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Contents

I *Acts whose publication is obligatory*

- Commission Regulation (EEC) No 203/79 of 2 February 1979 fixing the import levies on cereals and on wheat or rye flour, groats and meal 1
- Commission Regulation (EEC) No 204/79 of 2 February 1979 fixing the premiums to be added to the import levies on cereals, flour and malt 3
- Commission Regulation (EEC) No 205/79 of 2 February 1979 opening an invitation to tender for the mobilization of common wheat flour as food aid for the World Food Programme 5
- Commission Regulation (EEC) No 206/79 of 2 February 1979 opening an invitation to tender for the mobilization of semi-milled long grain rice as food aid for the International Committee of the Red Cross 9
- Commission Regulation (EEC) No 207/79 of 2 February 1979 opening an invitation to tender for the mobilization of husked long grain rice as food aid for the League of Red Cross Societies 12
- Commission Regulation (EEC) No 208/79 of 2 February 1979 opening an invitation to tender for the mobilization of milled long grain rice as food aid for the Republic of Guinea 15
- ★ Commission Regulation (EEC) No 209/79 of 1 February 1979 on Community surveillance of imports of certain textile products originating in Spain 18
- Commission Regulation (EEC) No 210/79 of 2 February 1979 fixing the import levies on white sugar and raw sugar 19
-

Contents (continued)

II *Acts whose publication is not obligatory*

Council

79/109/EEC :

- ★ Council Directive of 24 January 1979 amending Directive 64/432/EEC as regards brucellosis 20

79/110/EEC :

- ★ Council Directive of 24 January 1979 authorizing the Italian Republic to postpone the notification and implementation of its national plans for the accelerated eradication of brucellosis and tuberculosis in cattle 24

79/111/EEC :

- ★ Council Directive of 24 January 1979 amending Directive 64/432/EEC as regards brucellosis and prolonging, in respect of brucellosis, tuberculosis and swine fever, certain derogation measures granted to Denmark, Ireland and the United Kingdom 26

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 203/79**of 2 February 1979****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 1254/78⁽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 2724/78⁽³⁾ and subsequent amending
Regulations ;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 2724/78 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 3 February
1979.

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

Done at Brussels, 2 February 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 329, 24. 11. 1978, p. 1.

ANNEX

to the Commission Regulation of 2 February 1979 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	134.52 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	87.89 ⁽⁶⁾
10.03	Barley	95.02
10.04	Oats	92.44
10.05 B	Maize, other than hybrid maize for sowing	80.71 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	4.72
10.07 B	Millet	76.53 ⁽⁴⁾
10.07 C	Grain sorghum	80.79 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	133.84
11.01 B	Rye flour	134.67
11.02 A I a)	Durum wheat groats and meal	219.53
11.02 A I b)	Common wheat groats and meal	143.47

⁽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 204/79**of 2 February 1979****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 1254/78⁽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
2725/78⁽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 3 February
1979.

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

Done at Brussels, 2 February 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 329, 24. 11. 1978, p. 4.

ANNEX

to the Commission Regulation of 2 February 1979 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 2	1st period 3	2nd period 4	3rd period 5
10.01 A	Common wheat, and meslin	0	0	0	5.90
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	5.48
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	0.76	0.76	0.61
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	1.22	1.22	0
10.07 C	Grain sorghum	0	4.26	4.26	4.87
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	8.26

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	10.50	10.50
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	7.85	7.85
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 205/79

of 2 February 1979

opening an invitation to tender for the mobilization of common wheat flour as food aid for the World Food Programme

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 1254/78⁽²⁾,

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

Having regard to the opinion of the Monetary Committee,

Whereas on 30 January 1978 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 14 434 tonnes of common wheat (in other words 9 559 tonnes of common wheat flour) to the World Food Programme under its 1977/78 food-aid programme;

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

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

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

Whereas the contract should be awarded to the tenderer who makes the best offer;

Whereas it must be made clear who is to bear any costs which arise in the event that for reasons of *force majeure* the operation in question is not completed within the time stipulated;

Whereas provision should be made for security to be given to guarantee fulfilment of the obligations arising by virtue of participation in the invitation to tender;

Whereas the German intervention agency should be made responsible for the tendering procedure in question;

Whereas it is important that the Commission be informed without delay of the tenders submitted in response to the invitation and of those accepted by the intervention agency;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the World Food Programme, by way of Community action, of 9 559 tonnes of common wheat flour.
2. The tendering procedure shall take place in the Federal Republic of Germany and shall be in respect of 12 lots.
3. The goods shall be mobilized on the Community market.
4. Shipment shall be from a Community port.
5. The product referred to in paragraph 1 is to be delivered in new jute sacks of a net capacity of 50 kilograms to the port of shipment in the vicinity of the vessel. The goods must be set down at the place nominated by the recipient country or its agent, the timing of delivery being settled by the tenderer and the recipient country's agent.

Minimum weight of sacks shall be 600 grams.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

The following shall be printed on the sacks :

- lot No 1 — 120 tonnes: 'Gambia 625 X 2/Wheat flour/Banjul/Gift of the EEC/Action of the World Food Programme';
- lot No 2 — 2 525 tonnes: 'Egypt 644 PX/Wheat flour/Alexandria/Gift of the EEC/Action of the World Food Programme';
- lot No 3 — 4 500 tonnes: 'Egypt 535 PX/Wheat flour/Alexandria/Gift of the EEC/Action of the World Food Programme';
- lot No 4 — 100 tonnes: 'North Yemen 501 PX/Wheat flour/Hodeidah/Gift of the EEC/Action of the World Food Programme';
- lot No 5 — 1 524 tonnes: 'Egypt 2046/Wheat flour/Alexandria/Gift of the EEC/Action of the World Food Programme';
- lot No 6 — 400 tonnes: 'Madagascar 700/Farine de froment/Tamatave/Don de la CEE/Action du Programme alimentaire mondial';
- lot No 7 — 75 tonnes: 'Lesotho 544 X 2/Wheat flour/East London/Gift of the EEC/Action of the World Food Programme';
- lot No 8 — 75 tonnes: 'Lesotho 544 X 2/Wheat flour/Durban/Gift of the EEC/Action of the World Food Programme';
- lot No 9 — 60 tonnes: 'Lesotho 544 X 2/Wheat flour/East London/Gift of the EEC/Action of the World Food Programme';
- lot No 10 — 60 tonnes: 'Lesotho 544 X 2/Wheat flour/Durban/Gift of the EEC/Action of the World Food Programme';
- lot No 11 — 60 tonnes: 'Lesotho 544 X 2/Wheat flour/East London/Gift of the EEC/Action of the World Food Programme';
- lot No 12 — 60 tonnes: 'Lesotho 544 X 2/Wheat flour/Durban/Gift of the EEC/Action of the World Food Programme'.

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

Article 2

1. The award of the contract shall take place on 16 February 1979.
2. The closing date for submission of tenders shall be 16 February 1979 at 12 noon.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for submission of tenders.

Article 3

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

Such correction shall be made by:

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

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

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

Article 4

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

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

Article 5

If the tenderer is unable to deliver the goods in compliance with Article 1 (3) on the date given in the notice of invitation to tender as a result of the late availability of the vessels to be used for sea transportation, resulting costs shall be borne by the intervention agency.

Article 6

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

It shall be released :

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3 (2),
- in the case of the successful tenderer, for quantities not supplied by reason of *force majeure*.

2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by each Member State.

Article 7

1. The goods referred to in Article 1 must meet the following requirements :

common wheat flour :

- moisture content : 14 % maximum,
- acidity : 4 ml NaOH/n maximum per 100 g (calculated on the dry matter),
- ash content : 0.52 % maximum on the dry matter.

If the goods referred to in Article 1 do not meet the foregoing requirements they shall be rejected and the successful tenderer shall be owner thereof.

2. Tenders for supply of the goods referred to in Article 1 (1) must relate to products with the following characteristics :

common wheat flour :

- moisture content : 14 % maximum,
- acidity : 4 ml NaOH/n maximum per 100 g (calculated on the dry matter),
- ash content : 0.52 % maximum on the dry matter.

Article 8

1. The German intervention agency shall be responsible for operations relating to the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

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

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

4. The intervention agency shall request the successful tenderer to supply the following information :

- (a) after each shipment a certificate showing the quantities dispatched and the quality of the products ;
- (b) the date of departure of the vessels.

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

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

Article 9

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

Article 10

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

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

Done at Brussels, 2 February 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 206/79

of 2 February 1979

opening an invitation to tender for the mobilization of semi-milled long grain rice as food aid for the International Committee of the Red Cross

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 last amended by Regulation (EEC) No 1260/78 ⁽²⁾,

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

Having regard to the opinion of the Monetary Committee,

Whereas on 30 January 1978 the Council of the European Communities declared that it proposed, by way of Community action, to grant 500 tonnes of semi-milled long grain rice to the International Committee of the Red Cross under its 1977/78 food-aid programme;

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

Whereas the proposed invitation to tender should be for supply of the products delivered Beira, that is at the moment when the goods are actually placed on the dock or in the lighter where applicable;

Whereas in view of the different monetary circumstances in the Member States, the observation of these conditions is not guaranteed by the application of exchange rates applicable in the framework of the common agricultural policy since monetary compensatory amounts do not apply in the rice sector; whereas it is advisable to take account of the monetary situation as regards different offers;

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

Whereas provisions should be made for security to be given to guarantee fulfilment of the obligations arising by virtue of participation in the invitation to tender for supplies to the International Committee of the Red Cross;

Whereas the Italian intervention agency should be made responsible for the tendering procedure;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the International Committee of the Red Cross, by way of Community food-aid action, of 500 tonnes of semi-milled long grain rice.

2. The tendering procedure shall take place in Italy in one lot.

The product shall be mobilized on the Community market. Shipment shall be from any Community port.

3. The invitation to tender provided for in paragraph 1 is for supply of products delivered Beira, that is at the moment when the goods are actually placed on the dock or in the lighter where applicable.

4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks lined with cotton sacks of a net capacity of 50 kilograms.

On the sacks shall be printed a red cross, 15 × 15 cm, as well as the following:

'MZ—16 / Rice / Gift of the EEC / Action of the International Committee of the Red Cross / For free distribution / Beira'

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

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

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 19 February 1979.
2. The closing date for the submission of tenders shall be 19 February 1979 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities*, not less than nine days before the closing date for the submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. The rates used for converting into units of account those offers made in national currencies shall be :
 - the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
 - in other cases, the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms.

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

Article 5

1. The successful tenderer shall give security of a value of 10 units of account per tonne ; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.
2. The security provided for in paragraph 1 may be given in the form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by the Member State.

Article 6

1. The semi-milled long grain rice referred to in Article 1 to be supplied to the International Committee of the Red Cross must meet the following requirements :

- moisture : 15 %,
- broken rice : 5 % maximum,
- chalky grains : 5 % maximum,
- grains striated with red : 3 % maximum,
- spotted grains : 1.5 % maximum,
- stained grains : 1 % maximum,
- yellow grains : 0.050 % maximum,
- amber grains : 0.20 % maximum.

Rice not meeting these requirements shall be refused.

2. Tenders for supply to the International Committee of the Red Cross of the semi-milled long grain rice referred to in Article 1 must relate to a product with the following characteristics :

- moisture : 15 %,
- broken rice : 5 % maximum,
- chalky grains : 5 % maximum,
- grains striated with red : 3 % maximum,
- spotted grains : 1.5 % maximum,
- stained grains : 1 % maximum,
- yellow grains : 0.050 % maximum,
- amber grains : 0.20 % maximum.

Article 7

1. The Italian intervention agency shall be responsible for the operations relating to the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

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

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (2) to the tenderer in the

currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall ask that the tenderer specifies the following information :

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging ;
- (b) the date of the departure of the ships; the expected date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information provided for to the Commission as soon as it is received.

5. When the intervention agency responsible for the operation relating to tendering is not the interven-

tion agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

Article 8

As regards this tender the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment.

Article 9

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

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

Done at Brussels, 2 February 1979.

For the Commission

Finn GUNDELACH

Vice-President

**COMMISSION REGULATION (EEC) No 207/79
of 2 February 1979**

**opening an invitation to tender for the mobilization of husked long grain rice as
food aid for the League of Red Cross Societies**

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 1260/78 ⁽²⁾,

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

Having regard to the opinion of the Monetary
Committee,

Whereas on 30 January 1978 the Council of the Euro-
pean Communities declared that it proposed, by way
of Community action, to grant 137.5 tonnes of
husked long grain rice to the League of Red Cross
Societies under its 1977/78 food-aid programmes;

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

Whereas the proposed invitation to tender should be
for supply of the products to the dock or in the
lighter where applicable at the port of unloading;

Whereas in view of the different monetary circum-
stances in the Member States, the observation of these
conditions is not guaranteed by the application of
exchange rates applicable in the framework of the
common agricultural policy since monetary compensa-
tory amounts do not apply in the rice sector; whereas
it is advisable to take account of the monetary situa-
tion as regards different offers;

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

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

Whereas provision should be made for security to be
given to guarantee fulfilment of the obligations arising
by virtue of participation in the invitation to tender;

Whereas the Italian intervention agency should be
made responsible for the tendering procedure;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the
League of Red Cross Societies, by way of Community
food-aid action, of 137.5 tonnes of husked long grain
rice.

2. The tendering procedure shall take place in Italy
in one lot.

The products shall be mobilized on the Community
market.

Shipment shall be from a Community port.

3. The invitation to tender provided for in para-
graph 1 is for supply of products to the dock, or in
the lighter where applicable, in the port of Boma.

4. The successful tenderer shall deliver the product
specified in paragraph 1 in new jute sacks of a net
capacity of 50 kilograms.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

Minimum weight of the sacks shall be 600 grams. The following shall be printed on the sacks :

A red cross, 15 × 15 cm followed by :

'Riz décortiqué / Don de la Communauté économique européenne / Action de la Ligue des sociétés de la Croix-Rouge / À distribuer gratuitement / Boma.'

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

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 19 February 1979.
2. The closing date for the submission of tenders shall be 19 February 1979 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for the submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. The rates used for converting into units of account those offers made in national currencies shall be :
 - the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
 - in other cases, the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of offers.

Article 4

The contract shall be awarded to the tenderer offering the best terms.

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

Article 5

1. The successful tenderer shall give security of a value of 10 units of account per tonne. The security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be

forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

2. The security provided for in paragraph 1 may be given in the form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by the Member State.

Article 6

The husked long grain rice referred to in Article 1 to be supplied to the League of Red Cross Societies must meet the following requirements :

- (a) rice, free of odour, of a sound and fair marketable quality ;
- (b) moisture content : 15 % ;
- (c) percentage of rice grains which are not of unimpaired quality :
 - paddy grains : 1 %,
 - broken rice : 5 %,
 - green grains or grains showing natural malformation 5 % (including up to 0.5 % of red grains) ;
- (d) tolerance of extraneous matter, consisting of :
 - mineral or vegetable inedible substances provided that they are not toxic : 0.01 %,
 - extraneous grains or parts thereof, edible : 0.10 % ;
- (e) when wholly milled, percentage of wholly milled rice grains which are not of unimpaired quality :
 - chalky grains : 5 %,
 - spotted grains : 1.5 %,
 - yellow grains : 0.05 %,
 - stained grains : 1 %,
 - amber grains : 0.20 %.

Rice not meeting these requirements shall be refused.

Article 7

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

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

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in Article 3 (2) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall ask that the tenderer specifies the following information :

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging ;
- (b) the date of the departure of the ships ; the expected date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information provided for to the Commission as soon as it is received.

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

Article 8

As regards this tender, the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment.

Article 9

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

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

Done at Brussels, 2 February 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 208/79

of 2 February 1979

opening an invitation to tender for the mobilization of milled long grain rice as food aid for the Republic of Guinea

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 1260/78⁽²⁾,

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

Having regard to the opinion of the Monetary Committee,

Whereas on 21 December 1978 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 500 tonnes of husked rice (in other words, 345 tonnes of milled long grain rice) to the Republic of Guinea under its 1976/77 food-aid programme;

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

Whereas the proposed invitation to tender should be for supply of the products to the dock or in the lighter where applicable at the port of unloading;

Whereas in view of the different monetary circumstances in the Member States, the observation of these conditions is not guaranteed by the application of exchange rates applicable in the framework of the common agricultural policy since monetary compensatory amounts do not apply in the rice sector; whereas it is advisable to take account of the monetary situation as regards different offers;

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

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

Whereas provision should be made for security to be given for the purpose of guaranteeing that the obligations arising by virtue of participation in the invitation to tender for supplies to the Republic of Guinea will be fulfilled;

Whereas the Italian intervention agency should be made responsible for the tendering procedure in question;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders are hereby invited for the supply to the Republic of Guinea by way of Community food-aid action, of 345 tonnes of milled long grain rice.
2. The tendering procedure shall take place in Italy in one lot. The product shall be mobilized on the Community market. The products shall be loaded for departure from any Community port.
3. The invitation to tender provided for in paragraph 1 is for supply of products to the dock, or in the lighter where applicable, in the port of Conakry.
4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks of a net capacity of 50 kilograms.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

Minimum weight of the sacks shall be 600 grams. The following shall be printed on the sacks :

'Riz — Don de la Communauté économique européenne à la République de Guinée / À distribuer gratuitement.'

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

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 19 February 1979.
2. The closing date for the submission of tenders shall be 19 February 1979 at 12 noon.
3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities*, not less than nine days before the closing date for the submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
2. The rates used for converting into units of account those offers made in national currencies shall be :
 - the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
 - in other cases, the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms.

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

Article 5

1. The successful tenderer shall give security of a value of 10 units of account per tonne ; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

2. The security provided for in paragraph 1 may be given in the form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by the Member State.

Article 6

1. The milled long grain rice referred to in Article 1 to be supplied to the Republic of Guinea must meet the following requirements :

- moisture : 15 %,
- broken rice : 5 % maximum,
- chalky grains : 5 % maximum,
- grains striated with red : 3 % maximum,
- spotted grains : 1.5 % maximum,
- stained grains : 1 % maximum,
- yellow grains : 0.050 % maximum,
- amber grains : 0.20 % maximum.

Rice not meeting these requirements shall be refused.

2. Tenders for supply to the Republic of Guinea of the milled long grain rice referred to in Article 1 must relate to a product with the following characteristics :

- moisture : 15 %,
- broken rice : 5 % maximum,
- chalky grains : 5 % maximum,
- grains striated with red : 3 % maximum,
- spotted grains : 1.5 % maximum,
- stained grains : 1 % maximum,
- yellow grains : 0.050 % maximum,
- amber grains : 0.20 % maximum.

Article 7

1. The Italian intervention agency shall be responsible for the operations relating to the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

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

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (2) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall ask that the tenderer specifies the following information :

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging ;
- (b) the date of the departure of the ships ; the expected date of arrival of the products at their destination ;
- (c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information provided for to the Commission as soon as it is received.

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

Article 8

As regards this tender the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment.

Article 9

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

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

Done at Brussels, 2 February 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 209/79

of 1 February 1979

on Community surveillance of imports of certain textile products originating in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1439/74 of 4 June 1974 on common rules for imports⁽¹⁾, and in particular Article 7 thereof,

Having regard to Commission Regulation (EEC) No 1251/78 of 12 June 1978 making the import of certain textile products from certain third countries subject to Community surveillance⁽²⁾, as last amended by Regulation (EEC) No 10/79⁽³⁾,

Having consulted the Advisory Committee set up under Article 5 of Regulation (EEC) No 1439/74,

Whereas by Regulation (EEC) No 2053/78⁽⁴⁾ the Commission established Community surveillance of imports of certain textile products originating in Spain; whereas the said Regulation expired on 31 December 1978;

Whereas a system of administrative cooperation has been introduced between the European Economic Community and Spain with regard to trade in certain textile products;

Whereas in order to make such administrative cooperation effective it is necessary to reintroduce the measures provided for in the abovementioned Regulation (EEC) No 2053/78,

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to the other provisions of Regulation (EEC) No 1251/78, the import document referred to in Article 2 of that Regulation shall be issued or endorsed only on presentation of an export authorization certificate entitled 'Comunicación al Exportador' issued by the relevant Spanish authorities.
2. This certificate shall be issued by the regional offices of the Spanish Ministry of Commerce and Tourism. It shall bear the same serial number as the export authorization to which it refers.

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities* and shall apply until 31 December 1979.

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

Done at Brussels, 1 February 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 159, 15. 6. 1974, p. 1.
⁽²⁾ OJ No L 155, 13. 6. 1978, p. 12.
⁽³⁾ OJ No L 2, 4. 1. 1979, p. 11.
⁽⁴⁾ OJ No L 239, 31. 8. 1978, p. 15.

COMMISSION REGULATION (EEC) No 210/79

of 2 February 1979

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 1396/78 ⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1550/78 ⁽³⁾, as last amended by Regulation (EEC) No 201/79 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1550/78 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 3 February 1979.

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

Done at Brussels, 2 February 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 182, 5. 7. 1978, p. 17.

⁽⁴⁾ OJ No L 28, 2. 2. 1979, p. 15.

ANNEX

to the Commission Regulation of 2 February 1979 fixing the import levies on white sugar and raw sugar

CCT heading No	Description	Levy <i>(u.a./100 kg)</i>
17.01	Beet sugar and cane sugar, in solid form : A. White sugar ; flavoured or coloured sugar B. Raw sugar	27.67 22.66 ⁽¹⁾

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 24 January 1979

amending Directive 64/432/EEC as regards brucellosis

(79/109/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 the proposal from the Commission,

Having regard to the opinion of the European Parlia-
ment⁽¹⁾,

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

Whereas Council Directive 64/432/EEC of 26 June
1964 on animal health problems affecting intra-
Community trade in bovine animals and swine⁽³⁾, as
last amended by Directive 77/98/EEC⁽⁴⁾, lays down
common standards on anti-brucellosis measures appli-
cable to animals intended for intra-Community trade ;

Whereas equivalent measures for the diagnosis and
control of bovine brucellosis are, by way of derogation,
still applicable in the new Member States ; whereas in
order to ensure the continuation of free trade in
bovine animals and swine within the Community, it is
necessary to adapt the technical provisions of Direc-
tive 64/432/EEC which relate to brucellosis in order
to take account of this situation ;

Whereas, in view of new scientific knowledge and
technical developments in the diagnosis and control

of bovine brucellosis, an adjustment of existing
Community measures in this field is necessary,

HAS ADOPTED THIS DIRECTIVE :

Article 1

In Article 2 of Directive 64/432/EEC, the following
point shall be added :

'(o) "Region" means that part of a Member State's
territory which is at least 2 000 km² in area
and which is subject to inspection by the
competent authorities and includes at least
one of the following administrative areas :

- Belgium : province/provincie,
- Germany : Regierungsbezirk,
- Denmark : Amt or island,
- France : département,
- Italy : provincia,
- Luxembourg : —,
- Netherlands : provincie,
- United Kingdom :
 - England, Wales and Northern Ireland :
county,
 - Scotland : district or island area,
 - Ireland : county.'

⁽¹⁾ OJ No C 266, 7. 11. 1977, p. 45.

⁽²⁾ OJ No C 18, 23. 1. 1978, p. 35.

⁽³⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽⁴⁾ OJ No L 26, 31. 1. 1977, p. 81.

Article 2

In Article 3 of Directive 64/432/EEC, the following paragraphs shall be added:

'13. By way of derogation from Annex A (II) (A) (1) (c) (ii) it may be decided, under the procedure laid down in Article 12, that in a Member State, or part of a Member State composed of several adjacent regions, where at least 99.8 % of the bovine herds have been declared officially brucellosis-free within the meaning of Article 2 (e) for at least 10 years, and where no case of abortion due to a brucella infection has been recorded for at least three years, the inspections for determining whether this status is to be preserved may be carried out in a manner and in regions to be decided under the same procedure.

If one of the conditions provided for in the first subparagraph ceases to be fulfilled, the Commission — after assessing the circumstances in which the brucellosis has reappeared — shall submit to the Standing Veterinary Committee a proposal for a decision to rescind the derogation decision taken in respect of that Member State or of that part thereof composed of several adjacent regions.

It may also be decided, under the procedure laid down in Article 12, that the provisions of Annex A (II) (A) (1) (c) (iii) may be applied to a part of a Member State comprising several adjacent regions.'

Article 3

Annex A (II) (A) (1) (c) (i) of Directive 64/432/EEC shall be replaced by the following:

'(i) have shown a brucella count lower than 30 international units of agglutination per millilitre when given two official sero-agglutination tests at intervals of at least three months and at most 12 months, carried out in accordance with Annex C; however:

- the first sero-agglutination test may be replaced by three ring-tests carried out at three-monthly intervals provided that the second sero-agglutination test is carried out at least six weeks after the third ring-test;
- the first sero-agglutination test referred to in the first indent may be replaced by a buffered brucella antigen test carried out in accordance with Annex C (D)';

Article 4

In Annex A (II) (A) (1) (d) (i) of Directive 64/432/EEC, in the introductory sentence, the words 'or a part of a Member State comprising several adjacent regions' shall be inserted after the words 'in Member States'.

Article 5

In Annex A (II) (A) (1) (c) of Directive 64/432/EEC, the following subparagraphs shall replace the existing subparagraph (ii):

- '(ii) are checked annually to establish that brucellosis is not present by three ring-tests carried out at intervals of at least three months or two ring-tests at an interval of at least three months and one serological test (sero-agglutination test or buffered brucella antigen test or plasma-agglutination test or plasma ring-test) carried out not less than six weeks after the second ring-test. If ring-tests are not carried out, two serological tests (sero-agglutination test or buffered brucella antigen test or plasma-agglutination test or plasma ring-test) shall be carried out each year at intervals of at least three months and not more than six months;

Where, in a Member State or region thereof in which all bovine herds are subject to official operations to combat brucellosis, not more than 1 % of bovine herds is infected, it shall be sufficient to carry out each year two ring-tests at an interval of at least three months, or one serological test (sero-agglutination test or buffered brucella antigen test or plasma-agglutination test or plasma ring-test);

- (iii) derogations may be permitted from the requirements laid down in (ii) regarding annual checks that brucellosis is not present in any Member State where at least 99.8 % of bovine herds have been recognized as officially brucellosis-free for at least four years; in this case, the interval between checks may be extended to two years and the checks must be carried out using one of the serological tests referred to in (ii)';

Article 6

Annex A (II) (A) (2) (b) of Directive 64/432/EEC shall be replaced by the following:

- (b) all or some of the female bovine animals have been vaccinated:
- when six months old at most, with live Buck 19 vaccine or other vaccines approved under the procedure laid down in Article 12,
 - when 15 months old at most, with killed 45/20 adjuvant vaccine officially inspected and recognized;

Article 7

Annex A (II) (A) (2) (c) of Directive 64/432/EEC shall be replaced by the following:

- (c) all the bovine animals satisfy the conditions laid down in 1 (b) and (c); however, the bovine animals under 30 months old which have been vaccinated with live Buck 19 vaccine may show a brucella count equal to or higher than 30 i.u. of agglutination per millilitre but lower than 80 i.u. of agglutination per millilitre provided that, when the complement fixation reaction is tested, they show:
- a count lower than 30 EEC units in the case of females vaccinated less than 12 months previously,
 - a count lower than 20 EEC units in all other cases.

The sero-agglutination tests referred to in 1 (c) (i), first indent, may be replaced by buffered brucella antigen tests carried out in accordance with Annex C (D);

Article 8

In Annex A (II) (A) (2) (d), second paragraph, first line of Directive 64/432/EEC, the words 'with live Buck 19 vaccine' shall be inserted between the words 'vaccinated' and 'and'.

Article 9

In Annex C of Directive 64/432/EEC the following sections shall be added:

'D. The buffered brucella antigen test

The buffered brucella antigen test may be carried out using one of the following methods:

A. Manual test

1. The standard serum shall be the second international standard anti-brucella abortus

serum which is supplied by the Central Veterinary Laboratory, Weybridge, Surrey, England.

2. The antigen shall be prepared without reference to the cell concentration, but its sensitivity must be standardized in relation to the second international standard anti-brucella abortus serum in such a way that the antigen produces a positive reaction with serum dilution of 1 : 47.5 and a negative reaction with a dilution of 1 : 55.
3. The antigen shall be suspended in buffered brucella antigen diluent at a pH of 3.65 ± 0.5 and may have been stained by the use of Rose Bengal dye.
4. Weybridge Strain No 99 or USDA 1119 or any other strain of equivalent sensitivity must be used for preparing the antigen.
5. The culture media used for keeping the strain in the laboratory and for producing the antigen must be such that they do not encourage bacterial dissociation (S — R); potato agar medium or continuous culture methods should be used.
6. The antigen shall be tested against eight freeze-dried known positive and negative sera.
7. The official supervision and control of standard serum and antigen shall be carried out by the official bodies listed in Annex C (A) (9).
8. The antigen shall be delivered ready for use.
9. The buffered brucella antigen test shall be carried out in the following manner:
 - (a) one drop (0.03 ml) of antigen should be placed alongside one drop (0.03 ml) of the serum on a white plate;
 - (b) they should be mixed with an applicator stick, first in a straight line and then in a circle of about 10 to 12 mm diameter;
 - (c) the plate should then be rocked back and forth for four minutes (about 30 times per minute);
 - (d) readings should be taken in a good light; if there is no evidence of agglutination, the test shall be regarded as negative; any degree of agglutination shall be regarded as positive, unless there has been excessive drying round the edges.

B. Automated method

The automated method must be at least as sensitive and accurate as the manual method.

E. Plasma ring-test**A. Extraction of the plasma**

The tube containing blood, coagulation of which having been inhibited by the addition of EDTA, should be centrifuged for three at 3 000 r/min and subsequently kept at 37 °C for 12 to 24 hours.

B. Evaluation

0.2 ml of stabilized plasma should be placed in a tube with 1 ml of untreated milk. After mixing, one drop (0.05 ml) of ABR-antigen should be added and the whole again mixed. The antigen should be standardized in relation to a standard antigen supplied by the body referred to in (A) (9) (a).

Following an incubation period of 45 minutes at 37 °C, a reading should be taken within 15 minutes. The result shall be regarded as positive if the colour of the ring has become the same as, or darker than, that of the milk column.

F. Plasma agglutination

The plasma extracted in accordance with E (A) may be used immediately after centrifuging, no thermal stabilization being necessary.

0.05 ml of plasma should be mixed with 1 ml of antigen for 50 % sero-agglutination, which corresponds to a dilution of 1 : 20 for sero-agglutination. A reading should be taken after 18 to 24 hours incubation at 37 °C. % or more agglutination shall be regarded as positive.'

Article 10

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 April 1979 and shall forthwith inform the Commission thereof.

Article 11

This Directive is addressed to the Member States.

Done at Brussels, 24 January 1979.

For the Council

The President

J. FRANÇOIS-PONCET

COUNCIL DIRECTIVE

of 24 January 1979

authorizing the Italian Republic to postpone the notification and implementation of its national plans for the accelerated eradication of brucellosis and tuberculosis in cattle

(79/110/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 the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Articles 2 and 3 of Council Directive 77/391/EEC of 17 May 1977 introducing Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle ⁽⁴⁾, provide that Member States in which cattle are infected with brucellosis or tuberculosis are to draw up national plans for accelerating the eradication of these diseases; whereas Article 9 (1) of that Directive stipulates that Member States are to forward these plans to the Commission prior to their implementation and not later than 31 March 1978;

Whereas, however, the Italian Republic has officially informed the Commission that it is encountering considerable difficulties in drawing up its national eradication plans, and is therefore behind schedule;

Whereas it is desirable and in accordance with the aims of the abovementioned Directive that the time allowed for the preparation of national eradication plans by the Italian Republic, and for their communication to the Commission, should be such as to ensure effective implementation;

Whereas Article 29 (2) and (3) of Directive 78/52/EEC ⁽⁵⁾ stipulates that the three-year period of execution, provided for in Article 6 (1) of Directive 77/391/EEC for implementation of national plans for eradication of brucellosis and tuberculosis, is to begin

not later than 31 December 1978 and is to be restricted to slaughterings carried out before 1 January 1982;

Whereas, if the deadline for notifying the eradication plans submitted by the Italian Republic is extended, then, to ensure full effectiveness of the measures, the deadline for the entry into force of these plans and the date until which slaughterings carried out may receive Community finance should be extended by a maximum of one year,

HAS ADOPTED THIS DIRECTIVE:

Article 1

By way of derogation from Article 9 (1) of Directive 77/391/EEC, the Italian Republic shall forward to the Commission the plans provided for in Articles 2 and 3 of that Regulation prior to their implementation and not later than 31 March 1979.

Article 2

1. By way of derogation from Article 29 (2) of Directive 78/52/EEC, the Italian Republic shall bring into force the laws, regulations and administrative provisions necessary for implementation of the 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 not later than 31 December 1979.

2. By way of derogation from Article 29 (3) of Directive 78/52/EEC, the three-year period of execution provided for in Article 6 (1) of Directive 77/391/EEC shall run, for the Italian Republic, from the date laid down by the Commission pursuant to paragraph 1. However, Community finance shall in all

(1) OJ No C 289, 2. 12. 1978, p. 6.

(2) Opinion delivered on 19 January 1979 (not yet published in the Official Journal).

(3) Opinion delivered on 19 December 1978 (not yet published in the Official Journal).

(4) OJ No L 145, 13. 6. 1977, p. 44.

(5) OJ No L 15, 19. 1. 1978, p. 34.

cases be restricted to slaughterings carried out before 1
January 1983.

Done at Brussels, 24 January 1979.

For the Council

The President

This Directive is addressed to the Italian Republic.

J. FRANÇOIS-PONCET

COUNCIL DIRECTIVE

of 24 January 1979

amending Directive 64/432/EEC as regards brucellosis and prolonging, in respect of brucellosis, tuberculosis and swine fever, certain derogation measures granted to Denmark, Ireland and the United Kingdom

(79/111/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 4 (a) thereof,

Having regard to the proposal from the Commission⁽³⁾,

Having regard to the opinion of the European Parliament⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁵⁾,

Whereas there seem to be grounds for a herd of cattle to be described as officially brucellosis-free if it is situated in a Member State which has been completely free of the disease for a long period;

Whereas under Article 104 (3) of the Act of Accession, Denmark, Ireland and the United Kingdom were authorized to retain, until 31 December 1977, their national provisions for declaring a herd of cattle officially free of tuberculosis or free of brucellosis; whereas this authorization was extended until 31 December 1978 by Directive 78/51/EEC⁽⁶⁾;

Whereas, in view of the time required to provide solutions to basic technical problems, it is necessary to prolong by six months 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 tuberculosis free or, in the case of Ireland and the United Kingdom, brucellosis-free within the meaning of Article 2 of Directive 64/432/EEC;

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 certain special derogations granted in respect of such trade;

Whereas as regards swine fever, Denmark, Ireland and the United Kingdom were also authorized, most recently under Directive 78/54/EEC⁽⁷⁾, to retain their national provisions on protection against this disease; whereas only Community rules on swine fever can provide a definitive solution to this problem; whereas these rules are being drawn up; whereas the derogations granted to the three Member States referred to above should therefore be prolonged for a period of one year in order to enable the Council to adopt common rules in this field,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. The following paragraph shall be added to Annex A (II) (A) of Directive 64/432/EEC:

'1a. A bovine herd is also considered to be officially brucellosis-free if:

— it is situated in a Member State in which, on 1 January 1979, no case of bovine brucellosis has been officially recorded for at least 10 years;

— it has throughout this period satisfied the provisions of paragraph 1 above with the exception, provided that all the bovine herds in the Member State concerned have undergone regular official testing, of those under (c) (ii).'

2. Article 2 (e) of Directive 64/432/EEC shall be replaced by the following:

'(e) Officially brucellosis-free bovine herd: means a bovine herd which satisfies the conditions laid down in Annex A (II) (A) (1) or (1a)';

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

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 81.

⁽³⁾ OJ No C 289, 2. 12. 1978, p. 4.

⁽⁴⁾ Opinion delivered on 19 January 1979 (not yet published in the Official Journal).

⁽⁵⁾ Opinion delivered on 19 December 1978 (not yet published in the Official Journal).

⁽⁶⁾ OJ No L 15, 19. 1. 1978, p. 32.

⁽⁷⁾ OJ No L 16, 20. 1. 1978, p. 22.

Article 2

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 whereby a herd of cattle becomes considered to be officially tuberculosis-free, within the meaning of Article 2 of that Directive.

The provisions relating to the tests laid down for animals traded within the Community shall continue to apply, subject to Article 4 (b).

Article 3

By way of derogation from Directive 64/432/EEC, Ireland and the United Kingdom are hereby authorized to retain the methods applied in their territory whereby a herd of cattle becomes considered to be brucellosis-free within the meaning of Article 2 of Directive 64/432/EEC, subject to the application of the provisions of that Directive 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 4 (a).

Article 4

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.

Article 5

In Article 3 of Directive 78/51/EEC, the date '31 December 1978' shall be replaced by '31 January 1979'.

In Articles 1 and 2 of Directive 78/54/EEC, the date '31 December 1978' shall be replaced by '30 June 1979'.

Article 6

Articles 2, 3 and 4 shall apply from 1 February to 30 June 1979.

Article 7

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive and shall forthwith inform the Commission thereof.

Article 8

This Directive is addressed to the Member States.

Done at Brussels, 24 January 1979.

For the Council

The President

J. FRANÇOIS-PONCET

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