:

- (a) each sugar manufacturer shall, each month of the calendar year, hold in stock a quantity of sugar which may not be less than 10% of his actual production, within the limits of the basic quota of his undertaking, during the 12 months immediately preceding the month in question;
- (b) each refiner of preferential sugar shall, each month of the calendar year, hold in stock a quantity of sugar which may not be less than 10% of the preferential sugar refined in his undertaking during the 12 months immediately preceding the month in question.

*Article 2*

Without prejudice to Article 3 the minimum stock may only be the property of the manufacturer or refiner in question and must be unencumbered by any commitments that might impede the aims of Article 18 of Regulation (EEC) No 3330/74.

*Article 3*

Raw sugar or syrups produced prior to the crystallizing stage by an undertaking which has a basic quota as part of its minimum stock and which are intended for processing into white sugar by another undertaking:

- (a) may be sold to the processor, on condition that the latter undertakes, with respect to the quantity of the product in question, to meet the obligations specified in Articles 1 (a) and 2;
- or
- (b) at the request of the manufacturer who produced them they shall not be subject to the obligation referred to in Article 1 (a), in return for the reimbursement by the manufacturer on a flat-rate basis of the profit resulting from taking account of storage costs for the minimum stock in fixing sugar prices.

*Article 4*

Where the supplies of sugar required by the Community can no longer be ensured under normal condi-

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

<sup>(2)</sup> See page 9 of this Official Journal.

tions, provision may be made for the owner of the minimum stock to be released in whole or in part from the obligation to stock the sugar in question.

*Article 5*

Where the market position so requires or where action to release sugar taken in accordance with Article 4 is ineffective, the Council, acting by a qualified majority on a proposal from the Commission, shall adopt appropriate measures to ensure that the necessary quantities are taken out of stock to supply the Community or one or more Community regions under normal conditions.

*Article 6*

When sugar from the minimum stock is marketed under conditions other than those provided for by the rules of the minimum stock system, a charge shall be levied in respect of the quantity of sugar marketed.

This amount shall be calculated on the basis of:

- (a) a sum representing the profit resulting from taking account of the costs involved in maintaining the minimum stock in fixing sugar prices;

and

- (b) the difference between the threshold price and the intervention price fixed for white sugar for the sugar marketing year in question, plus a fixed amount of two units of account per 100 kilogrammes.

*Article 7*

Detailed rules for the application of this Regulation, in particular the amount laid down in Article 6, and any derogations from Article 2 shall be adopted in accordance with the procedure laid down in Article 36 of Regulation (EEC) No 3330/74.

*Article 8*

1. This Regulation shall enter into force on 1 July 1976.

2. This Regulation shall apply from the 1976/77 sugar marketing year:

- to the French departments of Guadeloupe and Martinique, as from 1 June 1977,
- to the other regions of the Community, as from 1 February 1977.

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

Done at Luxembourg, 22 June 1976.

*For the Council*

*The President*

J. HAMILIUS

**COUNCIL REGULATION (EEC) No 1489/76**

of 22 June 1976

**amending Regulation (EEC) No 766/68 as regards the granting of export refunds  
on sugars imported into the Community under preferential systems**

THE COUNCIL 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 1487/76<sup>(2)</sup>, and in particular  
Article 19 (2) and (3) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3330/74 lays down  
special arrangements to ensure the application of the  
preferential systems referred to in Title V thereof;

Whereas the provisions of Article 19 of Regulation  
(EEC) No 3330/74 on the system of refunds are there-  
fore applicable to the said preferential sugar;

Whereas Article 15 of Council Regulation (EEC) No  
766/68 of 18 June 1968 laying down general rules for  
granting export refunds on sugar<sup>(3)</sup>, as last amended  
by Regulation (EEC) No 1102/75<sup>(4)</sup>, lays down firstly  
that no export refund shall be granted for the  
products listed in Article 1 (1) (a) and (c) of Regulation  
(EEC) No 3330/74, unless they have been produced  
from sugar beet or sugar cane harvested within the  
Community, and secondly that no export refund shall  
be granted for the products listed in the said Article  
1 (1) (d) which are not of Community origin;

Whereas under paragraph 4 of Protocol 17 to the Act  
of Accession<sup>(5)</sup> and notwithstanding Article 15 (1) of  
Regulation (EEC) No 766/68, the export refund appli-  
cable in the United Kingdom may be granted for  
white sugar produced from raw sugar imported under  
the terms of the Protocol;

Whereas preferential import systems applying to sugar  
combined with an undertaking to purchase and

import were subsequently introduced by Protocol 3 on  
sugar annexed to the ACP-EEC Convention of  
Lomé<sup>(6)</sup>, by Council Decision 75/614/EEC of 25  
February 1975 concerning the importation of cane  
sugar originating in the overseas countries and territo-  
ries (OCT)<sup>(7)</sup>, and by the Agreement between the  
EEC and the Republic of India on cane sugar<sup>(8)</sup>;  
whereas the implementation of these preferential  
systems and in particular of the undertakings referred  
to calls for an extension of the system of export  
refunds to sugars imported under preferential systems,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 15 of Regulation (EEC) No 766/68 shall be  
replaced by the following:

*Article 15*

1. No export refund shall be granted on the  
products listed in Article 1 (1) (a) of Regulation  
(EEC) No 3330/74 unless they have been:

- (a) produced from sugar beet or sugar cane har-  
vested within the Community;
- (b) imported into the Community by virtue:
  - of Protocol 3 on sugar annexed to the  
ACP-EEC Convention of Lomé,
  - of Decision 75/614/EEC,
  - of the Agreement between the EEC and  
the Republic of India on cane sugar;
- (c) produced from one of the products imported  
by virtue of the provisions referred to under  
(b).

2. No export refund shall be granted for the  
products listed in Article 1 (1) (c) and (d) of Regula-

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

<sup>(2)</sup> See page 9 of this Official Journal.

<sup>(3)</sup> OJ No L 143, 25. 6. 1968, p. 6.

<sup>(4)</sup> OJ No L 110, 30. 4. 1975, p. 1.

<sup>(5)</sup> OJ No L 73, 27. 3. 1972, p. 14.

<sup>(6)</sup> OJ No L 25, 30. 1. 1976, p. 1.

<sup>(7)</sup> OJ No L 268, 17. 10. 1975, p. 43.

<sup>(8)</sup> OJ No L 190, 23. 7. 1975, p. 36.

tion (EEC) No 3330/74 which are not of Community origin or have not been produced from sugars imported into the Community by virtue of the provisions referred to in paragraph 1 (b) or from products specified in paragraph 1 (c).'

*Article 2*

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 22 June 1976.

*For the Council*

*The President*

J. HAMILIUS

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**COUNCIL REGULATION (EEC) No 1490/76**

of 22 June 1976

**fixing, for the 1976/77 sugar marketing year, the differential charge to be levied on raw preferential sugar and the differential amount to be granted in respect of raw cane sugar from the French overseas departments**

THE COUNCIL 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 1487/76<sup>(2)</sup>, and in particular Articles 9 (5) and 47 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Article 46 (1) of Regulation (EEC) No 3330/74 provides that where there is a difference between, on the one hand, the raw sugar refining margin used to determine the intervention and threshold prices for raw sugar and, on the other hand, the margin necessary for the refining of raw preferential sugar, a differential charge to be made on the latter sugar shall be fixed for the sugar marketing year in question ;

Whereas the bulk of the raw preferential sugar cannot be refined unless use is made of the refineries defined in Article 9 (7) of Regulation (EEC) No 3330/74 ; whereas the margin required for the refining of the said sugar in such refineries is greater, according to the information at present to hand, than that taken into account when determining the intervention and threshold prices for raw sugar for the 1976/77 sugar marketing year ; whereas a differential charge should therefore be fixed for that year ; whereas the amount thereof may be fixed at a flat rate of 1.20 units of account per 100 kilogrammes of sugar expressed as white sugar, taking into account the differences in some of the components of the refining costs for the raw sugar in question ;

Whereas Article 46 (2) (b) of Regulation (EEC) No 3330/74 makes provision for the non-application of the whole of the differential charge, or part of that charge, to any raw preferential sugar which is imported into regions of the Community and refined there in a production unit other than a refinery as defined in Article 9 (7) of that Regulation ; whereas, having regard to the traditional patterns of supplies of the said sugar to Ireland, a total quantity of 30 000 metric tons of that sugar expressed as white sugar

imported and refined in that region between 1 November 1975 and 30 June 1976 was exempted from the differential charge ; whereas, for the same reasons, that exemption should be continued in respect of Ireland for the 1976/77 sugar marketing year ;

Whereas the second subparagraph of Article 9 (3) of Regulation (EEC) No 3330/74 provides, in particular, that where a differential charge has been fixed, a differential amount equal to that charge shall be granted in respect of the raw sugar produced in the French overseas departments and refined in a refinery defined in paragraph 7 of that Article and situated in the Community ; whereas that amount should therefore be fixed at 1.20 units of account per 100 kilogrammes of white sugar,

HAS ADOPTED THIS REGULATION :

*Article 1*

This Regulation shall apply to the 1976/77 sugar marketing year.

*Article 2*

The differential charge provided for in Article 46 (1) of Regulation (EEC) No 3330/74 shall be fixed at 1.20 units of account per 100 kilogrammes of sugar expressed as white sugar by reference to a raw sugar yield calculated by doubling the degree of polarization of that sugar and deducting 100 therefrom. Nevertheless, this charge shall not apply to raw preferential sugar refined during the 1976/77 sugar marketing year in Ireland up to a maximum quantity of 30 000 metric tons of sugar expressed as white sugar.

*Article 3*

The differential amount provided for in the second subparagraph of Article 9 (3) of Regulation (EEC) No 3330/74 shall be fixed at 1.20 units of account per 100 kilogrammes of white sugar.

*Article 4*

This Regulation shall enter into force on 1 July 1976.

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

<sup>(2)</sup> See page 9 of this Official Journal.

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

Done at Luxembourg, 22 June 1976.

*For the Council*

*The President*

J. HAMILIUS

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**COUNCIL REGULATION (EEC) No 1491/76**

of 22 June 1976

**laying down, for the 1976/77 sugar marketing year, measures to facilitate the disposal of sugar produced in the French overseas departments**

THE COUNCIL 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 1487/76<sup>(2)</sup>, and in particular Article 9 (5) thereof,

Having regard to the proposal from the Commission,

Whereas Article 9 (3) of Regulation (EEC) No 3330/74 provides that appropriate measures are to be taken in the event of difficulties arising in the disposal of sugar produced in the French overseas departments; whereas the existence of such difficulties has been recognized in the past and appropriate Community measures have already been taken; whereas these difficulties still remain;

Whereas the economic relationship between the French overseas departments and the European regions of the Community requires that the bulk of the sugar from the French overseas departments should be disposed of in those regions;

Whereas a subsidy should be granted for the refining of the sugar concerned to ensure that these quantities

are disposed of in those regions; whereas the amount of the subsidy should be determined on the basis of the value of the raw sugar delivered at the place of refining, the outlets after processing, the necessary refining margin for sugar refined in a refinery as defined in Article 9 (7) of Regulation (EEC) No 3330/74 and the differential amount fixed by Council Regulation (EEC) No 1490/76 of 22 June 1976 fixing, for the 1976/77 sugar marketing year, the differential charge to be levied on raw preferential sugar and the differential amount to be granted in respect of raw cane sugar from the French overseas departments<sup>(3)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

This Regulation shall apply for the 1976/77 sugar marketing year.

*Article 2*

1. Within the maximum quota a subsidy shall be granted for raw sugar produced in the French overseas departments and refined in the Community.
2. The subsidy referred to in paragraph 1 shall be 1.29 units of account per 100 kilogrammes of sugar expressed as white sugar.

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

Done at Luxembourg, 22 June 1976.

*For the Council*

*The President*

J. HAMILIUS

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

<sup>(2)</sup> See page 9 of this Official Journal.

<sup>(3)</sup> See page 15 of this Official Journal.

## COUNCIL REGULATION (EEC) No 1492/76

of 22 June 1976

fixing, for the 1976/77 marketing year, the production aid for tinned pineapple and the minimum price to be paid to pineapple producers

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1929/75 of 22 July 1975 establishing a system of production aid for tinned pineapple<sup>(1)</sup>, and in particular Article 4 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Article 1 of Regulation (EEC) No 1929/75 establishes a system of production aid for tinned pineapple processed from pineapples harvested in the Community; whereas the object of such aid is to offset the difference between the Community offer price and the prices charged by third countries for tinned pineapple;

Whereas, under Article 3 of the said Regulation, the granting of such aid is subject to the payment to producers of fresh pineapples of at least a minimum price; whereas that price must be fixed so as to ensure a fair remuneration to the producers concerned,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1976/77 marketing year, the production aid for tinned pineapple referred to in Article 1 of Regulation (EEC) No 1929/75 shall be 30 units of account per 100 kilogrammes, including immediate packaging.

*Article 2*

For the 1976/77 marketing year, the minimum price referred to in Article 3 of Regulation (EEC) No 1929/75 shall be 15.25 units of account per 100 kilogrammes.

*Article 3*

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*. It shall apply from 1 June 1976.

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

Done at Luxembourg, 22 June 1976.

*For the Council*

*The President*

J. HAMILIUS

<sup>(1)</sup> OJ No L 198, 29. 7. 1975, p. 13.

**COUNCIL REGULATION (EEC) No 1493/76**

of 24 June 1976

**suspending the application of the condition to which imports of certain citrus fruit originating in Morocco or Tunisia are subject under the Association Agreements between the Community and each of those countries**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

Whereas Regulation (EEC) No 2108/75 <sup>(2)</sup>, as amended by Regulation (EEC) No 3416/75 <sup>(3)</sup>, extended the arrangements applied by the Community to trade with Morocco within the framework of the Association with that country; whereas Regulation (EEC) No 2107/75 <sup>(4)</sup>, as amended by Regulation (EEC) No 3415/75 <sup>(5)</sup>, extended the arrangements applied by the Community to trade with Tunisia within the framework of the Association with that country;

Whereas Article 4 (2) and (3) of Annex 1 to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco <sup>(6)</sup>, and Article 4 (2) and (3) of Annex 1 to the Agreement establishing an Association between the European Economic Community and the Republic of Tunisia <sup>(7)</sup>, provide, *inter alia*, for the application to imports into the Community of certain fresh citrus fruit falling within subheadings 08.02 A I and ex B of the Common Customs Tariff, originating in those countries, of arrangements comprising a tariff reduction subject, during the period of application of reference prices, to the observance of a specific price on the Community market;

Whereas Council Regulation (EEC) No 1467/69 of 23 July 1969 on imports of citrus fruits originating in Morocco <sup>(8)</sup>, as amended by Regulation (EEC) No 2365/70 <sup>(9)</sup> and Council Regulation (EEC) No

1472/69 of 23 July 1969 on imports of citrus fruit originating in Tunisia <sup>(10)</sup>, as amended by Regulation (EEC) No 2366/70 <sup>(11)</sup>, laid down detailed rules for the application of those provisions;

Whereas the application of the condition governing the tariff reduction for imports of certain fresh citrus fruit falling within subheadings 08.02 A I and ex B of the Common Customs Tariff originating in Morocco and Tunisia should be suspended;

Whereas, as a result, the application of Regulations (EEC) No 1467/69 and (EEC) No 1472/69 should also be suspended,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the following products:

CCT heading No	Description of goods
08.02	Citrus fruit, fresh or dried: <ul style="list-style-type: none"> <li>A. Oranges:               <ul style="list-style-type: none"> <li>I. Sweet oranges, fresh</li> </ul> </li> <li>ex B. Mandarines (including tangerines and satsumas), clementines, wilkings and other similar citrus hybrids, fresh</li> </ul>

originating in Morocco and Tunisia, the application of the following provisions, extended by Regulations (EEC) No 3416/75 and (EEC) No 3415/75 respectively, shall be suspended:

— Article 4 (2) and (3) of Annex 1 to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco;

<sup>(1)</sup> Opinion delivered on 18. 6. 1976 and not yet published in the Official Journal.

<sup>(2)</sup> OJ No L 215, 13. 8. 1975, p. 2.

<sup>(3)</sup> OJ No L 337, 31. 12. 1975, p. 4.

<sup>(4)</sup> OJ No L 215, 13. 8. 1975, p. 1.

<sup>(5)</sup> OJ No L 337, 31. 12. 1975, p. 3.

<sup>(6)</sup> OJ No L 197, 8. 8. 1969, p. 1.

<sup>(7)</sup> OJ No L 198, 8. 8. 1969, p. 1.

<sup>(8)</sup> OJ No L 197, 8. 8. 1969, p. 95.

<sup>(9)</sup> OJ No L 257, 26. 11. 1970, p. 1.

<sup>(10)</sup> OJ No L 198, 8. 8. 1969, p. 95.

<sup>(11)</sup> OJ No L 257, 26. 11. 1970, p. 2.

— Article 4 (2) and (3) of Annex 1 to the Agreement establishing an Association between the European Economic Community and the Republic of Tunisia.

*Article 2*

For the products listed in Article 1 originating in Morocco and Tunisia, the application of Regulations

(EEC) No 1467/69 and (EEC) No 1472/69 shall be suspended.

*Article 3*

This Regulation shall enter into force on the 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, 24 June 1976.

*For the Council*

*The President*

G. THORN

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**COMMISSION REGULATION (EEC) No 1494/76****of 25 June 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 organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1143/76<sup>(2)</sup>, and in particular Article 13 (5) thereof,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 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 Commission that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 26 June 1976.

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

Done at Brussels, 25 June 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 130, 19. 5. 1976, p. 1.

<sup>(3)</sup> OJ No L 6, 13. 1. 1976, p. 1.

## ANNEX

## to the Commission Regulation of 25 June 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	41.69
10.01 B	Durum wheat	78.54 <sup>(1)</sup> <sup>(5)</sup>
10.02	Rye	44.10 <sup>(6)</sup>
10.03	Barley	25.45
10.04	Oats	24.93
10.05 B	Maize other than hybrid maize for sowing	30.16 <sup>(2)</sup> <sup>(3)</sup>
10.07 A	Buckwheat	4.69
10.07 B	Millet	36.30 <sup>(4)</sup>
10.07 C	Grain sorghum	39.53 <sup>(4)</sup>
10.07 D	Canary seed ; other cereals	0 <sup>(5)</sup>
11.01 A	Wheat or meslin flour	70.51
11.01 B	Rye flour	73.90
11.02 A I a	Durum wheat groats and meal	132.25
11.02 A I b	Common wheat groats and meal	74.47

<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 706/76.

<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 1495/76****of 25 June 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 last amended by Regulation (EEC) No 1143/76<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 26 June 1976.

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

Done at Brussels, 25 June 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 130, 19. 5. 1976, p. 1.

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

## ANNEX

to the Commission Regulation of 25 June 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 6	1st period 7	2nd period 8	3rd period 9
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0.81
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

## B. Malt

(u.a./metric ton)

CCT heading No	Description of goods	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

## COMMISSION REGULATION (EEC) No 1496/76

of 25 June 1976

## fixing the export refunds on fishery products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 100/76 of 19 January 1976 on the common organization of the market in fishery products<sup>(1)</sup>, and in particular the fourth indent of Article 23 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 23 of Regulation (EEC) No 100/76 provides that, to the extent necessary to enable economically important exports of the products listed in Article 1 (2) of that Regulation to be effected on the basis of prices for these products on the world market, the difference between these prices and prices within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 110/76 of 19 January 1976 laying down general rules for granting export refunds on fishery products and criteria for fixing the amount of such refunds<sup>(2)</sup>, provides that when refunds are being fixed account must be taken on the one hand of the existing situation and the future trend with regard to prices and availabilities of fishery products on the Community market and prices for fishery products on the world market on the other; whereas account must also be taken of the costs referred to in (c) of that Article of the economic significance of the proposed exports and of the aims of the common organization of the market in fishery products;

Whereas Article 3 of Regulation (EEC) No 110/76 provides that, when prices on the Community market are being determined, account must be taken of the ruling prices which are most favourable from the exportation point of view; whereas, when prices on the world market are being determined, account must be taken of the prices indicated in paragraph 2 of that Article;

Whereas the world market situation or the specific requirements of certain markets may make it neces-

sary to vary the refund according to the destination of the products in question;

Whereas products of Community origin which are landed, direct from the fishing grounds, in ports situated outside the customs territory of the Community do not qualify for refunds;

Whereas economically important quantities of frozen fillets of cod and of coalfish and of dried and salted cod and coalfish can be exported at the present time;

Whereas it follows from applying the abovementioned rules and criteria to the present situation on the market and in particular to prices for fishery products in the Community and on the world market that the refund should be fixed as shown in the Annex;

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

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

Whereas the measures provided for in this Regulation are in accordance with the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds referred to in Article 1 (2) of Regulation (EEC) No 100/76 are hereby fixed at the amounts shown in the Annex.

*Article 2*

This Regulation shall enter into force on 1 July 1976.

<sup>(1)</sup> OJ No L 20, 28. 1. 1976, p. 1.

<sup>(2)</sup> OJ No L 20, 28. 1. 1976, p. 48.

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

Done at Brussels, 25 June 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

ANNEX

CCT heading No	Description of goods	Refund <i>(u.a. / 100 kg net)</i>
03.01	Fish, fresh (live or dead), chilled or frozen : B. Saltwater fish : II. Fillets : b) Frozen : 1. Of cod ( <i>Gadus morrhua</i> or <i>Gadus callarias</i> ) 2. Of coalfish ( <i>Pollachius virens</i> or <i>Gadus virens</i> )	      6-00 3-00
03.02	Fish, dried, salted or in brine, smoked fish, whether or not cooked before or during the smoking process : ex A. I. b) Cod, dried and salted, whole headless or in pieces For exports to Brazil, Puerto Rico, Congo-Brazzaville, Zaire and Venezuela f) Coalfish, dried and salted, whole, headless or in pieces For exports to Congo-Brazzaville, Zaire, Jamaica, Trinidad, Barbados, Windward and Leeward Islands, Panama, Surinam and the Dominican Republic	           15-00 15-00

## COMMISSION REGULATION (EEC) No 1497/76

of 23 June 1976

## on the application of accession compensatory amounts and monetary compensatory amounts for certain cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2757/75 of 29 October 1975 laying down general rules for the system of accession compensatory amounts for cereals<sup>(1)</sup>, and in particular Article 9 thereof,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States<sup>(2)</sup>, as last amended by Regulation (EEC) No 557/76<sup>(3)</sup>, and in particular Article 6 thereof,

Whereas products falling within heading No 23.07 of the Common Customs Tariff are covered by the system of monetary and accession compensatory amounts;

Whereas for cereals, because of the method of calculation, these compensatory amounts are highest for products falling within subheadings 23.07 B I c) 1 and 2; whereas a large part of the compound feedingstuffs falling within those subheadings, with a high starch content, is manufactured almost exclusively from products falling within heading No 07.06 or 11.06; whereas such compound feedingstuffs are used for the same purpose as the basic products and do not differ from them sufficiently to attract compensatory amounts which are appreciably higher than those for the basic product; whereas, therefore, certain products falling within subheading 23.07 B I c) 1 or 2 should attract the same accession and monetary compensatory amounts as apply to products falling within

subheading 07.06 A; whereas the content of products falling within heading No 07.06 or 11.06 constitutes a valid and practical criterion for distinguishing them;

Whereas these measures can be applied more effectively if the trade declares the composition of the products concerned;

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*

For products falling within subheading 23.07 B I c) 1 or 2 of the Common Customs Tariff, containing more than 50 % by weight of products falling within heading No 07.06 or 11.06 thereof the accession compensatory amounts or monetary compensatory amounts shall be those applicable to products falling within subheading 07.06 A thereof.

*Article 2*

1. The full composition of products falling under the said subheading B I c) 1 or 2 shall be declared to the competent authorities specifying the percentages by weight of each kind of product incorporated therein broken down by tariff headings.

2. Member States shall take all necessary measures to ensure the accuracy of such declaration.

*Article 3*

This Regulation shall enter into force on the 15th 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, 23 June 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 104.

<sup>(2)</sup> OJ No L 106, 12. 5. 1971, p. 1.

<sup>(3)</sup> OJ No L 67, 15. 3. 1976, p. 1.

**COMMISSION REGULATION (EEC) No 1498/76**  
**of 25 June 1976**  
**amending Regulation (EEC) No 1380/75 laying down detailed rules for the appli-**  
**cation of monetary compensatory amounts**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States<sup>(1)</sup>, as last amended by Regulation (EEC) No 557/76<sup>(2)</sup>, and in particular Article 6 thereof,

Whereas Article 11 (2) of Commission Regulation (EEC) No 1380/75 of 29 May 1975<sup>(3)</sup>, as last amended by Regulation (EEC) No 1040/76<sup>(4)</sup>, provides for the use of the control copy referred to in Article 1 of Commission Regulation (EEC) No 2315/69 of 19 November 1969<sup>(5)</sup>, as last amended by Regulation (EEC) No 690/73<sup>(6)</sup>;

Whereas it may happen that, owing to circumstances beyond the control of the party concerned, the said control copy cannot be produced although the product has been entered for home use in the Member State of destination provided for; whereas such a situation may impede trade; whereas in such circumstances other documents should be accepted as equivalent;

Whereas the measures provided for in this Regulation are in accordance with the opinions of all the management committees of common organizations of the agriculture markets,

HAS ADOPTED THIS REGULATION :

*Article 1*

The following paragraph 5 is hereby added to Article 11 of Regulation (EEC) No 1380/75 :

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

Done at Brussels, 25 June 1976.

'5. Where the control copy referred to in paragraph 2 is not returned to the office of departure or relevant central body within three months of its issue owing to circumstances beyond the control of the person concerned, the latter may make application to the competent agency for other documents to be accepted as equivalent, stating the grounds for such application and furnishing supporting documents. Such supporting documents shall include the transport document and the document whereby the product concerned is entered with the customs authorities for home use in the Member State of destination or a copy or photocopy thereof certified by the competent authorities.

In such a case the competent office of the Member State of destination shall, on the document whereby the product concerned is entered with the customs authorities for home use, include the same information as that specified in respect of the section of the control copy headed 'control as to use and/or destination'. This endorsement shall be authenticated by the stamp of the customs office placed directly on the supporting document.

Member States shall each 1 March and 1 September send returns to the Commission showing for each product sector the number of applications made under the preceding subparagraph, the reasons where known for the failure to return the control copy, the quantities and the compensatory amount claimed.'

*Article 2*

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

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

<sup>(1)</sup> OJ No L 106, 12. 5. 1971, p. 1.

<sup>(2)</sup> OJ No L 67, 15. 3. 1976, p. 1.

<sup>(3)</sup> OJ No L 139, 30. 5. 1975, p. 33.

<sup>(4)</sup> OJ No L 188, 5. 5. 1976, p. 12.

<sup>(5)</sup> OJ No L 295, 24. 11. 1969, p. 1.

<sup>(6)</sup> OJ No L 66, 13. 3. 1973, p. 2.

## COMMISSION REGULATION (EEC) No 1499/76

of 25 June 1976

amending Regulations (EEC) No 394/70, (EEC) No 825/75, (EEC) No 2048/75 and (EEC) No 2850/75 on the tariff nomenclature of certain 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 832/76<sup>(2)</sup>, and in particular Articles 12 (2), 17 (5), 19 (4) and 47 (2) thereof,

Whereas Council Regulation (EEC) No 832/76 of 6 April 1976 amending Regulations No 359/67/EEC, (EEC) No 950/68, (EEC) No 3330/74, (EEC) No 2727/75 and (EEC) No 2744/75 on the tariff nomenclature of certain cereal, rice, beef and veal and sugar products, which applies with effect from 1 July 1976, has in the interests of simplification regrouped the tariff subheadings of CCT heading No 17.01 concerning beet sugar and cane sugar in the solid state; whereas, therefore, detailed modifications should be made to Commission Regulations (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar<sup>(3)</sup>, (EEC) No 825/75 of 25 March 1975 laying down special detailed rules for the application of export levies on sugar<sup>(4)</sup>, (EEC) No 2048/75 of 25 July 1975 laying down special detailed rules for the application of the system of import and export licences for sugar<sup>(5)</sup>, as last amended by Regulation (EEC) No 719/76<sup>(6)</sup>, and (EEC) No 2850/75 of 31 October 1975 laying down detailed implementing rules in respect of the importation of preferential sugar and amending Regulations (EEC) No 955/70 and (EEC) No 2048/75<sup>(7)</sup>;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 13 (3) of Regulation (EEC) No 394/70 the words: 'sugar falling within heading No 17.01 B' are hereby replaced by 'undenatured sugar falling within heading No 17.01'.

*Article 2*

Annex I to Regulation (EEC) No 825/75 is hereby replaced by the Annex hereto.

*Article 3*

In the third subparagraph of Article 10 (3) of Regulation (EEC) No 2048/75, the words: 'white sugar falling within subheading 17.01 B I' are hereby replaced by 'white sugar falling within subheading 17.01 A'.

*Article 4*

In Article 2 of Regulation (EEC) No 2850/75, the words: 'Preferential raw sugar which is not intended for refining and which falls within subheading 17.01 B II b)' are hereby replaced by 'Preferential raw sugar falling within subheading 17.01 B II'.

*Article 5*

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

It shall apply with effect from 1 July 1976.

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

Done at Brussels, 25 June 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

(1) OJ No L 359, 31. 12. 1974, p. 1.

(2) OJ No L 100, 14. 4. 1976, p. 1.

(3) OJ No L 50, 4. 3. 1970, p. 1.

(4) OJ No L 79, 28. 3. 1975, p. 17.

(5) OJ No L 213, 11. 8. 1975, p. 31.

(6) OJ No L 84, 31. 3. 1976, p. 27.

(7) OJ No L 283, 1. 11. 1975, p. 50.

## ANNEX

CCT heading No	Description of goods
1	2
17.01	Beet sugar and cane sugar, solid : A. White sugar ex B. Raw sugar, excluding sugar candy



## COMMISSION REGULATION (EEC) No 1500/76

of 25 June 1976

on the granting of private storage aid for beef at a standard rate fixed in advance

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 568/76<sup>(2)</sup>, and in particular Articles 6 (5) (b) and 8 (2) thereof,

Whereas Article 6 (3) thereof provides that intervention measures shall be taken for the whole of the Community when the price for adult bovine animals as recorded on representative Community markets in accordance with Article 10 thereof is lower than the guide price; whereas this condition is fulfilled at present;

Whereas, in the present market situation, where prices are unstable in the Community and where, in particular, the short-term supply difficulties in the Member State with the largest deficit are affecting the availability of supplies in producer Member States, private storage aid should be granted for fresh or chilled carcasses, half-carcasses and 'compensated' quarters of male adult bovine animals as defined in Annex I to Commission Regulation (EEC) No 1896/73 of 13 July 1973 on detailed rules for the application of intervention measures on the market in beef and veal<sup>(3)</sup>, as last amended by Regulation (EEC) No 1333/76<sup>(4)</sup>, and also for fresh or chilled forequarters of adult bovine animals;

Whereas from the results of the tendering procedure under Commission Regulation (EEC) No 1204/76 of 21 May 1976 providing for invitations to tender to determine amounts of private storage aid in respect of beef<sup>(5)</sup>, it is clear that provision should also be made for granting private storage aid at a standard rate fixed in advance taking into account the abovementioned tendering procedure; whereas, furthermore, in the light of the unfavourable weather and recent market developments, the aid should be extended to fresh or

chilled carcasses, half-carcasses and 'compensated' quarters of adult bovine animals other than those listed in Annex I to Regulation (EEC) No 1896/73;

Whereas it should be ensured that those animals are slaughtered solely in slaughterhouses approved and supervised in accordance with Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat<sup>(6)</sup>, as last amended by Directive 75/379/EEC of 24 June 1975<sup>(7)</sup>;

Whereas, in order to facilitate storage operations, certain conditions of Commission Regulation (EEC) No 1071/68 of 25 July 1968 laying down detailed rules for granting private storage aid for beef and veal<sup>(8)</sup>, and in particular those concerning the security required should be amended; whereas the consequences of putting too small a quantity into storage and of withdrawing meat prematurely should also be specified;

Whereas Article 3 of Council Regulation (EEC) No 989/68 of 15 July 1968 laying down general rules for granting private storage aid for beef and veal<sup>(9)</sup> provides that a decrease or an increase of the storage period can be decided on if the market situation calls for it; whereas it is therefore appropriate to fix, in addition to the amounts of aid for a specified storage period, amounts to be deducted or added when this period is shortened or lengthened;

Whereas, in order to avoid financing normal private storage, it appears desirable to specify high minimum quantities;

Whereas it is desirable, having regard to the present abundance of beef on the Community market, to allow the products stored to be exported before the end of the storage period provided they are stored for a minimum period;

Whereas the amount of the security required should be such as to oblige the storer to fulfill the obligations undertaken by him;

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

<sup>(2)</sup> OJ No L 67, 15. 3. 1976, p. 28.

<sup>(3)</sup> OJ No L 193, 14. 7. 1973, p. 18.

<sup>(4)</sup> OJ No L 151, 10. 6. 1976, p. 7.

<sup>(5)</sup> OJ No L 133, 22. 5. 1976, p. 28.

<sup>(6)</sup> OJ No 121, 29. 7. 1964, p. 2012/64.

<sup>(7)</sup> OJ No L 172, 3. 7. 1975, p. 17.

<sup>(8)</sup> OJ No L 180, 26. 7. 1968, p. 19.

<sup>(9)</sup> OJ No L 169, 18. 7. 1968, p. 10.

Whereas, pursuant to Article 4 (2) of Council Regulation (EEC) No 1134/68 of 30 July 1968 laying down general rules for the implementation of Regulation (EEC) No 653/68 on conditions for alterations to the value of the unit of account used for the common agricultural policy<sup>(1)</sup>, for transactions carried out under the common agricultural policy the sums owed by a Member State or a duly authorized body, expressed in national currency and representing amounts fixed in units of account, are paid on the basis of the relationship between the unit of account and the national currency obtaining at the time when the transaction or part transaction was carried out;

Whereas, pursuant to Article 6 of the Regulation referred to above, the time when a transaction is carried out is considered as being the date on which occurs the event, as defined by Community rules or, in the absence of and pending adoption of such rules, by the rules of the Member State concerned, in which the amount involved in the transaction becomes due and payable;

Whereas, in respect of private storage aid for beef, the rate of exchange to be used for calculating the amount of this aid in national currency should be that obtaining at the time when the contract for private storage aid is concluded;

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. Aid shall be granted for the private storage of the products specified in the Annex hereto. The amounts of such aid per metric ton, exclusive of packaging, shall be shown in the said Annex.

2. The amount of aid shall be adjusted if the duration of storage is extended or curtailed. The additional amounts per month or amounts to be deducted per day are given in columns 5 and 6 of the Annex.

#### Article 2

Private storage aid may be granted only for meat produced in accordance with Article 3 (1) A (a) to (e) of the Council Directive of 26 June 1964 on health problems affecting intra-Community trade in fresh meat, as last amended by the Directive of 24 June 1975.

#### Article 3

The minimum quantity per contract is:

— 50 metric tons for the products listed in the Annex under (a) and (b),

— 30 metric tons for the products listed in the Annex under (c).

#### Article 4

1. The contractor may, before placing them in store, cut and bone the products referred to in the Annex under (a), (b) and (c) in whole or in part, provided that all the meat resulting from such boning or cutting operations is placed in store.

2. For the purposes of this Regulation:

(a) 100 kg of the unboned meat referred to in the Annex under (a) and (b) shall be equivalent to 77 kg of boned meat;

and

(b) 100 kg of the unboned meat referred to in the Annex under (c) shall be equivalent to 70 kg of boned meat.

3. In the case of meat stored in the unaltered state, if the quantity stored is less than the quantity for which the contract was concluded and:

(a) not less than 90 % of that quantity, the amount of private storage aid shall be reduced proportionally;

or

(b) less than 90 % of that quantity, private storage aid shall not be paid.

In the case of boned meat, the percentage indicated in (a) and (b) and the lower percentage indicated in Article 4 (3) of Regulation (EEC) No 1071/68 shall be equal to 85 %.

4. If the quantity placed in store is greater than the quantity in respect of which the contract was concluded, the amount of aid shall be equal to that appropriate to the quantity contracted for.

#### Article 5

1. At the request of the storer to be, submitted when lodging his tender, the period of storage shall be:

(a) five or six months for the products referred to in the Annex under (a);

and

(b) four, five or six months for the products referred to in the Annex under (b) and (c).

2. Entitlement to the payment of aid shall be acquired only if all the meat remains in storage during the entire storage period.

<sup>(1)</sup> OJ No L 188, 1. 8. 1968, p. 1.

3. At the end of a storage period of two months, the contractor may withdraw from store all or part of the meat for which he has contracted, provided that not less than five metric tons is withdrawn and is, within 10 working days of such withdrawal, exported from the Community.

In that event, the amount of the aid shall be reduced in accordance with Article 1 (2), the day of withdrawal from store being regarded as the last day of storage.

The contractor shall inform the intervention agency not less than two working days before beginning withdrawal of the meat from store, indicating the products and quantities which he intends to export.

4. In the case of exportation in accordance with paragraph 3, the contractor shall furnish proof that the meat has left the geographical territory of the Community or has been delivered within the meaning of Article 3 of Regulation (EEC) No 192/75. The proof shall be furnished as in the case of refunds.

#### *Article 6*

Storing must be completed within 60 days following the conclusion of the contract.

The storage period shall begin on the day on which storing is completed.

#### *Article 7*

1. The amount of the security required is fixed at 100 u.a./metric ton.

2. In cases of *force majeure*, the intervention agency shall take such measures 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 8*

Aid shall be paid at the request of the person entitled and at the latest on the 15th day following that on which it is ascertained that the obligations under the contract have been fulfilled.

#### *Article 9*

Within the meaning of Article 6 of Regulation (EEC) No 1134/68, the event giving entitlement to private storage aid shall be considered as occurring on the day of the conclusion of the contract.

#### *Article 10*

This Regulation shall enter into force on 1 July 1976.

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

Done at Brussels, 25 June 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

## ANNEX

Products for which aid is granted	Amount of aid, in u.a./metric ton for a storage period of			Amount in u.a./metric ton	
	4 months	5 months	6 months	to be added per month	to be deducted per day
(a) Carcases, half-carcases and 'compensated quarters', fresh or chilled, from the male adult bovine animals specified in Annex I to Regulation (EEC) No 1896/73	—	550	580	30	1
(b) Carcases, half-carcases and 'compensated quarters', fresh or chilled, from adult bovine animals other than those referred to under (a)	420	450	480	30	1
(c) Forequarters, fresh or chilled, from adult bovine animals	360	385	410	25	0.80

## COMMISSION REGULATION (EEC) No 1501/76

of 25 June 1976

amending Regulation (EEC) No 3376/75 as regards the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States in the second half of 1976

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States <sup>(1)</sup>, as amended by Regulation (EEC) No 1466/76 <sup>(2)</sup>, and in particular Article 3 (1) thereof,

Whereas Commission Regulation (EEC) No 3376/75 of 23 December 1975 <sup>(3)</sup> laid down the rules for the application of Regulation (EEC) No 3328/75;

Whereas following the extension of the import arrangements for beef and veal originating in certain African, Caribbean and Pacific States, certain provisions of Regulation (EEC) No 3376/75 require amendment;

Whereas, furthermore, the Lomé Convention entered into force on 1 April 1976; whereas the rules regarding origin are henceforth governed by Protocol 1 concerning the definition of the concept 'originating products' and methods of administrative cooperation <sup>(4)</sup>;

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*

In Article 1 of Regulation (EEC) No 3376/75 the following is hereby deleted:

'Botswana	8 680 metric tons,
Kenya	65 metric tons,
Madagascar	3 478 metric tons,
Swaziland	1 543 metric tons.'

<sup>(1)</sup> OJ No L 329, 23. 12. 1975, p. 4.

<sup>(2)</sup> OJ No L 165, 25. 6. 1976, p. 9.

<sup>(3)</sup> OJ No L 333, 30. 12. 1975, p. 44.

<sup>(4)</sup> OJ No L 25, 30. 1. 1976, p. 41.

*Article 2*

In Articles 3 and 5 (1) of the said Regulation the phrase 'Annex II to Regulation (EEC) No 1598/75' is hereby replaced by 'Protocol 1 to the Lomé Convention'.

*Article 3*

In Article 4 (1) and (2) of the said Regulation there is hereby added:

- '(d) beginning 21 June 1976, for imports to be effected in the third quarter of 1976;
- (e) beginning 20 September 1976, for imports to be effected in the fourth quarter of 1976.'

*Article 4*

In Article 2 (4) and the second paragraph of Article 6 of the said Regulation the date '30 June 1976' is hereby replaced by '31 December 1976'.

*Article 5*

On application by the holder before 1 August 1976, an import licence issued under Article 2 of the said Regulation shall be replaced.

The application shall be made to the issuing authority which shall retain the original licence and any extracts and shall issue a replacement licence.

The replacement licence:

- shall be issued for the same quantity of products as the original licence less, if applicable, the quantities already entered on the licence and any extracts,
- shall contain in Section 14 the name of the country of origin shown on the original licence,
- shall be valid only until 31 December 1976.

*Article 6*

This Regulation shall enter into force on 1 July 1976.

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

Done at Brussels, 25 June 1976.

*For the Commission*  
P. J. LARDINOIS  
*Member of the Commission*

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**COMMISSION REGULATION (EEC) No 1502/76  
of 25 June 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 1484/76<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 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 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 26 June 1976.

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

Done at Brussels, 25 June 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 165, 25. 6. 1976, p. 43.

ANNEX

to the Commission Regulation of 25 June 1976 fixing the import levies on white sugar and raw sugar

*(u.a./100 kg)*

CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid :	
	A. Denatured :	
	I. White sugar	9.19
	II. Raw sugar	6.26 <sup>(1)</sup>
	B. Undenatured :	
	I. White sugar	9.19
	II. Raw sugar	6.26 <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.

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 23 June 1976

extending the period of validity of the Commission Decision of 13 March 1975 laying down detailed rules for retrospective control of imports of shoes into the Community

(76/555/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1439/74 of 4 June 1974 establishing common rules for imports<sup>(1)</sup>, and in particular Article 7 thereof,

Having regard to Council Regulation (EEC) No 109/70 of 19 December 1969 establishing common rules for imports from State-trading countries<sup>(2)</sup>, and in particular Article 6 (1) (a) thereof,

Consultations having been held within the Committees set up under Article 5 of each of the said Regulations;

Whereas by Commission Decision of 13 March 1975<sup>(3)</sup> the Commission established detailed rules for retrospective control of imports of shoes into the Community; whereas such retrospective control is due to expire on 30 June 1976;

Whereas the reason which originally led the Commission to take such action, that is to say the considerable increase of imports of shoes into the Community which is affecting a particularly sensitive sector of Community industry, continues to apply; whereas it

is therefore necessary to prolong retrospective control of imports of shoes into the Community,

HAS ADOPTED THIS DECISION:

*Article 1*

The period of validity of Commission Decision of 13 March 1975 establishing a retrospective control of imports of shoes is hereby extended to 30 June 1977.

*Article 2*

This Decision shall apply from 1 July 1976 to 30 June 1977.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 23 June 1976.

*For the Commission*

Christopher SOAMES

*Vice-President*

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

<sup>(2)</sup> OJ No L 19, 26. 1. 1970, p. 1.

<sup>(3)</sup> OJ No L 90, 11. 4. 1975, p. 40.