

# Official Journal

## of the European Communities

Volume 20 No L 61

5 March 1977

English Edition

## Legislation

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## I

*(Acts whose publication is obligatory)*

## COUNCIL REGULATION (EEC) No 425/77

of 14 February 1977

amending Regulation (EEC) No 805/68 on the common organization of the market in beef and veal and adapting Regulation (EEC) No 827/68, and Regulation (EEC) No 950/68 on the Common Customs Tariff

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>,

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

Whereas Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(3)</sup>, as last amended by Regulation (EEC) No 568/76 <sup>(4)</sup>, entails a price and trading system intended in particular to stabilize markets and to ensure a fair standard of living for the agricultural community concerned;

Whereas the situation on the beef and veal market has been characterized in recent years by a shortage, accompanied by a rise in prices inevitably affecting developments in the sphere of both consumption and

production; whereas this situation thereafter degenerated into a market price slump, made worse by massive imports;

Whereas, therefore, the normal mechanisms of Regulation (EEC) No 805/68 have been unable to continue to operate with the desired effectiveness; whereas, therefore, it has been necessary for several years to invoke the exception rules applicable in the event of any marked rise or fall in prices and of any risk of serious disturbance due to imports;

Whereas the result of this experience is that import arrangements must be adjusted to avoid a recurrence of similar situations; whereas this adjustment must apply particularly to the calculation of a basic levy for all the products subject to the levy system; whereas application of the levy must be adjusted upwards or downwards in accordance with the relationship existing between market prices in the Community and the guide price;

Whereas certain special systems should be adapted so that account may be taken in annual estimates of both the supplies available to the Community and the Community's needs;

Whereas the distinction between calves and adult bovine animals and between the meat obtained therefrom often proves difficult to establish, particularly at the time of importation; whereas, therefore, the trading system should be adjusted to eliminate this distinction and the guide price for calves should be abolished;

<sup>(1)</sup> OJ No C 23, 8. 3. 1974, p. 37.

<sup>(2)</sup> OJ No C 88, 26. 7. 1974, p. 10.

<sup>(3)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(4)</sup> OJ No L 67, 15. 3. 1976, p. 28.

Whereas it is advisable to extend the scope of the common organization of the market in beef and veal to cover pure-bred breeding animals of the bovine species, with a particular view to ensuring equal treatment of such animals in trade with third countries; whereas, therefore, these animals should be subject, without, however, any alteration to the system governing their importation, to Regulation (EEC) No 805/68 and, therefore, no longer subject to the system prescribed in Council Regulation (EEC) No 827/68 of 28 June 1968 on the common organization of the market in certain products listed in Annex II to the Treaty <sup>(1)</sup>, as last amended by Regulation (EEC) No 2427/76 <sup>(2)</sup>;

Whereas a Community definition of pure-bred breeding animals of the bovine species will be adopted before 1 April 1977;

Whereas certain products submitted as 'prepared meat' falling within subheading 16.02 B III b) 1 of the Common Customs Tariff were created for the sole purpose of avoiding application of the levies; whereas, to avoid levy-free imports of products which can be substituted for meat falling within heading No 02.01 of the Common Customs Tariff, it is necessary to arrive at a better definition of the products which may be imported free of levies;

Whereas greater market transparency is necessary; whereas, to this end, it is of value to know the volume of imports and, where necessary, exports; whereas, therefore, an appropriate system of certificates should be introduced, including the lodging of a deposit guaranteeing that importation or exportation is effected;

Whereas the effect of the amendments to the Regulations on beef and veal is to amend the descriptions of certain goods; whereas, therefore, Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff <sup>(3)</sup>, as last amended by Regulation (EEC) No 2723/76 <sup>(4)</sup>, should be adjusted;

Whereas this Regulation shall be implemented as smoothly as possible; whereas, therefore, transitional measures may prove necessary to facilitate such implementation,

HAS ADOPTED THIS REGULATION:

### Article 1

The text of Article 1 of Regulation (EEC) No 805/68 shall be replaced by the following:

#### 'Article 1

1. The common organization of the market in beef and veal shall comprise a price and trading system and cover the following products:

CCT heading No	Description of goods
(a) 01.02 A II	Live animals of the domestic bovine species, other than pure-bred breeding animals
02.01 A II	Meat of bovine animals, fresh, chilled or frozen
02.06 C I a)	Meat of bovine animals, salted, in brine, dried or smoked
16.02 B III b) 1 aa)	Other prepared or preserved meat or meat offal containing bovine meat or offal, uncooked
(b) 01.02 A I	Live animals of the domestic bovine species, pure-bred breeding animals
02.01 B II b)	Edible offals of bovine animals, fresh, chilled or frozen
02.06 C I b)	Edible offals of bovine animals, salted, in brine, dried or smoked
15.02 B I	Unrendered fats of bovine cattle, rendered or solvent-extracted fats (including "premier jus") obtained from those unrendered fats
16.02 B III b) 1 bb)	Other prepared or preserved meat or meat offal, containing bovine meat or offal, other

2. For the purposes of this Regulation:

(a) "bovine animals" means:

live animals of the domestic bovine species other than pure-bred breeding animals falling

<sup>(1)</sup> OJ No L 151, 30. 6. 1968, p. 16.

<sup>(2)</sup> OJ No L 276, 7. 10. 1976, p. 3.

<sup>(3)</sup> OJ No L 172, 22. 7. 1968, p. 1.

<sup>(4)</sup> OJ No L 314, 15. 11. 1976, p. 1.

within subheading 01.02 A II of the Common Customs Tariff;

(b) "adult bovine animals" means:

bovine animals the live weight of which is more than 300 kilograms.'

#### Article 2

1. The text of Article 3 of Regulation (EEC) No 805/68 shall be replaced by the following:

##### 'Article 3

1. Before 1 August of each year, a guide price for adult bovine animals shall be fixed for the marketing year beginning during the following calendar year.

2. This price shall be fixed with particular reference to:

- (a) future trends in beef and veal production and consumption;
- (b) the situation on the market in milk and milk products;
- (c) past experience.

3. The guide price shall be fixed in accordance with the procedure laid down in Article 43 (2) of the Treaty.'

2. Article 6 of Regulation (EEC) No 805/68 shall be amended as follows:

- (a) in the first subparagraph of paragraph 1 the words 'under subheading 02.01 A II a) 1 bb)' shall be replaced by the words 'under subheadings 02.01 A II a) 1, 02.01 A II a) 2 and 02.01 A II a) 3';
- (b) in paragraphs 2 and 3 the words 'Article 10' shall be replaced each time they occur by 'Article 12 (6)'.

#### Article 3

The text of Title II of Regulation (EEC) No 805/68 shall be replaced by the following:

#### 'TITLE II

#### Trade with third countries

##### Article 9

1. The Common Customs Tariff rates of duty shall apply to the products listed in Article 1.

2. In addition, for the products listed in paragraph 1 (a) of Article 1, a levy shall be applicable under the conditions laid down in this Regulation.

#### Article 10

1. The Commission shall each month determine a basic levy on imports of bovine animals and of meat of the types set out in Sections (a), (c) and (d) of the Annex.

The Commission may, if necessary, modify the basic levy in the intervening period.

2. For bovine animals, this levy shall be determined on the basis of the difference between the guide price and the free-at-Community-frontier offer price plus the amount of the customs duty.

The free-at-Community-frontier offer price shall be established by reference to the most representative purchasing possibilities, as regards quality and quantity, recorded over a period to be fixed preceding the determining of the basic levy, for bovine animals and for fresh and chilled meat of the types set out in subheadings 02.01 A II a) 1, 02.01 A II a) 2 and 02.01 A II a) 3 of Section (a) of the Annex hereto, and taking into account *inter alia*:

- (a) the supply and demand situation;
- (b) the world market prices for frozen meat of a category which is competitive with fresh or chilled meat;
- (c) past experience.

3. The Commission may determine a specific basic levy for imports of the products referred to in paragraph 1 originating in and coming from third countries with trading structures and systems of cattle production comparable to those of Community countries, provided that market prices are regularly recorded in such third countries.

For bovine animals, this levy shall be determined, for all third countries concerned, on the basis of the difference between:

- (a) the guide price; and
- (b) the average of the prices recorded over the period referred to in paragraph 2 preceding the determining of the basic levy, plus the amount of the customs duty. This average shall be established on the basis of the prices recorded on the most representative markets of each of the countries concerned, less any export subsidies.

4. For meat of the types set out in Section (a), (c) and (d) of the Annex, the basic levy shall be equal to the basic levy determined for bovine animals, multiplied by a flat-rate coefficient fixed for each of the products in question.

5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 27.

#### Article 11

1. The Commission shall each month determine the basic levy on imports of frozen meat of the types set out in Section (b) of the Annex.

The Commission may, if necessary, modify the basic levy in the intervening period.

2. This levy shall be determined for frozen meat of the types set out in subheading 02.01 A II b) 1 of Section (b) of the Annex, by reference to the difference between:

- (a) the guide price multiplied by a coefficient representing the ratio existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of adult bovine animals; and
- (b) the free-at-Community-frontier offer price for frozen meat, plus the amount of the customs duty and a flat-rate sum representing the specific costs of the import operations.

3. The free-at-Community-frontier offer price for frozen meat shall be established by reference to the world market price based on the most representative purchasing possibilities, as regards quality and quantity, recorded over a period to be fixed preceding the determining of the basic levy, and taking into account *inter alia*:

- (a) foreseeable developments on the market in frozen meat;
- (b) the most representative prices on third country markets for fresh or chilled meat of a category which is competitive with frozen meat;
- (c) past experience.

4. For frozen meat of the types set out in subheadings 02.01 A II b) 2, 02.01 A II b) 3 and 02.01 A II b) 4 of Section (b) of the Annex, the basic levy shall be equal to the basic levy deter-

mined for the product referred to in paragraph 2, multiplied by a flat-rate coefficient fixed for each of the products in question.

5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 27.

#### Article 12

1. If it is found that the price of adult bovine animals on the representative markets of the Community exceeds the guide price, the levy applicable shall equal the following percentage of the basic levy:

- (a) 75% where the price of adult bovine animals is less than or equal to 102% of the guide price;
- (b) 50% where the price of adult bovine animals is more than 102% and less than or equal to 104% of the guide price;
- (c) 25% where the price of adult bovine animals is more than 104% and less than or equal to 106% of the guide price;
- (d) 0% where the price of adult bovine animals is more than 106% of the guide price.

2. If it is found that the price of adult bovine animals on the representative markets of the Community is equal to or less than the guide price, the levy applicable shall equal the following percentage of the basic levy:

- (a) 100% where the price of adult bovine animals is more than or equal to 98% of the guide price;
- (b) 105% where the price of adult bovine animals is less than 98% and more than or equal to 96% of the guide price;
- (c) 110% where the price of adult bovine animals is less than 96% and more than or equal to 90% of the guide price;
- (d) 114% where the price of adult bovine animals is less than 90% of the guide price.

3. The percentages referred to in paragraphs 1 and 2 may be reviewed, if necessary, by the Council, acting by a qualified majority on a proposal from the Commission.

4. By way of derogation from paragraph 1 (a), the levy applicable to frozen meat of the types set out in Section (b) of the Annex may be fixed by the Commission at a percentage which is higher than that indicated in paragraph 1 (a) but which

does not exceed the basic levy, if the variation in the prices of adult bovine animals on the representative markets of the Community does not exceed a significant amount, to be determined.

5. For the purposes of applying paragraphs 1 and 2, any variation in the price of adult bovine animals on the representative markets of the Community which does not exceed an amount to be determined shall be disregarded.

6. The price of adult bovine animals on the representative markets of the Community shall be derived from the prices recorded over a period to be determined on the representative market or markets of each Member State for the various categories of adult bovine animals or of the meat of such animals, after taking into account the size of each of such categories and the relative size of the bovine stock of each Member State.

7. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 27.

8. The levies applicable under this Article shall be fixed by the Commission.

#### *Article 12a*

1. A special levy may be fixed for products originating in or coming from one or more third countries if these products are exported at abnormally low prices.

2. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 27.

#### *Article 13*

1. The levy which was to be applied to young male bovine animals intended for fattening, of a live weight of 300 kilograms or less, may be totally or partially suspended under the conditions laid down in this Article, taking into account the supply situation for the young bovine animals in question and the foreseeable trend of market prices for bovine animals in the Community.

2. Before 1 December each year, the Council, acting by a qualified majority on a proposal from the Commission, shall draw up an estimate of young male bovine animals which may be

imported under the arrangements laid down in this Article. This estimate shall take account, on the one hand, of expected Community supplies of young bovine animals intended for fattening and, on the other, of the needs of Community breeders.

If the situation so requires, an additional estimate may be drawn up in accordance with the same procedure.

3. For the young bovine animals referred to in paragraph 1, importation under total or partial suspension of the levy shall be made conditional on production of an import licence issued for a quantity falling within the limits of the quantity laid down each quarter in accordance with paragraph 4 (a).

4. The following shall be determined in accordance with the procedure laid down in Article 27:

(a) each quarter, the quantity which may be imported and the rate of suspension of the levy, where necessary separately for each of the following categories:

- animals of a live weight of less than 80 kilograms,
- animals of a live weight of 80 kilograms or more but less than 220 kilograms,
- animals of a live weight of 220 kilograms or more.

(b) detailed rules for the application of this Article and, particularly, those concerning checks to ensure that the period prescribed for fattening is respected.

#### *Article 14*

1. Frozen meat intended for processing and listed in Section (b) of the Annex hereto under sub-headings 02.01 A II b) 2 and 02.01 A II b) 4 bb) shall qualify, under the conditions laid down in this Article:

- (a) for the total suspension of the levy on meat intended for the manufacture of preserved food, which does not contain characteristic components other than beef and jelly;
- (b) for the total or partial suspension of the levy on meat intended for the processing industry for the manufacture of products other than the preserved food referred to in (a).

2. Before 1 December each year, the Council, acting by a qualified majority on a proposal from

the Commission, shall draw up an estimate of meat which may be imported under the arrangements laid down in this Article. This estimate shall take account, on the one hand, of the expected Community supplies of meat of a quality and type of cut suitable for industrial use and, on the other, of industrial needs. This estimate shall mention separately the quantities of meat referred to in paragraph 1 (a) and (b).

If the situation so requires, an additional estimate may be drawn up in accordance with the same procedure.

3. For meat of the types referred to in paragraph 1:

- (a) importation under total or partial suspension of the levy shall be made conditional on production of an import licence issued for a quantity falling within the limits laid down each quarter;
- (b) importation under total suspension of the levy may be made conditional, as far as necessary, on production of a purchase contract for frozen meat held by an intervention agency.

4. The following shall be determined in accordance with the procedure laid down in Article 27:

- (a) each quarter, the quantities of meat of the types referred to in paragraph 1 (a) and (b) respectively which may be imported and the rate of suspension of the levy in the case of the meat referred to in paragraph 1 (b);
- (b) the relationship between the quantities which may be imported and the quantities covered by the purchase contract referred to in paragraph 3 (b);
- (c) detailed rules for the application of this Article and particularly those concerning control of the end use of imported meat.

#### Article 15

1. Imports into the Community of the products referred to in Article 1 (1) (a) shall be made conditional on production of an import licence, which shall be issued by Member States to any applicant, irrespective of the place of his establishment in the Community.

Imports into the Community of the products referred to in Article 1 (1) (b) may be made conditional on production of an import licence and exports from the Community of the products

referred to in Article 1 (1) (a) and (b) may be made conditional on production of an export licence; these licences shall be issued by Member States to any applicant, irrespective of the place of his establishment in the Community.

Where the levy or the refund is fixed in advance, the advance fixing shall be entered on the licence, which will serve as evidence thereof.

The import or export licence shall be valid anywhere within the Community.

The issue of such licences shall be conditional on the lodging of a deposit guaranteeing that importation or exportation is effected during the period of validity of the licence. That deposit shall be forfeited in whole or in part if the operation is not effected, or only partially effected, within that period.

2. The list of products for which licences are required, the period of validity of these licences and other detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 27. These rules may in particular provide for a time limit to be fixed for the issue of import licences pursuant to the arrangements laid down in Articles 13 and 14.

#### Article 16

1. The levy to be paid shall be that applicable on the day of importation.

2. However, the levy applicable on the day of application for the import licence shall apply on importation if the applicant so requests when making such application, for products falling within subheading 02.01 A II a) of the Common Customs Tariff originating in and coming from third countries which, by reason of the length of the sea journey involved, comply with an agreement concluded with the Community in this matter which provides for adequate safeguards.

3. Where the Community market is disturbed or threatened with disturbances as a result of the application of paragraph 2, a decision may be taken in accordance with the procedure laid down in Article 27 to suspend application of that paragraph for such time as may be strictly necessary.



4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 27.

#### Article 17

This Regulation shall be applied with due regard to the obligations under international agreements by which the Community is bound.

#### Article 18

1. To the extent necessary to enable the products listed in Article 1 to be exported on the basis of quotations or prices for those products on the world market, the difference between those quotations or prices and prices within the Community may be covered by an export refund.

2. The refund shall be the same for the whole Community. It may be varied according to end-use or destination.

The refund shall be granted on application.

3. When the refund is being fixed particular account shall be taken of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements.

4. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for the granting and advance fixing of export refunds and lay down criteria for fixing the amount of such refunds.

5. Refunds shall be fixed at regular intervals in accordance with the procedure laid down in Article 27. Where necessary, the Commission may, at the request of a Member State or on its own initiative, alter the refunds in the intervening period.

6. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 27.

#### Article 19

To the extent necessary for the proper working of the common organization of the market in beef and veal, the Council, acting by a qualified

majority on a proposal from the Commission, may prohibit, in whole or in part, the use of inward or outward processing arrangements in respect of products listed in Article 1.

#### Article 20

1. The general rules for the interpretation of the Common Customs Tariff and the special rules for its application shall apply to the tariff classification of products covered by this Regulation; the tariff nomenclature resulting from application of this Regulation shall be incorporated in the Common Customs Tariff.

2. Unless otherwise provided in this Regulation or otherwise decided by the Council acting by a qualified majority on a proposal from the Commission, the following shall be prohibited in trade with third countries:

- the levying of any charge equivalent in its effect to a customs duty,
- the application of any quantitative restriction or measure having equivalent effect.

#### Article 21

1. If, by reason of imports or exports, the Community market in one or more of the products listed in Article 1 experiences or is threatened with serious disturbances which may endanger the objectives set out in Article 39 of the Treaty, appropriate measures may be applied in trade with third countries until such disturbance or threat of disturbance has ceased.

The Council, acting by a qualified majority on a proposal from the Commission, shall adopt detailed rules for the application of this paragraph and define the cases in which and the limits within which Member States may take protective measures.

2. If the situation mentioned in paragraph 1 arises the Commission shall, at the request of a Member State or on its own initiative, decide upon the necessary measures; these shall be communicated to the Member States and shall be immediately applicable. If the Commission receives a request from a Member State, it shall take a decision thereon within 24 hours following receipt of the request.

3. The measures decided upon by the Commission may be referred to the Council by any Member State within three working days follow-

ing the day on which they were communicated.  
The Council shall meet without delay. It may, acting by a qualified majority, amend or repeal the measures in question.'

*Article 4*

The Annex to Regulation (EEC) No 805/68 shall be replaced by the following:

**'ANNEX**

*Section (a)*

- 02.01 A II a) Meat of bovine animals, fresh or chilled:
1. Carcases, half-carcases or "compensated" quarters
  2. Separated or unseparated forequarters
  3. Separated or unseparated hindquarters
  4. Other:
    - aa) Unboned (bone-in)
    - bb) Boned or boneless

*Section (b)*

- 02.01 A II b) Meat of bovine animals, frozen:
1. Carcases, half-carcases or "compensated" quarters
  2. Separated or unseparated forequarters
  3. Separated or unseparated hindquarters
  4. Other:
    - aa) Unboned (bone-in)
    - bb) Boned or boneless

*Section (c)*

- 02.06 C I a) Meat of bovine animals, salted, in brine, dried or smoked:
1. Unboned (bone-in)
  2. Boned or boneless

*Section (d)*

- 16.02 B III b) 1 aa) Other prepared or preserved meat or meat offal containing bovine meat or offal, uncooked.'

*Article 5*

The Common Customs Tariff annexed to Regulation (EEC) No 950/68 shall be amended as follows:

1. The Additional Note to Chapter 1 shall be deleted.
2. Subheading 01.02 A shall be replaced by the following:

CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
01.02	<p>Live animals of the bovine species:</p> <p>A. Domestic species :</p> <p>I. Pure-bred breeding animals (a)</p> <p>II. Other:</p> <p>a) Not yet having any permanent teeth, of a weight of not less than 350 kg but not more than 450 kg, in the case of male animals, or of not less than 320 kg but not more than 420 kg in the case of female animals (a)</p> <p>b) Other</p>	<p>Free</p> <p>16 + (L) (*)</p> <p>16 + (L) (*)</p>	<p>Free</p> <p>(b)</p> <p>(d) (e)</p>

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

(b) The levy shall be established in accordance with the provisions set out in Annex 1 to the Trade Agreement between the EEC and the Socialist Federal Republic of Yugoslavia.

(c) Subject to certain conditions prescribed in Article 13 of Council Regulation (EEC) No 805/68 of 27 June 1968, the levy which was to be applied to young male bovine animals, intended for fattening, of a live weight of 300 kg or less may be totally or partially suspended.

(d) A rate of 6% is applicable within the limits of an annual tariff quota, to be granted by the competent authorities of the European Communities, of 20 000 heifers and cows (other than for slaughter) of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau. Qualification for quota is subject to conditions to be determined by the competent authorities of the Member State of destination.

(e) A rate of 4% is applicable within the limits of an annual tariff quota, to be granted by the competent authorities of the European Communities, of 5 000 bulls, cows and heifers (other than for slaughter) of the following breeds: spotted Simmental, Schwyz and Fribourg. To qualify for the quota, animals of the breeds specified must be covered by the following documents:

— bulls: pedigree certificate,

— cows and heifers: pedigree certificate or herd book entry certificate attesting to the purity of the breed.

(\*) In certain conditions, a levy is applicable in addition to the customs duty.

### 3. Additional Note 1 to Chapter 2 shall be amended as follows:

#### 1. A. The following expressions shall have the meanings hereunder assigned to them:

- (a) "carcasses of bovine animals", for the purposes of subheading 02.01 A II: whole carcasses of the slaughtered animals after having been bled, eviscerated and skinned. Such carcasses are imported with or without the heads, with or without the feet and with or without the other offals attached. Where carcasses are imported without the heads, the latter must have been separated from the carcass at the atlanto-occipital joint. When imported without the feet, the latter must have been cut off at the carpo-metacarpian or tarso-metatarsian joints;
- (b) "half-carcasses of bovine animals", for the purposes of subheading 02.01 A II: the product resulting from the symmetrical division of the whole carcass through the centre of each cervical, dorsal, lumbar and sacral vertebra and through the centre of the sternum and of the ischiopubic symphysis;
- (c) "compensated quarters", for the purposes of subheadings 02.01 A II a) 1 and 02.01 A II b) 1, portions composed of either:
- forequarters comprising all the bones and the scrag, neck and shoulder, and cut at the 10th rib; and hindquarters comprising all the bones and the thigh and sirloin, and cut at the third rib, or

- forequarters comprising all the bones and the scrag, neck and shoulder, and cut at the fifth rib, with the whole of the flank and breast attached; and hindquarters comprising all the bones and the thigh and sirloin, and cut at the eighth cut rib.

The forequarters and the hindquarters constituting “compensated quarters” must be imported at the same time and in equal numbers, and the total weight of the forequarters must be the same as that of the hindquarters; a difference of not more than 5% in those weights is allowed;

- (d) “unseparated forequarters”, for the purposes of subheadings 02.01 A II a) 2 and 02.01 A II b) 2: the front part of a carcass comprising all the bones and the scrag, neck and shoulder, with a minimum of four pairs of ribs and a maximum of 10 pairs of ribs (the first four pairs must be whole while the others may be cut) with or without the thin flank;
  - (e) “separated forequarters”, for the purposes of subheadings 02.01 A II a) 2 and 02.01 A II b) 2: the front part of a half-carcass comprising all the bones and the scrag, neck and shoulder, with a minimum of four ribs and a maximum of 10 ribs (the first four ribs must be whole while the others may be cut) with or without the thin flank;
  - (f) “unseparated hindquarters”, for the purposes of subheadings 02.01 A II a) 3 and 02.01 A II b) 3: the rear part of a carcass comprising all the bones and the thigh and sirloin, with a minimum of three pairs of whole or cut ribs with or without the knuckle and with or without the thin flanks. The front part of a carcass comprising all the bones and the scrag, neck and shoulder but with more than 10 pairs of ribs shall be regarded as “unseparated hindquarters”;
  - (g) “separated hindquarters”, for the purposes of subheadings 02.01 A II a) 3 and 02.01 A II b) 3: the rear part of a half-carcass comprising all the bones and the thigh and sirloin, with a minimum of three whole or cut ribs with or without the knuckle and with or without the thin flanks. The front part of a half-carcass comprising all the bones and the scrag, neck and shoulder but with more than 10 ribs shall be regarded as “separated hindquarters”.
  - (h) 11. “crop” and “chuck and blade” cuts, for the purposes of subheading 02.01 A II b) 4 bb) 22: the dorsal part of the forequarter, including the upper part of the shoulder, obtained from the forequarter with a minimum of four ribs and a maximum of 10 ribs by a cut along a straight line through the point where the first rib joins the first sternal segment to the point of reflection of the diaphragm on the 10th rib.  
22. “brisket” cut, for the purposes of subheading 02.01 A II b) 4 bb) 22: the lower part of the forequarter comprising the brisket navel end and brisket point end.
- B. In determining the number of whole or cut ribs referred to in paragraphs A (c) to (g), only those attached to the backbone shall be taken into consideration.’

## 4. Subheading 02.01 A II shall be amended as follows:

CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
02.01	<p>Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen:</p> <p>A. Meat:</p> <p>II. Of bovine animals:</p> <p>a) Fresh or chilled:</p> <p>1. Carcasses, half-carcases or 'compensated' quarters:</p> <p>aa) Carcasses of a weight of not less than 180 kg but not more than 270 kg and half-carcases or 'compensated' quarters, of a weight of not less than 90 kg but not more than 135 kg, with a low degree of ossification of the cartilages (more especially those of the symphysis pubis and the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (a)</p> <p>bb) Other</p> <p>2. Separated or unseparated forequarters:</p> <p>aa) Separated forequarters of a weight of not less than 45 kg but not more than 68 kg, with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (a)</p> <p>bb) Other</p> <p>3. Separated or unseparated hindquarters:</p> <p>aa) Separated hindquarters of a weight of not less than 45 kg but not more than 68 kg (not less than 38 kg but not more than 61 kg in the case of 'Pistola' cuts), with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (a)</p> <p>bb) Other</p> <p>4. Other:</p> <p>aa) Unboned (bone-in)</p> <p>bb) Boned or boneless</p>	<p>20+(L)(*)</p> <p>20+(L)(*)</p> <p>20+(L)(*)</p> <p>20+(L)(*)</p> <p>20+(L)(*)</p> <p>20+(L)(*)</p> <p>20+(L)(*)</p> <p>20+(L)(*)</p> <p>20+(L)(*)</p>	<p>(b)</p> <p>—</p> <p>(b)</p> <p>—</p> <p>(b)</p> <p>—</p> <p>—</p> <p>—</p>

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

(b) The levy shall be established in accordance with the provisions set out in Annex I to the Trade Agreement between the EEC and the Socialist Federal Republic of Yugoslavia.

(\*) In certain conditions, a levy is applicable in addition to the customs duty.

CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
02.01 (cont'd)	b) Frozen: <ol style="list-style-type: none"> <li>1. Carcasses, half-carcasses, or 'compensated' quarters</li> <li>2. Separated or unseparated forequarters</li> <li>3. Separated or unseparated hindquarters</li> <li>4. Other:               <ol style="list-style-type: none"> <li>aa) Unboned (bone-in)</li> <li>bb) Boned or boneless:                   <ol style="list-style-type: none"> <li>11. Forequarters, whole or cut into a maximum of five pieces, each quarter being in a single block; 'compensated' quarters in two blocks, one of which contains the forequarter, whole or cut into a maximum of five pieces, and the other, the hindquarter, excluding the tenderloin, in one piece</li> <li>22. Crop, chuck and blade and brisket cuts (e)</li> <li>33. Other</li> </ol> </li> </ol> </li> </ol>	20+(L)(*) 20+(L)(d)(*) 20+(L)(*) 20+(L)(*) 20+(L)(d)(*) 20+(L)(d)(*) 20+(L)(d)(*)	(c)

(c) A rate of 20% shall be applicable within the limits of a global annual tariff quota of 38 500 tonnes of which 16 500 tonnes (excluding the weight of any bone) may be subject to the application of monetary compensatory amounts.

(d) Subject to certain conditions provided for in Article 14 of Council Regulation (EEC) No 805/68 of 27 June 1968, the levy on frozen meat intended for processing may be totally or partially suspended.

(e) Entry under this subheading is subject to the production of a certificate issued in accordance with the conditions laid down by the competent authorities of the European Communities.

(\*) In certain conditions, a levy is applicable in addition to the customs duty.

#### 5. Subheading 02.01 B II shall be amended as follows:

CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: <ol style="list-style-type: none"> <li>B. Offals:               <ol style="list-style-type: none"> <li>II. Other:                   <ol style="list-style-type: none"> <li>a) (unchanged)</li> <li>b) Of bovine animals:                       <ol style="list-style-type: none"> <li>1. Livers</li> <li>2. Other</li> </ol> </li> <li>c) and d) (unchanged)</li> </ol> </li> </ol> </li> </ol>	20 20	11 7

## 6. Subheading 02.06 C I shall be amended as follows:

CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked: C. Other: I. Of bovine animals: a) Meat: 1. Unboned (bone-in) 2. Boned or boneless b) Offals	24+(L)(*) 24+(L)(*) 24	— — —

(\*) In certain conditions, a levy is applicable in addition to the customs duty.

## 7. Subheading 16.02 B III b) 1 shall be amended as follows:

CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
16.02	Other prepared or preserved meat or meat offal: B. (unchanged) III. (unchanged): b) Other: 1. Containing bovine meat or offal: aa) Uncooked bb) Other	20+(L)(*) 26	— 26

(\*) In certain conditions, a levy is applicable in addition to the customs duty.

## 8. Heading No 02.01 in the Annex to Part II 'Schedule of customs duties of the Common Customs Tariff' shall be deleted.

## Article 6

In the Annex to Regulation (EEC) No 827/68, the terms used in respect of subheading 01.02 A:

## A. Domestic species:

## I. Pure-bred breeding animals (a)',

and those used in respect of subheading 02.01 A II:

'II. Of bovine animals:

b) Other',

shall be deleted.

*Article 7*

Should transitional measures be necessary to facilitate the implementation of this Regulation, in particular if such implementation on the date provided for were to give rise to substantial difficulties in respect of certain products, such measures shall be adopted in accordance with the procedure laid down in Article 27. They shall be applicable until 31 December 1977.

*Article 8*

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

It shall apply from 1 April 1977.

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

Done at Brussels, 14 February 1977.

*For the Council*

*The President*

J. SILKIN

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**COUNCIL REGULATION (EEC) No 426/77**

of 14 February 1977

**repealing Regulations (EEC) No 888/68, (EEC) No 990/68 and (EEC) No 752/74 concerning the beef and veal sector**

THE COUNCIL 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 the second subparagraph of Article 13 (2), and Articles 14 (3) and 15 (2) thereof,

Having regard to the proposal from the Commission,

Whereas the change in the common organization of the market in beef and veal brought about by Regulation (EEC) No 425/77 <sup>(3)</sup> has rendered the following Regulations nugatory:

- Council Regulation (EEC) No 888/68 of 28 June 1968 laying down general rules on special import terms for certain frozen meats intended for processing <sup>(4)</sup>, as last amended by Regulation (EEC) No 2725/71 <sup>(5)</sup>,

— Council Regulation (EEC) No 990/68 of 15 July 1968 on general rules for fixing the levy on certain kinds of frozen beef and veal <sup>(6)</sup>,

— Council Regulation (EEC) No 752/74 of 29 March 1974 on the extension of the list of products subject to the system of import licences for beef and veal <sup>(7)</sup>;

Whereas those Regulations should consequently be repealed,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulations (EEC) No 888/68, (EEC) No 990/68 and (EEC) No 752/74 are hereby repealed.

*Article 2*

This Regulation shall enter into force on 1 April 1977.

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

Done at Brussels, 14 February 1977.

*For the Council*

*The President*

J. SILKIN

<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> See page 1 of this Official Journal.

<sup>(4)</sup> OJ No L 156, 4. 7. 1968, p. 7.

<sup>(5)</sup> OJ No L 282, 23. 12. 1971, p. 5.

<sup>(6)</sup> OJ No L 169, 18. 7. 1968, p. 12.

<sup>(7)</sup> OJ No L 86, 30. 3. 1974, p. 75.

## COUNCIL REGULATION (EEC) No 427/77

of 14 February 1977

adapting Regulations (EEC) No 885/68 and (EEC) No 1302/73 to the changes made in the common organization of the market in beef and veal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

beef and veal<sup>(5)</sup>, as amended by Regulation (EEC) No 1729/74<sup>(6)</sup>,

Having regard to the Treaty establishing the European Economic Community,

HAS ADOPTED THIS REGULATION:

*Article 1*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 425/77<sup>(2)</sup>, and in particular Articles 6 (4) and 18 (4) thereof,

The second subparagraph of Article 2 of Regulation (EEC) No 885/68 is amended to read as follows:

'Furthermore, for the purpose of calculating the refund on products other than bovine animals, the coefficients referred to in Articles 10 (4) and 11 (4) of Regulation (EEC) No 805/68 may be taken into account.'

Having regard to the proposal from the Commission,

*Article 2*Whereas the changes made in the common organization of the market in beef and veal by Regulation (EEC) No 425/77 call for certain technical adjustments to Council Regulation (EEC) No 885/68 of 28 June 1968 laying down general rules for granting export refunds on beef and veal and criteria for fixing the amount of such refunds<sup>(3)</sup>, as amended by Regulation (EEC) No 1504/76<sup>(4)</sup>, and to Council Regulation (EEC) No 1302/73 of 15 May 1973 laying down general rules for intervention on the market inIn paragraph 1 (a) and in the second subparagraph of paragraph 2 of Article 3 of Regulation (EEC) No 1302/73, the words 'Article 10 (5)' are replaced by 'Article 12 (6)'.  
*Article 3**Article 3*

This Regulation shall enter into force on 1 April 1977.

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

Done at Brussels, 14 February 1977.

*For the Council**The President*

J. SILKIN

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.<sup>(2)</sup> See page 1 of this Official Journal.<sup>(3)</sup> OJ No L 156, 4. 7. 1968, p. 2.<sup>(4)</sup> OJ No L 168, 28. 6. 1976, p. 7.<sup>(5)</sup> OJ No L 132, 19. 5. 1973, p. 3.<sup>(6)</sup> OJ No L 182, 5. 7. 1974, p. 4.

## COUNCIL REGULATION (EEC) No 428/77

of 14 February 1977

amending Regulation (EEC) No 989/68 laying down general rules for granting private storage aid for beef and veal

THE COUNCIL 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 425/77 <sup>(2)</sup>, and in particular Article 8 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 425/77 has, in particular, abolished the possibility of importing certain types of frozen meat with total suspension of the levy on presentation of a contract for private storage aid;

Whereas, moreover, the amendments which have been made to Regulation (EEC) No 805/68 require that certain adjustments be made to Council Regulation (EEC) No 989/68 of 15 July 1968 laying down general rules for granting private storage aid for beef and veal <sup>(3)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 1 (2) of Regulation (EEC) No 989/68 is amended to read as follows:

'2. Private storage aid may only be granted in respect of products derived from bovine animals originating in the Community which are stored as one of the cuts listed in Section (b) of the Annex to Regulation (EEC) No 805/68 under conditions to be determined.'

*Article 2*

Article 4 (1) of Regulation (EEC) No 989/68 is amended to read as follows:

- '1. The amount of aid shall be either:
- determined by means of an invitation to tender published in the *Official Journal of the European Communities*, or
  - fixed in advance.'

*Article 3*

Article 6 (a) of Regulation (EEC) No 989/68 is amended to read as follows:

- '(a) there shall be a single rate for each product taking into account storage costs, normal depreciation of quality and, as far as possible, any foreseeable increase in the price of the product in question.'

*Article 4*

This Regulation shall enter into force on 1 April 1977.

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

Done at Brussels, 14 February 1977.

*For the Council*  
*The President*  
 J. SILKIN

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.<sup>(2)</sup> See page 1 of this Official Journal.<sup>(3)</sup> OJ No L 169, 18. 7. 1968, p. 10.

**COUNCIL REGULATION (EEC) No 429/77**  
of 14 February 1977

**amending Regulation (EEC) No 98/69 laying down general rules for the disposal of frozen beef and veal bought by intervention agencies**

THE COUNCIL 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 425/77 <sup>(2)</sup>, and in particular Article 7 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, since the adoption of Council Regulation (EEC) No 98/69 of 16 January 1969 laying down general rules for the disposal of frozen beef and veal bought by intervention agencies <sup>(3)</sup>, the system of intervention buying and the system of trade with non-member countries have both been changed;

Whereas in recent years the situation on the market in beef and veal has been marked by massive and continual intervention buying; whereas the resulting stocks have led to various new measures for disposal of the products concerned;

Whereas such practice and the changes made to the common organization of the market in beef and veal by Regulation (EEC) No 425/77 require that Regulation (EEC) No 98/69 be adjusted, in particular, as regards disposal where market prices are lower than the intervention price,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 1 of Regulation (EEC) No 98/69 shall be replaced by the following:

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

<sup>(2)</sup> See page 1 of this Official Journal.

<sup>(3)</sup> OJ No L 14, 21. 1. 1969, p. 2.

*'Article 1*

1. Disposal of the products held by intervention agencies may be undertaken only:

(a) if the price of adult bovine animals recorded in accordance with Article 12 (6) of Regulation (EEC) No 805/68, adjusted by the coefficient determined in accordance with Article 10 (4) of that Regulation to apply to fresh or chilled meat in the form of carcasses, half-carcasses or compensated quarters, exceeds the intervention price, or

(b) for the purpose of implementing Article 14 (3) (b) of Regulation (EEC) No 805/68, or,

in so far as is necessary,

(c) where removal from storage is necessary for technical reasons, or,

(d) where the products are intended for a special use, or

(e) where the products are intended for export.

2. In the cases referred to in (d) and (e) of paragraph 1, special conditions may be laid down to ensure that the products are not used for a purpose other than that for which they were intended and to take account of the particular requirements of such sales.

To ensure that the obligations entered into are fulfilled, such conditions may include the provision of a security which shall be forfeited in whole or in part if the said obligations are not or are only partially fulfilled.'

*Article 2*

This Regulation shall enter into force on 1 April 1977.

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

Done at Brussels, 14 February 1977.

*For the Council*

*The President*

J. SILKIN

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## COUNCIL REGULATION (EEC) No 430/77

of 14 February 1977

laying down general rules for the system of compensatory amounts for beef and veal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Act of Accession, and in particular Article 62 (1) thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 90 of the Act of Accession, Articles 51 and 52 apply to guide prices in the beef and veal sector;

Whereas Articles 51 and 52 of the Act of Accession provide that the prices to be applied in the new Member States can be fixed at a level which may be different from the level of common prices; whereas, pursuant to Article 55 of the Act of Accession, the differences in price levels are compensated for by a system of compensatory amounts;

Whereas the compensatory amounts applicable in trade between the Community as originally constituted and the new Member States, and between those States and third countries, are to equal the difference between the prices fixed for the new Member State concerned and the common prices adjusted, where necessary, by the incidence of customs duties;

Whereas, for the beef and veal sector, the general rules of the system of compensatory amounts were laid down by Regulation (EEC) No 181/73<sup>(1)</sup>; whereas, since the arrangements applicable to imports from third countries laid down in Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(2)</sup> were amended by Regulation (EEC) No 425/77<sup>(3)</sup>, the system of compensatory amounts should be adjusted accordingly;

Whereas customs duties between the Community as originally constituted and the new Member States have been gradually eliminated and the Common Customs Tariff has been gradually introduced in the new Member States, so that the elimination of all intra-Community customs duties and the full-scale application of the Common Customs Tariff in respect of products covered by Regulation (EEC) No 805/68 will be achieved from the beginning of the 1977/78 marketing year; whereas, in a system that is to take effect on 1 April 1977, it therefore no longer seems necessary to provide for the adjustment of compensatory amounts by the incidence of customs duties;

Whereas, in view of the extent of the amendments, it seems advisable to replace Regulation (EEC) No 181/73;

Whereas if the levy is reduced in accordance with Article 12 of Regulation (EEC) No 805/68 the compensatory amounts should also be reduced to maintain Community preference; whereas it is also necessary, in order to avoid deflections of trade, to apply the same reduction to the amounts granted and the amounts levied;

Whereas the compensatory amounts applicable to the types of meat referred to in the Annex to Regulation (EEC) No 805/68 must be derived from the compensatory amounts applicable to bovine animals; whereas they can be derived by applying the coefficients used to calculate the levies; whereas, however, deflections of trade are likely to occur as a result of the application of these coefficients since the presentation of certain cuts may be advantageous or disadvantageous according to whether an amount is to be granted or levied; whereas to prevent such deflections of trade provision should be made for different coefficients to be set;

Whereas Article 55 (4) of the Act of Accession provides that no compensatory amount should be fixed if its calculation results in a minimal amount; whereas, therefore, an amount should be fixed that can be considered as minimal;

(1) OJ No L 25, 30. 1. 1973, p. 9.

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

(3) See page 1 of this Official Journal.

Whereas under Article 55 (3) of the Act of Accession the compensatory amounts applicable in trade between the new Member States shall be determined by reference to the compensatory amounts fixed for each of those States; whereas this provision should be made more explicit by providing that in each case these amounts should equal the difference in the prices existing between the Member States in question which were used to determine the compensatory amounts applicable in trade with the Community as originally constituted;

Whereas, since the purpose of compensatory amounts in intra-Community trade is to permit the movement of products under satisfactory conditions between two Member States with different price levels, a compensatory amount should be levied for imports into a Member State with a higher price level and conversely, such an amount should be granted for exports to a Member State where the price level is lower;

Whereas Article 55 (1) (a) of the Act of Accession, which states that compensatory amounts should be levied by the importing Member State or granted by the exporting Member State, therefore implies that the task of levying or granting these amounts devolves on the Member State with the higher price level;

Whereas rules for the levying and granting of compensatory amounts should be fixed so as to avoid deflections of trade,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

1. The compensatory amounts for bovine animals, applicable in trade between the Community as originally constituted and the new Member States, and between those Member States and third countries, shall be equal to the difference between the guide price applicable in each of the new Member States and the guide price applicable in the Community as originally constituted.

2. The compensatory amounts for meat as specified in Sections (a), (c) and (d) of the Annex to Regulation (EEC) No 805/68, applicable in trade between the Community as originally constituted and the new Member States, and between those Member States and third countries, shall be derived from the compensatory amounts referred to in paragraph 1 by

applying the rules laid down for calculation of the levy in accordance with Article 10 (4) of Regulation (EEC) No 805/68.

#### *Article 2*

1. The compensatory amount for meat as specified in Section (b) of the Annex to Regulation (EEC) No 805/68 and falling within subheading 02.01 A II b) 1, applicable in trade between the Community as originally constituted and the new Member States, and between those Member States and third countries, shall be equal to the compensatory amount applicable to bovine animals multiplied by the coefficient referred to in Article 11 (2) (a) of Regulation (EEC) No 805/68.

2. The compensatory amounts for meat as specified in Section (b) of the Annex to Regulation (EEC) No 805/68 and falling within subheadings 02.01 A II b) 2, 02.01 A II b) 3 and 02.01 A II b) 4, applicable in trade between the Community as originally constituted and the new Member States and between those Member States and third countries, shall be derived from the compensatory amount applicable to the meat referred to in paragraph 1 using the coefficients referred to in Article 11 (4) of Regulation (EEC) No 805/68.

#### *Article 3*

The compensatory amounts applicable in trade between two new Member States shall be equal to the difference between the compensatory amounts applicable in trade between each of those new Member States and the Community as originally constituted.

#### *Article 4*

The compensatory amounts may be calculated using coefficients other than those referred to in Articles 1 and 2 where this is necessary in order to avoid deflections of trade.

#### *Article 5*

1. If the levies are reduced in accordance with Article 12 (1) and (5) of Regulation (EEC) No 805/68, the compensatory amounts applicable to bovine animals and to the types of meat referred to in Articles 1 (2) and 2 shall be reduced by an amount equal to the incidence of the percentage reduction in the levy, applied to the compensatory amount to be levied in trade between the new Member States and the Community as originally constituted.

2. In this case, in trade between new Member States, Article 3 shall apply to the amounts resulting from the reduction.

*Article 6*

No compensatory amount shall be fixed at less than one unit of account per 100 kilograms.

*Article 7*

In trade between the new Member States and between those States and the Community as originally constituted, the compensatory amounts shall be levied or granted by that one of the two Member States concerned in which the guide price used to fix the compensatory amounts is the higher.

*Article 8*

1. In trade between the new Member States and third countries, the compensatory amounts shall be deducted from levies and refunds.

2. If a compensatory amount is fixed for a product and the refund, if fixed at all, is lower than this compensatory amount, then, when the product in question is exported to a third country, the new Member State concerned may levy an amount equal to not more than the difference between the compensatory amount and the refund or, as the case may be, equal to the compensatory amount.

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

Done at Brussels, 14 February 1977.

*Article 9*

The compensatory amount applied shall be the amount in force on the day of import or export.

*Article 10*

The detailed rules for the granting, levying and recovery of compensatory amounts shall be adopted so that, in particular, deflections of trade are prevented and in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68.

Rules for the application of this Regulation shall be adopted in accordance with the same procedure.

The compensatory amounts shall be fixed by the Commission.

*Article 11*

Regulation (EEC) No 181/73 is hereby repealed.

*Article 12*

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

It shall apply from the beginning of the 1977/78 marketing year.

*For the Council*

*The President*

J. SILKIN

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## II

*(Acts whose publication is not obligatory)*

**COUNCIL****COUNCIL DECISION**

**of 14 February 1977**

**on the exporting of crude oil and petroleum products from one Member State to another  
in the event of supply difficulties**

**(77/186/EEC)**

**THE COUNCIL OF THE EUROPEAN COMMUNITIES,**

Having regard to the Treaty establishing the European Economic Community, and in particular Article 103 (4) thereof,

Having regard to the proposal from the Commission,

Whereas the establishment of a Community energy policy is one of the objectives which the Community has set itself and it is for the Commission to propose the measures to be taken to this end;

Whereas the establishment of genuine solidarity between the Member States in the event of supply difficulties is one of the basic elements of a Community energy policy;

Whereas the Council has adopted Directive 73/238/EEC of 24 July 1973 on measures to mitigate the effects of difficulties in the supply of crude oil and petroleum products <sup>(1)</sup>;

Whereas it is necessary to prevent such supply difficulties from causing disturbances in trade within

the Community which would seriously jeopardize supplies to one or more Member States;

Whereas in periods of supply difficulties monitoring of intra-Community trade is necessary in order to keep a check on developments;

Whereas an appropriate system, with the least effect on intra-Community trade, would be a system of licences granted automatically;

Whereas protective measures may prove necessary;

Whereas, since protective measures are unnecessary for supplies of goods from third countries which are in transit through one Member State and are destined for another Member State, they should be excluded from the scope of this Decision;

Whereas, in conformity with the principles of solidarity and non-discrimination, the burden of deficits in supplies of oil and petroleum products must be fairly distributed among the Member States;

<sup>(1)</sup> OJ No L 228, 16. 8. 1973, p. 1.

Whereas it must be ensured that no one Member State is more affected than the other Member States as a result of respecting the principles of the Treaty;

Whereas all Community decisions to be taken concerning the reduction of energy consumption should be taken into consideration;

Whereas other complementary measures may be necessary to ensure optimum supplies of crude oil and petroleum products to the whole Community,

HAS ADOPTED THIS DECISION:

#### *Article 1*

1. Where difficulties arise in the supply of crude oil and/or petroleum products in one or more Member States, the Commission, acting at the request of a Member State or on its own initiative and after holding consultations within the group provided for in Directive 73/238/EEC, may decide to make intra-Community trade in products falling within heading No 27.09 and subheadings 27.10 A, B, C I and C II of the Common Customs Tariff subject to a system of licences to be granted automatically by the exporting Member State.

Licences shall be granted without delay and free of administrative charges in respect of any quantity requested and for a minimum period of 15 working days and a maximum of one month.

2. Where intervention by the Commission has been requested by a Member State, the Commission shall take a decision within a maximum of five working days of the date of receipt of that request.

3. This decision shall not affect supplies of goods from third countries to a Member State which are in transit through other Member States.

4. Any decision taken by the Commission to introduce a system of licences, pursuant to paragraph 1, shall be communicated to the Council and to the Member States. Any Member State may, within 10 working days of the date of communication, refer that decision to the Council. The Council, acting by a qualified majority, may repeal the decision of the Commission or alter the conditions and procedures laid down therein.

5. Decisions taken by the Commission shall apply as soon as they have been communicated to Member

States. They shall not apply to products which have already been dispatched.

#### *Article 2*

Whenever a shortfall in supply of crude oil and/or petroleum products, either actual or imminent, creates an abnormal increase in trade in petroleum products between Member States, the Commission may, on the request of a Member State, after consulting the group provided for in Directive 73/238/EEC, authorize that Member State to suspend the issue of export licences to the extent necessary to prevent such abnormal trade. The Commission's authorization shall be valid for 10 working days.

The Council shall meet, at the request of a Member State, within 48 hours to confirm, amend or repeal, by a qualified majority, the authorization granted by the Commission.

#### *Article 3*

If a shortfall is likely to seriously endanger the supply of crude oil and/or petroleum products in a Member State, or if such a situation may reasonably be expected, the Commission may, on the request of a Member State, after consulting the group provided for in Directive 73/238/EEC, authorize that Member State to suspend the issue of export licences, provided that traditional trade patterns are maintained as far as possible.

The Council shall meet, at the request of a Member State, within 48 hours to amend or revoke, by a qualified majority, the authorization granted by the Commission. If the Council does not revoke or amend this authorization it shall remain in force.

#### *Article 4*

In the event of a sudden crisis in a Member State, when any delay would be gravely prejudicial to its economy, the Member State concerned may, after consulting the Commission and after informing the other Member States, temporarily suspend the issue of export licences. This decision shall be valid for 10 days.

At the request of a Member State or the Commission, the Council shall meet within 48 hours. It may adopt

the appropriate measures by a qualified majority acting on a proposal from the Commission. The measures decided on by the Council shall enter into force on the day following the expiration of the period of validity of the national measures. However, the Council, acting unanimously, may decide that the measures which it has adopted shall apply before that period of validity expires.

#### *Article 5*

1. If, after consulting the group provided for in Directive 73/238/EEC or on the basis of information communicated by a Member State, the Commission finds that the situation regarding supplies of crude oil and/or petroleum products in one or more Member States no longer justifies the continued application of the measures laid down in Articles 1 to 4:

- (a) it shall decide to amend or repeal them if the measures were introduced by means of a decision by the Commission;
- (b) it shall propose that the Council should amend or repeal them if the measures were introduced by means of a decision by the Council.

2. Decisions by the Commission taken pursuant to paragraph 1 (a) shall become applicable as soon as Member States have been notified of them. Any Member State may refer to the Council any decision by the Commission amending or repealing the measures laid down in Articles 1 to 4.

3. The Council shall take a decision by a qualified majority within 10 days of the matter being referred to it.

#### *Article 6*

The Council shall take a unanimous decision within 10 days on any complementary measure proposed by the Commission with a view to ensuring optimum supplies of crude oil and/or petroleum products for the whole Community.

#### *Article 7*

After consulting the Member States the Commission shall determine the detailed rules for the application of this Decision.

#### *Article 8*

This Decision is addressed to the Member States.

Done at Brussels, 14 February 1977.

*For the Council*

*The President*

J. SILKIN

## COUNCIL DIRECTIVE

of 14 February 1977

on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of businesses

(77/187/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

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

## SECTION I

## Scope and definitions

Having regard to the proposal from the Commission,

*Article 1*

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

1. This Directive shall apply to the transfer of an undertaking, business or part of a business to another employer as a result of a legal transfer or merger.

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

2. This Directive shall apply where and in so far as the undertaking, business or part of the business to be transferred is situated within the territorial scope of the Treaty.

Whereas economic trends are bringing in their wake, at both national and Community level, changes in the structure of undertakings, through transfers of undertakings, businesses or parts of businesses to other employers as a result of legal transfers or mergers;

3. This Directive shall not apply to sea-going vessels.

*Article 2*

Whereas it is necessary to provide for the protection of employees in the event of a change of employer, in particular, to ensure that their rights are safeguarded;

For the purposes of this Directive:

Whereas differences still remain in the Member States as regards the extent of the protection of employees in this respect and these differences should be reduced;

(a) 'transferor' means any natural or legal person who, by reason of a transfer within the meaning of Article 1 (1), ceases to be the employer in respect of the undertaking, business or part of the business;

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

(b) 'transferee' means any natural or legal person who, by reason of a transfer within the meaning of Article 1 (1), becomes the employer in respect of the undertaking, business or part of the business;

Whereas it is therefore necessary to promote the approximation of laws in this field while maintaining the improvement described in Article 117 of the Treaty,

(c) 'representatives of the employees' means the representatives of the employees provided for by the laws or practice of the Member States, with the exception of members of administrative, governing or supervisory bodies of companies who represent employees on such bodies in certain Member States.

<sup>(1)</sup> OJ No C 95, 28. 4. 1975, p. 17.

<sup>(2)</sup> OJ No C 255, 7. 11. 1975, p. 25.

## SECTION II

## Safeguarding of employees' rights

*Article 3*

1. The transferor's rights and obligations arising from a contract of employment or from an employment relationship existing on the date of a transfer within the meaning of Article 1 (1) shall, by reason of such transfer, be transferred to the transferee.

Member States may provide that, after the date of transfer within the meaning of Article 1 (1) and in addition to the transferee, the transferor shall continue to be liable in respect of obligations which arose from a contract of employment or an employment relationship.

2. Following the transfer within the meaning of Article 1 (1), the transferee shall continue to observe the terms and conditions agreed in any collective agreement on the same terms applicable to the transferor under that agreement, until the date of termination or expiry of the collective agreement or the entry into force or application of another collective agreement.

Member States may limit the period for observing such terms and conditions, with the proviso that it shall not be less than one year.

3. Paragraphs 1 and 2 shall not cover employees' rights to old-age, invalidity or survivors' benefits under supplementary company or inter-company pension schemes outside the statutory social security schemes in Member States.

Member States shall adopt the measures necessary to protect the interests of employees and of persons no longer employed in the transferor's business at the time of the transfer within the meaning of Article 1 (1) in respect of rights conferring on them immediate or prospective entitlement to old-age benefits, including survivors' benefits, under supplementary schemes referred to in the first subparagraph.

*Article 4*

1. The transfer of an undertaking, business or part of a business shall not in itself constitute grounds for dismissal by the transferor or the transferee. This provision shall not stand in the way of dismissals that may take place for economic, technical or organizational reasons entailing changes in the workforce.

Member States may provide that the first subparagraph shall not apply to certain specific categories of employees who are not covered by the laws or practice of the Member States in respect of protection against dismissal.

2. If the contract of employment or the employment relationship is terminated because the transfer within the meaning of Article 1 (1) involves a substantial change in working conditions to the detriment of the employee, the employer shall be regarded as having been responsible for termination of the contract of employment or of the employment relationship.

*Article 5*

1. If the business preserves its autonomy, the status and function, as laid down by the laws, regulations or administrative provisions of the Member States, of the representatives or of the representation of the employees affected by the transfer within the meaning of Article 1 (1) shall be preserved.

The first subparagraph shall not apply if, under the laws, regulations, administrative provisions or practice of the Member States, the conditions necessary for the re-appointment of the representatives of the employees or for the reconstitution of the representation of the employees are fulfilled.

2. If the term of office of the representatives of the employees affected by a transfer within the meaning of Article 1 (1) expires as a result of the transfer, the representatives shall continue to enjoy the protection provided by the laws, regulations, administrative provisions or practice of the Member States.

## SECTION III

## Information and consultation

*Article 6*

1. The transferor and the transferee shall be required to inform the representatives of their respective employees affected by a transfer within the meaning of Article 1 (1) of the following:

- the reasons for the transfer,
- the legal, economic and social implications of the transfer for the employees,
- measures envisaged in relation to the employees.

The transferor must give such information to the representatives of his employees in good time before the transfer is carried out.

The transferee must give such information to the representatives of his employees in good time, and in any event before his employees are directly affected by the transfer as regards their conditions of work and employment.

2. If the transferor or the transferee envisages measures in relation to his employees, he shall consult his representatives of the employees in good time on such measures with a view to seeking agreement.

3. Member States whose laws, regulations or administrative provisions provide that representatives of the employees may have recourse to an arbitration board to obtain a decision on the measures to be taken in relation to employees may limit the obligations laid down in paragraphs 1 and 2 to cases where the transfer carried out gives rise to a change in the business likely to entail serious disadvantages for a considerable number of the employees.

The information and consultations shall cover at least the measures envisaged in relation to the employees.

The information must be provided and consultations take place in good time before the change in the business as referred to in the first subparagraph is effected.

4. Member States may limit the obligations laid down in paragraphs 1, 2 and 3 to undertakings or businesses which, in respect of the number of employees, fulfil the conditions for the election or designation of a collegiate body representing the employees.

5. Member States may provide that where there are no representatives of the employees in an undertaking or business, the employees concerned must be informed in advance when a transfer within the meaning of Article 1 (1) is about to take place.

#### SECTION IV

#### Final provisions

##### Article 7

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

##### Article 8

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

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

##### Article 9

Within two years following expiry of the two-year period laid down in Article 8, Member States shall forward all relevant information to the Commission in order to enable it to draw up a report on the application of this Directive for submission to the Council.

##### Article 10

This Directive is addressed to the Member States.

Done at Brussels, 14 February 1977.

*For the Council*

*The President*

J. SILKIN

## COUNCIL DECISION

of 14 February 1977

adopting a technological research programme for the footwear industry

(77/188/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

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

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

Whereas the Council resolution of 14 January 1974 on an initial outline programme of the European Communities in the field of science and technology <sup>(3)</sup> concerns the coordination of national policies and the definition of projects of interest to the Community;

Whereas, pursuant to Article 2 of the Treaty, the Community has *inter alia* as its task to promote throughout the Community a harmonious development of economic activities and a continuous and balanced expansion;

Whereas the technological improvements in footwear manufacture which are necessary on economic and social grounds and which constitute a step forward in the attainment of the said objectives, involve the implementation of certain research projects designed in particular to reduce manufacturing costs, to ensure a more rational use of raw materials and energy and greater flexibility of production to meet consumers' wishes and requirements, together with

the establishment of better psychological and physical working conditions throughout the production cycle;

Whereas collective research plays an important role in the technical development of the footwear industry, since this sector consists mainly of small and medium-sized undertakings which cannot carry out their own research or whose own research is insufficient;

Whereas, since in the footwear industry the means to carry out research are too limited at national level, this industry and its research organizations have produced a collective research programme at Community level comprising three research projects and involving a total outlay of 1 355 000 units of account; whereas two of these projects, involving an outlay of 505 000 units of account, must be initiated immediately; whereas the footwear industry and its research organizations will not undertake the third project, involving an outlay of 850 000 units of account, until the results obtained from the first two projects are positive;

Whereas a Community research programme, intended to form part of the abovementioned collective programme and hence to facilitate its execution, constitutes a powerful force for integration in the footwear sector, which will furthermore promote the development of technology in the Community industry and an increase in its competitiveness;

Whereas the expenditure allocated by the footwear industry and its research organizations for the implementation of the first two projects in the collective programme exceeds the sum allocated for the Community programme; whereas the latter does not cover the third project;

Whereas the collective programme is the result of more than 10 years' cooperation between the research organizations and the footwear industry within the Community; whereas this fact should

<sup>(1)</sup> OJ No C 30, 7. 2. 1977, p. 26.

<sup>(2)</sup> Opinion delivered on 24 December 1976 (not yet published in the Official Journal).

<sup>(3)</sup> OJ No C 7, 29. 1. 1974, p. 6.

guarantee that the programme will be carried out rationally and lead to positive results;

Whereas the Community programme therefore appears necessary to attain, in the context of the common market, the objectives of the Treaty;

Whereas the Treaty did not make provision for the powers required for this purpose;

Having regard to the opinion of the Scientific and Technical Research Committee (CREST),

HAS DECIDED AS FOLLOWS:

*Article 1*

A Community technological research programme for the footwear industry, as set out in the Annex hereto, is hereby adopted for a period of four years from 1 January 1977.

*Article 2*

The maximum financial contribution to be made by the Community towards the programme is set at

235 000 units of account, the unit of account being defined in Article 10 of the Financial Regulation of 25 April 1973 applicable to the general budget of the European Communities <sup>(1)</sup>.

*Article 3*

The Commission shall implement the programme by means of contracts.

*Article 4*

The information gained as a result of the implementation of the programme shall be disseminated in accordance with Council Regulation (EEC) No 2380/74 of 17 September 1974 adopting provisions for the dissemination of information relating to research programmes for the European Economic Community <sup>(2)</sup>.

Done at Brussels, 14 February 1977.

*For the Council*

*The President*

J. SILKEN

<sup>(1)</sup> OJ No L 116, 1. 5. 1973, p. 1.

<sup>(2)</sup> OJ No L 255, 29. 9. 1974, p. 1.



## ANNEX

COMMUNITY TECHNOLOGICAL RESEARCH PROGRAMME  
FOR THE FOOTWEAR INDUSTRY

An amount of 235 000 units of account is to be allocated for the implementation of the programme which centres on the following two projects:

**Research Project I: Rational use of materials for uppers***Main objectives*

Saving of raw materials; increased flexibility of production in accordance with consumer requirements; improvements of places of work; development of the technology for producing new machines and systems of adjustment.

*Programme*

Analysis of the degree of raw materials utilization achieved with current techniques, using information provided by a representative sample of 30 firms on the degree of materials utilization obtained during recent years using certain techniques and materials and for certain shapes and types of footwear. In addition a study of methods on the basis of one or more standard footwear designs.

Taking the results of the analysis as a basis, the development of systems for optimizing materials utilization, by using electronic beam scanning and data processing.

**Research Project II: Rationalization of the manufacture of uppers***Main objectives*

Adaptation of the technique for producing uppers to the rest of the shoe manufacturing process, in order to increase productivity, reduce production costs and improve working conditions.

Development of the necessary technology for constructing new, numerically-controlled machine tools.

*Programme*

Study of the production processes used in manufacturing three types of shoe, for men, women and children, requiring different production methods, on the basis of the experience of 120 undertakings. This study will cover the principal economic and ergonomic production parameters, e.g. materials, tooling and length of each operation, and will include an analysis of each of the 18 stages of production with a view to merging them into more satisfactory groups of integrated activities.

Collection and processing of the data necessary for numerical control and of the design data for new machine tools, in preparation for their processing by computer.

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**Estimate of young male bovine animals weighing 300 kilograms or less and intended for fattening for the period 1 April to 31 December 1977**

(77/189/EEC)

THE COUNCIL 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 425/77 <sup>(2)</sup>, and in particular Article 13 thereof,

Having regard to the proposal from the Commission,

ADOPTS THIS ESTIMATE:

#### Introduction

This estimate concerns the period 1 April to 31 December 1977.

It has been drawn up in the light of the information available to the Commission and the forecasts which can currently be made.

It has been ascertained from Community imports from third countries of young male bovine animals intended for fattening carried out in the past, especially in 1976, and from the foreseeable developments in 1977 in the availability of and requirements for young male bovine animals for fattening in the Community.

#### 1. Imports from third countries carried out in the past

The number of young bovine animals intended for fattening imported into the Community in the past fluctuated around 200 000 head; it is estimated that in 1976 imports of these animals were near to 118 000 head.

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

<sup>(2)</sup> See page 1 of this Official Journal.

#### 2. Background information for 1977

At the end of 1976 a decline in the number of young bovine animals (animals less than one year old) of about 160 000 head, including 80 000 male animals, is expected.

In addition, as a result of the foreseeable reduction in cow and heifer numbers at the end of 1976 (about 400 000 head), a corresponding fall in calf births is expected in 1977. The resultant decrease in the number of calves available for fattening, of the order of 310 000 head, will however be compensated, for the most part, by the foreseeable reduction in the number of slaughterings of young bovine animals, estimated at 300 000 head. Thus in 1977 the import requirements for young bovine animals resulting from a bigger reduction in calves available than that in slaughterings should be of the order of 10 000, including 5 000 male animals.

The number of young bovine animals available in 1977 will therefore be reduced by about 170 000 compared with 1976, taking account of the downward trend in slaughterings.

It may be estimated that about half this figure concerns young male bovine animals for fattening.

#### Conclusion

On the basis of the above information it seems that the Community import requirements for young bovine animals intended for fattening in 1977 will be higher than in 1976.

Thus for 1977, the number of young male bovine animals for fattening imported in 1976, namely about 118 000 head, should be added to this supplementary requirement of about 85 000 head.

The result of the foregoing is that the import requirements for young bovine animals intended for fattening can be estimated at 200 000 head for 1977.

As the possibility of importing 50 000 head of young male animals intended for fattening during the first quarter of 1977 has already been afforded by Regulation (EEC) No 3116/76 <sup>(1)</sup>, import requirements for young male bovine animals weighing 300 kilograms or less and intended for fattening are estimated at 150 000 head for the period 1 April to 31 December 1977.

Done at Brussels, 14 February 1977.

*For the Council*

*The President*

J. SILKIN

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<sup>(1)</sup> OJ No L 352, 22. 12. 1976, p. 11.

# COMMISSION

## COMMISSION DECISION

of 26 January 1977

implementing Directive 76/491/EEC regarding a Community procedure for information and consultation on the prices of crude oil and petroleum products in the Community

(77/190/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 76/491/EEC of 4 May 1976 regarding a Community procedure for information and consultation on the prices of crude oil and petroleum products in the Community<sup>(1)</sup>, and in particular Article 7 thereof,

Whereas under the said Article 7 the Commission shall adopt implementing provisions regarding *inter alia* the form, the content, and all other aspects of the communications provided for in Article 1;

Whereas Article 2 (2) thereof provides that within the first 45 days of each quarter, the Member States shall communicate to the Commission a list of the individuals and undertakings supplying them with the information necessary to enable them to fulfil their obligations pursuant to Article 1;

Whereas Article 3 thereof provides that the information shall be presented in such a way as to give as representative a picture as possible of each Member State's oil market;

Whereas it is necessary to standardize the technical aspects of the information system and to obtain comparable and consistent data, and therefore identical model questionnaires should be used and the content of the communications to be made should be standardized,

HAS ADOPTED THIS DECISION:

### Article 1

The information to be communicated by the Member States to the Commission, in accordance with Article 1 of Directive 76/491/EEC, shall be drawn up according to the model questionnaires set out in the Annex hereto.

### Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 January 1977.

For the Commission

Guido BRUNNER

Member of the Commission

<sup>(1)</sup> OJ No L 140, 28. 5. 1976, p. 4.

## ANNEX

**MODEL QUESTIONNAIRES WHICH THE MEMBER STATES ARE TO SEND TO THE  
COMMISSION OF THE EUROPEAN COMMUNITIES**

Table 1: Crude oil prices,

Table 2: Crude oil supply cost (cif),

Table 3: Prices of imported petroleum products,

Table 4: Consumer prices of petroleum products,

Table 5: Inland market net sales proceeds,

Table 6: List of reporting individuals and undertakings.

Member State:		CRUDE OIL PRICES				Period:	
		<b>1</b>					
Line No	Designated crude and nominal gravity	Fob price		Cif price			
		Total volume reported (1 000 barrels)	Weighted average (fob price) (\$/barrel)	Range in fob price (\$/barrel) 10 %/90 %	Total volume reported (1 000 barrels)	Weighted average (cif price) (\$/barrel)	Range in cif price (\$/barrel) 10 %/90 %
1	Arabian light, 34°						
2	Arabian medium, 31° (1)						
3	Arabian heavy and Khafji, 27°						
4	Iranian light, 34°						
5	Iranian heavy, 31°						
6	Murban and Zakum, 39° (1)						
7	Irak - Basrah, 35°						
8	Irak - Kirkuk, 36°						
9	Kuwait, 31°						
10	Libya, 40° (1)						
11	Algeria, 44° (1)						
12	Nigeria, 34° (1)						
13	Venezuelan light, 34° (1)						
14	Venezuelan medium, 26° (1)						
15	Venezuelan heavy, 17° (1)						
16	Indonesia, 34° (1)						
17							
18							
19							
20	Other imported crude oil						
21							
22							
23							

(1) To be reported as a single crude stream at the nominal gravity indicated.

Remarks:

Average quarterly exchange rate: 1 US \$ =

## Commentary on Table 1

## CRUDE OIL PRICES

Each of *lines 1 to 16 inclusive* relates to information for a particular type of imported crude oil, for the quarter concerned, excluding crude oils in transit to other Member States or destined for third countries.

*Line 20 'Other imported crude oils'* is for the total of crude oils imported in the quarter concerned from third countries which do not appear in lines 1 to 16 inclusive, and from other Member States.

*Fob prices* mean the prices actually invoiced at the port of loading. The *cif* value is to be calculated free at port of discharge. The *cif price* includes the *fob price*, the cost of transport, the total of insurance and certain charges linked to crude oil transport operations (duties or fees on loading, lighters). To be excluded from *cif prices* are customs duties, demurrage, port dues and all other charges borne by the reporting State. *Fob* and *cif prices* are those which have actually been paid by the undertakings, or those which they expect to have to pay, after deduction of rebates. The incidence upon prices of the credit period allowed for payment is fixed at 30 days. When payment terms exceed this reference period, prices will be adjusted to the equivalent price levels at 30 days credit; by convention an extra month's credit is taken as equivalent to a 1% reduction in price. Prices shall also be adjusted to correspond to the nominal API gravity of each of the crude oils listed in Table 1, on the basis of the following factors:

- *eastern hemisphere crude oils*: increase or reduction by three US cents per barrel for each degree API respectively above or below the nominal gravity,
- *western hemisphere crude oils*: increase or reduction by 12 US cents per barrel for each degree API respectively above or below the nominal gravity.

These adjustments shall only be made for whole API degrees; fractions of API degrees may be ignored. When prices are expressed at point of origin in a currency other than the American dollar, price indications shall be expressed in US dollars calculated by the individuals and undertakings reporting according to the accounting procedures used by each of them. Prices shall be rounded to the nearest US cent.

*Total volume* means the grand total of bill of lading quantities of each type of crude oil imported during the quarter.

*Average fob or cif prices* mean the average quarterly prices weighted by quantities. *The range in fob and cif prices* means price indications presented in the form of a range containing figures representative of the two extreme deciles of the series of crude oil prices listed in *lines 1 to 16 inclusive*. It will not be necessary to indicate *fob* and *cif price variations* in the case of line 20.

*Average fob and cif prices, and fob and cif price variations*, will be calculated by reference to the most appropriate exchange rates so as to provide the most representative indications of the prices of crude oils. The average quarterly dollar exchange rate will be shown at the foot of Table 1.

Table 1 will be forwarded by each Member State to the Commission at the latest by the following dates:

- for information relative to the period 1 January to 31 March of each year, 15 May following,
- for information relative to the period 1 April to 30 June of each year, 15 August following,
- for information relative to the period 1 July to 30 September of each year, 15 November following,
- for information relative to the period 1 October to 31 December of each year, 15 February of the following year.

Member State:		CRUDE OIL SUPPLY COST (cif)		Period:
				2
Line No	Designated crude and nominal gravity	Cif cost		Remarks
		Total volume reported (1 000 barrels and 1 000 tonnes)	Weighted average (cif cost) (\$/barrel and\$/tonne)	
1	Total supply in 1 000 barrels and \$/barrel			
2	Total supply in 1 000 tonnes and \$/tonne			

Average quarterly exchange rate: 1 US \$ =

Remarks:



## Commentary on Table 2

## CRUDE OIL SUPPLY COST (cif)

Lines 1 and 2 concern the entire crude oil supply in the quarter concerned, i.e. the total of imported crude oils shown in Table 1, plus crude oil produced locally. Crude oils in transit to other Member States or destined for third countries are to be excluded. Thus *entire crude oil supply* means total supply including:

- 'final' imports, i.e. destined in principle for domestic consumption,
- 'temporary' imports, i.e. crude oil imports made by or for account of companies established in the reporting country whose refined products will either be exported to a Member State of the Community, or directed into domestic consumption. Imports made for account of companies located outside the reporting country and destined after processing to be exported as products to non-member States are to be excluded,
- local production of crude oil.

*Average cif cost* means the weighted average quarterly cost of all oils supplied. The concept of cif cost is defined in the same way as that shown in Table 1. The import value of the crude oil produced in a Member State is to be calculated free at port of discharge, or free at frontier, i.e. at the moment when the crude oil falls under the custom's

jurisdiction of the importing country. The values of crude oils produced and consumed in a reporting Member State shall be the transfer prices or the acquisition values for accounting purposes.

The *average cif cost* will be calculated by reference to the official market exchange rates <sup>(1)</sup> so as to provide the most representative indications of supply costs. The average quarterly dollar exchange rate will be shown at the foot of Table 2. The figures in line 2 will be based on the most appropriate conversion factors.

Table 2 will be forwarded by each Member State to the Commission at the latest by the following dates:

- for information relative to the period 1 January to 31 March of each year, 15 May following,
- for information relative to the period 1 April to 30 June of each year, 15 August following,
- for information relative to the period 1 July to 30 September of each year, 15 November following,
- for information relative to the period 1 October to 31 December of each year, 15 February of the following year.

<sup>(1)</sup> Published daily in the *Official Journal of the European Communities*.

Member State:		PRICES OF IMPORTED PETROLEUM PRODUCTS			Period:
					3
Line No	Designated petroleum product	Total quantity imported (1 000 tonnes)	Weighted average price (\$/tonne) <sup>(1)</sup>	Price range (\$/tonne) 10 %/20 %	Remarks
1	Premium petrol				
2	Regular petrol				
3	Gas oil				
4	Heavy fuel oil, % S > 1.0 %				
5	Heavy fuel oil, % S ≤ 1.0 %				
6					
7					
8					

<sup>(1)</sup> Average price at port of discharge or border price.

Average quarterly exchange rate: 1 US \$ =

## Commentary on Table 3

## PRICES OF IMPORTED PETROLEUM PRODUCTS

Each of lines 1 to 5 inclusive concerns information for a petroleum product imported from third countries and from another member country of the Community, for the quarter concerned, excluding quantities in transit to other Member States or destined for third countries.

*Petroleum products* means materials of which the technical quality specifications applied on the international market, or in each Member State, properly fall under one of the product designations which appear in lines 1 to 5 inclusive.

*Total quantity imported* means the grand total of the quantities appearing in the bills of lading, and extracted from equivalent documents, relating to imports of each product.

*Average price* means the average for the quarter of prices weighted by quantities. The import price is calculated free at port of discharge, i.e. at the moment when the products fall under the custom's jurisdiction of the reporting country. Import values include the fob prices, the cost of transport, the total of insurance and certain charges related to unloading operations. To be excluded from import prices are any duties and taxes on the products, and all cost elements which affect the products after discharge in a port, or after crossing a frontier.

*Price range* means price indications presented in the form of a range containing figures representative of the two extreme deciles of the series of prices.

*Average prices and price ranges* are to be expressed in US dollars per tonne; they will be calculated by reference to the official market exchange rates <sup>(1)</sup>. Figures will be rounded to the nearest US cent. The average quarterly rate of

exchange will be shown at the foot of Table 3. The conversion into tonnes of data expressed in barrels, and conversely, should be carried out using the following conversion factors:

Product	Conversion factor in:	
	barrels/tonne	tonnes/barrel
Premium gasoline	0.12004	8.33
Regular gasoline	0.11682	8.56
Gas oil	0.13280	7.53
Heavy fuel oil, % S > 1.0%	0.15151	6.60
Heavy fuel oil, % S ≤ 1.0%	0.14705	6.80

Table 3 will be forwarded by each Member State to the Commission at the latest by the following dates:

- for information relative to the period 1 January to 31 March of each year, 15 May following,
- for information relative to the period 1 April to 30 June of each year, 15 August following,
- for information relative to the period 1 July to 30 September of each year, 15 November following,
- for information relative to the period 1 October to 31 December of each year, 15 February of the following year.

<sup>(1)</sup> Published daily in the *Official Journal of the European Communities*.

Member State:		CONSUMER PRICES OF PETROLEUM PRODUCTS (in national currency)				Period:	
Region:						4	
Line No	Designation of petroleum product	Unit	Maximum consumer prices <sup>(1)</sup>		Real prices <sup>(2)</sup>		Range of prices net of duty and tax
			Duty and tax inclusive	Duty and tax	Duty and tax inclusive	Net of duty and tax	
1	<b>Motor fuels</b> Premium petrol	1 000 litres					
2	Regular petrol	1 000 litres					
3	Automotive gas oil	1 000 litres					
4	<b>Domestic heating fuels</b> Gas oil <sup>(3)</sup>	1 000 litres					
5	Domestic fuel oil <sup>(3)</sup>	1 000 litres					
6	Regular kerosene <sup>(3)</sup>	1 000 litres					
7	<b>Industrial fuels</b> Heavy fuel oil, high sulphur	tonne					
8	Heavy fuel oil, low sulphur	tonne					

(1) Only for Member States which have systems of maximum consumer prices.

(2) For all Member States.

(3) Only for Member States where the consumption of these products in the domestic sector is significant.

## Commentary on Table 4

## CONSUMER PRICES OF PETROLEUM PRODUCTS

Each of lines 1 to 8 inclusive is for information on the consumer prices of petroleum products for certain categories of consumer on a particular date.

*Petroleum products* means materials of which the technical quality specifications applied on the international market, and in each Member State, fall under one of the product names in lines 1 to 8 inclusive. Appendices A, B and C hereto set out the names and technical specifications of the corresponding petroleum products in each of the Member States.

*Prices for certain categories of consumer* means:

- pump prices in the case of *fuels for road transport purposes*,
- delivered prices to small consumers, i.e. for deliveries of 2 000 to 5 000 litres, in the case of *fuels for domestic heating purposes*, except for regular kerosene deliveries of 1 000 litres,
- delivered consumer prices for offtakes of less than 2 000 tonnes per month, or less than 24 000 tonnes per year, in the case of *industrial fuels*.

*Maximum prices* means the maximum selling prices, both inclusive and net of duty and tax, whether published or not, for a product intended for a particular category of consumer, as fixed by the authorities or by agreements between the authorities and the companies.

Data on maximum prices will relate to those in force on the first day following the quarter concerned.

*Real prices* means the true consumer prices in force on a date close to the 15th of the month following the quarter concerned:

- *average real price* for each of the products in lines 1 to 8 inclusive means the price most frequently charged, i.e. the modal or, failing that, the weighted average of the series of prices, both including and excluding duties and taxes,
- *range of real duties charged* means the lowest and the highest price charged, net of duty and tax, for each of the products in lines 1 to 8 inclusive <sup>(1)</sup>.

The Member States shall forward Table 4 to the Commission within the 30 days following the 15th of the month following the quarter concerned.

<sup>(1)</sup> Concerns only the extreme figures in the series of prices communicated by individuals and undertakings reporting.

Member State:		INLAND MARKET NET SALES PROCEEDS		Period:		
		5				
Line No	Designation of petroleum product	Total volume reported (1 000 tonnes)	Inland market net sales proceeds (\$/tonne)		Total ex-refinery netback (\$/tonne)	Remarks
			Average sales proceeds	Range	Average ex-refinery netback	Range
1	Premium petrol					
2	Regular petrol					
3	Automotive gas oil					
4	Other gas oil (1)					
5	Light fuel oil (1)					
6	Regular kerosene (1)					
7	Heavy fuel oils					
8						
9						
10	Other products					
11	Total					
12	Total refinery production (2)					

(1) Only for Member States where the consumption of these products is important.

(2) Refinery consumption and losses excluded.

Average quarterly exchange rate: 1 US \$ =

## Commentary on Table 5

## INLAND MARKET NET SALES PROCEEDS

The information in Table 5 relates to the inland consumption of petroleum products in the quarter concerned excluding all data on exports of products, and the supply of bunkers.

*Petroleum products* means materials of which the technical quality specifications on the international market, and in each Member State, fall under one of the product names in lines 1 to 7 inclusive. Line 3 concerns 'motor' gas oil, i.e. a product destined for mechanical uses. Line 4 covers data on other uses of gas oil. Line 7 refers to all fuel oils except domestic fuel oil mentioned in line 5. Line 10 'Other products', refers to oil products extracted from crude oil and distributed on the inland market, other than the products mentioned in lines 1 to 7 inclusive.

*Total volume of inland market sales* means both total ex-refinery sales to intermediaries and large consumers, and deliveries to intermediaries and to final consumers through distribution networks. This information is for each of the lines 1 to 7 inclusive and for lines 10 and 11. Line 12 refers to the total production of refineries, i.e. covering inland consumption, exports and marine bunkers, but excluding refinery consumption and losses, and products exported after refining for the account of a foreign owner.

*Inland market net sales proceeds* means, for each of the petroleum products in lines 1 to 7 inclusive, the average proceeds (less commission, rebates, duty and tax) from ex-refinery sales to intermediaries and final consumers through the distribution networks:

- *average sales proceeds* means, for each of the petroleum products, the quarterly average net sales proceeds,
- *the range of proceeds* means the lowest and the highest figure in the series of quarterly average proceeds <sup>(1)</sup>.

*Total ex-refinery netback*, which appears at line 11, means the total average net proceeds, excluding duties and taxes, *netted back to the refinery gate for all the oil products derived from the crude oil*:

- *average netback* means the quarterly weighted average of ex-refinery netbacks,
- *the range figures for ex-refinery netbacks* means the lowest and highest of the series of quarterly ex-refinery netbacks communicated by the individuals and undertakings reporting.

The total ex-refinery netback is equal to the difference between:

- the average total net proceeds realized from sales ex-refinery to dealers and large consumers, and from deliveries to dealers and final consumers through distribution systems, that is the total proceeds realized from all the petroleum products derived from crude oil and sold on the inland market,

and

- the total cost of distributing all the petroleum products. This total cost includes the total of marketing costs for all the petroleum products derived from crude oil, incurred in distribution operations specifically related to oil products. This cost should include all fixed charges (in particular depreciation and interest on fixed assets) and variable charges as well overhead expenses for all the commercial and operating activities subsequent to the refining or the import of oil products.

The total cost of distributing all the petroleum products which enters into the calculation of the total ex-refinery netback, shall be, preferably, the quarterly unit cost derived from the accounts. In cases when this cost is unknown, or does not appear in the accounts of individuals and undertakings reporting, it may be estimated on the basis of annual figures which do appear in the accounts.

Elements which are not to be taken into account in calculating the refinery netback are:

- costs of transporting crude oil to inland refineries,
- charges on working capital,

<sup>(1)</sup> Concerns only the range of the series of average proceeds communicated by the individuals and enterprises reporting.

- proceeds and costs relating to export of products and the supply of marine bunkers,
- proceeds and costs linked to the running of hotels, restaurants, bars, the marketing of non-oil products, property activities.

Table 5 will be forwarded by each Member State to the Commission at the latest by the following dates:

- for information relative to the period 1 January to 31 March of each year, 15 May following,
- for information relative to the period 1 April to 30 June of each year, 15 August following,
- for information relative to the period 1 July to 30 September of each year, 15 November following,
- for information relative to the period 1 October to 31 December of each year, 15 February of the following year.



Member State:	Period:
	<b>6</b>

Import of crude oil (Tables 1 and 2)		Import of petroleum products (Table 3)		Distribution of petroleum products (Tables 4 and 5) (1)	
Order No	Designation of undertakings	Order No	Designation of undertakings	Order No	Designation of undertakings
1		1		1	
2		2		2	
3		3		3	
4		4		4	
5		5		5	
6		6		6	

(1) Names of companies should be marked with a cross (X) if they are included in Table 5.

Remarks:

Commentary on Table 6

**LIST OF REPORTING INDIVIDUALS AND UNDERTAKINGS**

Table 6 records the name or title of persons and undertakings which will provide information to the Member State as required by Article 2 of Council Directive 76/491/EEC of 4 May 1976. Individuals and undertakings reporting are to be listed in decreasing order of importance for each type of activity. Table 6 should be forwarded to the Commission once a year together with the other information relating to the first quarter.

## APPENDIX A

## NAMES OF PETROLEUM PRODUCTS

Line No in Table 4	Names in Community use		Names in use in Member States			
	French version	English version	Germany	Belgium	Denmark	France
			<b>I. Motor fuels</b>			
1	Essence super	Premium petrol	Superbenzin	Essence super	Super benzin	Supercarburant
2	Essence normale	Regular petrol	Normalbenzin	Essence normale	Regular benzin	Essence
3	Gas oil	Automotive gas oil (DERV)	Dieselmotorenstoff	Gasoil carburant (AGO)	Autodiesel	Gas oil moteur
			<b>II. Domestic heating fuels</b>			
4	Gas oil	Gas oil	—	Gasoil chauffage	Fyringsgasolie	Fuel oil domestique
5	Fuel léger	Domestic fuel oil	Heizöl extra leicht	Fuel oil léger	—	—
6	Pétrole lampant	Regular kerosene	—	Pétrole lampant	Petroleum	Pétrole lampant
			<b>III. Industrial fuels</b>			
7	Fuel oil lourd haute teneur en soufre	Heavy fuel oil, high sulphur	Heizöl schwer (Normalware)	Fuel oil extra lourd	Svært fuelolie	Fuel oil lourd n° 2 HTS
8	Fuel oil lourd basse teneur en soufre	Heavy fuel oil, low sulphur	—	—	—	Fuel oil lourd n° 2 BTS

*(Appendix A continued)*

Line No in Table 4	Names in use in Member States			
	Ireland	Italy	Luxembourg	Netherlands
				United Kingdom
			<b>I. Motor fuels</b>	
1	Premium grade	Benzina Super	Essence super	Super benzine
2	Standard grade	Benzina auto normale	Essence normale	Normale benzine
3	Auto diesel oil	Gasolio autotrazione	Gasoil carburant	Autogasolie
			<b>II. Domestic heating fuels</b>	
4	Heating gas oil	Gasolio riscaldamento	Gasoil chauffage	Huisbrandolie I (HBOI)
5	Light fuel oil	Olio combustibile fluido	Fuel oil léger	—
6	—	Petrolio	Pétrole lampant	Licht petroleum
			<b>III. Industrial fuels</b>	
7	Heavy fuel oil	Olio combustibile denso ATZ	Fuel oil lourd HTS	Zware stookolie (370 C ST) Hoogzwavelig
8	—	Olio denso combustibile BTZ	Fuel oil lourd BTS	Zware stookolie (370 C se) Laagzwavelig
				Heating gas oil (class D)
				Regular kerosine (class C 2)
				Heavy fuel oil (class G)

**APPENDIX B**  
**SPECIFICATION OF MOTOR FUELS**

	Germany	Belgium	Denmark	France	Ireland	Italy	Luxembourg	Netherlands	United Kingdom
<b>(a) Premium gasoline</b>	specific gravity (15 °C)	0.730 to 0.780	0.745 to 0.750	0.748	0.7537	0.720 to 0.760	0.740	0.740	0.747
	octane No: RON	min. 98	97 to 99	97 to 99	98	98 to 99	98 to 100	min. 98	min. 97
	MON	min. 88							
	calorific value (Kcal/kg)	10 400	10 500	10 500	10 500	10 500	10 500	10 480	10 500
lead content (g/l)	max. 0.15	max. 0.84	0.54 to 0.63	max. 0.55		≤ 0.6	0.55 to 0.65	0.36 to 0.80	max. 0.50
<b>(b) Regular gasoline</b>	specific gravity (15 °C)	0.715 to 0.755	0.725 to 0.735	0.722	0.7364	0.705 to 0.755	0.725	0.730	0.734
	octane No: RON	min. 91	93	89 to 92	90	84 to 87	90 to 94	min. 91	min. 90
	MON	min. 82.8							
	calorific value (Kcal/kg)	10 400	10 500	10 500	10 500	10 500	10 500	10 500	10 500
lead content (g/l)	max. 0.15	0.15 to 0.40	0.45 to 0.59	≤ 0.55		≤ 0.6	0.15	0.09 to 0.77	max. 0.50
<b>(c) Automotive gas oil</b>	specific gravity (15 °C)	0.815 to 0.855	0.825 to 0.850	0.833	0.8313	0.820 to 0.840	0.830	0.840	0.845
	octane No	min. 45	≥ 48 = 50 to 55	≥ 50	56	≥ 50	≥ 48	> 50	min. 50
	calorific value (Kcal/kg)	10 200	10 200	10 100	10 220	10 200	10 250	10 220	10 240
	sulphur content (%)	max. 0.5 (1)	0.7	≤ 0.5	≤ 0.5	≤ 0.8	max. 0.5	≤ 0.5	≤ 0.5

(1) From 1 January 1979: max. 0.3.

## APPENDIX C

## SPECIFICATION OF FUELS

	Germany	Belgium	Denmark	France	Ireland	Italy	Luxembourg	Netherlands	United Kingdom
<b>(a) Fuel used for domestic heating</b>									
<i>Gas oil</i>									
specific gravity (15 °C)	—	≈ 0.840	0.830 to 0.855	0.836	0.838	0.820 to 0.840	0.830	0.840	0.839
calorific value (Kcal/kg)	—	10 250	10 200	10 100	10 170	10 210	10 250	10 250	10 260
sulphur content (%)	—	max. 0.5	0.7	≤ 0.5	—	≤ 1.1	max. 0.5	≤ 0.5	max. 0.8
pour point (°C)	—	— 6	— 15	≤ — 3 / ≤ — 6 <sup>(2)</sup>	—	— 6 / — 12	— 6	— 4 / — 10	<sup>(3)</sup>
<i>Light fuel oil</i>									
specific gravity (15 °C)	max. 0.860	≈ 0.870	—	—	—	0.900 to 0.940	0.870	—	—
calorific value (Kcal/kg)	10 000	10 100	—	—	—	9 500	10 100	—	—
sulphur content (%)	max. 0.5 <sup>(1)</sup>	max. 0.8	—	—	—	≤ 3.0	max. 0.8	—	—
pour point (°C)	max. — 6	— 6	—	—	—	—	— 6	—	—
<i>Paraffin</i>									
specific gravity (15 °C)	—	—	0.780 to 0.820	—	0.783	0.770 to 0.820	—	0.795	0.789
calorific value (Kcal/kg)	—	—	10 400	—	10 387	10 290	—	10 350	10 360
<b>(b) Industrial fuels</b>									
specific gravity (15 °C)	—	≈ 0.950	0.950 to 0.975	High sulphur 0.965	0.970	0.940 to 0.970	0.950	~ 0.950	0.970
calorific value (Kcal/kg)	min. 9 500	9 700	9 700	9 750	9 480	9 300	9 650	9 760	9 870
sulphur content (%)	max. 2.8	max. 3.8	2 - 3	≤ 4.0	≤ 3.5	≤ 4.0	max. 3.8	≤ 2.5	≤ 3.5
specific gravity (15 °C)	—	—	—	Low sulphur 0.940	—	0.940 to 0.970	—	~ 0.950	—
calorific value (Kcal/kg)	—	—	—	9 970	—	9 500	—	9 900	—
sulphur content (%)	—	—	—	0.5 to 1.0	—	≤ 1.0	—	≤ 1.0	—

(1) From 1 January 1979: max. 0.3.

(2) From 1 April to 30 September: ≤ — 3; from 1 October to 31 March: ≤ — 6.

(3) Four point for March to September inclusive: max. 0 °C; for October to February inclusive: max. — 7 °C.