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## Legislation

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(Acts whose publication is obligatory)

#### **COMMISSION REGULATION (EEC) No 624/77**

#### of 25 March 1977

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas it follows from applying the provisions contained in Regulation (EEC) No 1882/76 to the offer prices and today's quotations known to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

#### Article 1

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

#### Article 2

This Regulation shall enter into force on 26 March 1977.

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

Done at Brussels, 25 March 1977.

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

<sup>(2)</sup> OJ No L 354, 24. 12. 1976, p. 1.

<sup>(3)</sup> OJ No L 206, 31. 7. 1976, p. 62.

## ANNEX to the Commission Regulation of 25 March 1977 fixing the import levies on cereals and on wheat or rye flour groats and meal

(u.a./tonne)

CCT heading No	Description of goods	Levies
10.01 A	Common wheat, and meslin	85.51
10.01 B	Durum wheat	140.25 (1) (5)
10.02	Rye	69.14 (6)
10.03	Barley	46.51
10.04	Oats	45.92
10.05 B	Maize, other than hybrid maize for	
	sowing	56·54 (²) (³)
10.07 A	Buckwheat	0
10.07 B	Millet	64.72 (4)
10.07 C	Grain sorghum	65·47 ( <sup>4</sup> )
10.07 D	Other cereals	0 (5)
11.01 A	Wheat or meslin flour	131-46
11.01 B	Rye flour	108-52
11.02 A I a)	Durum wheat groats and meal	227.96
11.02 A I b)	Common wheat groats and meal	140.79

<sup>(1)</sup> Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0:50 u.a./tonne.

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

<sup>(3)</sup> Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1:50 u.a./tonne.

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

<sup>(5)</sup> Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0:50 u.a./tonne.

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

#### **COMMISSION REGULATION (EEC) No 625/77**

#### of 25 March 1977

#### fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 1883/76 (3) and subsequent amending Regulations;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered as shown in the tables annexed to this Regulation,

#### HAS ADOPTED THIS REGULATION:

#### Article 1

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

#### Article 2

This Regulation shall enter into force on 26 March 1977.

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

Done at Brussels, 25 March 1977.

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

<sup>(2)</sup> OJ No L 354, 24. 12. 1976, p. 1. (3) OJ No L 206, 31. 7. 1976, p. 64.

#### ANNEX

## to the Commission Regulation of 25 March 1977 fixing the premiums to be added to the import levies on cereals, flour and malt

#### A. Cereals and flour

(u.a./tonne)

CCT heading No	Description of goods	Current 3	1st period 4	2nd period 5	3rd period
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0.
10.03	Barley	0	5.26	5.26	5.26
10.04	Oats	` 0	1.50	1.50	1.50
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0.38
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

#### B. Malt

(u.a./tonne)

CCT heading No	Description of goods	Current 3	lst period 4	2nd period 5	3rd period 6	4th period 7
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	9.36	9.36	9.36	9.36
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	7.00	·7·00	7.00	7.00
11.07 B	Roasted malt	0	8-15	8-15	8-15	8.15

#### **COMMISSION REGULATION (EEC) No 626/77**

#### of 25 March 1977

opening an invitation to tender for the mobilization of common wheat flour as aid for the United Republic of the Cameroons

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals (1), as last amended by Regulation (EEC) No 3138/76 (2),

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

Whereas on 6 April 1971 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 1 500 tonnes of common wheat, in the form of 993 tonnes of common wheat flour, to the United Republic of the Cameroons under its 1970/71 food-aid programme;

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

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

Whereas tenders may be submitted by tenderers established in any Member State of the Community and may relate to products mobilized anywhere within those Member States; whereas, in view of the currency situation in the Member States and in order to ensure that the tenders are as comparable as possible, account should be taken of the effect on each tender of the currency situation in the Member State in which the customs export formalities will be completed;

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

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

Whereas provision should be made for security to be given to guarantee fulfilment of obligations arising by

virtue of participation in the invitation to tender for the supply of goods to the United Republic of the Cameroons;

Whereas the Belgian intervention agency should be made responsible for organizing the invitation to tender;

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

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

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

HAS ADOPTED THIS REGULATION:

#### Article 1

- 1. An invitation to tender shall be issued in respect of the supply of 993 tonnes of common wheat flour to the United Republic of the Cameroons by way of Community food-aid action.
- 2. The tendering procedure shall take place in the Kingdom of Belgium and shall be in respect of a single lot.
- 3. The product shall be mobilized on the Community market.
- 4. Loading shall be carried out in a Community port which has regular services to the Cameroons.
- 5. The product referred to in paragraph 1 is to be delivered in new jute sacks of a net capacity of 50 kilograms to the port of shipment in the vicinity of the vessel. The goods must be set down at the place nominated by the recipient country or its agent, the timing of delivery being settled by the tenderer and the recipient country's agent.

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

<sup>(2)</sup> OJ No L 354, 24. 12. 1976, p. 1.

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

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

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

The minimum weight of the sacks shall be 600 grams.

The following shall be printed on the sacks:

'Farine de froment — Don de la CEE au Cameroun — Destinée à la vente'.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2% of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

#### Article 2

- 1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 13 April 1977.
- 2. The closing date for submission of tenders shall be 13 April 1977, at 12 noon.
- 3. The notice of invitation to tender shall be published in the Official Journal of the European Communities not less than nine days before the closing date for submission of tenders.

#### Article 3

- 1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
- 2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.
- 3. For the purpose of rendering the tenders comparable, the prices shall, where appropriate, be corrected by the monetary compensatory amount and the accession compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2.

Such correction shall be made by:

- increasing prices which mention a Member State whose currency has depreciated or a new Member State.
- reducing prices which mention a Member State whose currency has been revalued.

The monetary compensatory amount shall, where appropriate, be converted into the currency of the Member State in which the invitation to tender is issued using:

- in the case when the currencies concerned are kept at any given moment within a band of 2.25 %, a conversion rate resulting from their central rate;
- in the other cases, the average of the spots rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

#### Article 4

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

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

#### Article 5

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

#### Article 6

1. The tenderer shall give security in an amount of 10 units of account per tonne of goods.

It shall be released:

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried our within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3 (2),
- in the case of the successful tenderer for quantities not supplied by reason of *force majeure*.
- 2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by each Member State.

#### Article 7

- 1. The common wheat flour referred to in Article 1 to be supplied to the United Republic of the Cameroons must meet the following requirements:
- moisture: 14 % maximum;
- protein content: 10.5 % minimum (N X 6.25 on dry matter);
- ash content: 0.52 % maximum referred to dry matter.

Flour not meeting these requirements shall be refused.

- 2. Tenders for supply to the United Republic of the Cameroons of the common wheat flour referred to in Article 1 must relate to a product with the following characteristics:
- moisture: 14 % maximum;
- protein content: 10.5 % minimum (N X 6.25 on dry matter);
- ash content: 0.52 % maximum referred to dry matter.

#### Article 8

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

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

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

- The intervention agency shall request the successful tenderer to supply the following information:
- (a) after each shipment a certificate showing the quantities dispatched and the quality of the products;
- (b) the date of departure of the vessels.

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

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

#### Article 9

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

#### Article 10

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

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

Done at Brussels, 25 March 1977.

#### **COMMISSION REGULATION (EEC) No 627/77**

#### of 25 March 1977

## fixing the special levies applicable to New Zealand butter and cheese imported into the United Kingdom under Protocol 18

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty of Accession (1),

Having regard to Protocol 18 (2) to the Act annexed thereto,

Having regard to Council Regulation (EEC) No 226/73 of 31 January 1973 laying down general rules for imports of New Zealand butter and cheese into the United Kingdom (3), as last amended by Regulation (EEC) No 3067/75 (4), and in particular Article 8 thereof,

Whereas pursuant to Article 2(1) of the Protocol special levies are applied to New Zealand butter and cheese imported into the United Kingdom under that Protocol;

Whereas, pursuant to Article 2(2) of the Protocol and to Article 4(1) of Regulation (EEC) No 226/73, these special levies are fixed on the basis of the difference between:

- the market price at which the annual quantities specified in Article 1 (2) of the Protocol can actually be sold, and
- the cif price fixed in Article 3 of Regulation (EEC)
   No 226/73, plus costs incurred between the cif and first sale stages;

Whereas Article 4 (2) of Regulation (EEC) No 226/73 provides that the special levies should be fixed at a level such that the butter and cheese in question can be sold at a consistent rate and should as far as

possible be kept at a uniform level to ensure the stability of the market; whereas these levies may nevertheless be altered, and are in particular to be adjusted where this is necessary to permit steady sales of the annual quantities specified in Article 1 (2) of the Protocol;

Whereas, in order not to endanger the sale of Community butter and cheese, the special levies must not be lower than the level necessary to permit the annual quantities specified in Article 1 (2) of the Protocol to be sold;

Whereas it follows from appling these rules to the situation on the British market that the special levies should be fixed at the levels indicated below;

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

#### HAS ADOPTED THIS REGULATION:

#### Article 1

The special levies referred to in Article 2 of Protocol 18 are hereby fixed at:

- 110 u.a./100 kg for butter,
- 100 u.a./100 kg for cheese.

#### Article 2

This Regulation shall enter into force on 26 March 1977.

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

Done at Brussels, 25 March 1977.

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

<sup>(</sup>²) OJ No L 73, 27. 3. 1972, p. 173.

<sup>(3)</sup> OJ No L 27, 1. 2. 1973, p. 17. (4) OJ No L 307, 27. 11. 1975, p. 4.

#### **COMMISSION REGULATION (EEC) No 628/77**

of 25 March 1977

amending for the second time Regulation (EEC) No 2047/75 on special detailed rules for the application of the system of import licenses in respect of products of the wine sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine (1), as last amended by Regulation (EEC) No 2842/76 (2), and in particular Article 8 (3) thereof,

Whereas Article 4 of Commission Regulation (EEC) No 2047/75 of 25 July 1975 on special detailed rules for the application of the system of import licences in respect of products of the wine sector (3), as amended by Regulation (EEC) No 2004/76 (4), lays down the amount of the security for products subject to the system of import licences; whereas Council Regulation (EEC) No 1160/76 of 17 May 1976 amending Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market

in wine (5) introduced certain changes with respect to products subject to the system of import licences; whereas Regulation (EEC) No 2004/76 made only some of the necessary amendments; whereas it is essential to repair this omission by fixing for concentrated grape juices and must falling within the new subheadings of the Common Customs Tariff the amount of the security required for the issue of import licences;

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

#### HAS ADOPTED THIS REGULATION:

#### Article 1

Article 4 of Regulation (EEC) No 2047/75 is hereby amended to read as follows:

'Article 4

The amount of the security shall be as shown in the following table:

CCT heading No	Description of goods	
20.07	Fruit juices (including grape must) or vegetable juices, whether or not containing added sugar, but unfermented, and not containing spirit:	
Α	Of a specific gravity exceeding 1.33 at 15 °C:	
I	Grape juice (including grape must):	
a)	Of a value exceeding 22 u.a. per 100 kg net weight:	
2	Other (without added sugar or with an added sugar content rot exceeding 30 % by weight)	2·00 u.a./100 kg
<b>b)</b>	Of a value not exceeding 22 u.a. per 100 kg net weight:	
2	Other (without added sugar or with an added sugar content not exceeding 30 % by weight)	2·00 u.a./100 kg
В	Of a specific gravity not exceeding 1.33 at 15 °C:	
I	Grape, apple and pear juice (including grape must); mixtures of apple and pear juice:	

<sup>(1)</sup> OJ No L 99, 5. 5. 1970, p. 1. (2) OJ No L 327, 26. 11. 1976, p. 2.

<sup>(3)</sup> OJ No L 213, 11. 8. 1975, p. 27.

<sup>(4)</sup> OJ No L 220, 13. 8. 1976, p. 23.

<sup>(5)</sup> OJ No L 135, 24. 5. 1976, p. 1.

CCT heading No	Description of goods	Amount of security (per net weight or volume)
a)	Of a value exceeding 18 u.a. per 100 kg net weight:	
1 ,	Grape juice (including grape must):	·
aa)	Concentrated :	
22	Other (without added sugar or with an added sugar content not exceeding 30 % by weight)	3·00 u.a./100 kg
bb)	Other:	
22	Other (without added sugar or with an added sugar content not exceeding 30 % by weight)	2·00 u.a./100 kg
b)	Of a value not exceeding 18 u.a. per 100 kg net weight:	
1	Grape juice (including grape must):	
aa)	Concentrated:	
22	Other (without added sugar or with an added sugar content not exceeding 30 % by weight)	3·00 u.a./100 kg
bb)	Other:	
22	Other (without added sugar or with an added sugar content not exceeding 30 % by weight)	2·00 u.a./100 kg
22.04	Grape must, in fermentation or with fermentation arrested otherwise than by the addition of alcohol	2·00 u.a. per hl
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:	
Α	Sparkling wine	6·00 u.a./hl
В	Wine in bottles with 'mushroom' stoppers held in place by ties or fastenings and wine otherwise put up with an excess pressure of not less than 1 atmosphere but less than 3 atmospheres, measured at a temperature of 20 °C	6·00 u.a. per hl
С	Other:	
I	Of an actual alcoholic strength not exceeding 13°	2.00 u.a. per hl
II	Of an actual alcoholic strength exceeding 13° but not exceeding 15°	2·50 u.a. per hl
III	Of an actual alcoholic strength exceeding 15° but not exceeding 18°	3.00 u.a. per hl
IV	Of an actual alcoholic strength exceeding 18° but not exceeding 22°	3·50 u.a. per hl
v	Of an actual alcoholic strength exceeding 22°	4.00 u.a. per hl
Additional note 4 (b) to Chapter 22	Wine fortified for distillation	2·50 u.a. per hl
Additional note 4 (c) to Chapter 22	Liqueur wine	7.50 u.a. per hl'

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, 25 March 1977.

For the Commission

Finn GUNDELACH

Vice-President

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#### **COMMISSION REGULATION (EEC) No 629/77**

#### of 25 March 1977

amending Regulation (EEC) No 22/77 on the transfer to the Italian intervention agency of the first instalment of butter pursuant to Regulation (EEC) No 2452/76

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2452/76 of 5 October 1976 on the transfer to the Italian intervention agency of butter held by the intervention agencies of other Member States (3), and in particular Article 1 (2) thereof,

Whereas Article 5 of Commission Regulation (EEC) No 22/77 of 5 January 1977 on the transfer to the Italian intervention agency of the first instalment of butter pursuant to Regulation (EEC) No 2452/76 (4), as amended by Regulation (EEC) No 277/77 (5), in particular made provision for the sale of 4 000 tonnes of the butter concerned under Regulation (EEC) No 2315/76 of 24 September 1976 on the sale of butter

from public stocks (6); whereas, in order to facilitate the access of all interested parties to the sale and to ensure a fair allocation of the butter, a limit should be placed on the quantity that may be acquired each month by each purchaser;

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

#### HAS ADOPTED THIS REGULATION:

#### Article 1

There is added to Article 5 of Regulation (EEC) No 22/77 the following sentence:

'In the case referred to under (b), the maximum quantity which may be sold to any one purchaser in any one month shall be 20 tonnes.'

#### Article 2

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

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

Done at Brussels, 25 March 1977.

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

<sup>(2)</sup> OJ No L 67, 15. 3. 1976, p. 9.

<sup>(3)</sup> OJ No L 279, 9. 10. 1976, p. 1. (4) OJ No L 5, 7. 1. 1977, p. 8.

<sup>(\*)</sup> OJ No L 3, /. 1. 19//, p. 8. (\*) OJ No L 39, 10. 2. 1977, p. 16.

<sup>(6)</sup> OJ No L 261, 25. 9. 1976, p. 12.

#### **COMMISSION REGULATION (EEC) No 630/77**

#### of 25 March 1977

amending Regulation (EEC) No 685/69 on detailed rules of application for intervention on the market in butter and cream

### THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Articles 6 and 24 of Commission Regulation (EEC) No 685/69 of 14 April 1969 on detailed rules of application for intervention on the market in butter and cream (3), as last amended by Regulation (EEC) No 1687/76 (4), specify the various amounts to be allowed in respect of storage charges and the rate of interest for finance costs; whereas the amount of these items should be altered to take account of changing costs and of the state of the market in butter in the Community;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

#### HAS ADOPTED THIS REGULATION:

#### Article 1

In Article 6 (2) of Regulation (EEC) No 685/69:

- (a) the amount '14.50 units of account' under (a) is hereby replaced by '15.50 units of account';
- (b) the amount '0.275 unit of account' under (b) is hereby replaced by '0.29 unit of account';
- (c) the rate of interest '9 %' under (c) is hereby replaced by '9.5 %'.

#### Article 2

Article 24 (1) of Regulation (EEC) No 685/69 shall be amended to read as follows:

- '1. The private storage aid provided for in Article 6 (2) of Regulation (EEC) No 804/68 shall be calculated per tonne of butter or butter equivalent as follows:
- (a) 15.50 units of account for fixed costs;
- (b) 0.29 unit of account per day for cold storage costs;
- (c) an amount per day of storage calculated on the basis of the buying-in price for butter applied by the intervention agency in the relevant Member State on the day on which the contract is concluded, plus interest at 9.5 % per annum;
- (d) 16 units of account where the product is stored for not less than four months.

When calculating the costs under (b) and (c), the number of days to be taken into account shall run from the day of entry into store until the day of removal, both days inclusive. However the maximum amount to be taken into account shall not exceed that corresponding to a storage period of 210 days.'

#### Article 3

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

It shall apply with effect from 1 April 1977.

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

Done at Brussels, 25 March 1977.

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

<sup>(2)</sup> OJ No L 67, 15. 3. 1976, p. 9.

<sup>(3)</sup> OJ No L 90, 15. 4. 1969, p. 12. (4) OJ No L 190, 14. 7. 1976, p. 1.

#### **COMMISSION REGULATION (EEC) No 631/77**

#### of 25 March 1977

#### abolishing the countervailing charge on cucumbers originating in Greece

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables (1), as last amended by Regulation (EEC) No 795/76 (2), and in particular Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 515/77 of 14 March 1977 (3), introduced a countervailing charge on cucumbers originating in Greece;

Whereas, for this product originating in Greece there were no prices for six consecutive working days;

Whereas the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled, and the countervailing charge on imports of these products originating in Greece can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 515/77 is hereby repealed.

Article 2

This Regulation shall enter into force on 26 March 1977.

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

Done at Brussels, 25 March 1977.

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 93, 8. 4. 1976, p. 6. (3) OJ No L 68, 15. 3. 1977, p. 25.

#### **COMMISSION REGULATION (EEC) No 632/77**

#### of 25 March 1977

#### fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar (1), as last amended by Regulation (EEC) No 3138/76 (2), and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1564/76 (3), as last amended by Regulation (EEC) No 606/77 (4);

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1564/76 to the information at present available to the Commis-

sion that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

#### Article 1

The levies referred to in Article 15 (1) of Regulation (EEC) No 3330/74 are, in respect of white sugar and standard quality raw sugar, hereby fixed as shown in the Annex to this Regulation.

#### Article 2

This Regulation shall enter into force on 26 March 1977.

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

Done at Brussels, 25 March 1977.

For the Commission
Finn GUNDELACH
Vice-President

#### **ANNEX**

## to the Commission Regulation of 25 March 1977 fixing the import levies on white sugar and raw sugar

		(u.a./100 kg
CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid:	
	A. White sugar	19.93
	B. Raw sugar	16·39 (1)

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

<sup>(1)</sup> OJ No L 359, 31. 12. 1974, p. 1. (2) OJ No L 354, 24. 12. 1976, p. 1.

<sup>(3)</sup> OJ No L 172, 1. 7. 1976, p. 31. (4) OJ No L 76, 24. 3. 1977, p. 19.

II

(Acts whose publication is not obligatory)

#### COUNCIL

#### **COUNCIL DECISION**

of 22 March 1977

appointing a member of the Advisory Committee on Medical Training

(77/248/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 75/364/EEC of 16 June 1975 setting up an Advisory Committee on Medical Training (1),

Having regard to Council Decision 76/385/EEC of 6 April 1976 appointing the members and alternate members of the Advisory Committee on Medical Training (2),

Whereas Mr Brunet requested to be released from his duties as member of the Advisory Committee on Medical Training;

Whereas the French Government nominated Mr Dormont as a new member of that Committee by letter dated 18 February 1977,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Dormont is hereby appointed member of the Advisory Committee on Medical Training in place of Mr Brunet for the remainder of the latter's term of office, which runs until 5 April 1979.

Done at Brussels, 22 March 1977.

For the Council

The President

Judith HART

<sup>(</sup>¹) OJ No L 167, 30. 6. 1975, p. 17. (²) OJ No L 101, 15. 4. 1976, p. 51.

#### **COUNCIL DIRECTIVE**

#### of 22 March 1977

#### to facilitate the effective exercise by lawyers of freedom to provide services

#### (77/249/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 57 and 66 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (1),

Having regard to the opinion of the Economic and Social Committee (2),

Whereas, pursuant to the Treaty, any restriction on the provision of services which is based on nationality or on conditions of residence has been prohibited since the end of the transitional period;

Whereas this Directive deals only with measures to facilitate the effective pursuit of the activities of lawyers by way of provision of services; whereas more detailed measures will be necessary to facilitate the effective exercise of the right of establishment;

Whereas if lawyers are to exercise effectively the freedom to provide services host Member States must recognize as lawyers those persons practising the profession in the various Member States;

Whereas, since this Directive solely concerns provision of services and does not contain provisions on the mutual recognition of diplomas, a person to whom the Directive applies must adopt the professional title used in the Member State in which he is established, hereinafter referred to as 'the Member State from which he comes',

HAS ADOPTED THIS DIRECTIVE:

#### Article 1

1. This Directive shall apply, within the limits and under the conditions laid down herein, to the activities of lawyers pursued by way of provision of services.

Notwithstanding anything contained in this Directive, Member States may reserve to prescribed categories of lawyers the preparation of formal documents for obtaining title to administer estates of deceased persons, and the drafting of formal documents creating or transferring interests in land.

2. 'Lawyer' means any person entitled to pursue his professional activities under one of the following designations:

Belgium: Avocat — Advocaat

Denmark: Advokat
Germany: Rechtsanwalt

France: Avocat
Ireland: Barrister

Solicitor

Italy: Avvocato

Luxembourg: Avocat-avoué

Netherlands: Advocaat
United Kingdom: Advocate
Barrister
Solicitor.

#### Article 2

Each Member State shall recognize as a lawyer for the purpose of pursuing the activities specified in Article 1 (1) any person listed in paragraph 2 of that Article.

#### Article 3

A person referred to in Article 1 shall adopt the professional title used in the Member State from which he comes, expressed in the language or one of the languages, of that State, with an indication of the professional organization by which he is authorized to practise or the court of law before which he is entitled to practise pursuant to the laws of that State.

#### Article 4

1. Activities relating to the representation of a client in legal proceedings or before public authorities shall be pursued in each host Member State under the conditions laid down for lawyers established in that State, with the exception of any conditions requiring residence, or registration with a professional organization, in that State.

<sup>(1)</sup> OJ No C 103, 5. 10. 1972, p. 19 and OJ No C 53, 8. 3. 1976, p. 33.

<sup>(2)</sup> OJ No C 36, 28. 3. 1970, p. 37 and OJ No C 50, 4. 3. 1976, p. 17.

- 2. A lawyer pursuing these activities shall observe the rules of professional conduct of the host Member State, without prejudice to his obligations in the Member State from which he comes.
- 3. When these activities are pursued in the United Kingdom, 'rules of professional conduct of the host Member State' means the rules of professional conduct applicable to solicitors, where such activities are not reserved for barristers and advocates. Otherwise the rules of professional conduct applicable to the latter shall apply. However, barristers from Ireland shall always be subject to the rules of professional conduct applicable in the United Kingdom to barristers and advocates.

When these activities are pursued in Ireland 'rules of professional conduct of the host Member State' means, in so far as they govern the oral presentation of a case in court, the rules of professional conduct applicable to barristers. In all other cases the rules of professional conduct applicable to solicitors shall apply. However, barristers and advocates from the United Kingdom shall always be subject to the rules of professional conduct applicable in Ireland to barristers.

A lawyer pursuing activities other than those referred to in paragraph 1 shall remain subject to the conditions and rules of professional conduct of the Member State from which he comes without prejudice to respect for the rules, whatever their source, which govern the profession in the host Member State, especially those concerning the incompatibility of the exercise of the activities of a lawyer with the exercise of other activities in that State, professional secrecy, relations with other lawyers, the prohibition on the same lawyer acting for parties with mutually conflicting interests, and publicity. The latter rules are applicable only if they are capable of being observed by a lawyer who is not established in the host Member State and to the extent to which their observance is objectively justified to ensure, in that State, the proper exercise of a lawyer's activities, the standing of the profession and respect for the rules concerning incompatibility.

#### Article 5

For the pursuit of activities relating to the representation of a client in legal proceedings, a Member State may require lawyers to whom Article 1 applies:

- to be introduced, in accordance with local rules or customs, to the presiding judge and, where appropriate, to the President of the relevant Bar in the host Member State;
- to work in conjunction with a lawyer who practises before the judicial authority in question and

who would, where necessary, be answerable to that authority, or with an 'avoué' or 'procuratore' practising before it.

#### Article 6

Any Member State may exclude lawyers who are in the salaried employment of a public or private undertaking from pursuing activities relating to the representation of that undertaking in legal proceedings in so far as lawyers established in that State are not permitted to pursue those activities.

#### Article 7

- 1. The competent authority of the host Member State may request the person providing the services to establish his qualifications as a lawyer.
- 2. In the event of non-compliance with the obligations referred to in Article 4 and in force in the host Member State, the competent authority of the latter shall determine in accordance with its own rules and procedures the consequences of such non-compliance, and to this end may obtain any appropriate professional information concerning the person providing services. It shall notify the competent authority of the Member State from which the person comes of any decision taken. Such exchanges shall not affect the confidential nature of the information supplied.

#### Article 8

- 1. Member States shall bring into force the measures necessary 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 main provisions of national law which they adopt in the field covered by this Directive.

#### Article 9

This Directive is addressed to the Member States.

Done at Brussels, 22 March 1977.

For the Council

The President

Judith HART

#### COUNCIL DECISION

#### of 22 March 1977

on the allocation of 7 438 500 European units of account to the European Development Fund (1975)

(77/250/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Internal Agreement on the financing and administration of Community aid (1), signed in Brussels on 11 July 1975, hereinafter called 'Internal Agreement', and in particular Article 10 (1) thereof,

Having regard to Council Decision 76/569/EEC of 29 June 1976 on the allocation of two million units of account to the French overseas territories pursuant to Article 10 of the Internal Agreement (2),

Having regard to the proposals from the Commission,

Whereas the Democratic Republic of Sao Tome and Principe, the Republic of Cape Verde and Papua New Guinea have submitted requests for accession to the ACP-EEC Convention of Lomé (3), pursuant to Article 90 thereof; whereas the Accession Agreements between the Community and these three States will be signed in the near future;

Whereas the Internal Agreement will be amended on the occasion of the accession of these three States to the ACP-EEC Convention of Lomé and will provide for the payment of additional contributions by the Member States to the European Development Fund (1975);

Whereas use should be made of the possibilities provided by Article 10 (1) of the Internal Agreement in respect of the additional contributions of the original Member States,

HAS DECIDED AS FOLLOWS:

#### Article 1

The payments, proceeds and income referred to in Article 10 (1) of the Internal Agreement which have accrued, as from 1 August 1975, from operations financed from the resources of the second and third

European Development Funds (1963 and 1969), less any commission due to the European Investment Bank, shall be allocated as follows:

593 750 European units of account to Belgium,

2 465 250 European units of account to Germany,

2 465 250 European units of account to France,

1 140 000 European units of account to Italy,

19 000 European units of account to Luxembourg,

755 250 European units of account to the Netherlands,

i.e. a total of 7 438 500 European units of account;

these allocations shall be made in order to cover in part the contributions which those States will be required to pay to the Commission under the schedules of calls for contributions laid down by the Council pursuant to Article 7 of the Internal Agreement and the procedures laid down in Article 2 of the Financial Regulation of 27 July 1976 applicable to the fourth European Development Fund (4).

#### Article 2

These amounts shall be paid by the European Investment Bank, at the request of the Commission, within the limits of sums and currencies actually available.

The rates of exchange from these currencies to the European unit of account shall be those obtaining on the second working day before the payment.

#### Article 3

This Decision shall be published in the Official Journal of the European Communities.

It shall be applicable from the date of entry into force of the Agreement amending the Internal Agreement.

Done at Brussels, 22 March 1977.

For the Council

The President

Judith HART

<sup>(1)</sup> OJ No L 25, 30. 1. 1976, p. 168.

<sup>(2)</sup> OJ No L 176, 1. 7. 1976, p. 98.

<sup>(3)</sup> OJ No L 25, 30. 1. 1976, p. 2.

<sup>(&</sup>lt;sup>4</sup>) OJ No L 229, 20. 8. 1976, p. 9.

#### COMMISSION

#### **COMMISSION DECISION**

of 4 March 1977

extending the authorization of the joint selling of fuels from Houillères du Bassin de Lorraine and Saarbergwerke AG by Saarlor

(Only the French and German texts are authentic)

(77/251/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 4, 15, 47 and 65 thereof,

Having regard to Decision 44/59 of 4 November 1959 authorizing the joint selling of solid fuels from Houil-lères du Bassin de Lorraine and Saarbergwerke AG by the Saar-Lothringische Kohlenunion, deutschfranzösische Gesellschaft auf Aktien, Union charbonnière sarro-lorraine, société par actions franco-allemande, of Saarbrücken and Strasbourg (¹);

Having regard to Decisions 14/61 of 20 December 1961 (2), 2/66 of 2 February 1966 (3), 2078/68/ECSC of 19 December 1968 (4), 72/145/ECSC of 8 March 1972 (5), 74/211/ECSC of 4 April 1974 (6) and 76/325/ECSC (7) extending the period of validity of Decision 44/59,

Having regard to the application of 10 November and 7 December 1976,

Whereas by Decision 44/59 of 4 November 1959 the High Authority authorized until 31 December 1961 the joint selling of fuels from Houillères du Bassin de Lorraine and Saarbergwerke AG by the Saar-Lothringische Kohlenunion, deutsch-französische Gesellschaft auf Aktien, Union charbonnière sarrolorraine, société par actions franco-allemande (Saarlor);

Whereas the period of validity of this authorization was successively extended by Decisions 14/61, 2/66, 2078/68/ECSC, 72/145/ECSC, 74/211/ECSC and 76/325/ECSC, until 31 December 1976;

Whereas in a letter dated 10 November 1976 the parties concerned gave notice that the joint selling agreement concluded between them, which was due to expire on 31 December of that year, would be

replaced by a new agreement valid until 31 December 1979; whereas they applied for a corresponding extension of the authorization;

Whereas the grounds on which the Commission autorized the agreements between the parties from 23 February 1959 to 31 December 1976 are still valid; whereas this is the case both as regards competition with other Community undertakings and with coal from third countries and as regards the improvement of distribution by means of joint sales; whereas between 1 January and 30 September 1976 Saarlor sold 21.0 % of the output of the Saar collieries and 5.1 % of the output of the Lorraine field; whereas these percentages are comparable to those in previous years;

Whereas the agreement consequently continues to satisfy the conditions for authorization under Article 65 (2) of the Treaty,

HAS ADOPTED THIS DECISION:

#### Article 1

The period of validity of Decision 44/59 is hereby extended until 31 December 1979.

#### Article 2

This Decision is addressed to the coal-mining undertakings concerned and to Saarlor.

Done at Brussels, 4 March 1977.

For the Commission

Raymond VOUEL

Member of the Commission

<sup>(1)</sup> OJ No 58, 14. 11. 1959, p. 1147/59.

<sup>(2)</sup> OJ No 85, 30. 12. 1961, p. 1639/61.

<sup>(3)</sup> OJ No 25, 8. 2. 1966, p. 400/66.

<sup>(&</sup>lt;sup>4</sup>) OJ No L 7, 11, 1, 1969, p. 1, (<sup>5</sup>) OJ No L 76, 29, 3, 1972, p. 30,

<sup>(6)</sup> OJ No L 113, 26. 4. 1974, p. 46.

<sup>(7)</sup> OJ No L 78, 25. 3. 1976, p. 18.

#### **COMMISSION DECISION**

#### of 18 March 1977

## concerning the issue of import licences for beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland

(77/252/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States (1), as last amended by Regulation (EEC) No 2841/76 (2), and in particular Article 3 thereof,

Whereas Regulation (EEC) No 3328/75 provides that import licences may be issued for beef and veal products; whereas, however, the quantities imported must remain within the limits laid down for each of the exporting non-member countries in question;

Whereas, in the case of products originating in Botswana, Kenya, Madagascar and Swaziland, the quantities covered by the licence applications submitted from 1 to 10 March 1977 expressed in terms of boned meat, in accordance with Article 1 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 laying down rules for the application of Council Regulation (EEC) No 3328/75 (3), as last amended by Regulation (EEC) No 3136/76 (4), are lower than the quantities available for the said States; whereas it is therefore possible to issue import licences for all the quantities applied for and at the same time to specify the quantities outstanding, in respect of which applications may be submitted from 1 April 1977,

HAS ADOPTED THIS DECISION:

#### Article 1

Import licences as provided for in Regulation (EEC) No 3376/75 shall be issued for all the quantities for which applications for licences were submitted between 1 and 10 March 1977 in respect of products from Botswana, Kenya, Madagascar and Swaziland.

#### Article 2

Applications for licences may be submitted, in accordance with Article 2(3) of Regulation (EEC) No 3376/75, during the first 10 days of April 1977 for the following quantities of beef and veal expressed in terms of boned meat:

Botswana	7 856.9 tonnes,
Kenya	130·0 tonnes,
Madagascar	6 132·0 tonnes,
Swaziland	1 955·2 tonnes.

#### Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 March 1977.

For the Commission

Finn GUNDELACH

Vice-President

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

<sup>(2)</sup> OJ No L 327, 26. 11. 1976, p. 1. (3) OJ No L 333, 30. 12. 1975, p. 44.

<sup>(4)</sup> OJ No L 353, 23. 12. 1976, p. 40.

#### **COMMISSION DECISION**

#### of 22 March 1977

#### concerning certain measures to prevent the spread of swine fever

(77/253/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine (1), as last amended by Council Directive of 21 December 1976 (2), and in particular Article 9 thereof,

Having regard to Council Directive of 12 December 1972 on health problems affecting intra-Community trade in fresh meat (3), as last amended by the Council Directive of 21 December 1976, and in particular Article 8 thereof,

Whereas an outbreak of swine fever has occurred in the Netherlands; whereas this disease is liable to endanger the livestock of other Member States, in view of the large quantities both of animals and of fresh meat imported by them;

Whereas, in consequence, it is necessary that the other Member States adopt appropriate measures for their protection for the period of time necessary for the eradication of this epidemic, which has become widespread;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

#### Article 1

Member States shall prohibit until 30 March 1977 the introduction into their territory from the Netherlands of live swine and of the fresh meat of swine.

#### Article 2

The Commission will keep the situation under review and this Decision may be amended in the light of developments therein.

#### Article 3

This Decision is addressed to the Member States.

Done at Brussels, 22 March 1977.

<sup>(</sup>¹) OJ No 121, 29. 7. 1964, p. 1977/64. (²) OJ No L 26, 31. 1. 1977, p. 81. (³) OJ No L 302, 31. 12. 1972, p. 24.