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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1078/77

of 17 May 1977

introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds

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⁽¹⁾,

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

Whereas the products covered by Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽³⁾, as last amended by Regulation (EEC) No 559/76⁽⁴⁾, are at present substantially and increasingly in surplus; whereas it therefore seems justified to encourage the trend noted among certain groups of holdings in the Community to cease milk production, or the marketing of milk and milk products;

Whereas this aim may be achieved by granting premiums to farmers who cease to market milk and milk products or who convert their dairy herds to meat production; whereas, however, in the case of a Member State where the increase of cattle numbers is difficult and consequently dairy herds have already been considerably reduced, it may prove advisable to authorize that Member State not to apply the provisions concerning the non-marketing and conversion premium;

Whereas the amount of the premiums should be fixed at a level such that they may be considered as some compensation for loss of income from the marketing

of the products in question; whereas it therefore appears necessary to fix the amount of the premiums according to the quantity of products marketed in 1976;

Whereas the total amount of the premiums granted to a holding should be limited, so as to improve the structure of dairy farming on holdings that are economically more viable; whereas, however, provision should be made for certain exceptions to these limits where the applicant is taking part in a programme to eradicate brucellosis, tuberculosis and leucosis;

Whereas to facilitate checks on compliance with the obligations arising from the application of this Regulation, the premiums should be paid in several instalments;

Whereas these measures are designed on the one hand to restore the balance on the market in the products concerned and therefore may be regarded as intervention within the meaning of Article 3 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 2788/72⁽⁶⁾, and on the other to achieve the objectives set out in Article 39(1)(a) of the Treaty, including the changes necessary for the proper working of the common market; whereas they therefore constitute common measures within the meaning of Article 6 of the said Regulation;

Whereas the Community financing of the expenditure should therefore be provided by the Guidance and the Guarantee Sections of the European Agricultural Guidance and Guarantee Fund,

(1) OJ No C 93, 18. 4. 1977, p. 11.

(2) OJ No C 77, 30. 3. 1977, p. 15.

(3) OJ No L 148, 28. 6. 1968, p. 13.

(4) OJ No L 67, 15. 3. 1976, p. 9.

(5) OJ No L 94, 28. 4. 1970, p. 13.

(6) OJ No L 295, 3. 12. 1972, p. 1.

Whereas, in order to facilitate the administrative and financial management of the system of premiums, the dispositions laid down by Commission Regulation (EEC) No 2697/70 of 29 December 1970, on the procedure for making Community funds available to Member States under the Guarantee Section of the EAGGF⁽¹⁾ and by Commission Regulation (EEC) No 1723/72 of 26 July 1972 on making up accounts for the European Agricultural Guidance and Guarantee Fund, Guarantee Section⁽²⁾ should be applied, by way of exception, to the expenses financed by the Guidance Section; whereas, however, the normal system of reimbursement by the EAGGF, Guidance Section may, during a transitional period, be applied at the request of a Member State,

HAS ADOPTED THIS REGULATION:

TITLE I

Conditions for and amounts of the non-marketing and conversion premiums

Article 1

1. On request applicants shall be granted at their option either a premium for the non-marketing of milk and milk products (non-marketing premium) or a premium for the conversion of dairy herds to meat production (conversion premium).

2. However, where it is established that in a Member State the number of dairy cows has been reduced by more than 20 % between 1 January 1969 and 31 December 1975, that Member State shall be authorized not to implement this Regulation.

Article 2

1. To obtain the non-marketing premium, each producer must satisfy the competent authorities that he still has dairy cows on his holding in numbers appropriate to the quantities of milk or the equivalent in milk products delivered by him during the 1976 calendar year and that he is continuing to deliver corresponding quantities. This condition must be satisfied on the date of approval of the application; failing this, the premium will be correspondingly reduced, except in certain specific cases to be defined.

2. The grant of the non-marketing premium shall be conditional upon a written undertaking by the producer that:

- (a) during the non-marketing period neither milk nor milk products from his holding will be disposed of, whether for a consideration or free of charge;
- (b) from the date on which the application is lodged until the end of the non-marketing period:
 - he will not allow his holding or any part thereof to be used by others for dairy farming,
 - he will not lease his dairy cattle or entrust them to others, whether for a consideration or free of charge,
 - he will not dispose of his dairy cattle except for slaughter or for export.

The non-marketing period shall span five years and shall begin at the latest at the end of the sixth month following the date on which the application was approved.

3. Producers who cease farming in accordance with Directive 72/160/EEC⁽³⁾ and after completing a period of at least two years of non-marketing milk and milk products shall be relieved of the obligations laid down in paragraph 2.

4. Producers who cease farming in accordance with Directive 72/160/EEC and at the end of their third year of non-marketing of milk and milk products shall be relieved of the obligations laid down in paragraph 2. In this case, the payment for the third year shall be equal to 37.5 % of the non-marketing premium and shall become due once the application submitted pursuant to the abovementioned Directive has been approved and proof furnished to the competent authority that the dairy cattle have been slaughtered.

5. In the cases referred to in paragraphs 3 and 4, no sum received as a non-marketing premium shall be repayable. Producers may not subsequently receive a non-marketing premium.

Article 3

1. To obtain the conversion premium, the producer must satisfy the competent authorities:

- that he has delivered at least 50 000 kilograms of milk or the equivalent in milk products during the 1976 calendar year, that he still has an appropriate number of dairy cows on his holding and that he is continuing to deliver corresponding quantities, or
- that he has at least 15 dairy cows, including in-calf heifers, on his holding on the date of approval of the application.

⁽¹⁾ OJ No L 285, 31. 12. 1970, p. 63.

⁽²⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽³⁾ OJ No L 96, 23. 4. 1972, p. 9.

In both cases he must, at the date of approval of the application, still be delivering milk in quantities corresponding to the number of cows referred to in the preceding indents; otherwise, the premium will be reduced accordingly, except in certain specific cases to be defined.

2. The grant of the conversion premium shall be conditional upon an undertaking by the producer that:

- (a) during the conversion period, neither milk nor milk products from his holding will be disposed of, whether for a consideration or free of charge;
- (b) from the date on which his application is lodged until the end of the conversion period, he will comply with the conditions laid down in the first subparagraph of Article 2(2)(b);
- (c) he will keep on his holding during the conversion period an average number of bovine or ovine units equal to or greater than the number kept on the same holding on the reference date.

The conversion period shall span four years and shall begin at the latest at the end of the sixth month following the date of approval of the application.

3. In cases where the producer retains cows, to obtain the premium he must also satisfy the competent authorities that he has so husbanded his herd that, at the latest at the end of the third year after the date of approval of the application, at least 80 % of the cows or in-calf heifers on the holding either possess the characteristics of one of the recognized meat-producing breeds or are cross-breeds sired by a bull either registered in the herd book of one of those breeds or else with sufficient guarantees of its capability to transmit the essential characteristics of such breed to its progeny.

Article 4

1. The non-marketing premium shall be calculated on the basis of the quantity of milk or its equivalent in milk products delivered by the producer during the 1976 calendar year.

The premium per 100 kilograms shall be equal to the following percentage of the milk target price valid on the date of approval of the application:

- 95 % for quantities up to and including 30 000 kilograms,
- 90 % for quantities exceeding 30 000 kilograms up to and including 50 000 kilograms,
- 75 % for quantities exceeding 50 000 kilograms up to and including 120 000 kilograms.

50 % of the premium shall be paid during the first three months of the non-marketing period.

The balance shall be paid in the third and fifth years in two equal instalments of 25 % of the premium, provided the recipient satisfies the competent authorities that the undertakings provided for in Article 2 have been fulfilled.

2. The conversion premium per 100 kilograms shall be equal to 90 % of the milk target price valid on the date of approval of the application, for quantities not exceeding 120 000 kilograms of milk or its equivalent in milk products delivered by the producer during the 1976 calendar year. However, the amount of the conversion premium may in no case be lower than that obtained from the application of paragraph 1.

60 % of the premium shall be paid in the first three months of the conversion period.

The balance shall be paid in the third and fourth years in two equal instalments of 20 % of the premium, provided the recipient satisfies the competent authorities that the undertakings provided for in Article 3 have been fulfilled.

3. Producers who have delivered more than 120 000 kilograms of milk or its equivalent in milk products during the 1976 calendar year shall receive the non-marketing premium or the conversion premium for 120 000 kilograms.

4. The two premiums shall be added to aid granted in connection with programmes to eradicate brucellosis, tuberculosis and leucosis.

Where the producer, on the date of approval of his application, is taking part in one of these programmes, the maximum of 120 000 kilograms specified in the preceding paragraphs 1, 2 and 3:

- shall be increased by the quantities corresponding to the number of dairy cows affected by these diseases, provided the number of such cows does not exceed 20 % of the herd,
- shall not apply when over 20 % of the cows more than two years old are affected by brucellosis and the producer has undertaken to slaughter all the cows on his holding within three months of the date of approval of the application.

TITLE II

General and financial provisions

Article 5

For the purposes of this Regulation :

(a) 'Producer' shall mean :

- a farmer, whether a natural or a legal person, whose holding is located in the territory of the Community and who raises cattle,
- a group of natural or legal persons who jointly operate means of agricultural production to raise cattle in the territory of the Community;

(b) 'Holding' shall mean :

all the production units managed by the producer and located in the territory of the Community.

Article 6

1. Any person who takes over an agricultural holding may undertake in writing to continue to carry out the undertakings given by his predecessor.

In such case, the sums already paid shall remain the property of the latter and the balance shall be paid to his successor.

Otherwise, the sums already paid shall be refunded by the predecessor.

2. Where only part of a holding is transferred, the applicant shall retain his right to the premium if the person to whom he has transferred the property undertakes in writing to continue to fulfil the undertakings entered into by his predecessor. Otherwise, a proportion of the sums already paid shall be refunded by the predecessor, such proportion to be calculated by reference to the area under forage transferred.

Article 7

The following shall be laid down in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68 :

- (a) the time limit for submitting applications for the granting of premiums;
- (b) a definition of the terms 'in numbers appropriate' and 'corresponding quantities' in Articles 2(1) and 3(1);
- (c) the conditions relating to the recognition of breeds referred to in Article 3(3);
- (d) a definition of the term 'equivalent in milk products' in the first subparagraph of Article 4(1);
- (e) rules for verifying that undertakings arising from the grant of the premium have been fulfilled;

- (f) the equivalences to be used in calculating adult bovine and ovine units;
- (g) the conditions for the retention, in exceptional circumstances, of sums already paid, in particular where the recipient ceases farming;
- (h) a tolerance margin to be used in calculating the average number referred to in Article 3(2)(c);
- (i) the definition of the term 'area under forage' in Article 6(2);
- (j) the other detailed rules for implementing Articles 1 to 6.

Article 8

1. By way of derogation from Article 3 of Regulation (EEC) No 729/70, 60 % of the expenditure arising out of the measures provided for in this Regulation shall be financed by the Guarantee Section of the EAGGF. In addition, the Guidance Section of the EAGGF shall refund to the Member States 40 % of the eligible expenditure.

2. With particular reference to the expenditure chargeable to the Guarantee Section and the Guidance Section of the EAGGF, the measures shall, respectively, be considered as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute common measures within the meaning of Article 6(1) of the same Regulation.

Article 9

The total estimated cost of the common measures chargeable to the Guidance Section of the EAGGF is 263 million units of account. The measures provided for in this Regulation shall be applied until 31 March 1978.

Article 10

For that part of the expenses financed by the EAGGF, Guidance Section, the detailed rules for the financial application of the common measures shall, by way of exception, be those laid down by Regulations (EEC) No 2697/70 and (EEC) No 1723/72.

However, during 1977, the system of reimbursements shall be applied thereto at the request of a Member State. The request for reimbursement from that Member State shall concern the expenses incurred during that year and shall be submitted to the Commission before 1 July of the following year.

The Commission shall decide on the request in accordance with the procedure laid down in Article 7(1) of Regulation (EEC) No 729/70.

Article 11

1. Without prejudice to the provisions adopted pursuant to Article 7 (g), the Member States shall, subject to Article 8 of Regulation (EEC) No 729/70, take the measures necessary for the recovery of premiums already paid, in cases where the undertakings provided for have not been fulfilled.

They shall inform the Commission of the measures taken, and in particular shall notify it periodically of the position as regards administrative and judicial proceedings relating thereto.

2. Sums recovered shall be reimbursed to the agencies or departments which made the payments and deducted by them from the expenditure financed respectively by the Guarantee and Guidance Sections of the EAGGF and in proportion to the amount financed by the Community.

3. Where it is impossible to recover sums paid, the financial consequences shall be borne by the Guarantee and Guidance Sections of the EAGGF in proportion to their financial participation.

4. Interest may be charged on sums to be recovered.

Article 12

Where necessary, detailed rules for the application of Articles 8 to 11 shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 13

1. By 31 January 1978 at the latest, the Commission shall submit to the Council and the European Parliament, on the basis of the information supplied by the Member States, a report on the operation of the premium system.

2. After examining this report, the Council, acting by a qualified majority on a proposal from the Commission, may decide, in the light of experience and of economic trends in the sectors in question, to maintain or to amend the premium system and to adapt its period of application and the total estimated cost accordingly.

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

Done at Brussels, 17 May 1977.

For the Council

The President

J. SILKIN

COUNCIL REGULATION (EEC) No 1079/77
of 17 May 1977

on a co-responsibility levy and on measures for expanding the markets in milk and milk products

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⁽¹⁾,

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

Whereas the Community market in milk products is marked by structural surpluses arising from an imbalance between supply and demand in products covered by Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽³⁾, as last amended by Regulation (EEC) No 559/76⁽⁴⁾;

Whereas a more direct link should be established between production and outlets for milk products in order gradually to restore equilibrium between production and market requirements and to reduce the heavy costs incurred by the Community as a result of the present situation and in particular of the large surpluses which exist; whereas it is necessary, in view of the major public interest attached, to introduce a uniform co-responsibility levy for several years on all milk delivered to dairies and certain farm sales of milk products;

Whereas, in order to observe the objectives of Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas⁽⁵⁾, as amended by Directive 76/400/EEC⁽⁶⁾, the mountain and hill areas listed pursuant to Article 3 (3) of that Directive should be exempted from the levy;

Whereas, taking into account the possibilities of supervision, application of the levy to farm sales should be

limited to the amounts of milk used on the farm in making butter and cream and qualifying for aid for the skimmed milk thus produced, pursuant to Article 2 (1) (b) of Council Regulation (EEC) No 986/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed⁽⁷⁾, as last amended by Regulation (EEC) No 876/77⁽⁸⁾;

Whereas, for administrative reasons, it should be laid down that, where possible, the levies must be deducted by the buyers of the milk from their payments to producers;

Whereas provision should be made for specific measures linked to the levy to encourage the expansion of markets and the disposal of surpluses on the Community and world markets;

Whereas all the measures provided for in this Regulation are designed to stabilize the market in milk products and thus to supplement the existing intervention system; whereas care should therefore be taken to ensure that the arrangements for financing the common agricultural policy take account of the levies and expenditure entailed in the specific measures,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period from 16 September 1977 to the end of the 1979/80 milk year a co-responsibility levy shall be due from all milk producers on milk supplied to an undertaking treating or processing milk and, in the cases defined in Article 3 (2), on milk sold by the producer in the form of other milk products.

2. This levy shall not be applied in the mountain and hill areas listed pursuant to Article 3 (3) of Directive 75/268/EEC.

⁽¹⁾ OJ No C 6, 10. 1. 1977, p. 13.

⁽²⁾ OJ No C 56, 7. 3. 1977, p. 31.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽⁴⁾ OJ No L 67, 15. 3. 1976, p. 9.

⁽⁵⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽⁶⁾ OJ No L 108, 26. 4. 1976, p. 21.

⁽⁷⁾ OJ No L 169, 18. 7. 1968, p. 4.

⁽⁸⁾ OJ No L 106, 29. 4. 1977, p. 24.

Article 2

1. The amount of the levy shall be fixed, after the Commission has consulted producer organizations at Community level, in accordance with the procedure laid down in Article 43 (2) of the Treaty before 1 November for the following milk year.
2. The amount of the levy shall take account of the market situation, of forward estimates of supply of and demand for milk products, and of the development of stocks.
3. The levy shall be at least 1.5 % but not more than 4 % of the milk target price valid for the milk year in question.

For the period from 16 September 1977 to the end of the 1977/78 milk year, the levy shall be 1.5 % of the target price for milk.

4. If there is a considerable change affecting the criteria described in paragraph 2 during a milk year, the Council, acting by a qualified majority on a proposal from the Commission, may alter the amount of the levy, keeping within the limits laid down in the first subparagraph of paragraph 3. However, the difference between the levy fixed under paragraph 1 and the new levy may not exceed 1 % of the target price for milk.

Article 3

1. In the case of deliveries to an undertaking treating or processing milk, the levy shall be deducted by the buyer of the milk from the payment to be made to the producer, and transferred monthly in arrears by the buyer to the competent agency designated for this purpose by each Member State.
2. If a milk producer sells in the form of other milk products, the levy shall be paid to the competent agency by the producer in respect of the quantities of milk used on the farm in making butter and cream

and qualifying for aid under Article 2 (1) (b) of Regulation (EEC) No 986/68.

Article 4

1. Measures to expand the markets for milk products shall be taken in accordance with the procedure referred to in Article 6.
2. The measures referred to in paragraph 1 shall be measures concerning :
 - the expansion of markets within the Community,
 - the expansion of markets outside the Community,
 - the search for new outlets and improved products.
3. Before each period of application of the levy to be fixed pursuant to Article 2 (1), the Commission shall inform the Council of the programme of measures referred to in paragraph 2 which it is planning to take during the following milk year.

Article 5

1. With regard to the financing of the common agricultural policy, the co-responsibility levy and the measures referred to in Article 4 shall be considered as forming part of the measures to stabilize agricultural markets.
2. By way of derogation from Article 3 (1) of Regulation (EEC) No 729/70, the financing of the measures listed in Article 4 may be limited to a portion of the expenditure concerned.
3. Rules for the application of paragraph 1 may be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 6

Rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

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

Done at Brussels, 17 May 1977.

For the Council

The President

J. SILKIN

COUNCIL REGULATION (EEC) No 1080/77

of 17 May 1977

on the supply of milk and certain milk products at reduced prices to school-children

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Article 1

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 to the second paragraph of Article 26 thereof,

1. From the start of the 1977/78 milk year the Community shall contribute for a period of at least five years to financing Member States' programmes for supplying milk and certain milk products at reduced prices to schoolchildren.

Having regard to the proposal from the Commission,

2. In the case of whole milk, the Community contribution shall be equal to 50 % of its target price. The contribution for other milk products shall be determined in accordance with the procedure referred to in Article 4 and shall not be less than that fixed for whole milk, taking into account the fat content of the product in question.

Whereas, pursuant to the second paragraph of Article 26 of Regulation (EEC) No 804/68, it may be decided to make a Community contribution to the financing of programmes for the supply, at reduced prices to schoolchildren, of milk products falling within heading No 04.01 or 22.02 of the Common Customs Tariff, provided that these programmes fulfil certain conditions ;

Article 2

The Community contribution shall be subject to the following conditions :

Whereas, in view of the situation on the markets in milk products and in order to widen sales opportunities therefor, the introduction of such programmes should be encouraged and a Community contribution made to their financing ; whereas, to give the measure maximum effectiveness, the beneficiaries, the maximum daily quantity and the types of product distributed should be laid down at Community level ;

1. The programme shall be drawn up and implemented by the Member State or by a regional or local authority.

Whereas the Community outlay should be matched by a substantial contribution in the Member States, whether from the national budget or from the budgets of the local or regional authorities concerned ;

2. The beneficiaries of the programme shall be schoolchildren to be defined in accordance with the procedure referred to in Article 4.

Whereas, for the purposes of financing the Community contribution, this measure should be included among those referred to in Article 4 of Regulation (EEC) No 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products⁽³⁾,

3. The Community contribution referred to in Article 1 (2) shall relate only to whole milk and chocolate-flavoured whole milk which have been pasteurized or subjected to a UHT process, and yoghurt falling within heading No 04.01 of the Common Customs Tariff. Other requirements, in particular as regards the quality at the time of distribution, and derogations in connection with the abovementioned processing of the milk may be adopted in accordance with the procedure referred to in Article 4. This procedure may also be used to include semi-skimmed milk on the list of products distributed.

(1) OJ No L 148, 28. 6. 1968, p. 13.

(2) OJ No L 67, 15. 3. 1976, p. 9.

(3) See page 6 of this Official Journal.

4. The milk supplied to the school shall not amount to more than 0.25 litre per pupil per schoolday.

However, this maximum may be increased in accordance with the procedure referred to in Article 4 where the type of school concerned enables any change in the destination of the products supplied at reduced prices to be avoided.

5. The financial contribution of the public authorities in the Member States shall be at least 50 % of that of the Community.

Subject to conditions to be determined in accordance with the procedure referred to in Article 4, that contribution may consist of a grant towards providing schools with the equipment necessary to store and distribute the milk.

Article 3

For the purposes of financing the Community contribution, this measure shall be included among those referred to in Article 4 of Regulation (EEC) No 1079/77.

Article 4

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

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

Done at Brussels, 17 May 1977.

For the Council

The President

J. SILKIN

COUNCIL REGULATION (EEC) No 1081/77

of 17 May 1977

on the temporary suspension of aids for the purchase of dairy cows and of heifers intended for milk production

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission,

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

Whereas the milk market is at present in a serious state of imbalance;

Whereas this situation requires the swift adoption of suitable measures to help restore the balance thereof; whereas the effectiveness of these measures may however be adversely affected by continued aid for the purchase of dairy cows and of heifers intended for milk production; whereas therefore the granting of these aids under Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms⁽²⁾ should be temporarily suspended,

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to Article 92(2) of the Treaty, the granting of the aids referred to in Articles 8 and 14 of

Directive 72/159/EEC for the purchase of dairy cows and heifers intended for milk production is hereby prohibited.

Article 2

For the purposes of Article 1:

- (a) 'dairy cows' shall mean cows which have calved and which by reason of their breed or suitability are exclusively or principally kept for the production of milk either for human consumption or for processing into milk products;
- (b) 'heifers' shall mean female bovines of two years of age and over which have not calved and are intended to replace dairy cows.

Article 3

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

This Regulation shall apply until 31 December 1979.

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

Done at Brussels, 17 May 1977.

For the Council

The President

J. SILKIN

¹⁾ OJ No C 93, 18. 4. 1977, p. 11.

²⁾ OJ No L 96, 23. 4. 1972, p. 1.

COUNCIL REGULATION (EEC) No 1082/77

of 25 May 1977

opening, allocating and providing for the administration of a Community tariff quota for wines from fresh grapes and grape must with fermentation arrested by the addition of alcohol falling within heading No 22.05 of the Common Customs Tariff, originating entirely in Greece

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas at the EEC-Greece Association Council meeting on 28 April 1975, the European Economic Community had stated that the basic provisions for the implementation of the common agricultural policy were fixed for the products listed in Article 1 of Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine⁽²⁾, and Greece had stated that it was prepared to harmonize its policy for the products referred to in Article 1 of the said Regulation ;

Whereas by 29 April 1977 the Association Council had not yet fixed the arrangements applicable to trade in the aforementioned products between the Contracting Parties ; whereas therefore both the provisions in Protocol 14 to the EEC-Greece Association Agreement for Greek exports of wines from fresh grapes and grape must with fermentation arrested by the addition of alcohol and the arrangements provided for in Article 37 and in the second paragraph of Protocol 12 to the said Agreement in respect of the products covered by Regulation (EEC) No 816/70, cease to apply in the Community ; whereas, however, the measures laid down in Protocol 6 (2) of the said Agreement continue to apply in the Community unless the Community avails itself of its option of taking different measures under the conditions laid down in Article 36 (1) of the said Agreement ;

Whereas, pending a decision by the Association Council pursuant to Article 35 or 36 (1) of the said Agreement, and in order to avoid any discontinuity which might be harmful to exports to the Community of wine originating entirely in Greece, special import arrangements should be introduced for such products

which, while giving preference to imports of such products, continue in addition to comply with the provisions of Regulation (EEC) No 816/70, and in particular those of Article 9 thereof ; whereas a Community tariff quota of 420 000 hectolitres per annum should accordingly be opened at a reduced duty ; whereas for the period 29 April to 31 December 1977 the volume of the quota will accordingly be 284 220 hectolitres ;

Whereas it is in particular necessary to guarantee all importers of the Member States equal and uninterrupted access to the said quota and uninterrupted application of the rate laid down for that quota to all imports into such Member States of the products concerned until the quota has been used up ; whereas having regard to the above principles the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States ; whereas, to reflect most accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference both to the statistics relating to imports from Greece over a representative period, and to the economic outlook for the quota period concerned ;

Whereas, on the basis of the statistics at present available, imports from Greece into the Member States in 1974, 1975 and 1976 of the product concerned have developed as follows and represent the following percentages of total imports into the Community :

Member States	1974	1975	1976
Benelux	55.02	66.66	73.31
Denmark	0.05	0.11	0.11
Germany	37.04	26.46	22.35
France	6.21	6	3.35
Ireland	0.05	0.02	0.01
Italy	0.14	0.02	0.02
United Kingdom	1.49	0.71	0.85

Whereas, taking into account these figures and the foreseeable development of the market in the product

⁽¹⁾ OJ No C 118, 16. 5. 1977, p. 67.

⁽²⁾ OJ No L 99, 5. 5. 1970, p. 1.

concerned during 1977, the initial shares in the volume of the quota may be fixed approximately at the following percentages :

Benelux	64.06
Denmark	0.53
Germany	29.89
France	2.67
Ireland	0.36
Italy	0.36
United Kingdom	2.13

Whereas in order to take into account the import trends for the product concerned in the Member States, the quota volume should be divided into two instalments, the first instalment being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States, should their initial share be used up ; whereas, in order to ensure a certain degree of security to importers, the first instalment of the Community quota should be determined at a relatively high level, which under present circumstances could be approximately 99 % of the quota volume ;

Whereas the initial shares may be used up fairly quickly ; whereas, therefore, to avoid disruption of supplies any Member State which has almost used up its initial share, should draw a supplementary share from the Community reserve ; whereas this must be done by each Member State as each one of its supplementary shares is almost used up, and as many times as the reserve allows ; whereas the initial and supplementary shares must be valid until the end of the quota period ; whereas this form of administration requires close collaboration between the Member

States and the Commission, and the Commission must be in a position to follow the extent to which the tariff quota has been used up and to inform the Member States thereof ;

Whereas if, at a specified date in the quota period, a considerable quantity of the initial quota share remains in any Member State, it is essential that the Member State should return a certain proportion thereof to the reserve, in order to avoid part of the Community quota remaining unused in one Member State when it could be used in others ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Until 31 December 1977, a Community tariff quota of 284 220 hectolitres shall be opened in the Community for wine of fresh grapes and grape must with fermentation arrested by the addition of alcohol falling under heading No 22.05 of the Common Customs Tariff, originating entirely in Greece.

Within this tariff quota, the Common Customs Tariff duty shall be reduced to the levels indicated in the table below :

CCT heading No	Description of goods	Rate of duty
22.05	Wine of fresh grapes ; grape must with fermentation arrested by the addition of alcohol :	
	A. Sparkling wine	6 u.a. per hl
	B. 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 u.a. per hl
	C. Other	
	I. Of an actual alcoholic strength not exceeding 13°, in containers holding :	
	(a) 2 litres or less	1.8 u.a. per hl
	(b) More than 2 litres	1.3 u.a. per hl
II. Of an actual alcoholic strength exceeding 13° but not exceeding 15°, in containers holding :		
(a) 2 litres or less	2.1 u.a. per hl	
(b) More than 2 litres	1.6 u.a. per hl	

CCT heading No	Description of goods	Rate of duty
22.05 C (cont'd)	III. Of an actual alcoholic strength exceeding 15° but not exceeding 18°, in containers holding:	
	(a) 2 litres or less:	
	2. Other	2.5 u.a. per hl
	(b) More than 2 litres:	
	3. Other	2.1 u.a. per hl
	IV. Of an actual alcoholic strength exceeding 18° but not exceeding 22°, in containers holding:	
	(a) 2 litres or less:	
	2. Other	2.8 u.a. per hl
	(b) More than 2 litres:	
	3. Other	2.8 u.a. per hl
V. Of an actual alcoholic strength exceeding 22°, in containers holding:		
(a) 2 litres or less	0.2 u.a. per hl and per degree + 1.5 u.a. per hl	
(b) More than 2 litres	0.2 u.a. per hl and per degree	

The new Member States shall apply within this quota the customs duties calculated in accordance with the relevant provisions of the Act of Accession.

Article 2

1. The tariff quota referred to in Article 1 (1) shall be divided into two instalments.

2. A first instalment, amounting to 281 000 hectolitres, shall be shared among the Member States; the shares which subject to Article 5 shall be valid until 31 December 1977, shall be as follows:

— in hectolitres —

Benelux	180 000
Denmark	1 500
Germany	84 000
France	7 500
Ireland	1 000
Italy	1 000
United Kingdom	6 000

3. The second instalment of 3 220 hectolitres shall constitute the reserve.

Article 3

1. If 90 % or more of any Member State's initial share, as laid down in Article 2 (2), or 90 % or more of that share less the amount returned to the reserve where Article 5 has been applied, has been exhausted,

that Member State shall without delay, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn by that Member State has been exhausted, it shall, in the manner provided for in paragraph 1, draw a third share equal to 7.5 % of its initial share.

3. If, after its second share has been exhausted, 90 % or more of the third share drawn by that Member State has been used up, it shall, in the manner provided for in paragraph 1, draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, Member States may draw smaller shares than those fixed in those paragraphs if there is reason to believe that those shares might not be used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1977.

Article 5

Member States shall return to the reserve, not later than 1 October 1977, the unused portion of their initial share which, on 15 September 1977, is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1977, notify the Commission of the total imports of the products concerned effected under and charged against the Community quota up to 15 September 1977 inclusive and, where appropriate, of the proportion of their initial shares that they are returning to the reserve.

Article 6

The Member States shall be authorized to divide the shares allocated to them or which they have drawn from the reserve into two parts according to their foreseeable use, reserving one part for wines intended for direct consumption and the other for wines intended for processing.

However, during the marketing year and according to the actual needs which arise, they shall make the necessary adjustments to the original allocations.

Article 7

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notification.

The Commission shall, not later than 5 October 1977, notify the Member States of the state of the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available

and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 8

1. Member States shall take all measures necessary to ensure that supplementary shares drawn pursuant to Article 3 are opened in such a way that charges may be made without interruption against their combined shares of the Community quota.

2. Member States shall ensure that importers of the said products established in their territory have free access to the shares allocated to them or drawn from the reserve.

3. Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 9

At the request of the Commission, Member States shall inform it of imports of the products in question actually charged against their shares.

Article 10

The Member States and the Commission shall cooperate closely in order to ensure the correct application of this Regulation.

Article 11

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

It shall apply from 29 April 1977.

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

Done at Brussels, 25 May 1977.

For the Council

The President

D. OWEN

COMMISSION REGULATION (EEC) No 1083/77**of 25 May 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 May 1977.

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

Done at Brussels, 25 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ O.J. No L 281, 1. 11. 1975, p. 1.

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

⁽³⁾ O.J. No L 206, 31. 7. 1976, p. 62.

ANNEX

to the Commission Regulation of 25 May 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	94.36
10.01 B	Durum wheat	140.83 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	74.73 ⁽⁶⁾
10.03	Barley	57.31
10.04	Oats	56.42
10.05 B	Maize, other than hybrid maize for sowing	67.33 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	74.25 ⁽⁴⁾
10.07 C	Grain sorghum	75.36 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	144.13
11.01 B	Rye flour	116.63
11.02 A I a)	Durum wheat groats and meal	228.81
11.02 A I b)	Common wheat groats and meal	154.13

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 1084/77

of 25 May 1977

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

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas, on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in
force, which are to be added to the levies, should be

altered as shown in the tables annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 26 May
1977.

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

Done at Brussels, 25 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

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

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

(3) OJ No L 206, 31. 7. 1976, p. 64.

ANNEX

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

A. Cereals and flour

(u.e./tonne)

CCT heading No	Description of goods	Current 5	1st period 6	2nd period 7	3rd period 8
10.01 A	Common wheat, and meslin	0	0.37	0.37	0.37
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	1.85	1.85	1.85
10.04	Oats	0	0.74	0.74	0.74
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0.52	0.52	0.52

B. Malt

(u.e./tonne)

CCT heading No	Description of goods	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0.66	0.66	0.66	0.66
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0.49	0.49	0.49	0.49
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	3.29	3.29	3.29	3.29
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	2.46	2.46	2.46	2.46
11.07 B	Roasted malt	0	2.87	2.87	2.87	2.87

COMMISSION REGULATION (EEC) No 1085/77

of 25 May 1977

fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, and in particular Article
11 (2) thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2137/76 ⁽²⁾, as last
amended by Regulation (EEC) No 1038/77 ⁽³⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2137/76
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 table annexed to
this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 26 May
1977.

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

Done at Brussels, 25 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 240, 1. 9. 1976, p. 5.

⁽³⁾ OJ No L 125, 19. 5. 1977, p. 9.

ANNEX

to the Commission Regulation of 25 May 1977 fixing the import levies on rice and broken rice

(i.u.t./tonne)

CCT heading No	Description of goods	Third countries	ACP or OCT ⁽¹⁾ ⁽²⁾
10.06	Rice :		
	A. Paddy rice ; husked rice :		
	I. Paddy rice :		
	a) Round grain	90.28	42.14
	b) Long grain	108.96	51.48
	II. Husked rice :		
	a) Round grain	112.85	53.43
	b) Long grain	136.20	65.10
	B. Semi-milled or wholly milled rice :		
	I. Semi-milled rice :		
	a) Round grain	164.46	72.33
	b) Long grain	245.69	112.98
	II. Wholly milled rice :		
	a) Round grain	175.15	77.33
	b) Long grain	263.38	121.44
	C. Broken rice :	60.97	27.99

⁽¹⁾ Subject to the application of the provisions of Article 9 of Regulation (EEC) No 706/76.

⁽²⁾ In accordance with Regulation (EEC) No 706/76, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

COMMISSION REGULATION (EEC) No 1086/77

of 25 May 1977

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, and in particular Article
13 (6) thereof,

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 2138/76 ⁽²⁾, as last amended by Regulation (EEC)
No 1039/77 ⁽³⁾;

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 table annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the import levies fixed
in advance in respect of rice and broken rice are
hereby fixed as shown in the table annexed to this
Regulation.

Article 2

This Regulation shall enter into force on 26 May
1977.

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

Done at Brussels, 25 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 240, 1. 9. 1976, p. 8.

⁽³⁾ OJ No L 125, 19. 5. 1977, p. 11.

ANNEX

to the Commission Regulation of 25 May 1977 fixing the premiums to be added to the import levies on rice and broken rice

(u.a./tonne)

CCT heading No	Description of goods	Current 5	1st period 6	2nd period 7	3rd period 8
10.06	Rice :				
	A. Paddy rice ; husked rice :				
	I. Paddy rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Husked rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	B. Semi-milled or wholly milled rice :				
	I. Semi-milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Wholly milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	C. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 1087/77

of 24 May 1977

establishing the standard average values for customs purposes of citrus fruits and apples and pears

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 1570/70 of 3 August 1970 establishing a system of standard average values for citrus fruits⁽¹⁾, as last amended by Regulation (EEC) No 1937/74 of 24 July 1974⁽²⁾, and in particular Article 2 thereof,

Having regard to Commission Regulation (EEC) No 1641/75 of 27 June 1975 establishing a system of standard average values for the determination of the value for customs purposes of apples and pears⁽³⁾, and in particular Articles 2 and 8 thereof,

Whereas it follows from the application of the notes and criteria laid down by Regulations (EEC) No 1570/70 and (EEC) No 1641/75 to the elements

communicated to the Commission in accordance with Article 4 (1) of Regulation (EEC) No 1570/70 and Article 4 (1) of Regulation (EEC) No 1641/75 that the standard average values should be fixed as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard average values provided for in Article 2 (1) of Regulation (EEC) No 1570/70 and in Article 2 (1) of Regulation (EEC) No 1641/75 shall be as shown in the tables in the Annex.

Article 2

This Regulation shall enter into force on 27 May 1977.

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

Done at Brussels, 24 May 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ O.J. No L 171, 4. 8. 1970, p. 10.

⁽²⁾ O.J. No L 203, 25. 7. 1974, p. 25.

⁽³⁾ O.J. No L 165, 28. 6. 1975, p. 45.

COMMISSION REGULATION (EEC) No 1088/77

of 25 May 1977

on the administration of quantitative limits on imports of certain textile products originating in the Republic of Korea

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas⁽¹⁾, and in particular Articles 2 and 8 thereof,

Having regard to Council Regulation (EEC) No 2474/76 of 4 October 1976 concerning import arrangements for certain textile products originating in the Republic of Korea⁽²⁾, and in particular Article 1 thereof,

Whereas the said Article 1 sets up Community quantitative limits on imports and provides for their allocation among the Member States in accordance with the criteria indicated;

Whereas the administration of the quantitative limits requires, under the terms of the Agreement between the European Economic Community and the Republic of Korea on trade in textile products, that unused portions of ceilings established under the Agreement may be transferred to other ceilings or carried over from one year to the next, and that advance use may be made of such ceilings;

Whereas the system of bilateral control laid down in the said Agreement between the Community and Korea can be carried out only by the authorities of the Member States designated as the place of destination by the Korean authorities and against whose quota share of the Community ceiling the quantity exported has been debited by the said authorities;

Whereas, in accordance with Regulation (EEC) No 2474/76, products which enter the Community's customs territory under inward processing or other temporary admission arrangements and are re-exported in their original condition or after processing should not be debited against the Community quantitative limits;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Quota Administration Committee set up by Regulation (EEC) No 1023/70,

HAS ADOPTED THIS REGULATION:

Article 1

The quantitative limits on imports fixed in Article 1 of Council Regulation (EEC) No 2474/76 shall be allocated among the Member States as set out in Annex A hereto.

Article 2

1. The competent authorities of the Member States concerned shall authorize the import of the products referred to in Article 1 of Regulation (EEC) No 2474/76 up to the amount of the quota shares fixed in Article 1 above.

2. The competent authorities of the Member States indicated in Annex B shall authorize the import of the products referred to in Article 2 of Regulation (EEC) No 2474/76 up to the amount of the regional quantitative limits specified in the said Annex.

3. When the Commission considers that, in accordance with the Agreement, action should be taken as a result of notification given by the Korean authorities that they intend:

- to transfer, in a given year under the Agreement, unused quantities of a quantitative limit in one category to the quantitative limit for another category,
- to carry over unused quantities of a quantitative limit fixed in the Agreement to the corresponding limit fixed for the following year, or to use in anticipation part of a quantitative limit fixed for the following year,

it shall so inform the Member States, which shall authorize imports in excess of the limits fixed in paragraphs 1 and 2 up to the amount of the quantities indicated by the Commission.

Article 3

The authorities of the Member State whose territory is designated as the place of destination on the export licence shall authorize the import of the products referred to in Article 2 automatically and without

⁽¹⁾ OJ No L 124, 8. 6. 1970, p. 1.

⁽²⁾ OJ No L 282, 13. 10. 1976, p. 1, and the corrigendum published in OJ No L 299, 29. 10. 1976, p. 37.

délay up to the amount of the limits laid down in Article 2, on presentation by the importer of a copy certified by the Korean authorities of a valid export licence and on condition that each delivery of products is accompanied by a certificate indicating that the dispatch is covered by an export licence issued by the Korean authorities.

In order to be valid the export licence must be issued by the Korean authorities and must contain the information specified in Annex C.

Article 4

1. Authorization shall be required for the clearance for consumption of products imported under inward processing or under some other temporary admission arrangements. After consultation with the Commission, Member States shall debit the quantities in ques-

tion against the quota shares or quantitative regional limits in accordance with the Agreement.

2. Where Member States ascertain that imports of products referred to in this Regulation have been debited against the quota shares established in Article 1 or against the regional limits specified in Annex B but that these products, in the same state or after processing, have subsequently been re-exported outside the Community, they shall inform the Commission of the quantities involved and authorize imports of the same quantities, which shall not be so debited.

Article 5

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

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

Done at Brussels, 25 May 1977.

For the Commission

Wilhelm HAFERKAMP

Vice-President

ANNEX A

Category	CCT heading No	NIMEXE code (1977)	Description	Units	Region	Quantitative limits	
						1976	1977
1	55.09	55.09 all codes	Other woven fabrics of cotton	1 000 kg	FRG	1 968	2 205
	56.07	56.07-01; 04; 05; 07; 08; 11; 13; 14; 16; 17; 18; 21; 23; 24; 26; 27; 28; 32; 33; 34; 36	Woven fabrics of man-made fibres (discontinuous or waste): A. Of synthetic textile fibres		F I BNL UK IRL DK EEC	1 049 1 791 1 933 1 714 (b) 45 497 8 997	1 208 1 821 1 943 1 898 (b) 52 500 9 627
1a (a)	ex 55.09	55.09-03; 04; 05; 51; 52; 53; 54; 55; 56; 57; 59; 61; 63; 64; 65; 66; 67; 69; ex 71; 81; 82; 83; 84; 86; 87; 92; 93; 97	Other woven fabrics of cotton: — Other than unbleached and bleached	1 000 kg	FRG	250	276
	56.07	56.07-ex 01; 05; 07; 08; 13; 14; 16; 18; 21; 23; 26; 27; 28; 33; 34; 36	Woven fabrics of man-made fibres (discontinuous or waste): ex A. Of synthetic textile fibres: — Other than unbleached and bleached		F I BNL UK IRL DK EEC	160 202 91 253 (b) 25 27 1 008	176 207 100 265 (b) 25 30 1 079
2	56.05	56.05-12; 14; 22; 24; 31; 33; 35; 37	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale: ex A. Of synthetic textile fibres: — Containing 85% or more by weight of synthetic textile fibres	1 000 kg	FRG F I BNL UK IRL DK EEC	2 533 456 288 313 1 295 55 604 5 544	2 586 542 344 362 1 378 58 607 5 877

Category	CCT heading No	NIMEXE code (1977)	Description	Units	Region	Quantitative limits	
						1976	1977
3	ex 60.04	60.04-ex 11; 13; ex 19; ex 29; ex 35; 41; ex 49; ex 59; ex 70; ex 80	Undergarments, knitted or crocheted, not elastic or rubberized: — Shirts/undershirts, T-shirts, singlets and the like, other than of silk or wool or other waste silk or of flax or ramie	1 000 units (c)	FRG F I BNL UK IRL DK EEC	2 838	3 037
						2 466	2 535
						437	551
						1 511	1 554
						1 708	1 995
						195	196
						145	176
						9 300	10 044
4	60.05	60.05-01; ex 04; 22; 23; 26; 27; ex 29; 31; 32; 35; 37; ex 39	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: ex A. Outer garments and clothing accessories, other than of silk or wool or other waste silk or of flax or ramie: — Jerseys and pullovers, slip-overs, twinsets, cardigans, bedjackets and jumpers	1 000 items	FRG F I BNL UK IRL DK EEC	5 240	5 643
						740	858
						450	591
						7 434	7 471
						11 860	11 919
						295	301
						281	307
						26 300	27 090
5	ex 61.01	61.01-01; ex 41; ex 43; ex 45; ex 48	Men's and boys' outer garments: — Raincoats of the overcoat type, other than of silk or wool or other waste silk or of flax or ramie (d)	1 000 items	FRG F I BNL UK IRL DK EEC	1 974	1 994
						86	123
						535	571
						635	645
						850	908
						49	50
						22	26
						4 151	4 317
	61.02	61.02-ex 36; ex 37; ex 38; ex 39	Women's, girls' and infants' outer garments: ex B. Other than babies' garments: — Raincoats of the overcoat type, other than of silk or wool or other waste silk or of flax or ramie (d)				

Category	CCT heading No	NIMEXE code (1977)	Description	Units	Region	Quantitative limits	
						1976	1977
6	ex 61.01	61.01-62; 64; 66; ex 68; 72; 74; 76; ex 78	Men's and boys' outer garments : — Trousers, breeches and the like, other than of silk or noil or other waste silk or of flax or ramie Women's, girls' and infants' outer garments : ex B. Other than babies' garments : — Trousers, jeans, shorts and the like, other than of silk or noil or other waste silk or of flax or ramie	1 000 items	FRG F I BNL UK IRL DK EEC	1 373	1 426
	61.02	61.02-66; 68; 72; ex 74; ex 86; ex 88; ex 92; ex 94				304 206 906 987 34 190 4 000	366 249 911 1 056 38 194 4 240
7	ex 61.01	61.01-34; 36; 37; ex 38; 51; 54; 57; ex 58	Men's and boys' outer garments : — Other than of silk or noil or other waste silk or of flax or ramie : — Suits — Jackets, blazers and the like (f)	1 000 units (e)	FRG F I BNL UK IRL DK EEC	2 997	3 014
						168 100 821 875 20 299 5 280	252 150 873 1 137 28 301 5 755
8	61.02	61.02-78; 82; ex 84	Women's, girls' and infants' outer garments : ex B. Other than babies' garments : — Shirts and blouses, other than of silk or noil or other waste silk or of flax or ramie	1 000 units	FRG F I BNL UK IRL DK EEC	2 041	2 194
						215 212 1 979 2 140 30 383 7 000	300 293 1 989 2 217 36 391 7 420

Category	CCT heading No	NIMEXE code (1977)	Description	Units	Region	Quantitative limits	
						1976	1977
9	ex 61.03	61.03-11; 15; ex 19	Men's and boys' under garments, including collars, shirt fronts and cuffs: — Shirts, other than of silk or other waste silk or of flax or ramie	1 000 units	FRG F I BNL UK IRL DK EEC	20 230 564 570 6 119 3 073 121 323 31 000	20 331 734 737 6 150 3 340 131 352 31 775

Footnotes to Annex A

- (a) The fixed quotas for the products under category 1a are sub-quotas with regard to the fixed quotas for the products under category 1.
- (b) Inside this limit, a sub-limit is fixed for the United Kingdom and for the subheading 'woven fabrics of man-made fibres' at 20 % of the total fixed for the amounts for 1 and 1a respectively.
- (c) Shirts and T-shirts are regarded as one unit, undershirts, singlets and the like as half a unit.
- (d) This description covers three-quarter length or longer coats or overcoats made of a textile fabric treated either by impregnation, coating, covering or otherwise, so as to become waterproof or shower resistant, other than coats or overcoats whose principal objective is protection against the cold.
- (e) Suits are, for this purpose, counted as two units each.
- (f) It is to be noted that this category excludes garments such as 'anoraks' or 'parkas' made of impregnated or coated fabrics which are proper to NIMEXE codes (1977): 61.01-27; 28; ex 32.

ANNEX B

QUANTITATIVE LIMITS REFERRED TO IN ARTICLE 2

Category	CCT heading No	NIMEXE code (1977)	Description	Units	Region	Quantitative limits	
						1976	1977
10	51.04	51.04-03; 05; 07; 11; 13; 15; 17; 18; 21; 23; 25; 26; 27; 28; 32; 34; 36; 42; 44; 46; 48	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02; A. Woven fabrics of man-made fibres	1 000 kg 1 000 m ²	BNL UK	350 14 000	374 14 980
11	ex 60.02	60.02-ex 40 60.02-60	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized: — Gloves, other than of silk or wool or other waste silk or of flax or ramie or coated with artificial plastic materials — Other: — Of synthetic textile fibres	1 000 pairs	F	2 750	2 819
12	ex 60.03	60.03-ex 25; ex 27	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized: — Of synthetic textile fibres: — Other than women's stockings	1 000 pairs	BNL DK FRG F	12 000 175 41 564 1 500	12 300 187 41 843 1 605
13	60.05	60.05-04; 06; 07; 08; ex 09; 11; 13; ex 15; 16; 17; ex 19; 41; 42; 43; 44; ex 49; 51; 52; 54; ex 58; 61; 62; ex 69; 71; 72; 73; 74; ex 75; 78; ex 79; 81; 82; 83; 84; ex 85; 86; 87; ex 89	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: ex A. Outer garments and clothing accessories, other than of silk or wool or other waste silk or of flax or ramie: — Other than jerseys, pull-overs, slip-overs, twinsets, cardigans, bed-jackets and jumpers	1 000 kg	UK	300	321

Category	CCT heading No	NIMEXE code (1977)	Description	Units	Region	Quantitative limits	
						1976	1977
14	ex 61.04	61.04-11; 91	Women's, girls' and infants' under garments : — Of synthetic textile fibres	1 000 articles	IRL	60	64
15	ex 60.03	60.03-11; 19; 30; 90	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized : — Other than of synthetic textile fibres	1 000 pairs	FRG	1 356	4 480
16	ex 60.04	60.04-33	Under garments, knitted or crocheted, not elastic or rubberized : — Panty hose (tights) : — Of synthetic textile fibres : — Other than of a yarn of 6-6 tex or less	1 000 pairs	FRG	1 400	4 620
17	ex 62.02	62.02-71	Bed linen, table linen, toilet linen and kitchen linen : curtains and other furnishing articles : — Toilet linen and kitchen linen : — Of cotton : — Of terry towelling and similar terry fabrics	1 000 kg	FRG	138	456

ANNEX C

DETAILS REFERRED TO IN ARTICLE 3 (2)

The export licences issued by the authorities of the Republic of Korea in respect of the products subject to restraint under this Regulation shall specify or contain :

1. destination, in particular the Member State receiving the products,
2. serial number,
3. importer's name and address,
4. exporter's name and address,
5. quantity in the units specified in Annexes A and B and, where the quantity is expressed other than in weight, the equivalent weight calculated in accordance with the table of equivalencies set out below,
6. category from which the product has been debited by the authorities of the Republic of Korea and description of the product,
7. certification by the Republic of Korea that the quantity has been debited from the agreed ceiling for exports to the Community or, where appropriate, is intended for immediate re-export or for processing and subsequent re-export outside the Community,
8. year during which the products were exported i.e. loaded in Korea for export.

Table of equivalencies

Category	CCCN heading No	Description	Ratio of equivalence
3	ex 60.04	— Shirts undervests and T-shirts, knitted or crocheted	6.4 units/kg
		— Singlets, knitted or crocheted	12.8 units/kg
4	ex 60.05	Jerseys, pullovers, slipovers, twinsets, cardigans, bed jackets and jumpers, knitted or crocheted	5.18 items/kg
5	ex 61.01 ex 61.02	Raincoats of the overcoat type	1.29 items/kg
6	ex 61.01 ex 61.02	Men's, boys', women's, girls' and infants' trousers, jeans, breeches, shorts and the like	2.47 items/kg
7	ex 61.01	— Men's and boys' jackets, blazers and the like	1.40 items/kg
		— Men's and boys' suits	0.70 unit/kg
8	ex 61.02	Women's, girls' and infants' shirts and blouses	5.55 items/kg
9	ex 61.03	Men's and boys' shirts	4.60 items/kg
10	ex 60.02	Gloves	11.5 pairs/kg

COMMISSION REGULATION (EEC) No 1089/77

of 25 May 1977

on detailed rules of application for granting special aid for skimmed milk for use as feed for animals other than young calves

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 559/76⁽²⁾, and in particular Articles 10 (3) and 28 thereof,

Whereas Article 2a (4) of Council Regulation (EEC) No 986/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed⁽³⁾, as last amended by Regulation (EEC) No 876/77⁽⁴⁾, provides that, in order to encourage the use of skimmed milk, a special aid may be granted for the products listed in Article 2 (1) (a) and (b) of that Regulation if used as feed for animals other than young calves; whereas, because of the present situation on the market in skimmed-milk powder, the abovementioned provisions should be applied and the relevant detailed rules of application laid down;

Whereas, in the case of skimmed milk supplied by dairies to farmers, the granting of the special aid should be subject to the conclusion of a contract between the dairy and the farmer which meets certain conditions; whereas such supplies should be subject to a maximum price;

Whereas, to ensure the effectiveness of this measure, farmers should be given some assurance as to the stability of the level of the special aid and the said maximum price by providing for them to be adjusted in the event of a change in the intervention price for skimmed-milk powder or in the prices of competing proteins;

Whereas, in order to ascertain the quantities of skimmed milk supplied by a dairy under this Regulation, the monthly record prescribed by Article 5 of Commission Regulation (EEC) No 1105/68 of 15 July 1968 on detailed rules for granting aid for skimmed

milk for use as feed⁽⁵⁾, as last amended by Regulation (EEC) No 541/76⁽⁶⁾, should be adapted; whereas, to ensure that the skimmed milk is used for the purpose intended, provision should be made for its denaturing or for an equivalent administrative control in addition to the treatment prescribed in Article 2 (2) of Regulation (EEC) No 986/68; whereas special rules should be made for skimmed milk supplied to mixed farms where calves are also kept; whereas, moreover, under Article 10 of Regulation (EEC) No 1105/68, Member States shall take the supervisory measures necessary to ensure that the conditions governing the granting of the special aid are fulfilled; whereas any breach should be punished by penal or administrative measures laid down by the Member States; whereas it is desirable that these consequences should be mentioned in the contracts;

Whereas the special aid may also be granted for skimmed milk used to feed animals other than young calves on the farm where it has been manufactured; whereas special provision should be made for this type of case to ensure that this use of skimmed milk is complied with;

Whereas, since Council Regulation (EEC) No 1807/76 of 20 July 1976 on the granting of special aid for liquid skimmed milk for use as feedingstuffs for certain animals in regions affected by drought⁽⁷⁾, as amended by Regulation (EEC) No 877/77⁽⁸⁾, applies only until 31 May 1977, Commission Regulation (EEC) No 2067/76 of 20 August 1976 on detailed rules for the granting of special aid for skimmed milk for use as feed in regions particularly affected by drought⁽⁹⁾, should be repealed;

Whereas, as regards the information concerning aids for skimmed milk to be communicated by the Member States, Commission Regulation (EEC) No 210/69 of 31 January 1969 on communications between Member States and the Commission with regard to milk and milk products⁽¹⁰⁾, as last amended by Regulation (EEC) No 706/77⁽¹¹⁾, should be amended accordingly;

(1) OJ No L 148, 28. 6. 1968, p. 13.

(2) OJ No L 67, 15. 3. 1976, p. 9.

(3) OJ No L 169, 18. 7. 1968, p. 4.

(4) OJ No L 106, 29. 4. 1977, p. 24.

(5) OJ No L 184, 29. 7. 1968, p. 24.

(6) OJ No L 64, 12. 3. 1976, p. 11.

(7) OJ No L 202, 28. 7. 1976, p. 1.

(8) OJ No L 106, 29. 4. 1977, p. 26.

(9) OJ No L 230, 21. 8. 1976, p. 9.

(10) OJ No L 28, 5. 2. 1969, p. 1.

(11) OJ No L 86, 2. 4. 1977, p. 13.

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

1. Special aid shall be granted for skimmed milk referred to in Article 2 (1) (a) and (b) of Regulation (EEC) No 986/68, if it is used as feed for animals other than young calves.
2. The amount of the special aid shall be 5.5 units of account per 100 kilograms of skimmed milk.

Article 2

1. For the purposes of this Regulation :
 - (a) 'specialized farm' means a farm keeping pigs and/or any other animals except young calves ;
 - (b) 'mixed farm' means a farm keeping both young calves and other animals ;
 - (c) 'young calves' means calves not more than five months old.
2. The rules contained in Regulation (EEC) No 1105/68 shall apply to the granting of the special aid, without prejudice to the special provisions contained herein.

Article 3

1. The following special provisions shall apply to the special aid for skimmed milk referred to in Article 2 (1) (a) of Regulation (EEC) No 986/68 :

The special aid shall only be granted to a dairy

- (a) if it has entered into a supply contract with a farmer which meets the conditions referred to in Article 4 ;
- (b) in respect of the skimmed milk supplied under such a contract, after deducting the quantity referred to in the second indent of Article 4 (2) (b) or in Article 4 (4) (b) ;
- (c) if all the skimmed milk supplied under such a contract is, at the choice of the Member State concerned,
 - denatured by acidification and, depending upon the method of analysis used, the minimum degree of acidity is :
 - Soxhlet Henkel : -20° SH,
 - Dornic : 45° Dornic,
 - Kruisher : 50° N,
 - British Standard 1741 : 0.45 % 'lactic acid',
 - or denatured by the addition of 1 gram of E 122 (Azorubin) per 1 000 kilograms of skimmed milk,

or

- subject to an administrative control giving guarantees equivalent to the abovementioned denaturing ;
- (d) if the dairy complied with a maximum ex-dairy selling price for the skimmed milk supplied under such a contract of
 - 2 units of account per 100 kilograms for skimmed milk supplied to specialized farms and in the case of mixed farms, for skimmed milk other than that for use as feed for young calves,
 - 3.5 units of account per 100 kilograms for skimmed milk supplied to mixed farms for use as feed for young calves under the provisions referred to under (b).
 2. The record of milk sold by the dairy provided for in Article 5 (2) (e) of Regulation (EEC) No 1105/68 shall show separately the quantities sold under this Regulation and shall specify the quantities corresponding to each level of aid.

Article 4

1. The supply contract shall be concluded only with a farmer managing a farm within the meaning of Article 2 (1) (a) or (b).

The contract shall be concluded for a minimum of three months and for a period which does not go beyond 31 December 1980. At the choice of the Member State concerned, it may only start to be carried out on the first day of a month or on the first Monday of a month.

2. The contract shall contain :
 - (a) the selling price or prices of the skimmed milk agreed within the maximum price limits laid down in Article 3 (1) (d) and without prejudice to any adjustments under Article 6 (2) ;
 - (b) an undertaking by the farmer :
 - to use skimmed milk supplied under the contract exclusively as animal feed on his farm,
 - in the case of mixed farms, to take delivery during the duration of the contract of a minimum quantity of skimmed milk for young calves which does not qualify for special aid ; this minimum quantity shall be calculated on the basis of a daily consumption of 8 kilograms per head and a number equal to the maximum number referred to in the first indent of paragraph 3 (c),

- to forward to the dairy, before the 10th day of each month :
 - a statement of the size of his herd on the last day of the previous month, showing where necessary calves not more than five months old separately from other animals,
 - an estimate of his herd for the current month ;
 - (c) the penal or administrative consequences fixed by the Member State concerned to which the dairy and the farmer are liable in the case of a breach of this Regulation.
3. The contract shall also contain :
- (a) an estimate of the quantity to be supplied by the dairy, either per week or per month or during the first three months of the carrying out of the contract, including where appropriate the quantity referred to in the second indent of paragraph 2 (b) ;
 - (b) in the case of specialized farms, an estimate of the minimum number of animals concerned during the first three months of the carrying out of the contract ;
 - (c) in the case of mixed farms,
 - the maximum number of young calves which the farmer undertakes not to exceed during the first three months of the carrying out of the contract,
 - an estimate of the average number of each species of animal consuming skimmed milk that will be kept during the first three months of the carrying out of the contract.

If the contract was concluded for a period exceeding three months, the farmer, at least 15 days before the end of each quarter, shall make to the dairy a declaration which shall become an integral part of the contract indicating the figures, referred to under (a), (b) and (c) valid for the following quarter or, as the case may be, for the remainder of the period if shorter.

4. Member States may decide not to apply the provisions referred to in the second and third indents of paragraph 2 (b) and in paragraph 3 for mixed farms where the farmer undertakes in the contract :

- (a) not to keep calves other than those from his own dairy cows ; and
- (b) during the validity of the contract, to take delivery of a quantity of skimmed milk not benefiting from the special aid, equal to
 - 15 % of the milk delivered by the farm to the dairy during the said period of validity, if the

- farmer undertakes not to keep the calves referred to under (a) on his farm for more than 25 days after their birth, if they are made ; or
- 30 % of of the milk delivered by the farm to the dairy during the said period of validity, if he does not give such an undertaking.

5. The contract shall be drawn up in at least three copies, one of which shall, within 10 days of its conclusion, be deposited by the dairy with the competent authority in the Member State concerned for registration.

The statements referred to in the third indent of paragraph 2 (b) shall be kept by the dairy for at least two years.

Article 5

1. With regard to the special aid for skimmed milk referred to in Article 2 (1) (b) of Regulation (EEC) No 986/68,

(a) the farmers concerned shall forward to the competent body in their Member State :

- an application in which is given the information referred to in Article 4 (3) (b) or (c),
- an undertaking immediately to notify any change in this information which might involve a change in the rate of aid ;

(b) the undertakings referred to in Article 4 (2) (b) shall apply by analogy, without prejudice to the provisions of Regulation (EEC) No 1105/68.

2. However, for the dairies referred to in Article 5a of Regulation (EEC) No 1105/68, Member States may dispense with the undertakings referred to in Article 4 (2) (b) if, without prejudice to the said Article 5a, the dairies undertake,

- (a) to keep only a pig herd and
- (b) to use the skimmed milk of their own production as feed exclusively for this herd.

Article 6

1. The amount of the aid referred to in Article 1 (2) and the level of the maximum prices referred to in Article 3 (1) (d) shall remain unchanged at least until 30 September 1977. With effect from this date, taking particular account of the price developments for competing proteins and of any changes to the intervention price of skimmed-milk powder, they shall be reviewed every three months and, if necessary, amended.

2. In the case of an amendment under paragraph 1, the contracts between the dairies and the farmers shall be adapted accordingly with effect from the date of application of the said amendment.

Article 7

In Article 4 (1) of Regulation (EEC) No 210/69 there shall be added under A. I. (a) 1. the words: 'indicating separately the quantities of skimmed milk benefiting from the special aid provided for in Regulation (EEC) No 1089/77'.

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

Done at Brussels, 25 May 1977.

Article 8

Regulation (EEC) No 2067/76 is hereby repealed with effect from 1 June 1977.

Article 9

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

It shall apply with effect from 1 June 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1090/77

of 25 May 1977

altering the basic amount of the import levy on syrups and certain other sugar products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the basic amount of the import levy on syrups and certain other sugar products was fixed by Regulation (EEC) No 903/77⁽³⁾, as amended by Regulation (EEC) No 971/77⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 903/77

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

HAS ADOPTED THIS REGULATION:

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) d) of Regulation (EEC) No 3330/74 is hereby fixed, per 100 kilograms of product, at 0.2083 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 26 May 1977.

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

Done at Brussels, 25 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 108, 30. 4. 1977, p. 22.

⁽⁴⁾ OJ No L 115, 6. 5. 1977, p. 15.

COMMISSION REGULATION (EEC) No 1091/77
of 25 May 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 1064/77⁽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 May 1977.

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

Done at Brussels, 25 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 354, 24. 12. 1976, p. 1.

⁽³⁾ OJ No L 172, 1. 7. 1976, p. 31.

⁽⁴⁾ OJ No L 128, 24. 5. 1977, p. 35.

ANNEX

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

CCT heading No	Description of goods	Levy <small>(n.a./100 kg)</small>
17.01	Beet sugar and cane sugar, solid: A. White sugar B. Raw sugar	20.83 17.48 ⁽¹⁾

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