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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 85/78**of 18 January 1978****fixing the import levies on cereals and on wheat or rye flour groats and meal**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 2560/77⁽²⁾, and in particular
Article 13 (5) thereof,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 1729/77⁽³⁾ and subsequent amending
Regulations ;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 1729/77 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 19 January
1978.

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

Done at Brussels, 18 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 5.

ANNEX

to the Commission Regulation of 18 January 1978 fixing the import levies on cereals and on wheat or rye flour groats and meal

<i>(u.a./tonne)</i>		
CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	87.29
10.01 B	Durum wheat	117.64 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	74.00 ⁽⁶⁾
10.03	Barley	77.35
10.04	Oats	68.56
10.05 B	Maize, other than hybrid maize for sowing	76.68 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	73.12 ⁽⁴⁾
10.07 C	Grain sorghum	79.81 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	133.70
11.01 B	Rye flour	115.46
11.02 A I a)	Durum wheat groats and meal	193.31
11.02 A I b)	Common wheat groats and meal	143.52

⁽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 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 86/78

of 18 January 1978

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 2560/77 ⁽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
1730/77 ⁽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 19 January
1978.

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

Done at Brussels, 18 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 7.

ANNEX

to the Commission Regulation of 18 January 1978 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	Current	1st period	2nd period	3rd period
		1	2	3	4
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
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	Current	1st period	2nd period	3rd period	4th period
		1	2	3	4	5
11.07 A I(a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I(b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II(a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II(b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 87/78
of 18 January 1978
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 organization of the market in rice ⁽¹⁾, as amended by Regulation (EEC) No 1158/77 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 11 of Regulation (EEC) No 1418/76 provides for charging an import levy on paddy rice, husked rice, semi-milled rice, wholly milled rice and broken rice; whereas, in the case of husked rice, wholly milled rice and broken rice, the levy is equal to the difference between the threshold price and the cif price; whereas, in the case of paddy rice and semi-milled rice, the levy should be derived from the levies applicable to the corresponding husked rice and wholly milled rice;

Whereas the threshold prices for husked rice, wholly milled rice and broken rice were fixed for the 1977/78 marketing year by Regulations (EEC) No 1160/77 ⁽³⁾, (EEC) No 1639/77 ⁽⁴⁾ and (EEC) No 1832/77 ⁽⁵⁾;

Whereas, for the purpose of calculating cif prices, the Commission must take account of the factors indicated in Article 16 of Regulation (EEC) No 1418/76 and in Regulation (EEC) No 1613/71 ⁽⁶⁾, as last amended by Regulation (EEC) No 59/78 ⁽⁷⁾, and in particular the most favourable purchasing opportunities on the world market which are sufficiently representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality corresponds to the standard quality fixed in Regulation (EEC) No 1423/76 ⁽⁸⁾, or whether adjustments need to be made by applying the corrective amounts provided for in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto;

Whereas, furthermore, in the case of round grain and long grain husked rice and round grain and long grain wholly milled rice, the cif price is calculated on the basis of quotations or prices on the world market relating, for each type of rice, to the products specified in Article 4 of Regulation (EEC) No 1613/71; whereas, for this calculation, the conversion rates resulting from Commission Regulation No 467/67/EEC of 21 August 1967 fixing the conversion rates, the processing costs and the value of the by-products for the various stages of rice processing ⁽⁹⁾, as last amended by Regulation (EEC) No 1572/77 ⁽¹⁰⁾, should be used where appropriate;

Whereas, when these conversions are being effected, the Commission must take account of the fact that certain offers are for rice containing a higher percentage of broken rice than that allowed for in the standard quality fixed by Regulation (EEC) No 1423/76 and, in that case, to adjust the offers so as to conform with the value of one kilogramme of broken rice as fixed by Regulation No 467/67/EEC, as amended by Regulation (EEC) No 1808/74; whereas no adjustment is made, however, if the prices for husked rice and semi-milled or wholly milled rice taken into consideration are lower than those provided for in the last subparagraph of Article 4 of Regulation No 467/67/EEC;

Whereas Regulation (EEC) No 1613/71 requires the Commission to take account of the fact that certain offers are for delivery cost and freight or relate to a product put up in bags and, if this is the case, to adjust such offers by applying the rates or amounts fixed by the abovementioned Regulation to make the offers comparable to offers for delivery cif or relating to a product presented in bulk;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned factors, offers made for other ports being adjusted, account being taken of the corrections necessitated by the difference in transport charges in relation to Rotterdam;

Whereas, if the conditions provided for Article 1 (3) of Regulation (EEC) No 1613/71 obtain, the cif price may be calculated on the basis of offers for delivery during the following month or may be retained unaltered for a limited period;

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 136, 2. 6. 1977, p. 13.

⁽³⁾ OJ No L 136, 2. 6. 1977, p. 16.

⁽⁴⁾ OJ No L 183, 22. 7. 1977, p. 4.

⁽⁵⁾ OJ No L 202, 9. 8. 1977, p. 14.

⁽⁶⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁷⁾ OJ No L 10, 13. 1. 1978, p. 11.

⁽⁸⁾ OJ No L 166, 25. 6. 1976, p. 20.

⁽⁹⁾ OJ No 204, 24. 8. 1967, p. 1.

⁽¹⁰⁾ OJ No L 174, 14. 7. 1977, p. 26.

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States or of the 'overseas countries and territories', the levy relating to them must, pursuant to Regulation (EEC) No 706/76⁽¹⁾, as last amended by Regulation (EEC) No 3013/77⁽²⁾, be reduced by a fixed amount and by an amount corresponding to 50 % of the levy relating to third countries; whereas the levy must be further reduced in the case of semi-milled and wholly milled rice; whereas the charging of this levy is subject to conditions, some of which are set out in Article 9 of Council Regulation (EEC) No 706/76 of 30 March 1976;

Whereas Council Regulation (EEC) No 1553/71 of 19 July 1971⁽³⁾ altered the definitions given in Annex A to Regulation (EEC) No 1418/76 and incorporated in Supplementary Notes 2 and 3E to Chapter 10 of the Common Customs Tariff;

Whereas, in accordance with Article 20 (1) of Regulation (EEC) No 1418/76, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

Whereas levies are fixed once a week and are altered in the intervening period to take account of variations in threshold prices or in the factors used to determine cif prices; whereas, in the case of husked rice, wholly milled rice and broken rice, the levies are altered only if variations in the factors used to calculate the levy entail an increase or a reduction of at least one unit of account per tonne in the amount of the levy in force;

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

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

Whereas it follows from applying all the abovementioned provisions that the levies should be fixed 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 19 January 1978.

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

Done at Brussels, 18 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 85, 31. 3. 1976, p. 2.

⁽²⁾ OJ No L 355, 31. 12. 1977, p. 31.

⁽³⁾ OJ No L 164, 22. 7. 1971, p. 5.

ANNEX

to the Commission Regulation of 18 January 1978 fixing the import levies on rice and broken rice

(u.a./tonne)

CCT heading No	Description	Third countries	ACP or OCT ⁽¹⁾ / ⁽²⁾
10.06	Rice :		
	A. Paddy rice ; husked rice :		
	I. Paddy rice :		
	a) Round grain	53.96	23.98
	b) Long grain	65.13	29.57
	II. Husked rice :		
	a) Round grain	67.45	30.73
	b) Long grain	81.41	37.71
	B. Semi-milled or wholly milled rice :		
	I. Semi-milled rice :		
	a) Round grain	119.37	49.79
	b) Long grain	208.25	94.26
	II. Wholly milled rice :		
	a) Round grain	127.13	53.32
	b) Long grain	223.25	101.38
	C. Broken rice :	73.91	34.46

⁽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 88/78

of 18 January 1978

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⁾, as amended by Regula-
tion (EEC) No 1158/77⁽²⁾, 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 1954/77⁽³⁾, as last amended by Regulation (EEC)
No 46/78⁽⁴⁾;

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 19 January
1978.

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

Done at Brussels, 18 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 136, 2. 6. 1977, p. 13.

⁽³⁾ OJ No L 223, 1. 9. 1977, p. 8.

⁽⁴⁾ OJ No L 9, 12. 1. 1978, p. 7.

ANNEX

to the Commission Regulation of 18 January 1978 fixing the premiums to be added to the import levies on rice and broken rice

(u.a. / tonne)

CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4
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 89/78**of 17 January 1978****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 20 January
1978.

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

Done at Brussels, 17 January 1978.

For the Council

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 171, 4. 8. 1970, p. 10.

⁽²⁾ OJ No L 203, 25. 7. 1974, p. 25.

⁽³⁾ OJ No L 165, 28. 6. 1975, p. 45.

ANNEX

Table I: Citrus fruits

Code	Description	Amount of standard average values/100 kg gross							
		Bfrs/Lfrs	Dkr	DM	FF	£ Irish	Lit	Fl	£ sterling
1.	Lemons :								
1.1	— Spain	858	150.61	55.41	122.64	13.51	22 826	59.29	13.51
1.2	— Tunisia, Morocco, Algeria	—	—	—	—	—	—	—	—
1.3	— Countries in southern Africa	966	169.54	62.38	138.06	15.21	25 696	66.75	15.21
1.4	— Other African countries and countries on the Mediterranean	1 149	201.75	74.23	164.29	18.09	30 577	79.43	18.09
1.5	— USA	1 393	244.49	89.95	199.09	21.93	37 055	96.26	21.93
1.6	— Other countries	—	—	—	—	—	—	—	—
2.	Sweet oranges :								
2.1	— Countries on the Mediterranean :								
2.1.1	— Navels (with the exception of Navel sanguines), Navelines, Navelates, Salus- tianas, Vernas, Valencia lates, Maltese blondes, Shamoutis, Ovalis, Trovita, Hamllins	853	149.77	55.10	121.95	13.43	22 698	58.96	13.43
2.1.2	— Sanguines and semi-sanguines, including Navel sanguines and Maltese sanguines . .	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾
2.1.3	— Other	653	114.60	42.16	93.31	10.28	17 368	45.11	10.28
2.2	— Countries in southern Africa	—	—	—	—	—	—	—	—
2.3	— USA	1 017	178.58	65.70	145.42	16.02	27 065	70.31	16.02
2.4	— Brazil	—	—	—	—	—	—	—	—
2.5	— Other countries	618	108.48	39.91	88.33	9.73	16 440	42.70	9.73
3.	Grapefruit and pomelos :								
3.1	— Tunisia, Morocco, Algeria	—	—	—	—	—	—	—	—
3.2	— Cyprus, Israel, Gaza, Egypt, Turkey	922	161.85	59.55	131.79	14.51	24 530	63.72	14.51
3.3	— Countries in southern Africa	—	—	—	—	—	—	—	—
3.4	— USA	943	165.59	60.92	134.84	14.85	25 097	65.19	14.85
3.5	— Other American countries	688	120.80	44.44	98.36	10.83	18 307	47.55	10.83
3.6	— Other countries	—	—	—	—	—	—	—	—
4.	Clementines	1 582	277.66	102.16	226.10	24.90	42 081	109.31	24.90
5.	Mandarines including wilkings	—	—	—	—	—	—	—	—
6.	Monreales and satsumas	1 042	183.00	67.33	149.01	16.41	27 734	72.04	16.41
7.	Tangerines	—	—	—	—	—	—	—	—

⁽¹⁾ The standard average value for this code number is established by Regulation (EEC) No 2084/77 of 21 September 1977 (OJ No L 244 of 23. 9. 1977).

Table II: Apples and pears

8.	Apples :								
8.1	— Countries of the southern hemisphere	—	—	—	—	—	—	—	—
8.2	— European third countries	1 169	205.16	75.48	167.06	18.40	31 094	80.77	18.40
8.3	— Countries of the northern hemisphere other than European countries	1 829	321.02	118.11	261.41	28.79	48 653	126.39	28.79
9.	Pears :								
9.1	— Countries of the southern hemisphere	—	—	—	—	—	—	—	—
9.2	— European third countries	—	—	—	—	—	—	—	—
9.3	— Countries of the northern hemisphere other than European countries	1 689	296.46	109.07	241.41	26.59	44 930	116.71	26.59

COMMISSION REGULATION (EEC) No 90/78
of 18 January 1978
fixing the sluice-gate prices and levies for eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as amended by Regulation (EEC) No 368/76⁽²⁾, and in particular Articles 3 and 7 (1) thereof,

Whereas sluice-gate prices and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75 must be fixed quarterly in advance in accordance with the methods of calculation laid down in Council Regulation (EEC) No 2773/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for eggs⁽³⁾, as last amended by Regulation (EEC) No 2300/77⁽⁴⁾;

Whereas since sluice-gate prices and levies for eggs were, by Regulation (EEC) No 2275/77⁽⁵⁾, last fixed for the period 1 November 1977 to 31 January 1978, they must be fixed anew for the period 1 February to 30 April 1978; whereas such prices and levies should in principle be calculated by reference to feed-grain prices for the period 1 August to 31 December 1977;

Whereas, when the sluice-gate prices applicable from 1 November, 1 February and 1 May are being fixed, changes in world market prices for feed grain are to be taken into account only if the price of the quantity of feed grain required varies by at least a specified minimum in relation to that used to calculate the sluice-gate price for the preceding quarter; whereas, by Regulation (EEC) No 2773/75, the minimum was set at 3 %;

Whereas the price of the quantity of feed grain required varies by more than 3 % from that used for the preceding quarter; whereas this variation must accordingly be taken into account in fixing sluice-gate prices for the period 1 February to 30 April 1978;

Whereas, when the levies applicable from 1 November, 1 February and 1 May are being fixed, world market prices for feed grain are to be taken into account only if at the same time a new sluice-gate price is fixed;

Whereas, since a new sluice-gate price is to be fixed, changes in world market prices for feed grain must be taken into account in fixing the levies;

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

HAS ADOPTED THIS REGULATION:

Article 1

The levies provided for in Article 3 of Regulation (EEC) No 2771/75 in respect of the products specified in Article 1 (1) of that Regulation, and the sluice-gate prices provided for in Article 7 thereof in respect of the like products, shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1978.

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

Done at Brussels, 18 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 45, 21. 2. 1976, p. 2.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 64.

⁽⁴⁾ OJ No L 271, 22. 10. 1977, p. 6.

⁽⁵⁾ OJ No L 262, 15. 10. 1977, p. 36.

ANNEX

Sluice-gate prices and levies for eggs for the period 1 February to 30 April 1978

CCT heading No	Description	Sluice-gate price	Levy
1	2	3	4
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not :	u.a./100 units	u.a./100 units
	A. Eggs in shell, fresh or preserved :		
	I. Poultry eggs :		
	a) Eggs for hatching (a) :		
	1. Of turkeys or geese	33.40	5.33
	2. Other	8.38	2.59
		u.a./100 kg	u.a./100 kg
	b) Other	64.34	25.50
	B. Eggs, not in shell ; egg yolks :		
	I. Suitable for human consumption :		
a) Eggs, not in shell :			
1. Dried	264.72	115.26	
2. Other	70.28	29.58	
b) Egg yolks :			
1. Liquid	142.90	52.02	
2. Frozen	152.23	55.59	
3. Dried	315.23	119.34	

(a) Only poultry eggs which fulfil the conditions stipulated by the competent authorities of the European Communities are eligible for entry under this subheading.

COMMISSION REGULATION (EEC) No 91/78

of 18 January 1978

fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin⁽¹⁾, and in particular Article 2(2) and the second subparagraph of Article 5(5) thereof,

Whereas the sluice-gate prices and import duties for the products specified in Article 1 of Regulation (EEC) No 2783/75 must be fixed quarterly in advance in accordance with the methods of calculation laid down in Commission Regulation (EEC) No 1606/77 of 19 July 1977 fixing sluice-gate prices and import duties for ovalbumin and lactalbumin⁽²⁾;

Whereas since sluice-gate prices and import duties for ovalbumin and lactalbumin were, by Regulation (EEC) No 2276/77⁽³⁾, last fixed for the period 1 November 1977 to 31 January 1978, they must be fixed anew for the period 1 February to 30 April 1978; whereas such prices and duties should be calculated by reference to the sluice-gate price and levy applicable to eggs in shell during the same period;

Whereas these have been fixed by Commission Regulation (EEC) No 90/78 of 18 January 1978 fixing the sluice-gate prices and levies for eggs⁽⁴⁾;

Whereas the sluice-gate price and levy applicable to eggs in shell have been altered by the said Regulation; whereas it is therefore necessary likewise to alter the sluice-gate prices and import duties for ovalbumin and lactalbumin fixed by Regulation (EEC) No 2276/77;

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

HAS ADOPTED THIS REGULATION:

Article 1

The import duties provided for in Article 2 of Regulation (EEC) No 2783/75, in respect of the products specified in Article 1 of that Regulation, and the sluice-gate prices provided for in Article 5 thereof in respect of the like products, shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1978.

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

Done at Brussels, 18 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 104.

⁽²⁾ OJ No L 179, 19. 7. 1977, p. 21.

⁽³⁾ OJ No L 262, 15. 10. 1977, p. 38.

⁽⁴⁾ See page 12 of this Official Journal.

ANNEX

Sluice-gate prices and import duties for ovalbumin and lactalbumin for the period
1 February to 30 April 1978

CCT heading No	Description	Sluice-gate price	Import duty
1	2	3	4
		u.a./100 kg	u.a./100 kg
35.02	Albumins, albuminates and other albumin derivatives : A. Albumins : II. Other (than unfit or rendered unfit for human consumption) : a) Ovalbumin and lactalbumin : 1. Dried (for example, in sheets, scales, flakes, powder) 2. Other	 304.74 40.82	 103.53 14.03

COMMISSION REGULATION (EEC) No 92/78
of 18 January 1978
fixing the sluice-gate prices and levies for poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as amended by Regulation (EEC) No 369/76⁽²⁾, and in particular Articles 3 and 7(1) thereof,

Whereas the sluice-gate prices and levies for the products specified in Article 1(1) of Regulation (EEC) No 2777/75 must be fixed quarterly in advance in accordance with methods of calculation laid down in Council Regulation (EEC) No 2778/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for poultrymeat⁽³⁾, as last amended by Regulation (EEC) No 2299/77⁽⁴⁾;

Whereas since the sluice-gate prices and levies for poultrymeat were, by Regulation (EEC) No 2277/77⁽⁵⁾, last fixed for the period 1 November 1977 to 31 January 1978, they must be fixed anew for the period 1 February to 30 April 1978; whereas such prices and levies should in principle be calculated by reference to feed-grain prices for the period 1 August to 31 December 1977;

Whereas, when the sluice-gate prices applicable from 1 November, 1 February and 1 May are being fixed, trends in world market prices for feed grain are to be taken into account only if the price of the quantity of feed grain required varies by at least a specified minimum in relation to that used to calculate the sluice-gate price for the preceding quarter; whereas, by Regulation (EEC) No 2778/75, this minimum was set at 3 %;

Whereas the price of the quantity of feed grain required varies by more than 3 % from that used for

the preceding quarter; whereas this variation must accordingly be taken into account in fixing sluice-gate prices for the period 1 February to 30 April 1978;

Whereas, when the levies applicable from 1 November, 1 February and 1 May are being fixed, changes in world market prices for feed grain should be taken into account only if at the same time a new sluice-gate price is fixed;

Whereas, since a new sluice-gate price is to be fixed, changes in world market prices for feed grain must be taken into account in fixing the levies;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In respect of the products specified in Article 1(1) of Regulation (EEC) No 2777/75, the levies provided for in Article 3 thereof and the sluice-gate prices provided for in Article 7 thereof shall be as shown in the Annex hereto.

2. Provided that, in the case of products, falling within heading No 02.03 and within subheading 15.01 B or 16.02 B I of the Common Customs Tariff, in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

Article 2

This Regulation shall enter into force on 1 February 1978.

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

Done at Brussels, 18 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 45, 21. 2. 1976, p. 3.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 84.

⁽⁴⁾ OJ No L 271, 22. 10. 1977, p. 1.

⁽⁵⁾ OJ No L 262, 15. 10. 1977, p. 40.

ANNEX

Sluice-gate prices and levies for poultrymeat for the period 1 February to 30 April 1978

CCT heading No	Description	Sluice-gate price	Levy
1	2	3	4
		u.a./100 units	u.a./100 units
01.05	Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea fowls :		
	A. Of a weight not exceeding 185 g, known as 'chicks' :		
	I. Turkeys and geese	66.20	7.91
	II. Other	17.41	4.43
		u.a./100 kg	u.a./100 kg
	B. Other :		
	I. Fowls	58.21	16.74
	II. Ducks	70.13	24.26
	III. Geese	85.72	22.51
	IV. Turkeys	74.39	18.58
V. Guinea fowls	97.31	28.54	
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled, or frozen :		
	A. Whole poultry :		
	I. Fowls :		
	a) Plucked and gutted, with heads and feet, known as '83 % chickens'	73.13	21.04
	b) Plucked and drawn, without heads and feet, but with hearts, livers and gizzards, known as '70 % chickens'	83.15	23.92
	c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens'	90.60	26.06
	II. Ducks :		
	a) Plucked, bled, not drawn or gutted, with heads and feet, known as '85 % ducks'	82.51	28.54
	b) Plucked and drawn, without heads and feet, with hearts, livers and gizzards, known as '70 % ducks'	100.19	34.65
	c) Plucked and drawn, without heads and feet, without hearts, livers and gizzards, known as '63 % ducks'	111.33	38.50
	III. Geese :		
	a) Plucked, bled, not drawn, with heads and feet, known as '82 % geese'	122.45	32.16
	b) Plucked and drawn, without heads and feet, with or without hearts and gizzards, known as '75 % geese'	113.88	33.76
	IV. Turkeys	106.27	26.54
	V. Guinea fowls	139.02	40.77

CUT heading No	Description	Sluice-gate price	Levy
1	2	3	4
		u.a./100 kg	u.a./100 kg
02.02 (cont'd)	B. Poultry cuts (excluding offals) :		
	I. Boned or boneless	217.00	63.86
	II. Unboned (bone-in) :		
	a) Halves or quarters :		
	1. Of fowls	99.66	28.67
	2. Of ducks	122.46	42.35
	3. Of geese	125.27	37.14
	4. Of turkeys	116.90	29.19
	5. Of guinea fowls	152.92	44.85
	b) Whole wings, with or without tips	70.53	20.75
	c) Backs, necks, backs with necks attached, rumps and wing tips	48.83	14.37
	d) Breasts and cuts of breasts :		
	1. Of geese	170.82	50.64
	2. Of turkeys	175.35	43.79
	3. Of other poultry	137.20	39.47
	e) Legs and cuts of legs :		
	1. Of geese	165.13	48.95
	2. Of turkeys :		
	aa) Drumsticks and cuts of drumsticks	95.64	23.89
	bb) Other	164.72	41.14
	3. Of other poultry	128.88	37.08
	f) Other	217.00	63.86
	C. Offals	48.83	14.37
02.03	Poultry live, fresh, chilled, frozen, salted or in brine :		
	A. Foie gras (goose or duck)	1224.50	321.60
	B. Other	124.78	36.72
02.05	Pig fat, free of lean meat and poultry fat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked :		
	C. Poultry fat	108.50	31.93
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted :		
	B. Poultry fat	130.20	38.32
16.02	Other prepared or preserved meat or meat offal :		
	B. Other :		
	I. Poultrymeat or offal :		
	a) Containing 57 % or more by weight of poultrymeat (a)	238.70	70.25
	b) Containing 25 % or more but less than 57 % by weight of poultrymeat (a)	130.20	38.32
	c) Other	75.95	22.35

(a) For the purpose of determining the percentage of poultrymeat, weight of any bones shall be disregarded.

COMMISSION REGULATION (EEC) No 93/78

of 18 January 1978

abolishing the countervailing charge on imports of certain varieties of sweet oranges 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 1034/77⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 21/78 of 5 January 1978⁽³⁾ introduced a countervailing charge on imports of certain varieties of sweet oranges originating in Greece ;

Whereas the present trend of prices for Greek products on the representative markets referred to in Regulation (EEC) No 2118/74⁽⁴⁾, as amended by

Regulation (EEC) No 385/75⁽⁵⁾, recorded or calculated in accordance with the provisions of Article 5 of that Regulation, indicates that entry prices have been at least equal to the reference price for two consecutive market days ; whereas the conditions specified in the second indent of 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 21/78 is hereby repealed.

Article 2

This Regulation shall enter into force on 19 January 1978.

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

Done at Brussels, 18 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 125, 19. 5. 1977, p. 1.

⁽³⁾ OJ No L 4, 6. 1. 1978, p. 12.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 44, 18. 2. 1975, p. 8.

COMMISSION REGULATION (EEC) No 94/78
of 18 January 1978
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2560/77⁽²⁾, and in particular Article 27 (4) thereof,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 1443/77⁽³⁾, as last amended by Regulation (EEC) No 48/78⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1443/77

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

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC is hereby fixed as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 19 January 1978.

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

Done at Brussels, 18 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 161, 1. 7. 1977, p. 31.

⁽⁴⁾ OJ No L 9, 12. 1. 1978, p. 11.

*ANNEX***to the Commission Regulation of 18 January 1978 fixing the amount of the subsidy on oil seeds**

Subsidy applicable from 19 January 1978 to colza and rape seeds (CCT heading No ex 12.01) and sunflower seeds (CCT heading No ex 12.01) (u.a./100 kg)

	Colza and rape seed	Sunflower seed
Subsidy	9.769	12.976
Subsidy in the case of advance fixing :		
— for the month of January 1978	9.769	12.976
— for the month of February 1978	10.671	13.331
— for the month of March 1978	11.215	13.861
— for the month of April 1978	11.191	13.948
— for the month of May 1978	11.191	—
— for the month of June 1978	11.191	—

COMMISSION REGULATION (EEC) No 95/78
of 18 January 1978
fixing the world market price for colza and rape seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the markets in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2560/77⁽²⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza and rape seed⁽³⁾, as last amended by Regulation (EEC) No 3477/73⁽⁴⁾,

Having regard to Commission Regulation (EEC) No 2300/73 of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73⁽⁵⁾, as last amended by Regulation (EEC) No 1234/77⁽⁶⁾, and in particular Article 9(4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 9(4) of Regulation (EEC) No 2300/73, the Commission must determine the world market price for colza and rape seed;

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 1443/77 of 30 June 1977 fixing the amount of the subsidy on

oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 94/78⁽⁸⁾;

Whereas, to enable the price system to operate normally, the world market price should be calculated on the following basis:

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

Whereas, applying all these provisions, the world market price for colza and rape seed should be fixed as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The world market price referred to in Article 9(4) of Regulation (EEC) No 2300/73 and the rates to be used for converting them into national currencies shall be as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 19 January 1978.

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

Done at Brussels, 18 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 357, 28. 12. 1973, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 143, 10. 6. 1977, p. 9.

⁽⁷⁾ OJ No L 161, 1. 7. 1977, p. 31.

⁽⁸⁾ See page 20 of this Official Journal.

ANNEX

World market price applicable from 19 January 1978 for colza and rape seed (CCT heading No ex 12.01)

	<i>u.a./100 kg⁽¹⁾</i>
World market price	20·281
World market price where the subsidy is fixed in advance :	
— for the month of January 1978	20·281
— for the month of February 1978	19·683
— for the month of March 1978	19·443
— for the month of April 1978	19·467
— for the month of May 1978	19·467
— for the month of June 1978	19·467

⁽¹⁾ The conversion rates from units of account into national currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following :

1 u.a. = DM	3·15665
1 u.a. = Fl	3·35507
1 u.a. = Bfr/Lfr	48·6572
1 u.a. = FF	6·98602
1 u.a. = Dkr	8·56656
1 u.a. = £	0·766536
1 u.a. = I £	0·766536
1 u.a. = Lit	1 296·51

COMMISSION REGULATION (EEC) No 96/78

of 18 January 1978

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 2560/77⁽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 2980/77⁽³⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2980/77 to the information at present available to the Commis-

sion 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 0.2426 unit of account per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 19 January 1978.

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

Done at Brussels, 18 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

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

(2) OJ No L 303, 28. 11. 1977, p. 1.

(3) OJ No L 351, 31. 12. 1977, p. 22.

COMMISSION REGULATION (EEC) No 97/78
of 18 January 1978
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 2560/77⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1436/77⁽³⁾, as last amended by Regulation (EEC) No 80/78⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1436/77 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 19 January 1978.

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

Done at Brussels, 18 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 161, 1. 7. 1977, p. 9.

⁽⁴⁾ OJ No L 13, 17. 1. 1978, p. 16.

ANNEX

to the Commission Regulation of 18 January 1978 fixing the import levies on white sugar and raw sugar

CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form : A. White sugar ; flavoured or coloured sugar B. Raw sugar	24.26 19.19 ⁽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.

COMMISSION REGULATION (EEC) No 98/78
of 18 January 1978
fixing the import levies on isoglucose

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1111/77 of 17 May 1977 laying down common provisions for isoglucose⁽¹⁾, as amended by Regulation (EEC) No 2560/77⁽²⁾, and in particular Article 3 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 3 of Regulation (EEC) No 1111/77, a levy is to be charged on imports of the products specified in Article 1 of that Regulation; whereas this levy is to consist of a fixed component and a variable component;

Whereas these components are defined in Article 3 (1) of Regulation (EEC) No 1111/77; whereas, pursuant to Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽³⁾, the fixed component referred to in Article 3 of Regulation (EEC) No 1111/77 must be equal to that used for fixing the import levy on products falling within subheading 17.02 B II a) of the Common Customs Tariff;

Whereas the levy must be fixed each month;

Whereas, to enable the system of levies to function normally, the levies should be calculated using:

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

Whereas in view of the foregoing the levies on isoglucose shall be fixed as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 3 (4) of Regulation (EEC) No 1111/77 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 January 1978.

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

Done at Brussels, 18 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 4.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 162, 1. 7. 1977, p. 9.

ANNEX

to the Commission Regulation of 18 January 1978 fixing the import levies on isoglucose

(in u.a.)

CCT heading No	Description	Levies per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel : D. Other sugars and syrups : I. Isoglucose	32.26
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : III. Isoglucose	32.26

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 13 December 1977

supplementing, as regards the chilling process, Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat

(78/50/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 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 Article 14 of Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultrymeat⁽³⁾, as last amended by Directive 75/431/EEC⁽⁴⁾, stipulates that the Member States shall prohibit the use of the process for chilling poultry referred to in the said Article ;

Whereas such prohibition will not be binding until 18 months after the Commission has submitted a report on chilling processes which are not covered by the prohibition or until 1 January 1978 at the latest ;

Whereas the Commission, after consulting the Member States within the Standing Veterinary Committee, submitted to the Council a report laying down the conditions governing plant, operation and control which the process of chilling by immersion in water must meet in order not to be considered as falling within the scope of the said prohibition ;

whereas this Directive is based on the conclusions of that report,

HAS ADOPTED THIS DIRECTIVE :

Article 1

Article 14 of Directive 71/118/EEC shall be replaced by the following text :

Article 14

1. As from 15 February 1979 Member States shall prohibit the chilling of fresh poultrymeat by means of immersion in water, unless it is effected in accordance with the conditions laid down in points 28a and 28b of Chapter V of Annex I and the carcasses thus chilled are immediately frozen or deep-frozen.

2. However, in the case of carcasses obtained and intended for marketing in their territory, Member States shall be authorized to grant, on request, to undertakings carrying on their activity in their territory on 1 January 1978 derogations from the requirements of paragraph 1. Such derogations may not extend beyond 15 August 1982.

Member States making use of the derogations provided for in the first paragraph may not object to the introduction into their territory of poultrymeat obtained in another Member State under the same conditions.

(1) OJ No C 293, 13. 12. 1976, p. 70.

(2) OJ No C 56, 7. 3. 1977, p. 88.

(3) OJ No L 55, 8. 3. 1971, p. 23.

(4) OJ No L 192, 24. 7. 1975, p. 6.

3. Member States wishing to make use of the possibility afforded by paragraph 2 shall inform the Commission and the other Member States as soon as possible and in any case not later than 15 February 1979.

4. Where the derogation clauses in paragraph 2 are invoked, use of the health marking provided for in Annex I, Chapter X, shall be prohibited.

However, for the implementation of the second subparagraph of paragraph 2, the Member States concerned shall be authorized to allow into their territory carcasses which do not bear any health mark as provided for in Annex I, Chapter X.

Article 2

The following Article shall be incorporated in Directive 71/118/EEC:

Article 14a

1. The Commission, after consulting the Member States in the Standing Veterinary Committee, shall submit to the Council by 1 January 1980 a report, possibly accompanied by or followed by appropriate proposals on:

- (a) continuation of the study on processes for the chilling of carcasses which are satisfactory from the point of view of hygiene, the report dealing both with the development of the system referred to in Annex I, Chapter V, points 28a and 28b and with other chilling processes, particularly those using liquid CO₂ and liquid nitrogen or the process by means of spraying;
- (b) microbiological checks — including the role of limit values — and the microbiological methods to be employed for the purposes of such checks, on:
 - (i) the degree of hygiene of the immersion chilling process referred to in Annex I, Chapter V, points 28a and 28b; and
 - (ii) the whole slaughtering process from the time the live bird enters the slaughterhouse until the packaging stage or, where appropriate, until the carcass leaves the slaughterhouse;
- (c) water uptake — including evaluation of the role of its limit value — as a parameter for hygiene checks on immersion chilling equipment.

2. The Commission, after consulting the Member States in the Standing Veterinary Committee, shall submit to the Council by 15

October 1978 a report possibly accompanied by proposals on the specific conditions of hygiene under which the process which complies with the conditions laid down in points 28a and 28b of Annex I, Chapter V, may be applied to carcasses which are neither immediately frozen nor deep-frozen.

3. The Council shall act unanimously on the Commission proposals referred to in paragraph 1 within a period of 12 months from the date of their submission and before 31 December 1978 on the proposals referred to in paragraph 2.

Article 3

The following points shall be added to Chapter V of Annex I to Directive 71/118/EEC:

'28a. Carcasses to be subjected to an immersion chilling process in accordance with the process described in 28b must, immediately after evisceration, be thoroughly washed by spraying and immersed without delay. The spraying must be carried out by means of equipment which washes both the internal and external surfaces of the carcasses efficiently.

For carcasses weighing:

- not more than 2.5 kilograms, at least 1.5 litres of water must be used per carcass,
- between 2.5 kilograms and 5 kilograms, at least 2.5 litres of water must be used per carcass,
- 5 kilograms or more, at least 3.5 litres of water must be used per carcass.

28b. The immersion chilling process shall meet the following requirements:

- (a) the carcasses must pass through one or more tanks of water or of ice and water the contents of which are continuously renewed. Only the system whereby the carcasses are constantly propelled by mechanical means through a counter-flow of water is acceptable;
- (b) the temperature of the water in the tank or tanks measured at the points of entry and exit of the carcasses must not be more than + 16 °C and + 4 °C respectively;
- (c) it must be carried out in such a way that the temperature specified in Chapter XII is reached in the shortest possible time;

(d) the minimum flow of water throughout the whole chilling process referred to in paragraph (a) must be

- 2.5 litres per carcase weighing 2.5 kilograms or less,
- 4 litres per carcase weighing between 2.5 kilograms and 5 kilograms,
- 6 litres per carcase weighing 5 kilograms or more.

If there are several tanks, the inflow of fresh water and the outflow of used water in each tank must be regulated in such a way as to progressively decrease in the direction of movement of the carcasses, the fresh water being divided between the tanks in such a way that the flow of water through the last tank is not less than :

- 1 litre per carcase weighing 2.5 kilograms or less,
- 1.5 litres per carcase weighing between 2.5 kilograms and 5 kilograms,
- 2 litres per carcase weighing 5 kilograms or more.

The water used for first filling the tanks must not be included in the calculation of these quantities ;

(e) the carcasses must not remain in the first part of the apparatus or the first tank for more than half an hour or in the rest of the apparatus or the other tank(s) for longer than strictly necessary.

All necessary precautions must be taken to ensure that, in the event of interruptions of the process, the transit time laid down in the first subparagraph is complied with.

Whenever the equipment stops, the official veterinarian must satisfy himself that prior to the re-setting in motion the carcasses still conform to the requirements of the Directive and are fit for human consumption or, if such is not the case, ensure that they are transported as soon as possible to the premises provided for in point 1(h) and (i) ;

(f) each piece of equipment must be entirely emptied, cleaned and disinfected whenever this is necessary at the end of the period of work and at least once a day ;

(g) it must be provided with calibrated control equipment to permit adequate and continued supervision of the measuring and recording of :

- the water consumption during spray-washing before immersion,
- the temperature of the water in the tank or tanks at the points of entrance and exit of the carcasses,
- the water consumption during immersion,
- the number of carcasses in each of the weight-ranges listed in (d) above and in point 28a ;

(h) the results of the various checks carried out by the producer must be kept and submitted on request to the official veterinarian ;

(i) the correct functioning of the chilling plant and its effect on the hygiene level shall be evaluated — pending adoption, in accordance with Article 14a, of Community microbiological methods — by scientific microbiological methods recognized by the Member States, the contamination of the carcasses with total and enterobacteriaceae bacteria being compared before and after immersion. Such comparison must be carried out when the plant is first brought into use and after that periodically and in any case each time any alterations are made to the plant. The functioning of the various parts must be regulated so as to ensure a satisfactory standard of hygiene.'

Article 4

During the period of application of any derogation granted under the second indent of Article 16a (a) of Directive 71/118/EEC, the Member States shall ensure that proper checks are carried out on the initial installations and the continuous operation of the chilling processes in any establishment covered by such a derogation.

Article 5

Done at Brussels, 13 December 1977.

The Member States shall bring into force the laws, regulations and administrative provisions required in order to comply with this Directive by 1 January 1978 at the latest.

For the Council

Article 6

The President

This Directive is addressed to the Member States.

A. HUMBLET

COUNCIL DIRECTIVE

of 13 December 1977

prolonging certain derogation measures in respect of brucellosis and tuberculosis granted to Denmark, Ireland and the United Kingdom

(78/51/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine⁽¹⁾, as last amended by Directive 77/98/EEC⁽²⁾, and in particular Article 4a thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas, under Article 104 (3) of the Act of Accession, Denmark, Ireland and the United Kingdom are authorized to maintain until 31 December 1977 certain of their national rules relating to brucellosis and tuberculosis; whereas, under Article 104 (4) of the Act of Accession, certain derogations are granted in respect of exports of cattle from Ireland to the United Kingdom;

Whereas Article 4a of Council Directive 64/432/EEC, as last amended by Directive 77/98/EEC, provides that any amendments to Annexes A, B and C to the Directive or any other measures, including provisions relating to traditional trade between Ireland and the United Kingdom, shall be adopted by the Council before 1 January 1978;

Whereas, in view of the time required to provide solutions to basic technical problems, it is necessary to prolong by one year the derogations by virtue of which the new Member States are authorized to retain the methods applied in their territory for declaring a herd of cattle officially free of tuberculosis or brucellosis-free within the meaning of Article 2 of Directive 64/432/EEC;

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 81.

⁽³⁾ OJ No C 266, 7. 11. 1977, p. 45.

⁽⁴⁾ Opinion delivered on 26 October 1977 (not yet published in the Official Journal).

Whereas, for the same reason and in order not to interrupt the traditional trade in live animals between Ireland and the United Kingdom it is necessary to prolong for the same period the special derogations granted in respect of such trade,

HAS ADOPTED THIS DIRECTIVE:

Article 1

By way of derogation from Directive 64/432/EEC, Denmark, Ireland and the United Kingdom are hereby authorized to retain the methods applied in their territory for declaring a herd of cattle officially free of tuberculosis or brucellosis-free, within the meaning of Article 2 of Directive 64/432/EEC, subject to the application of the provisions thereof relating to the presence of animals vaccinated against brucellosis.

The provisions relating to the tests laid down for animals traded within the Community shall continue to apply, subject to Article 2.

Article 2

Cattle may be traded from Ireland to the United Kingdom by way of derogation from the provisions of Directive 64/432/EEC relating to:

- (a) the brucellosis test laid down for animals traded within the Community, which shall not apply to trade in castrated cattle;
- (b) the intradermal tuberculin test laid down for animals traded within the Community, which shall be replaced by a test in accordance with the national rules of the abovementioned receiving Member State; and
- (c) the obligation to separate breeding and store cattle from slaughter cattle.

Article 3

This Directive shall apply until 31 December 1978.

Article 4

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1978 at the latest and shall forthwith inform the Commission thereof.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 13 December 1977.

For the Council

The President

A. HUMBLET

COUNCIL DIRECTIVE

of 13 December 1977

establishing the Community criteria for national plans for the accelerated eradication of brucellosis, tuberculosis and enzootic leukosis in cattle

(78/52/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE :

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Directive 77/391/EEC of 17 May 1977 introducing Community measures for the eradication of brucellosis, tuberculosis and leukosis in cattle⁽¹⁾, and in particular Article 13 thereof,

In order to qualify for the Community financial contribution provided for in Directive 77/391/EEC, each eradication plan referred to in Articles 2, 3 and 4 of that Directive must, in respect of the herds to which it applies, satisfy at least the criteria laid down in the present Directive.

Having regard to the proposal from the Commission,

Article 2

Whereas when laying down, in Directive 77/391/EEC, the basic principles for Community intervention for the eradication of brucellosis, tuberculosis and leukosis, the Council decided to establish subsequently the minimum criteria which the national plans for the eradication of the abovementioned diseases should satisfy in order to qualify for a financial contribution by the Community;

For the purposes of this Directive, the following definitions shall apply :

Whereas the first of these criteria relates to the acceleration of national plans, so that the campaign undertaken to eradicate the diseases in question in the Member States in which herds are still infected may be carried to a successful conclusion as rapidly as possible; whereas to this end measures should be taken or strengthened, as far as possible simultaneously, concerning, in particular, checks on livestock, the functioning of laboratories and the compensation paid for cattle slaughtered under the eradication plans;

1. in the case of brucellosis in cattle :

- (a) type B₁ bovine herds : herds in whose case the previous clinical history and vaccination and serological status are unknown ;
- (b) type B₂ bovine herds : herds in whose case the previous clinical history and vaccination and serological status are known and in which routine monitoring tests are carried out in accordance with the national rules for bringing these herds up to type B₃ or type B₄ status ;
- (c) type B₃ bovine herds : brucellosis-free herds within the meaning of Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine⁽²⁾, as last amended by Directive 77/98/EEC⁽³⁾ ;
- (d) type B₄ bovine herds : officially brucellosis-free herds within the meaning of Directive 64/432/EEC ;

Whereas it is moreover necessary, depending on the diseases in question, to lay down the conditions in which slaughter, isolation, cleaning and disinfection should take place and the use which should be made of certain animal products ;

2. in the case of bovine tuberculosis :

- (a) type T₁ bovine herds : herds in whose case the previous clinical history and the tuberculin-test status are unknown ;

Whereas it is also essential, in order to avoid the risk of reinfection, to practise strict control of movements of cattle, especially between herds of a different health status, and to make those movements conditional on certain tests ;

Whereas the date on which Directive 77/391/EEC is to take effect should be fixed,

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 44.

⁽²⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽³⁾ OJ No L 26, 31. 1. 1977, p. 81.

- (b) type T₂ bovine herds : herds in whose case the previous clinical history and the tuberculin-test status are known, and in which routine monitoring tests are carried out in accordance with the national rules for bringing these herds up to type T₃ status ;
 - (c) type T₃ bovine herds : officially tuberculosis-free herds within the meaning of Directive 64/432/EEC ;
3. suspect animal : any bovine animal which shows symptoms indicating the possible presence of tuberculosis, brucellosis or bovine enzootic leucosis and for which an appropriate diagnosis has neither officially confirmed nor officially ruled out the presence of one or more of these diseases ;
 4. official veterinarian : the veterinarian designated by the competent central authority of the Member State ;
 5. means of transport : those parts of motor vehicles, rail vehicles and aircraft set aside for loading, the holds of ships and containers for land, sea or air transport.

CHAPTER I

General provisions

Article 3

Member States shall ensure that, in all cases, the acceleration provided for in Directive 77/391/EEC involves a significant shortening of the period of time necessary for successfully completing eradication plans as compared with the time taken by programmes currently in progress.

The measures to be taken to achieve this end shall be the following :

1. The proportion of the national cattle population which is the subject of eradication and preventive measures must be so increased that most or all such cattle may be placed or kept under monitoring controls as soon as possible.
2. Compensation for animals slaughtered on the instructions of the official veterinarian must be so adjusted that breeders are appropriately compensated.
3. The number of laboratory staff must be increased and there must be an improvement in the conditions for carrying out diagnoses in the laboratory — in so far as such steps still remain to be taken — so as to attain a level that is sufficient to make possible the measures defined in point 1.
4. Measures introduced to combat enzootic diseases must be systematically applied.

To guarantee that acceleration is fully effective, the Member States shall ensure that all the measures outlined in points 1 to 4 are applied.

Article 4

1. For the purpose of officially monitoring the movement of the animals, Member States shall ensure that cattle are registered and identified in a permanent manner.
2. Member States shall, for each of the diseases for which an eradication plan exists, draw up and keep up to date an official record of bovine herds covered by such a plan classified according to their health status.

CHAPTER II

Specific provisions relating to brucellosis in cattle

Article 5

Member States shall ensure that under a plan for the eradication of brucellosis :

- (a) the presence and suspected presence of brucellosis are compulsorily and immediately notifiable to the competent authority ;
- (b) any therapeutic treatment of brucellosis is prohibited ;
- (c) if practised, anti-brucellosis vaccination is carried out under official supervision but is suspended as soon as possible so that the herds may pass to the stage of officially brucellosis-free herds.

Article 6

1. Where a herd contains an animal suspected of having brucellosis, the competent authorities shall ensure that the official investigations are carried out as soon as possible to confirm or rule out the presence of that disease.

Pending the outcome of these investigations, the competent authorities shall order :

- the herd to be placed under official surveillance,
 - the prohibition of all movement into or out of the herd unless authorized by the competent authorities for the purpose of slaughter without delay. However, movement of the castrated cattle on the farm may be authorized by the competent authorities after the isolation of the suspect animals, provided that the castrated animals are moved to fattening herds, and thence to the slaughterhouse,
 - isolation within the herd of the suspect animals.
2. The orders referred to in paragraph 1 shall not be lifted until the presence or suspected presence of brucellosis in the herd concerned has been officially ruled out.

3. Where the presence of brucellosis is officially confirmed in a herd, the Member States shall take appropriate measures to prevent any spread of the disease and shall ensure in particular that :

- all movement into or out of the herd in question is forbidden, unless authorized by the competent authorities for the purpose of slaughter without delay ; however, movement of the castrated cattle on the farm may be authorized by the competent authorities after the isolation and the marking prior to slaughter of infected animals and of cattle regarded by the same authorities as infected, provided that the castrated animals are moved to fattening herds and thence to the slaughterhouse,
- animals in which the presence of brucellosis has been officially confirmed, and animals which may have been infected by them, are isolated within the herd,
- subject to observance of the terms of Directive 64/432/EEC, and those of Council Directive 78/51/EEC of 13 December 1977 prolonging certain derogation measures in respect of brucellosis and tuberculosis granted to Denmark, Ireland and the United Kingdom⁽¹⁾, the cattle are examined without delay for brucellosis,
- animals in which the presence of brucellosis has been officially confirmed, animals which have been examined as stipulated in the third indent with unfavourable results, and animals considered by the competent authorities as infected are isolated and marked until their slaughter pursuant to Article 7,
- milk from infected cows may only be fed to animals on the same farm after suitable heat treatment,
- without prejudice to national provisions concerning foodstuffs, milk from cows from an infected herd, cannot be delivered to a dairy, except to undergo suitable heat treatment,
- carcasses, half-carcasses, quarters, pieces and offal from infected animals intended for use as feed for animals are treated in such a way as to avoid contamination,
- foetuses, still-born calves which have died from brucellosis after birth or placentae are carefully disposed of and destroyed immediately, unless they are to be examined,
- straw, litter or any other matter and substance which has come into contact with the infected cow or calf or with the placenta is destroyed immediately, burnt or buried after soaking in disinfectant,
- official regulations for the control of establishments such as carcass disposal plants ensure that there is no danger of the material produced spreading brucellosis,
- manure from sheds or other quarters used by the animals is stored in a place inaccessible to farm animals, treated with a suitable disinfectant and stored for at least three weeks. Use of disinfectant is not required if the manure is covered with a layer of uninfected manure or earth. Liquid waste from sheds or other quarters used by the animals must be disinfected if it is not collected at the same time as the manure.

Article 7

Member States shall ensure that, following a bacteriological, pathological or serological examination, animals in which the presence of brucellosis has been officially established and those considered by the competent authorities to be infected are slaughtered under official supervision as soon as possible and not later than 30 days after their owner or the person in charge has been officially notified of the results of the tests and of his obligation, under the eradication plan, to slaughter the cattle concerned within that time limit.

Article 8

Member States shall ensure that :

1. after the slaughter of the cattle referred to in Article 7 and prior to restocking, sheds and other herd quarters, and all containers, equipment and other articles used for the animals are cleaned and disinfected under official supervision, in accordance with the instructions given by the official veterinarian. Re-use of pastures which have contained these animals must not take place for 60 days after their removal from such pastures, the competent authorities may however derogate from this prohibition in the case of castrated animals, subject to the condition that these animals only leave these pastures for slaughter or that they are moved to fattening herds and thence to the slaughterhouse ;
2. all means of transport, containers and equipment are cleaned and disinfected after the transport of animals from an infected herd, or of materials from such animals, or of materials or substances which have been in contact with such animals. Loading areas for such animals must be cleaned and disinfected after use ;

⁽¹⁾ See page 32 of this Official Journal.

3. the disinfectant to be used and its concentrations are officially authorized by the competent authority of the Member State concerned.

Article 9

Member States shall ensure that after the slaughter of the cattle referred to in Article 7,

- without prejudice to the provisions of Article 11, no cattle may leave the herd concerned unless authorization has been given by the competent authority for the purpose of slaughter without delay. However, movement of the castrated cattle on the farm may be authorized by the competent authorities, provided that the castrated animals are moved to fattening herds and thence to the slaughterhouse,
- brucellosis tests are carried out on the herd concerned to confirm that the disease has been eliminated,
- the herd is not restocked with animals for breeding until the animals over 12 months old remaining in it for this purpose have passed one or more official serological examinations for brucellosis. However, for cattle which have been vaccinated in accordance with the provisions of Directive 64/432/EEC, this test need not be carried out until they are 18 months old.

Article 10

Member States shall ensure that official serological testing is carried out in type B₁ and type B₂ herds until such time as they become type B₃ or type B₄.

Article 11

Member States shall ensure that :

- (i) all female animals and all bulls from type B₁ herds destined for type B₂ herds :
 - if more than 12 months old, have passed an officially approved serological test carried out within the 30 days prior to movement and are accompanied by a certificate to this effect from the official veterinarian,
 - are isolated immediately upon arrival for at least 60 days and if more than 12 months old, have passed a further officially approved serological test before admission to the type B₂ herd ;

(ii) all female animals and all bulls from a type B₂ herd destined for another type B₂ herd :

- if more than 12 months old, have passed an officially approved serological test carried out within the 30 days prior to movement and are accompanied by a certificate to this effect from the official veterinarian,
- do not come into contact, during transfer, with animals from herds of a lower health status ;

(iii) transfers of animals between B₃ and B₄ herds are carried out subject to the observance of the requirements of Directive 64/432/EEC.

Article 12

Member States shall ensure that :

- official control measures are taken to prevent a herd in which brucellosis has been eliminated from being re-infected from other sources of infection,
- all movements of cattle into and within herds covered by an eradication plan are subject to official monitoring,
- the movement control measures referred to in the second indent can be applied without prejudice to existing Community measures concerning movement into and out of brucellosis-free and officially brucellosis-free herds.

CHAPTER III

Specific provisions relating to bovine tuberculosis

Article 13

Member States shall ensure that under a plan for the accelerated eradication of tuberculosis :

- (a) the presence and suspected presence of tuberculosis are compulsorily and immediately notifiable to the competent authority ;
- (b) the following are prohibited :
 - (i) any therapeutic or desensitizing treatment of tuberculosis ;
 - (ii) anti-tuberculosis vaccination.

Article 14

1. Where a herd contains an animal suspected of having tuberculosis, the competent authorities shall ensure that official investigations are carried out as soon as possible to confirm or rule out the presence of that disease.

Pending the outcome of these investigations, the competent authorities shall order:

- the herd to be placed under official surveillance,
- the prohibition of any movement into or out of the herd unless authorized by the competent authorities for the purpose of slaughter without delay,
- isolation within the herd of the suspect animals.

2. The orders referred to in paragraph 1 shall not be lifted until the presence or suspected presence of tuberculosis in the herd concerned has been officially ruled out.

3. Where the presence of tuberculosis is officially confirmed, the Member States shall take appropriate measures to prevent any spread of the disease and shall ensure in particular that:

- all movement into or out of the herd in question is prohibited unless authorized by the competent authorities for the purpose of slaughter without delay,
- cattle in which the presence of tuberculosis has been officially confirmed, and cattle which may have been infected by them, are isolated within the herd,
- the cattle undergo an examination for tuberculosis without delay,
- cattle in which the presence of tuberculosis has been officially confirmed, cattle which have been examined as stipulated in the third indent with unfavourable results, and cattle considered by the competent authorities as infected are isolated and marked until their slaughter pursuant to Article 15,
- milk from infected cows may only be fed to animals on the same farm after suitable heat treatment,
- without prejudice to national provisions concerning foodstuffs, milk from cows from an infected herd, cannot be delivered to a dairy, except to undergo suitable heat treatment,
- carcasses, half-carcasses, quarters, pieces and offal from infected cattle intended for use as feed for animals are treated in such a way as to avoid contamination,

- official regulations for the control of establishments such as carcase disposal plants ensure that there is no danger of the material produced spreading tuberculosis,
- manure from sheds or other quarters used by the animals is stored in a place inaccessible to farm animals, treated with a suitable disinfectant and stored for at least three weeks. Use of disinfectant is not required if the manure is covered with a layer of uninfected manure or earth. Liquid waste from sheds or other quarters used by the animals must be disinfected if it is not collected at the same time as the manure.

Article 15

Member States shall ensure that, following a bacteriological, pathological or tuberculin examination, animals in which the presence of tuberculosis has been officially established and those considered by the competent authorities to be infected are slaughtered under official supervision as soon as possible and not later than 30 days after the owner or the person in charge has been officially notified of the results of the tests and of his obligation, under the eradication plan, to slaughter the cattle concerned within that time limit.

However, in the case of animals which have been examined for tuberculosis with unfavourable results without showing clinical symptoms of the disease, the competent authorities may extend to not more than three months the period provided for in the above paragraph,

- in the case of a female animal which is expected to calve within the three month period,
- where they order the slaughter of all cattle in a herd of more than 20 head in a region in which, for technical reasons connected with the capacity of the slaughter-houses designated for this purpose, slaughter cannot be carried out within the 30 days.

Article 16

Member States shall ensure that:

1. after the slaughter of the cattle referred to in Article 15 and prior to restocking, sheds and other herd quarters, and all containers, equipment and other articles used for the animals are cleaned and disinfected under official supervision, in accordance with the instructions given by the official veterinarian;

2. all means of transport, containers and equipment are cleaned and disinfected after the transport of animals from an infected herd or of materials from such animals or of materials or substances which have been in contact with such animals. Loading areas for such animals must be cleaned and disinfected after use;
3. the disinfectant to be used and its concentrations are officially authorized by the competent authority of the Member State concerned.

Article 17

Member States shall ensure that after the slaughter of the cattle referred to in Article 15,

- without prejudice to the provisions of Article 19, no cattle may leave the herd concerned, unless authorization has been given by the competent authority for the purpose of slaughter without delay,
- tuberculosis tests are carried out on the herd concerned to confirm that the disease has been eliminated,
- the herd is not re-stocked until the cattle over six weeks old remaining in it have passed one or more official tuberculosis tests.

Article 18

Member States shall ensure that, under a plan for the eradication of tuberculosis, officially supervised intradermal tuberculin testing is carried out on all cattle over six weeks old at least every six months in type T₁ and type T₂ herds until such time as they become type T₃ herds.

Article 19

Member States shall ensure that:

- (i) any animal from a type T₁ herd and destined for a type T₂ herd:
 - has passed an intradermal tuberculin test carried out within the 30 days prior to movement and is accompanied by a certificate to this effect from the official veterinarian,
 - is isolated immediately upon arrival for at least 60 days and has passed a further official intradermal tuberculin test before admission to the herd;
- (ii) any animal from a type T₂ herd and destined for another type T₂ herd:
 - has passed an intradermal tuberculin test within the 30 days prior to movement and is accompanied by a certificate to this effect from the official veterinarian,
 - does not come into contact, during transfer, with cattle from herds of a lower health status;
- (iii) all transfers of cattle between type T₃ herds are carried out subject to observance of the requirements of Directive 64/432/EEC.

Article 20

Member States shall ensure that:

- official control measures are taken to prevent a herd in which tuberculosis has been eliminated from being re-infected from other sources of infection,
- all movements of cattle into and within herds covered by an eradication plan are subject to official supervision,
- the movement control measures referred to in the second indent can be applied without prejudice to existing Community measures concerning movement into and out of officially tuberculosis-free herds.

CHAPTER IV

Specific provisions relating to enzootic bovine leukosis

Article 21

Pending the entry into force of Community rules, and without prejudice to Article 4, third subparagraph of Directive 77/391/EEC, national provisions on the detection of leukosis and on the classification of herds with regard to leukosis shall apply.

Article 22

Member States shall ensure that, under a plan for the eradication of leukosis,

- (a) the presence and suspected presence of leukosis, and in particular tumours of the lymphatic system and other organs of cattle, are compulsorily and immediately notifiable to the competent authority;
- (b) therapeutic treatment or anti-leukosis vaccination of any kind is prohibited.

Article 23

Notwithstanding any measures adopted pursuant to national provisions in the event of leukosis being suspected, Member States shall, when the presence of leukosis is officially confirmed in a herd, take appropriate measures to prevent any spread of the disease and shall ensure in particular that :

- any movement of animals from this herd is prohibited, unless authorized by the competent authorities for the purpose of slaughter without delay,
- the herd in question is isolated so that the cattle cannot come into contact with cattle not belonging to this herd,
- milk from infected cows may only be fed to animals after suitable heat treatment or delivered to a dairy to undergo such treatment; feeding animals with milk which has not undergone heat treatment may be authorized for herds where all animals are to be slaughtered pursuant to Article 24, point 1,
- carcasses, half-carcasses, quarters, pieces and offal from infected animals intended for use as feed for animals are prepared in such a way as to avoid contamination,
- official regulations for the control of establishments such as carcase disposal plants ensure that there is no danger of the material produced spreading leukosis,
- the farmer notifies the official veterinarian of the death or emergency slaughter of any cattle from his farm.

Article 24

Member States shall ensure that, within the framework of the eradication plan,

1. where such plan provides for the slaughter of all cattle belonging to a herd in which leukosis has been officially established, these animals are slaughtered within a period to be set by the competent authorities ;
2. where such plan provides for the slaughter of only those cattle in which leukosis has been officially established and possibly those considered by the competent authorities to be infected, such slaughter takes place within a period of 30 days after their owner or the person in charge has been officially notified of the result of the examinations and of his obligation, under the eradication plan, to slaughter the cattle concerned within this period.

Article 25

Member States shall ensure that, in the event of slaughter pursuant to Article 24, point 2,

- no cattle may leave the herd concerned unless authorization has been given by the competent authorities for the purpose of slaughter without delay,
- leukosis tests are carried out on the herd concerned to confirm that the disease has been eliminated,
- only animals from herds considered by the competent authorities as not infected with leukosis may be used to re-stock the herd.

Article 26

Member States shall ensure that :

1. after the slaughter of the cattle referred to in Article 24 and prior to restocking, sheds and other herd quarters, and all containers, equipment and other articles used for the animals are cleaned and disinfected under official supervision, in accordance with the instructions given by the official veterinarian ;
2. all means of transport, containers and equipment are cleaned and disinfected after the transport of animals or of materials from such animals or of materials or substances which have been in contact with such animals. Loading areas for such animals are cleaned and disinfected after use ;
3. the disinfectant to be used and its concentrations are officially authorized by the competent authority of the Member State concerned.

Article 27

Member States shall ensure that cattle from a herd classified as not suspect do not come into contact with cattle from herds which are not so classified.

CHAPTER V

Final provisions*Article 28*

Before expiry of the three-year period provided for in Directive 77/391/EEC, the Commission shall submit to the Council a report on the application of the plans provided for in that Directive, accompanied if necessary by proposals to achieve closer harmonization of national preventive measures.

Article 29

1. Directive 77/391/EEC shall take effect on 1 January 1978.
2. Member States shall bring into force the laws, regulations and administrative provisions necessary for implementation of national plans for accelerated eradication adopted in accordance with Article 9 (2) of Directive 77/391/EEC, on the date laid down by the Commission in its Decision approving the plans, and for plans approved during 1978, not later than 31 December 1978.
3. The three-year period of execution provided for in Article 6 (1) of Directive 77/391/EEC shall run, for each Member State, from the date laid down by the Commission pursuant to paragraph 2. However, Community finance shall in all cases be restricted to slaughterings carried out before 1 January 1982.

4. The Council, acting unanimously on a proposal from the Commission, may, where implementation of the plan on the date laid down would meet with considerable difficulties in some Member States, postpone for such States the dates specified in paragraphs 2 and 3 by not more than one year.

Article 30

This Directive is addressed to the Member States.

Done at Brussels, 13 December 1977.

For the Council

The President

A. HUMBLET

CORRIGENDA

Corrigendum to Council Regulation (EEC, Euratom, ECSC) No 2891/77 of 19 December 1977 implementing the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources

(Official Journal of the European Communities No L 336 of 27 December 1977)

Page 6:

Article 21 (a):

for: '... 18 (3);'

read: '... 17 (3);'

Article 21 (b):

for: '... 18 (2);'

read: '... 17 (2);'

Article 21 (c):

for: '... 19 (2).'

read: '... 18 (2).'
