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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 310/77
of 15 February 1977**

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

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 3138/76⁽²⁾, and in particular
Article 13 (5) thereof,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 1882/76⁽³⁾ and subsequent amending
Regulations;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 1882/76 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 16 February
1977.

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

Done at Brussels, 15 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 206, 31. 7. 1976, p. 62.

ANNEX

to the Commission Regulation of 15 February 1977 fixing the import levies on cereals and on wheat or rye flour groats and meal

(u.a./tonne)

CCT heading No	Description of goods	Levies
10.01 A	Common wheat, and meslin	80.22
10.01 B	Durum wheat	126.46 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	62.48 ⁽⁶⁾
10.03	Barley	38.41
10.04	Oats	35.20
10.05 B	Maize, other than hybrid maize for sowing	50.06 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	54.54 ⁽⁴⁾
10.07 C	Grain sorghum	57.96 ⁽⁴⁾
10.07 D	Other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	123.91
11.01 B	Rye flour	99.05
11.02 A I a)	Durum wheat groats and meal	206.61
11.02 A I b)	Common wheat groats and meal	132.81

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

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

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

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

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

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 2754/75 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 311/77**of 15 February 1977****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 3138/76 ⁽²⁾, and in particular
Article 15 (6) thereof,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
1883/76 ⁽³⁾ 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 Regula-
tion,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 16 February
1977.

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

Done at Brussels, 15 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 206, 31. 7. 1976, p. 64.

ANNEX

to the Commission Regulation of 15 February 1977 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.a./tonne)

CCT heading No	Description of goods	Current 2	1st period 3	2nd period 4	3rd period 5
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	1.99
10.02	Rye	0	0	0	3.42
10.03	Barley	0	0	0	2.92
10.04	Oats	0	0	0	6.08
10.05 B	Maize, other than hybrid maize for sowing	0	3.04	3.04	4.56
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0.76	0.76	1.90
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(u.a./tonne)

CCT heading No	Description of goods	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	5.20	5.20
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	3.88	3.88
11.07 B	Roasted malt	0	0	0	4.53	4.53

COMMISSION REGULATION (EEC) No 312/77

of 15 February 1977

on the invitation to tender for the supply to UNICEF, for various third countries for use as food aid, of vitaminized skimmed-milk powder to be purchased on the Community market

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 559/76⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 1298/76 of 1 June 1976 laying down general rules for the supply of skimmed-milk powder under the 1976 food-aid programme to certain developing countries and certain international organizations⁽³⁾, as amended by Regulation (EEC) No 2017/76⁽⁴⁾, and in particular Article 6 thereof,

Whereas Council Regulation (EEC) No 2018/76 of 27 July 1976 on the additional supply of skimmed-milk powder as food aid to certain developing countries, international organizations and non-governmental organizations under the 1976 programme⁽⁵⁾, provides *inter alia* for the supply of 11 000 tonnes of skimmed-milk powder to be made available to UNICEF; whereas this organization has requested the supply of 4 125 tonnes of vitaminized skimmed-milk powder for various third countries;

Whereas Article 2 (2) of Regulation (EEC) No 1298/76 provides that, if there is not enough skimmed-milk powder available in public stocks with the characteristics necessary for the particular destination where this requires, in particular, the addition of vitamins, supplies shall be obtained by purchase of skimmed-milk powder on the Community market;

Whereas Article 5 of Regulation (EEC) No 1298/76 provides that for the purposes of the supply and shipment of skimmed-milk powder, invitations to tender are to be issued;

Whereas the procedure to be adopted for this tendering should in the main be the procedure used hitherto in similar cases;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders shall be invited in accordance with the provisions of Regulations (EEC) No 1298/76 and (EEC) No 2018/76 for the costs of delivering to UNICEF a lot of 4 125 tonnes of vitaminized skimmed-milk powder to be purchased on the Community market, divided into lots, for the destinations listed in Annex I to this Regulation.

2. The ports to which the deliveries are to be made, as well as the loading dates, are also listed in Annex I.

3. The skimmed-milk powder shall meet:

— as to quality, the requirements set out in Annex II to this Regulation,

— as to packaging, the requirements set out in the Annex to Commission Regulation (EEC) No 1108/68 of 27 July 1968 on detailed rules of application for public storage of skimmed-milk powder⁽⁶⁾, as last amended by Regulation (EEC) No 1457/75⁽⁷⁾.

4. The packaging of the skimmed-milk powder shall bear in letters at least one centimetre high the relevant inscription, as listed in Annex I.

5. The successful tenderer shall supply a further 5% empty bags identical to those containing the goods. He shall undertake to have these bags mentioned on the bill of lading.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 146, 4. 6. 1976, p. 3.

⁽⁴⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 224, 16. 8. 1976, p. 2.

⁽⁶⁾ OJ No L 184, 29. 7. 1968, p. 24.

⁽⁷⁾ OJ No L 145, 6. 6. 1975, p. 17.

Article 2

1. The intervention agencies shall draw up a notice of invitation to tender which shall be published in the *Official Journal of the European Communities* not less than 10 days before the closing date for the submission of tenders.
2. The closing date for the submission of tenders shall be 1 March 1977 at 12 noon.

Article 3

1. Tenders, which shall be in writing, shall be submitted either by delivery by hand to an intervention agency against acknowledgment of receipt or by registered letter addressed to an intervention agency. Intervention agencies may also authorize the use of telex.
2. A tender is only valid if it is made for the entire quantity of a lot put up for tender. However, for lots D and E, the tenderer shall specify for how many partial quantities his tender is valid.
3. The tender shall indicate *inter alia*:
 - (a) the name and address of the tenderer;
 - (b) the port or ports of loading, chosen from Community ports;
 - (c) the price, exclusive of taxes, expressed in the currency of the Member State in which the tender is presented, at which the tenderer undertakes to supply, in accordance with the specifications laid down, the entire quantity dealt with in his tender.

Such price shall be inclusive of transport insurance costs to the stage referred to in Article 1 (2) for delivery.

4. A tender shall be valid only if proof is given before expiry of the period set for the submission of tenders that the security referred to in Article 4 has been provided.
5. No tender may be withdrawn.

Article 4

1. The tendering and delivery security shall be 20 units of account per tonne of skimmed-milk powder.
2. It shall take the form, at the discretion of the Member State concerned, either of a cheque made out in favour of the intervention agency, or of a bank guarantee which satisfies the criteria fixed by the Member State.

Article 5

In the light of the tenders received and in accordance with the procedure laid down in Article 30 of Regula-

tion (EEC) No 804/68 a maximum price, expressed in units of account, shall be fixed or alternatively a decision shall be taken to make no award.

Article 6

1. A tender shall be refused if the price proposed, converted into units of account, is more than the maximum price fixed for the lot in question.
2. Subject as provided in paragraph 1, the successful tenderer shall be the one whose offer, converted into units of account, is the lowest. Where two or more valid offers specifying identical amounts, as converted into units of account, are received by a given intervention agency, the award shall be made by drawing lots. Where such offers are made to different intervention agencies, the award shall be made by the intervention agency selected in accordance with the procedure referred to in Article 5.
3. The intervention agency shall immediately inform each tenderer whether he has been awarded the contract.
4. Rights and obligations arising in connection with the invitation to tender shall not be transferable.
5. The intervention agencies shall immediately inform the Commission of the name and address of the successful tenderer.

Article 7

1. The successful tenderer shall deliver a quantity of skimmed-milk powder satisfying the requirements as to quality and packaging laid down in Article 1 (3).
2. Delivery at the port of loading shall be completed when the goods are actually deposited on the quayside or on board a lighter at the port of unloading.
3. The recipient organization shall bear all expenditure incurred after delivery, including acceptance costs.

Article 8

Any demurrage costs at the port of unloading attributable to the recipient shall be borne by it. The rates and other details concerning such costs shall be laid down in the contract between the successful tenderer and the carrier and must have been previously agreed upon by the successful tenderer acting as Community agent and the recipient's delivery agent.

Article 9

1. The intervention agency concerned shall as soon as possible notify the recipient body of the name of the vessel, the date of loading, the quantity and the quality of the goods as recorded at the time of loading and the port of unloading.

2. The successful tenderer shall inform the recipient at least 10 clear days in advance of the expected date of arrival of the ship in the port of unloading. The successful tenderer shall have included in the terms of the charter-party a provision stipulating that the ship's captain shall inform the recipient at least 72 hours in advance of the ship's probable date of arrival in port.

Article 10

1. The competent agency of the Member State in which the contract is awarded shall check that the skimmed-milk powder in question satisfies requirements as to quality and packaging referred to in Article 1 (3).

2. If the goods are found to satisfy those requirements, the agency shall, before completion of the customs formalities referred to in Article 11 (1), provide the successful tenderer with a certificate to that effect.

3. On delivery the recipient organization shall issue a certificate proving taking delivery of the goods, stating that the delivery of that quantity of skimmed milk has been taken at the stage specified in Article 1 (2).

Article 11

1. Customs export formalities shall be carried out in the Member State in which the award of contract is made.

2. If the port of loading specified in the tender is situated in a Member State other than that in which the customs export formalities are carried out, the goods shall, on completion of such formalities, be placed under customs control with the object of ensuring that they are loaded at the port specified in the tender.

Proof of loading can be furnished only by production of the control copy referred to in Article 1 of Commission Regulation (EEC) No 2315/69 of 19 November 1969 on the use of Community transit documents for the purpose of applying Community measures for verifying the use and/or destination of goods⁽¹⁾, as amended by Regulation (EEC) No 690/73⁽²⁾.

⁽¹⁾ OJ No L 295, 24. 11. 1969, p. 14.

⁽²⁾ OJ No L 66, 13. 3. 1973, p. 23.

Sections 101, 103 and 104 of the control copy shall be completed.

Section 104 shall be completed by deleting as necessary and entering against the second indent one of the following endorsements:

- 'Delivery of skimmed-milk powder as food aid (Regulation (EEC) No 312/77) to be shipped from the port of ...';
- 'Livraison de lait écrémé en poudre à titre d'aide alimentaire (règlement (CEE) n° 312/77) destinée à être embarquée au port de ...';
- 'Lieferung von Magermilchpulver als Nahrungsmittelhilfe (Verordnung (EWG) Nr. 312/77) zur Verschiffung im Hafen von ... bestimmt';
- 'Fornitura di latte scremato in polvere a titolo di aiuto alimentare (regolamento (CEE) n. 312/77) destinata ad essere imbarcata nel porto di ...';
- 'Levering van magere-melkpoeder als voedselhulp (Verordening (EEG) nr. 312/77) bestemd om te worden verscheept in de haven van ...';
- 'Levering af skummetmælkspulver som fødevarehjælp (forordning (EØF) nr. 312/77) bestemt til lastning i havnen i ...'.

Article 12

1. Except in cases of *force majeure*, the tendering and delivery security shall be released only if:

- (a) the tender has not been accepted;
- (b) the tenderer:
 - has not withdrawn his tender before the contract is awarded,
 - has furnished the certificates provided for in Article 10 (2) and (3).

2. Release of the security shall take place immediately.

Article 13

In cases of *force majeure*, the intervention agency shall decide on the measures to be taken having regard to the circumstances invoked.

Article 14

1. The amount referred to in Article 3 (3) (c) shall be paid only on production of the certificates provided for in Article 10 (2) and (3).

2. If, owing to circumstances beyond the control of the tenderer, the submission of the attestation of delivery referred to in Article 10 (3) is delayed, the competent agency may grant an advance.

Such an advance may, however, not exceed 80 % of the sum agreed for the delivery and shall be paid only subject to the undertaking concerned providing proof that the skimmed-milk powder shipped complies with the conditions laid down in Article 1 (3) to (5) and has left the geographical territory of the Community and if the undertaking furnishes a surety to the sum of the advance, raised by 10 %.

Article 15

Except in cases of *force majeure*, the successful tenderer shall accept all financial liability devolving upon the Community by reason of failure to load the skimmed-milk powder by the date specified in Article 1 (2).

Costs incurred by reason of failure to deliver the skimmed-milk powder as a result of *force majeure* shall be borne by the competent agency of the Member State in which the award of contract is made.

Article 16

No refund or compensatory amount (whether monetary or accession) shall be applicable in respect of skimmed-milk powder supplied under this Regulation.

Article 17

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

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

Done at Brussels, 15 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX I

Lot	Quantity	Port of unloading	Latest date of loading	Inscription on the packaging
A	630 t	Dar-Es-Salaam (Tanzania)	15. 4. 1977	Vitaminized skimmed-milk powder / Gift of the European Economic Community / Action of UNICEF
B	431 t	Rangoon (Burma)	15. 4. 1977	Vitaminized skimmed-milk powder / Gift of the European Economic Community / Action of UNICEF
C	418 t	Port Sudan (Sudan)	15. 4. 1977	Vitaminized skimmed-milk powder / Gift of the European Economic Community / Action of UNICEF
D	1 000 t (2 p.q. of 500 t)	Haiphong (Vietnam)	15. 4. 1977	Lait écrémé en poudre vitaminé / Don de la Communauté économique euro- péenne / Action de l'Unicef
E	1 000 t (2 p.q. of 500 t)	Haiphong (Vietnam)	after 15 and before 31 May 1977	Lait écrémé en poudre vitaminé / Don de la Communauté économique euro- péenne / Action de l'Unicef
F	214 t	Haiphong (Vietnam)	after 15 and before 31 May 1977	Lait écrémé en poudre vitaminé / Don de la Communauté économique euro- péenne / Action de l'Unicef
G	432 t	Aden (Yemen RDP)	15. 4. 1977	Vitaminized skimmed-milk powder / Gift of the European Economic Community / Action of UNICEF

ANNEX II

Skimmed-milk powder requirements

(a) fat content :	1.5 % maximum
(b) water content :	4.0 % maximum
(c) total acidity in lactic acid :	0.15 % maximum (18° Dornic)
(d) test for neutralization agents :	negative
(e) authorized additives :	none
(f) phosphatase test :	negative
(g) solubility :	0.5 ml maximum (99 % minimum)
(h) degree of purity :	disc B (15.0 mg minimum)
(i) germ content :	50 000 per g maximum
(k) colon bacillus titer :	negative in 0.1 g
(l) taste and smell :	clean
(m) appearance :	white or slightly yellowish colour, free from impurities or coloured particles
(n) vitamin content	
(aa) vitamin A :	5 000 i.u. per 100 g minimum
(bb) vitamin D :	500 i.u. per 100 g minimum

COMMISSION REGULATION (EEC) No 313/77
of 15 February 1977
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 ⁽¹⁾, as last amended by Regulation (EEC) No 3138/76 ⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1564/76 ⁽³⁾, as last amended by Regulation (EEC) No 309/77 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1564/76 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 16 February 1977.

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

Done at Brussels, 15 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 172, 1. 7. 1976, p. 31.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 27.

ANNEX

to the Commission Regulation of 15 February 1977 fixing the import levies on white sugar and raw sugar

(t.u./100 kg)

CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid : A. White sugar B. Raw sugar	19.78 16.77 ⁽¹⁾

⁽¹⁾ 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 26 January 1977

on the fixing of minimum selling prices for unboned (bone in) beef put up for sale by tender in accordance with Regulation (EEC) No 76/76

(77/136/EEC)

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⁽¹⁾, as last amended by Regulation (EEC) No 568/76⁽²⁾, and in particular Article 7 (3) thereof,

Whereas, pursuant to Article 11 of Commission Regulation (EEC) No 216/69 of 4 February 1969 on detailed rules of application for the disposal of frozen beef and veal bought in by intervention agencies⁽³⁾, the minimum selling prices for the products put up for sale by tender should be fixed taking into account tenders submitted;

Whereas, in accordance with Commission Regulation (EEC) No 76/76 of 16 January 1976 setting up a system linking imports of beef and veal products effected by way of protective measures with the sale of beef held by intervention agencies⁽⁴⁾, as last amended by Regulation (EEC) No 3117/76⁽⁵⁾, tenders have been invited for certain quantities of unboned beef and veal; whereas, consequently the minimum selling-prices should be fixed;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The minimum selling prices for unboned beef held by the intervention agencies which are to be adopted for the invitation to tender held in accordance with Regulation (EEC) No 76/76, for which the time limit for submitting tenders was 17 January 1977, shall be as set out in the Annex to this Decision.

2. Tenders submitted in response to the invitation referred to in paragraph 1 shall be rejected unless they are for the products listed in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 28.

⁽³⁾ OJ No L 28, 5. 2. 1969, p. 10.

⁽⁴⁾ OJ No L 10, 17. 1. 1976, p. 21.

⁽⁵⁾ OJ No L 352, 22. 12. 1976, p. 14.

ANNEXE — ANHANG — ALLEGATO — BIJLAGE — ANNEX — BILAG

BELGIQUE/BELGIË (1)

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkooprijzen Minimum selling prices Mindestesalgspriser UC/tonne — RE/t — UC/t — RE/ton — u.a./tonne — RE/ton		
	A	B	C
<i>Vaches 55 % / Koeien 55 %</i> Quartiers avant, découpe droite à 8 côtes / Voorvoeten, recht agesneden op 8 ribben	1 566	—	—

(1) Avis d'adjudication n° B P jumelage — 12, JO n° C 2 du 5. 1. 1977, p. 10.
 (1) Ausschreibung Nr. B P jumelage — 12, ABl. Nr. C 2 vom 5. 1. 1977, S. 10.
 (1) Bando di gara n. B P jumelage — 12, GU n. C 2 del 5. 1. 1977, pag. 10.
 (1) Bericht van inschrijving nr. B P jumelage — 12, PB nr. C 2 van 5. 1. 1977, blz. 10.
 (1) Notice of invitation to tender No B P jumelage — 12, OJ No C 2, 5. 1. 1977, p. 10.
 (1) Licitationsbekendtgørelse nr. B P jumelage — 12, EFT nr. C 2 af 5. 1. 1977, s. 10.

BUNDESREPUBLIK DEUTSCHLAND (2)

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkooprijzen Minimum selling prices Mindestesalgspriser UC/tonne — RE/t — UC/t — RE/ton — u.a./tonne — RE/ton		
	A	B	C
<i>Bullen A</i> Vorderviertel, gerade Schnittführung mit 8 Rippen Hinterviertel, gerade Schnittführung mit 5 Rippen	1 660 2 210	— —	1 850 2 220
<i>Ochsen A</i> Hinterviertel, gerade Schnittführung mit 5 Rippen	2 200	—	—

(2) Avis d'adjudication n° D P jumelage — 13, JO n° C 2 du 5. 1. 1977, p. 14.
 (2) Ausschreibung Nr. D P jumelage — 13, ABl. Nr. C 2 vom 5. 1. 1977, S. 14.
 (2) Bando di gara n. D P jumelage — 13, GU n. C 2 del 5. 1. 1977, pag. 14.
 (2) Bericht van inschrijving nr. D P jumelage — 13, PB nr. C 2 van 5. 1. 1977, blz. 14.
 (2) Notice of invitation to tender No D P jumelage — 13, OJ No C 2, 5. 1. 1977, p. 14.
 (2) Licitationsbekendtgørelse nr. D P jumelage — 13, EFT nr. C 2 af 5. 1. 1977, s. 14.

FRANCE (1)

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkooprijzen Minimum selling prices Mindestesalgspriser UC/tonne — RE/t — UC/t — RE/ton — u.a./tonne — RE/ton		
	A	B	C
<i>Bœufs R, A, N</i> Quartiers avant, découpe à 5 côtes, les caparaçons faisant partie du quartier avant	1 624	1 933	1 761

(1) Avis d'adjudication n° F P jumelage — 12, JO n° C 2 du 5. 1. 1977, p. 20.

(1) Ausschreibung Nr. F P jumelage — 12, ABl. Nr. C 2 vom 5. 1. 1977, S. 20.

(1) Bando di gara n. F P jumelage — 12, GU n. C 2 del 5. 1. 1977, pag. 20.

(1) Bericht van inschrijving nr. F P jumelage — 12, PB nr. C 2 van 5. 1. 1977, blz. 20.

(1) Notice of invitation to tender No F P jumelage — 12, OJ No C 2, 5. 1. 1977, p. 20.

(1) Licitationsbekendtgørelse nr. F P jumelage — 12, EFT nr. C 2 af 5. 1. 1977, s. 20.

IRELAND (2)

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkooprijzen Minimum selling prices Mindestesalgspriser UC/tonne — RE/t — UC/t — RE/ton — u.a./tonne — RE/ton		
	A	B	C
<i>Steers 1 and 2</i> Forequarters straight cut at tenth rib Hindquarters straight cut at third rib	1 664 1 935	1 840 —	— 2 010
<i>Cows 1</i> Forequarters straight cut at tenth rib Hindquarters straight cut at third rib	— —	— —	1 051 1 401

(2) Avis d'adjudication n° Irl P jumelage — 13, JO n° C 2 du 5. 1. 1977, p. 25.

(2) Ausschreibung Nr. Irl P jumelage — 13, ABl. Nr. C 2 vom 5. 1. 1977, S. 25.

(2) Bando di gara n. Irl P jumelage — 13, GU n. C 2 del 5. 1. 1977, pag. 25.

(2) Bericht van inschrijving nr. Irl O jumelage — 13, PB nr. C 2 van 5. 1. 1977, blz. 25.

(2) Notice of invitation to tender No Irl P jumelage — 13, OJ No C 2, 5. 1. 1977, p. 25.

(2) Licitationsbekendtgørelse nr. Irl P jumelage — 13, EFT nr. C 2 af 5. 1. 1977, s. 25.

ITALIA (1)

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkooprijzen Minimum selling prices Mindestesalgspriser UC/tonne — RE/t — UC/t — RE/ton — u.a./tonne — RE/ton		
	A	B	C
<i>Vitelloni 1</i> Quarti anteriori, taglio a 8 costole, il pancettone fa parte del quarto anteriore	1 805	2 233	2 100

(1) Avis d'adjudication n° It P jumelage — 12, JO n° C 2 du 5. 1. 1977, p. 34.

(1) Ausschreibung Nr. It P jumelage — 12, ABl. Nr. C 2 vom 5. 1. 1977, S. 34.

(1) Bando di gara n. It P jumelage — 12, GU n. C 2 del 5. 1. 1977, pag. 34.

(1) Bericht van inschrijving nr. It P jumelage — 12, PB nr. C 2 van 5. 1. 1977, blz. 34.

(1) Notice of invitation to tender No It P jumelage — 12, OJ No C 2, 5. 1. 1977, p. 34.

(1) Licitationsbekendtgørelse nr. It P jumelage — 12, EFT nr. C 2 af 5. 1. 1977, s. 34.

NEDERLAND (2)

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkooprijzen Minimum selling prices Mindestesalgspriser UC/tonne — RE/t — UC/t — RE/ton — u.a./tonne — RE/ton		
	A	B	C
<i>Stieren le kwaliteit</i> Voorvoeten, op 8 ribben recht afgesneden Achtervoeten, op 5 ribben recht afgesneden	1 682 2 141	— 2 252	— 2 202
<i>Vaarzen le kwaliteit</i> Voorvoeten, op 8 ribben recht afgesneden Achtervoeten, op 5 ribben recht afgesneden	1 550 —	— —	— —

(2) Avis d'adjudication n° N P jumelage — 4, JO n° C 2 du 5. 1. 1977, p. 29.

(2) Ausschreibung Nr. N P jumelage — 4, ABl. Nr. C 2 vom 5. 1. 1977, S. 29.

(2) Bando di gara n. N P jumelage — 4, GU n. C 2 del 5. 1. 1977, pag. 29.

(2) Bericht van inschrijving nr. N P jumelage — 4, PB nr. C 2 van 5. 1. 1977, blz. 29.

(2) Notice of invitation to tender No N P jumelage — 4, OJ No C 2, 5. 1. 1977, p. 29.

(2) Licitationsbekendtgørelse nr. N P jumelage — 4, EFT nr. C 2 af 5. 1. 1977, s. 29.

UNITED KINGDOM⁽¹⁾

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkoopprijzen Minimum selling prices Mindestesalgspriser UC/tonne — RE/t — UC/t — RE/ton — u.a./tonne — RE/ton		
	A	B	C
<i>Steers M/H, L/M, L/H and T</i> Forequarters straight cut at tenth rib Hindquarters straight cut at third rib	— 2 133	2 021 —	— —

⁽¹⁾ Avis d'adjudication n° UK P jumelage — 13, JO n° C 2 du 5. 1. 1977, p. 31.⁽¹⁾ Ausschreibung Nr. UK P jumelage — 13, ABl. Nr. C 2 vom 5. 1. 1977, S. 31.⁽¹⁾ Bando di gara n. UK P jumelage — 13, GU n. C 2 del 5. 1. 1977, pag. 31.⁽¹⁾ Bericht van inschrijving nr. UK P jumelage — 13, PB nr. C 2 van 5. 1. 1977, blz. 31.⁽¹⁾ Notice of invitation to tender No UK P jumelage — 13, OJ No C 2, 5. 1. 1977, p. 31.⁽¹⁾ Licitationsbekendtgørelse nr. UK P jumelage — 13, EFT nr. C 2 af 5. 1. 1977, s. 31.

- A. Applicable seulement aux offres qui indiquent l'intention d'importer de la viande congelée destinée à la transformation.
- A. Anwendbar nur für solche Angebote, in denen die Absicht angegeben ist, zur Verarbeitung bestimmtes Gefrierfleisch einzuführen.
- A. Applicabile esclusivamente alle offerte che specifichino l'intenzione di procedere all'importazione di carni congelate destinate alla trasformazione.
- A. Slechts toe te passen voor aanbiedingen, waarin het voornemen wordt vermeld het voor verwerking bestemd bevroren vlees in te voeren.
- A. Applicable only to tenders which indicate the intention to import frozen meat intended for processing.
- A. Finder kun anvendelse på bud med angivelse af hensigt til at indføre frosset kød bestemt til forarbejdning.
- B. Applicable seulement aux offres qui indiquent l'intention d'importer de la viande bovine prévue à l'article 3 paragraphe 2 B du règlement (CEE) n° 76/76.
- B. Anwendbar nur für solche Angebote, in denen die Absicht angegeben ist, Rindfleisch gemäß Artikel 3 Absatz 2 B der Verordnung (EWG) Nr. 76/76 einzuführen.
- B. Applicabile esclusivamente alle offerte che specifichino l'intenzione di procedere all'importazione di carni bovine ai sensi dell'articolo 3, paragrafo 2 B, del regolamento (CEE) n. 76/76.
- B. Slechts toe te passen voor aanbiedingen, waarin het voornemen wordt vermeld het rundvlees genoemd in artikel 3, lid 2 B van Verordening (EEG) nr. 76/76 in te voeren.
- B. Applicable only to tenders which indicate the intention to import beef referred to in Article 3 (2) B of Regulation (EEC) No 76/76.
- B. Finder kun anvendelse på bud med angivelse af hensigt til at indføre kød i henhold til artikel 3, stk. 2 B til forordning (EØF) nr. 76/76.
- C. Applicable à toutes les offres autres que celles mentionnées sous A + B.
- C. Anwendbar für alle sonstigen Angebote, mit Ausnahme der unter A + B genannten.
- C. Applicabile a tutte le offerte diverse da quelle di cui sub A + B.
- C. Toe te passen voor alle andere aanbiedingen, met uitzondering van de onder A + B genoemde.
- C. Applicable to all other tenders other than those referred to in A + B.
- C. Finder anvendelse på alle andre bud end dem, der er henvist til under A + B.
-

COMMISSION OPINION

of 28 January 1977

addressed to the Government of the Kingdom of Belgium on a draft Royal Decree relating to the introduction of a licence for transport brokers

(77/137/EEC)

In accordance with Article 1 of the Council Decision of 21 March 1962 instituting a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions proposed by Member States in the field of transport⁽¹⁾, as amended by the Council Decision of 22 November 1973⁽²⁾, the Belgian Government has sent the Commission, under cover of a letter of 6 December 1976 from the Office of its Permanent Representative to the European Communities, the text of a draft Royal Decree relating to the introduction of a licence for transport brokers.

The letter from the Office of the Belgian Permanent Representative reached the Commission on 9 December 1976 and, in accordance with Article 1 of the abovementioned Council Decision, was also sent to the other Member States.

Under Article 2 (1) of the Council Decision of 21 March 1962, as amended by the Council Decision of 22 November 1973, the Commission delivers the following opinion :

1. The Commission notes that the purpose of the proposed Decree is to subject the exercise of the activity of transport broker to the obtaining of a licence, the conditions of which are laid down in

the Decree. The Decree is one of a number of measures implementing the Law of 26 June 1967 relating to goods transport auxiliaries⁽³⁾, a draft of which was made available to the Commission by the Belgian Government at the time and to which the Commission raised no objection in its opinion of 5 May 1966⁽⁴⁾.

2. The Commission has no objections to the draft Royal Decree submitted by the Belgian Government.
3. The Commission does not consider it necessary to institute consultations with the other Member States under Article 2 (3) of the Council Decision of 21 March 1962.

The Commission is informing the other Member States of this opinion.

Done at Brussels, 28 January 1977.

For the Commission

Richard BURKE

Member of the Commission

(1) OJ No 23, 3. 4. 1962, p. 720/62.
(2) OJ No L 347, 17. 12. 1973, p. 48.

(3) Moniteur, 27. 9. 1967.
(4) OJ No 90, 17. 5. 1966, p. 1400/66.

COMMISSION DECISION

of 31 January 1977

fixing the minimum selling price for butter for the 44th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC)

No 232/75

(77/138/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 559/76⁽²⁾, and in particular Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream⁽³⁾, as last amended by Regulation (EEC) No 2714/72⁽⁴⁾, and in particular Article 7a thereof,

Whereas, pursuant to Commission Regulation (EEC) No 232/75 of 30 January 1975 on the sale of butter at reduced prices for use in the manufacture of pastry products and ice-cream⁽⁵⁾, as last amended by Regulation (EEC) No 2805/76⁽⁶⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

Whereas Article 9 of that Regulation provides that, in the light of the tenders received, a minimum selling price must be fixed which may vary according to the use to which the butter is to be put and according to the fat content of the butter; whereas alternatively a decision may be taken not to proceed with the invitation to tender; whereas the amount of the processing

security must be fixed in the light of the difference between the minimum selling price and the market price of the butter;

Whereas Commission Regulation (EEC) No 777/76 of 5 April 1976⁽⁷⁾ reduces the scope of Regulation (EEC) No 232/75 to the butter to be used when processed into pastry products (formula A);

Whereas, in the light of the tenders received in response to the 44th individual invitation to tender, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION:

Article 1

For the 44th individual invitation to tender under Regulation (EEC) No 232/75, in respect of which the time limit for the submission of tenders expires on 25 January 1977, the minimum selling price and, without prejudice to the provisions of the second subparagraph of Article 12 (1) of the said Regulation, the processing security shall be as follows:

Fat content of the butter	Use to which the butter is to be put (Article 6 (1) (c) of Regulation (EEC) No 232/75)	Minimum selling price in u.a. per 100 kg butter	Processing security in u.a. per 100 kg butter
82 % or more	Formula A	88	155

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 31 January 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 15.

⁽⁵⁾ OJ No L 24, 31. 1. 1975, p. 45.

⁽⁶⁾ OJ No L 320, 20. 11. 1976, p. 25.

⁽⁷⁾ OJ No L 91, 6. 4. 1976, p. 13.

COMMISSION DECISION

of 1 February 1977

relating to the urgent supply to Ethiopia of vitaminized skimmed-milk powder to be bought on the Community market for use as food aid

(Only the French text is authentic)

(77/139/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 559/76⁽²⁾, and in particular Articles 7 (5) and 28 thereof,

Having regard to Council Regulation (EEC) No 1298/76 of 1 June 1976 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1976 programme⁽³⁾, as amended by Regulation (EEC) No 2017/76⁽⁴⁾, and in particular Article 6 thereof,

Whereas Council Regulation (EEC) No 1299/76 of 1 June 1976 on the supply of skimmed-milk powder to certain developing countries and international organizations under the 1976 food-aid programme⁽⁵⁾, provides *inter alia* for 500 tonnes of skimmed-milk powder to be made available to Ethiopia; whereas this country has requested the abovementioned quantity of vitaminized skimmed-milk powder;

Whereas Regulation (EEC) No 1298/76 provides in Article 2 (2) that, if the amounts of skimmed-milk powder in public stocks do not have the characteristics necessary for their particular destination where this requires, in particular, the addition of vitamins, supply shall be ensured by the buying in of skimmed-milk powder on the Community market;

Whereas Article 5 of Regulation (EEC) No 1298/76 provides that, for the purpose of determining the forwarding costs in cases of emergency, a private contract may be concluded;

Whereas, in view of the need to provide immediate aid, it is apparent that mutual agreement must be sought in respect of this supply;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION:

Article 1

1. In accordance with the provisions of Regulations (EEC) No 1298/76 and (EEC) No 1299/76, the French intervention agency shall arrange delivery to Ethiopia of one lot of 500 tonnes of vitaminized skimmed-milk powder bought on the Community market.

2. The skimmed-milk powder shall meet:

— as to quality, the requirements set out in the Annex to this Decision,

— as to packaging, the requirements set out in Annex I to Commission Regulation (EEC) No 1108/68 of 27 July 1968 on detailed rules for public storage of skimmed-milk powder⁽⁶⁾, as last amended by Regulation (EEC) No 1457/75⁽⁷⁾.

3. In addition, the supplier designated by the private contract referred to in Article 3 shall supply 5% empty bags identical to those containing the goods. He shall undertake to have these bags mentioned on the bill of lading.

4. The packaging of the skimmed-milk powder shall bear the following inscription in letters at least one centimetre high:

'Skimmed-milk powder enriched with vitamins A and D / Gift of the European Economic Community to Ethiopia / For free distribution.'

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽³⁾ OJ No L 146, 4. 6. 1976, p. 3.

⁽⁴⁾ OJ No L 224, 16. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 146, 4. 6. 1976, p. 5.

⁽⁶⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽⁷⁾ OJ No L 145, 6. 6. 1975, p. 17.

Article 2

1. Delivery shall be effected to the port of unloading of Assab.
2. Embarkation shall take place as soon as possible on 3 March 1977 at the latest.
3. Delivery shall be completed when the goods are actually seized in the hold of the ship at the port of unloading.
4. The recipient country shall bear all costs incurred after delivery including the costs of unloading (e.g. unstowing, hoisting and acceptance costs) as well as any lighter costs. Any demurrage costs or dispatch money at the port of unloading shall be payable by or to the recipient country. The rates and other details concerning such costs shall be laid down in the contract between the Community agent (designated by the mutual agreement contract specified in Article 3) and the carrier and must have been previously agreed upon by the former and the recipient country's delivery agent.
5. A delivery certificate shall be issued on delivery by the receiving agent nominated by the recipient country.

Article 3

1. The amount to cover delivery costs to the port of unloading referred to in Article 2 (1) including the insurance costs shall be determined by the intervention agency concerned by the determined agreement on the least onerous terms possible.
2. The intervention agency shall send immediately to the Commission a copy of the private contract or contracts.
3. If, owing to circumstances beyond the control of the undertaking responsible for the delivery the submission of the attestation of delivery referred to in Article 2 (5) is delayed, the competent agency may grant an advance.

Such an advance may, however, not exceed 80 % of the sum agreed for the delivery and shall be paid only

subject to the undertaking concerned lodging a security for the skimmed-milk powder shipped in accordance with the conditions laid down in Article 1 (2) to (4) and having left the geographical territory of the Community and if the undertaking furnished a surety to the sum of the advance, raised by 10 %.

Article 4

The French Government :

1. shall ensure that the agent designated by the mutual agreement contract :
 - (a) notify the recipient country as soon as possible after the goods have been loaded on board ship, of details of the ship, the loading date, the quantity and quality of the goods as recorded on shipment,
 - (b) inform the recipient country, at least 10 clear days before arrival at the port of unloading of the expected date of arrival,
 - (c) have included in the terms of the charter party a provision stipulating that the ship's captain shall, at least 72 hours in advance, notify the recipient country of the ship's probable date of arrival in port ;
2. send to the Commission as soon as possible the information specified in paragraph 1 (a) and (b).

Article 5

No refund or compensatory amount (whether monetary or accession) may be granted in respect of skimmed-milk powder supplied pursuant to this Decision.

Article 6

This Decision is addressed to the French Republic.

Done at Brussels, 1 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

*ANNEX***Skimmed-milk powder requirements**

(a) fat content :	1.5 % maximum
(b) water content :	4.0 % maximum
(c) total acidity in lactic acid :	0.15 % maximum (18° Dornic)
(d) test for neutralization agents :	negative
(e) authorized additives :	none
(f) phosphatase test :	negative
(g) solubility :	0.5 ml maximum (99 % minimum)
(h) degree of purity :	disc B (15.0 mg minimum)
(i) germ content :	50 000 per g maximum
(k) colon bacillus titer :	negative in 0.1 g
(l) taste and smell :	clean
(m) appearance :	white or slightly yellowish colour, free from impurities or coloured particles
(n) vitamin enrichment :	
(aa) vitamin A :	5 000 i.u. per 100 g minimum
(bb) vitamin D :	500 i.u. per 100 g minimum

COMMISSION DECISION

of 2 February 1977

fixing the maximum export refund for the 64th partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75

(77/140/EEC)

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⁽¹⁾, as last amended by Regulation (EEC) No 3138/76⁽²⁾, and in particular Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 2101/75 of 11 August 1975 on a standing invitation to tender to determine levies and/or refunds on export of white sugar⁽³⁾, as last amended by Regulation (EEC) No 2924/76⁽⁴⁾, requires Member States to carry out partial invitations to tender for the export of white sugar ;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2101/75, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question ;

Whereas, following an examination of the tenders submitted in response to the 64th partial invitation to tender, the provisions set out in Article 1 should be adopted ;

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

HAS ADOPTED THIS DECISION :

Article 1

The maximum export refund for the 64th partial invitation to tender for white sugar issued under Regulation (EEC) No 2101/75 is hereby fixed at 16.999 units of account per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

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

(2) OJ No L 354, 24. 12. 1976, p. 1.

(3) OJ No L 214, 12. 8. 1975, p. 5.

(4) OJ No L 333, 2. 12. 1976, p. 17.

COMMISSION DECISION

of 3 February 1977

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to women's, girls' and infants' coats, jackets, dresses and skirts falling within heading No ex 61.02 of the Common Customs Tariff, originating in Taiwan and in free circulation in the other Member States

(Only the French and Dutch texts are authentic)

(77/141/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 28 January 1977 by the Governments of the Benelux countries to the Commission by telex from the Office of the Permanent Representative of the Kingdom of the Netherlands to the European Communities, for authorization not to apply Community treatment to women's, girls' and infants' coats, jackets, dresses and skirts falling within heading No ex 61.02 of the Common Customs Tariff, originating in Taiwan and in free circulation in the other Member States,

Whereas for the products in question, the Benelux countries, in accordance with the Council Decision of 10 July 1975⁽¹⁾, have opened in respect of Taiwan an annual quota of 36 tonnes which has almost wholly taken up;

Whereas, according to information supplied by the Governments of the Benelux countries, there are serious economic difficulties in the ready-made clothing sector, resulting in a decline of production and a constant reduction of the number of workers employed in that sector;

Whereas these economic difficulties are caused largely by unequal conditions of competition with certain countries (including Taiwan), whereby such countries are enabled to export at prices lower than those of producers in the Benelux countries;

Whereas it is not possible at the present time to set in motion the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the

first paragraph of Article 115, subject to the conditions specified in the Commission Decision of 12 May 1971⁽²⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to imports of women's, girls' and infants' coats, jackets, dresses and skirts, falling within heading No ex 61.02 of the Common Customs Tariff, where they originate in Taiwan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 17 January 1977.

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of the products in question from Taiwan and in any case not later than 31 December 1977.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 3 February 1977.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 182, 12. 7. 1975, p. 2.

⁽²⁾ OJ No L 121, 3. 6. 1971, p. 26.