

Official Journal

of the European Communities

ISSN 0378-6978

L 177

Volume 22

14 July 1979

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- Commission Regulation (EEC) No 1456/79 of 13 July 1979 fixing the import levies on cereals and on wheat or rye flour, groats and meal 1
- Commission Regulation (EEC) No 1457/79 of 13 July 1979 fixing the premiums to be added to the import levies on cereals, flour and malt 3
- Commission Regulation (EEC) No 1458/79 of 13 July 1979 altering the components used to calculate the differential amounts for colza and rape seed 5
- Commission Regulation (EEC) No 1459/79 of 13 July 1979 fixing the world market price for colza and rape seed 8
- Commission Regulation (EEC) No 1460/79 of 13 July 1979 fixing the import levies on milk and milk products 10
- Commission Regulation (EEC) No 1461/79 of 13 July 1979 fixing the export refunds on milk and milk products 13
- Commission Regulation (EEC) No 1462/79 of 13 July 1979 fixing the export refunds on fishery products 29
- ★ Commission Regulation (EEC) No 1463/79 of 13 July 1979 amending the Annex to Regulation (EEC) No 532/75 concerning the recovery on exportation of aids granted in respect of skimmed-milk powder for use as feed and in respect of skimmed milk processed into compound feedingstuffs 31
- ★ Commission Regulation (EEC) No 1464/79 of 13 July 1979 on the definition of the concept of originating products for the purposes of the application of the tariff preferences granted by the European Economic Community in respect of certain textile products from developing countries 34
- ★ Commission Regulation (EEC) No 1465/79 of 13 July 1979 amending Regulation (EEC) No 890/78 laying down detailed rules for the certification of hops and Regulation (EEC) No 3076/78 on the importation of hops from non-member countries 35

Contents (continued)

★ Commission Regulation (EEC) No 1466/79 of 13 July 1979 amending for the third time Regulation (EEC) No 3077/78 on the equivalence with Community certificates of attestations accompanying hops imported from non-member countries	37
★ Commission Regulation (EEC) No 1467/79 of 13 July 1979 amending for the second time Regulation (EEC) No 1517/77 fixing the list of the various groups of hop varieties cultivated in the Community	38
★ Commission Regulation (EEC) No 1468/79 of 13 July 1979 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs	40
Commission Regulation (EEC) No 1469/79 of 13 July 1979 opening an invitation to tender for the mobilization of common wheat flour as food aid for the Arab Republic of Egypt	46
Commission Regulation (EEC) No 1470/79 of 13 July 1979 opening an invitation to tender for the mobilization of common wheat flour as food aid for the Hashemite Kingdom of Jordan	49
Commission Regulation (EEC) No 1471/79 of 13 July 1979 opening an invitation to tender for the mobilization of durum wheat as food aid for the Republic of Malta	52
Commission Regulation (EEC) No 1472/79 of 13 July 1979 abolishing the countervailing charge on tomatoes originating in Israel	55
Commission Regulation (EEC) No 1473/79 of 13 July 1979 correcting Regulation (EEC) No 1367/79 fixing the monetary compensatory amounts	56

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1456/79

of 13 July 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 organization 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 Regulation (EEC) No 2724/78⁽³⁾ and subsequent amending Regulations;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979⁽⁴⁾ laid down the coefficient for expressing amounts, fixed in units of account, in ECU;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2724/78 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

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 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 July 1979.

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

Done at Brussels, 13 July 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.

⁽⁴⁾ OJ No L 84, 4. 4. 1979, p. 1.

ANNEX

to the Commission Regulation of 13 July 1979 fixing the import levies on cereals and on wheat or rye flour, groats and meal

<i>(ECU/tonne)</i>		
CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	79.12
10.01 B	Durum wheat	118.61 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	75.20 ⁽⁶⁾
10.03	Barley	70.08
10.04	Oats	85.60
10.05 B	Maize, other than hybrid maize for sowing	79.46 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	52.58 ⁽⁴⁾
10.07 C	Grain sorghum	74.75 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	125.54
11.01 B	Rye flour	120.05
11.02 A I a)	Durum wheat groats and meal	197.40
11.02 A I b)	Common wheat groats and meal	133.44

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

⁽²⁾ Where maize originating in the ACP or OCT is imported into the French overseas departments the levy is reduced by 7.25 ECU/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 1.81 ECU/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 0.60 ECU/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 1457/79**of 13 July 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 Council Regulation (EEC) No 652/79 of 29
March 1979⁽⁴⁾ laid down the coefficient for
expressing amounts, fixed in units of account, in
ECU;

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 to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation
(EEC) No 2727/75 to be added to the import levies
fixed in advance in respect of cereals and malt shall
be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 July
1979.

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

Done at Brussels, 13 July 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.

⁽⁴⁾ OJ No L 84, 4. 4. 1979, p. 1.

ANNEX

to the Commission Regulation of 13 July 1979 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 7	1st period 8	2nd period 9	3rd period 10
10.01 A	Common wheat, and meslin	0	0.74	0.74	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	2.22
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	1.04	1.04	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	1.32	1.32	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0.98	0.98	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 1458/79

of 13 July 1979

altering the components used to calculate the differential amounts 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 market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 590/79⁽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 852/78⁽⁴⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EEC) No 2300/73 of 23 August 1973⁽⁵⁾, as last amended by Regulation (EEC) No 1234/77⁽⁶⁾, laid down detailed rules of application for Regulation (EEC) No 1569/72; whereas the components used to calculate the differential amounts were fixed by Regulation (EEC) No 1324/79⁽⁷⁾, as amended by Regulation (EEC) No

1411/79⁽⁸⁾; whereas, in the case of the pound sterling the difference referred to in Article 2 (1) of Regulation (EEC) No 1569/72 for the period 4 to 10 July 1979 has changed, by reference to the representative rate valid on 16 July 1979, by at least one point from the percentage used for the previous fixing; whereas this fact should be taken into account when fixing the components used to calculate the differential amounts for colza and rape seed where those components are already applied in respect of the Member States concerned,

HAS ADOPTED THIS REGULATION :

Article 1

The Annex to Regulation (EEC) No 1324/79 as amended is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 16 July 1979.

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

Done at Brussels, 13 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, 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 162, 30. 6. 1979, p. 76.

⁽⁸⁾ OJ No 169, 7. 7. 1979, p. 5.

ANNEX

	Target price corrective (coefficient to be applied)	Subsidy or refund corrective (coefficient to be applied)	Differential component (coefficient to be applied to the target price)	
1. Colza and rape seed, processed for oil production in Germany or ex- ported from that country :	+ 0.0980	- 0.0980	+	-
— harvested in Germany			-	-
— harvested in the BLEU or in the Netherlands			-	0.0720
— harvested in France			-	0.1429
— harvested in Denmark			-	0.0980
— harvested in Ireland			-	0.1113
— harvested in the United Kingdom			-	0.1391
— harvested in Italy			-	0.1553
2. Colza and rape seed, processed for oil production in the BLEU and in the Netherlands or re-exported from that country :	+ 0.0280	- 0.0280	+	-
— harvested in Germany			0.0776	-
— harvested in the BLEU or in the Netherlands			-	-
— harvested in France			-	0.0764
— harvested in Denmark			-	0.0280
— harvested in Ireland			-	0.0424
— harvested in the United Kingdom			-	0.0722
— harvested in Italy			-	0.0897
3. Colza and rape seed, processed for oil production in Denmark or exported from that country :	Nil	Nil	+	-
— harvested in Germany			0.1086	-
— harvested in the BLEU or in the Netherlands			0.0288	-
— harvested in France			-	0.0498
— harvested in Denmark			-	-
— harvested in Ireland			-	0.0148
— harvested in the United Kingdom			-	0.0455
— harvested in Italy			-	0.0635
4. Colza and rape seed, processed for oil production in France or exported from that country :	- 0.0524	+ 0.0524	+	-
— harvested in Germany			0.1667	-
-- harvested in the BLEU or in the Netherlands			0.0827	-
-- harvested in France			-	-
— harvested in Denmark			0.0524	-
— harvested in Ireland			0.0368	-
— harvested in the United Kingdom			0.0045	-
— harvested in Italy			-	0.0144

	Target price corrective (coefficient to be applied)	Subsidy or refund corrective (coefficient to be applied)	Differential component (coefficient to be applied to the target price)	
5. Colza and rape seed, processed for oil production in the United Kingdom or exported from that country :	— 0.0477	+ 0.0477	+	—
— harvested in Germany			0.1615	—
— harvested in the BLEU or in the Netherlands			0.0779	—
— harvested in France			—	0.0045
— harvested in Denmark			0.0477	—
— harvested in Ireland			0.0322	—
— harvested in the United Kingdom			—	—
— harvested in Italy			—	0.0188
6. Colza and rape seed, processed for oil production in Ireland or exported from that country :	— 0.0150	+ 0.0150	+	—
— harvested in Germany			0.1253	—
— harvested in the BLEU or in the Netherlands			0.0442	—
— harvested in France			—	0.0355
— harvested in Denmark			0.0150	—
— harvested in Ireland			—	—
— harvested in the United Kingdom			—	0.0312
— harvested in Italy			—	0.0494
7. Colza and rape seed, processed for oil production in Italy or exported from that country :	— 0.0678	+ 0.0678	+	—
— harvested in Germany			0.1838	—
— harvested in the BLEU or in the Netherlands			0.0985	—
— harvested in France			0.0146	—
— harvested in Denmark			0.0678	—
— harvested in Ireland			0.0520	—
— harvested in the United Kingdom			0.0192	—
— harvested in Italy			—	—

COMMISSION REGULATION (EEC) No 1459/79

of 13 July 1979

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 590/79⁽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 852/78⁽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 1400/79 of 5 July 1979 fixing the amount of the subsidy on oil

seeds⁽⁷⁾, as amended by Regulation (EEC) No 1426/79⁽⁸⁾;

Whereas, if the price system is 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 indent;

Whereas it follows from applying these provisions that the world market price for colza and rape seed should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The world market price referred to in Article 9(4) of Regulation (EEC) No 2300/73 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 July 1979.

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

Done at Brussels, 13 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

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

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, 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 168, 6. 7. 1979, p. 10.

⁽⁸⁾ OJ No L 173, 11. 7. 1979, p. 7.

ANNEX

to the Commission Regulation of 13 July 1979 fixing the world market price for colza and rape seed

(ECU/100 kg)⁽¹⁾

CCT heading No	Description	World market price
ex 12.01	Colza and rape seed	24.058

(ECU/100 kg)⁽¹⁾

CCT heading No	Description	World market price where the subsidy is fixed in advance for the month of					
		July 1979	August 1979	September 1979	October 1979	November 1979	December 1979
ex 12.01	Colza and rape seed	24.058	24.058	24.058	24.058	24.506	24.506

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

1 ECU = DM	2.51064
1 ECU = Fl	2.72077
1 ECU = Bfr/Lfr	39.4582
1 ECU = FF	5.79831
1 ECU = Dkr	7.08592
1 ECU = I £	0.662638
1 ECU = £	0.608980
1 ECU = Lit	1 119.94

COMMISSION REGULATION (EEC) No 1460/79
of 13 July 1979
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 1761/78⁽²⁾, and in
particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 1364/79⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1364/79 to the

prices known to the Commission that the levies at
present in force should be altered to the amounts set
out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 14 (2) of Regu-
lation (EEC) No 804/68 shall be as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 16 July
1979.

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

Done at Brussels, 13 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 163, 2. 7. 1979, p. 25.

ANNEX

to the Commission Regulation of 13 July 1979 fixing the import levies on milk and milk products

(ECU /100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.01 A I a)	0110	26.54
04.01 A I b)	0120	24.13
04.01 A II a) 1	0130	24.13
04.01 A II a) 2	0140	29.75
04.01 A II b) 1	0150	22.92
04.01 A II b) 2	0160	28.54
04.01 B I	0200	61.41
04.01 B II	0300	129.90
04.01 B III	0400	200.76
04.02 A I	0500	13.56
04.02 A II a) 1	0620	114.70
04.02 A II a) 2	0720	156.75
04.02 A II a) 3	0820	159.17
04.02 A II a) 4	0920	170.79
04.02 A II b) 1	1020	107.45
04.02 A II b) 2	1120	149.50
04.02 A II b) 3	1220	151.92
04.02 A II b) 4	1320	163.54
04.02 A III a) 1	1420	23.40
04.02 A III a) 2	1520	31.59
04.02 A III b) 1	1620	129.90
04.02 A III b) 2	1720	200.76
04.02 B I a)	1820	36.27
04.02 B I b) 1 aa)	2220	per kg 1.0745 ⁽⁹⁾
04.02 B I b) 1 bb)	2320	per kg 1.4950 ⁽⁹⁾
04.02 B I b) 1 cc)	2420	per kg 1.6354 ⁽⁹⁾
04.02 B I b) 2 aa)	2520	per kg 1.0745 ⁽¹⁰⁾
04.02 B I b) 2 bb)	2620	per kg 1.4950 ⁽¹⁰⁾
04.02 B I b) 2 cc)	2720	per kg 1.6354 ⁽¹⁰⁾
04.02 B II a)	2820	38.53
04.02 B II b) 1	2910	per kg 1.2990 ⁽¹⁰⁾
04.02 B II b) 2	3010	per kg 2.0076 ⁽¹⁰⁾
04.03 A	3110	236.19
04.03 B	3210	288.15
04.04 A I a) 1	3321	18.13
04.04 A I a) 2	3420	172.60 ⁽¹¹⁾
04.04 A I b) 1 aa)	3521	18.13
04.04 A I b) 1 bb)	3619	172.60 ⁽¹¹⁾
04.04 A I b) 2	3719	172.60 ⁽¹¹⁾
04.04 A II	3800	172.60
04.04 B	3900	205.10 ⁽¹²⁾
04.04 C	4000	158.46
04.04 D I	4120	36.27
04.04 D II a) 1	4410	145.41
04.04 D II a) 2	4510	159.91
04.04 D II b)	4610	256.63
04.04 E I a)	4710	205.10
04.04 E I b) 1 aa)	4834	18.13
04.04 E I b) 1 bb)	4850	187.24

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.04 E I b) 2 aa)	4922	151.89 ⁽¹³⁾
04.04 E I b) 2 bb)	5022	151.89 ⁽¹⁴⁾
04.04 E I b) 3	5030	151.89 ⁽¹⁵⁾
04.04 E I b) 4	5060	151.89 ⁽¹⁵⁾
04.04 E I b) 5	5120	151.89
04.04 E I c) 1	5210	113.92
04.04 E I c) 2	5250	248.61
04.04 E II a)	5310	205.10
04.04 E II b)	5410	248.61
17.02 A II ⁽¹⁶⁾	5500	27.08
21.07 F I	5600	27.08
23.07 B I a) 3	5700	83.01
23.07 B I a) 4	5800	107.72
23.07 B I b) 3	5900	100.51
23.07 B I c) 3	6000	81.95
23.07 B II	6100	107.72

For notes ⁽¹⁾ to ⁽⁶⁾, see notes ⁽¹⁾ to ⁽⁶⁾ of Council Regulation (EEC) No 823/68 (OJ No L 151, 30. 6. 1968).

⁽⁹⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
b) 7.25 ECU ; and
c) 15.75 ECU.

⁽¹⁰⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
and
b) 15.75 ECU.

⁽¹¹⁾ The levy is limited to 9.07 ECU per 100 kg net weight.

⁽¹²⁾ The levy is limited to 6% of the value for customs purposes.

⁽¹³⁾ The levy is limited to 64.27 ECU per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁴⁾ The levy is limited to 88.45 ECU per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁵⁾ The levy is limited to 88.45 ECU per 100 kg net weight for imports from Bulgaria, Hungary, Romania and Turkey (Regulation (EEC) No 1054/68 as amended).

⁽¹⁶⁾ Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.

NB : For the purposes of heading No 04.04, the exchange rate to be applied in converting into national currencies the ECU referred to in the subdivisions of this heading shall, notwithstanding general rule C 3 contained in Part I, Section I of the Common Customs Tariff be the representative rate, if such a rate is fixed pursuant to Council Regulation No 129 on the value of the ECU and the exchange rates to be applied for the purposes of the common agricultural policy (OJ No 106, 30. 10. 1962, p. 2553/62).

COMMISSION REGULATION (EEC) No 1461/79

of 13 July 1979

fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
804/68 of 27 June 1968 on the common organization
of the market in milk and milk products⁽¹⁾, as last
amended by Regulation (EEC) No 1761/78⁽²⁾, and in
particular Article 17 (4) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 17 of Regulation (EEC) No 804/68
provides that the difference between prices in interna-
tional trade for the products listed in Article 1 of that
Regulation and prices for those products within the
Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28
June 1968 laying down general rules for granting
export refunds on milk and milk products and criteria
for fixing the amount of such refunds⁽³⁾, as amended
by Regulation (EEC) No 2429/72⁽⁴⁾, provides that
when the refunds on the products listed in Article 1
of Regulation (EEC) No 804/68, exported in the
natural state, are being fixed account must be taken
of:

- the existing situation and the future trend with
regard to prices and availabilities of milk and milk
products on the Community market and prices for
milk and milk products in international trade;
- marketing costs and the most favourable transport
charges from Community markets to ports or
other points of export in the Community, as well
as costs incurred in placing the goods on the
market of the country of destination;
- the aims of the common organization of the
market in milk and milk products which are to
ensure equilibrium and the natural development
of prices and trade on this market;

— the need to avoid disturbances on the Community
market; and

— the economic aspect of the proposed exports;

Whereas Article 3 (1) of Regulation (EEC) No 876/68
provides that when prices within the Community are
being determined account should be taken of the
ruling prices which are most favourable for exporta-
tion, and that when prices in international trade are
being determined particular account should be taken
of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of
destination for third country imports;
- (c) producer prices recorded in exporting third coun-
tries, account being taken, where appropriate, of
subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68
provides that the world market situation or the
specific requirements of certain markets may make it
necessary to vary the refund on the products listed in
Article 1 of Regulation (EEC) No 804/68 according to
destination;

Whereas Article 5 (1) of Regulation (EEC) No 876/68
provides that the list of products on which export
refunds are granted and the amount of such refunds
should be fixed at least once every four weeks;
whereas the amount of the refund may, however,
remain at the same level for more than four weeks;

Whereas Article 2 of Commission Regulation (EEC)
No 1098/68 of 27 July 1968 on detailed rules for the
application of export refunds on milk and milk
products⁽⁵⁾, as last amended by Regulation (EEC) No
37/75⁽⁶⁾, provides that the refund on products falling
within subheading 04.02 B is equal to the sum of two

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 5, 9. 1. 1975, p. 7.

components, the first representing the quantity of milk products and the second representing the quantity of added sucrose; whereas, however, the latter component applies only if the added sucrose was produced from beet or cane harvested within the Community;

Whereas for the products falling within subheading 04.02 B II a) or 04.02 B II b) 1 with a fat content not exceeding 9.5% by weight, the first component referred to above is fixed for 100 kilograms of the whole product; whereas, for the other products falling within subheading 04.02 B, this component is calculated by multiplying the basic amount by the milk product content of the product in question; whereas this basic amount is the refund on one kilogram of milk products contained in the product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

Whereas, if the refund system is to operate normally, refunds 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 indent;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption;

whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for these products which fall within heading No 04.04;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979⁽³⁾ laid down the coefficient for expressing amounts, fixed in units of account, in ECU;

Whereas it follows from applying these detailed rules to the present situation on the market in milk and milk products, and in particular to prices for these products within the Community and on the world market, that the refund should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex hereto.
2. There shall be no refunds for exports to Zone E for products falling within heading Nos 04.01, 04.02, 04.03 and 23.07 of the Common Customs Tariff.

Article 2

This Regulation shall enter into force on 14 July 1979.

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

Done at Brussels, 13 July 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 84, 4. 4. 1979, p. 1.

ANNEX

to the Commission Regulation of 13 July 1979 fixing the export refunds on milk and milk products

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01	<p>Milk and cream, fresh, not concentrated or sweetened :</p> <p>ex A. Other than whey, of a fat content, by weight, not exceeding 6 % :</p> <p>I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :</p> <p>a) In immediate packings of a net capacity of two litres or less</p> <p>b) Other</p> <p>II. Others :</p> <p>a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight :</p> <p>1. Not exceeding 4 % :</p> <p>(aa) Of a fat content, by weight, not exceeding 1.5 %</p> <p>for exports to :</p> <p>— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75</p> <p>— Other destinations</p> <p>(bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 %</p> <p>for exports to :</p> <p>— Countries near the Community</p> <p>— Other destinations</p> <p>(cc) Of a fat content, by weight, exceeding 3 %</p> <p>for exports to :</p> <p>— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75</p> <p>— Countries near the Community</p> <p>— Other destinations</p> <p>2. Exceeding 4 %</p> <p>for exports to :</p> <p>— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75</p> <p>— Countries near the Community</p> <p>— Other destinations</p>	<p>0110 00</p> <p>0120 00</p> <p>0130 10</p> <p>0130 22</p> <p>0130 31</p> <p>0140 00</p>	<p>5.96</p> <p>—</p> <p>1.78</p> <p>1.56</p> <p>5.15</p> <p>6.38</p> <p>8.39</p> <p>7.29</p> <p>9.24</p> <p>8.46</p> <p>7.87</p> <p>10.75</p>

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01 (cont'd)	b) Other, of a fat content, by weight : 1. Not exceeding 4 % : (aa) Of a fat content, by weight, not exceeding 1.5 % (bb) Of a fat content, by weight, exceeding 1.5 % but not exceeding 3 % (cc) Of a fat content, by weight, exceeding 3 % for exports to : — Armed forces as specified in Article 3 of Regulation (EEC) No 192/75 — Other destinations 2. Exceeding 4 % for exports to : — Armed forces as specified in Article 3 of Regulation (EEC) No 192/75 — Other destinations	0150 10 0150 21 0150 31 0160 00	1.56 5.32 8.39 6.46 8.46 7.00
	ex B. Other, excluding whey, of a fat content, by weight :		
	ex I. Exceeding 6 % but not exceeding 21 % : (a) Of a fat content, by weight, not exceeding 10 % (b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 % (c) Of a fat content, by weight, exceeding 17 % II. Exceeding 21 % but not exceeding 45 % : (a) Of a fat content, by weight, not exceeding 35 % (b) Of a fat content, by weight, exceeding 35 % but not exceeding 39 % (c) Of a fat content, by weight, exceeding 39 % III. More than 45 % : (a) Of a fat content, by weight, not exceeding 68 % (b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 % (c) Of a fat content, by weight, exceeding 80 %	0200 05 0200 11 0200 21 0300 12 0300 13 0300 20 0400 11 0400 22 0400 30	21.17 32.30 48.21 57.30 89.11 97.55 110.63 164.10 191.37
04.02	Milk and cream, preserved, concentrated or sweetened (*) : A. Not containing added sugar : II. Milk and cream, in powder or granules : a) In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight : 1. Not exceeding 1.5 %	0620 00	76.50

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	0720 00	76.50
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	0720 20	95.62
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	0720 30	103.15
	(dd) Of a fat content, by weight, exceeding 25 %	0720 40	113.10
	3. Exceeding 27 % but not exceeding 29 %	0820 00	115.60
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	0920 10	118.05
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	0920 30	133.00
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	0920 40	138.13
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	0920 50	155.70
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	0920 60	168.24
	(ff) Of a fat content, by weight, exceeding 79 %	0920 70	180.77
	b) Other, excluding products containing fish meal or fish oil or fish liver oil and iron carbonate or sulphate, of a fat weight content :		
	1. Not exceeding 1.5 %	1020 00	76.50
	2. Exceeding 1.5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	1120 10	76.50
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	1120 20	95.62
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	1120 30	103.15
	(dd) Of a fat content, by weight, exceeding 25 %	1120 40	113.10
	3. Exceeding 27 % but not exceeding 29 %	1220 00	115.60
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	1320 10	118.05
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	1320 30	133.00
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	1320 40	138.13
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	1320 50	155.70
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	1320 60	168.24
	(ff) Of a fat content, by weight, exceeding 79 %	1320 70	180.77

CCT heading No	Description	Code	Ref ind (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	III. Milk and cream, other than in powder or granules :		
	a) In immediate packings of a net content of 2.5 kg or less and of a non-fat content by weight not exceeding 11 % :		
	1. Of a fat content, by weight, not exceeding 8.9 % and of a lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1420 12	—
	(22) Exceeding 3 %, by weight	1420 22	
	For exports to :		
	— Countries near the Community		7.29
	— Other destinations		9.24
	(bb) Of 15 % or more and of a fat content :		
	(11) Not exceeding 3 %, by weight	1420 50	—
	(22) Exceeding 3 %, by weight, but not exceeding 7.4 %	1420 60	18.15
	(33) Exceeding 7.4 %	1420 70	24.37
	2. Other, of a non fat lactic dry matter content :		
	(aa) Of less than 15 %, by weight	1520 10	18.88
	(bb) Of 15 % or more, by weight	1520 20	28.91
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 % and of a non fat lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1620 70	—
	(22) Exceeding 3 %, by weight, but not exceeding 8.9 %	1630 00	7.29
	(33) Exceeding 8.9 %, by weight, but not exceeding 11 %	1630 10	18.88
	(44) Exceeding 11 %, by weight, but not exceeding 21 %	1630 20	29.40
	(55) Exceeding 21 %, by weight, but not exceeding 39 %	1630 30	52.98
	(66) Exceeding 39 %	1630 40	91.57
	(bb) Of 15 % or more and of a fat content :		
	(11) Not exceeding 3 %, by weight	1630 50	—
	(22) Exceeding 3 %, by weight, but not exceeding 7.4 %	1630 60	18.15
	(33) Exceeding 7.4 %, by weight, but not exceeding 8.9 %	1630 70	24.37
	(44) Exceeding 8.9 %	1630 80	28.91
	2. Exceeding 45 %	1720 00	104.43
	B. Containing added sugar :		
	I. Milk and cream, in powder or granules :		
	ex b) Other, excluding whey :		
	1. In immediate packings of a net capacity of 2.5 kilograms or less and of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2220 00	0.7650 ⁽¹⁾ per kg

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2320 10	0.7650 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2320 20	0.9562 ⁽¹⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2320 30	1.0315 ⁽¹⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2320 40	1.1310 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2420 10	1.1560 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2420 20	1.3300 ⁽¹⁾ per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1.5 %	2520 00	0.7650 ⁽¹⁾ per kg
	bb) Exceeding 1.5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2620 10	0.7650 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0.9562 ⁽¹⁾ per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	1.0315 ⁽¹⁾ per kg
	(44) Of a fat content, by weight, exceeding 25 %	2620 40	1.1310 ⁽¹⁾ per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2720 10	1.1560 ⁽¹⁾ per kg
	(22) Of a fat content, by weight, exceeding 41 %	2720 20	1.3300 ⁽¹⁾ per kg
	ex II. Milk and cream, excluding whey other than in powder or granules :		
	ex a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content by weight not exceeding 9.5 % :		
	(1) Of a fat content, by weight, not exceeding 6.9 % and of a non fat lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	2810 11	— ⁽¹⁾ per kg
	(22) Exceeding 3 %, by weight for exports to : — Countries near the Community — Other destinations	2810 12	0.0729 ⁽¹⁾ per kg 0.0924 ⁽¹⁾ per kg
	(bb) Of 15 % or more	2810 15	17.43 ⁽²⁾
	(2) Of a fat content, by weight, exceeding 6.9 % and of a non fat lactic dry matter content, by weight, of 15 % or more	2810 20	29.92 ⁽²⁾

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	b) Other, of a fat content, by weight : ex 1. Not exceeding 45 % : (aa) Of a fat content, by weight, not exceeding 6.9 % and of a non fat lactic dry matter content, by weight, of 15 % or more (bb) Of a fat content, by weight, exceeding 6.9 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, of 15 % or more (cc) Of a fat content by weight, exceeding 9.5 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, less than 15 % (dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 % (ee) Of a fat content, by weight, exceeding 39 % 2. Exceeding 45 %	 2910 70 2910 76 2910 80 2910 85 2910 90 3010 00	 17.43 (2) 29.92 (2) 0.2940 (1) per kg 0.5298 (1) per kg 0.9157 (1) per kg 1.0443 (1) per kg
04.03	Butter : ex A. Of a fat content, by weight, not exceeding 85 % : (I) Of a fat content, by weight, of 62 % or more, but less than 78 % (II) Of a fat content, by weight, of 78 % or more but less than 80 % (III) Of a fat content, by weight, of 80 % or more but less than 82 % (IV) Of a fat content, by weight, of 82 % or more B. Other, of a fat content, by weight : (I) Not exceeding 99.5 % (II) Exceeding 99.5 %	 3110 05 3110 16 3110 22 3110 32 3210 10 3210 20	 150.37 189.14 193.98 198.90 198.90 257.08
04.04	Cheese and curd (5) : ex A. Emmentaler and Gruyère, not grated or powdered : II. Other for exports to : — Zone D — Zone E — Canada — Liechtenstein and Switzerland — Austria — Other destinations ex C. Blue-veined cheese, not grated or powdered, other than Roquefort for exports to : — Austria — Zone D — Zone E — Canada — Other destinations	 3800 00 4000 00	 20.19 — 101.03 — 63.74 114.54 22.15 58.50 57.55 83.32 94.53

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	<p>D. Processed cheese, not grated or powdered :</p> <p>II. Other, of a fat content, by weight :</p> <p>a) Not exceeding 36% and of a fat content, by weight, in the dry matter :</p> <p>ex 1. Not exceeding 48 % and of a dry matter content, by weight :</p> <p>(aa) Of 33 % or more but less than 38 %</p> <p>for exports to :</p> <ul style="list-style-type: none"> — Austria 4.47 — Zone D 6.55 — Zone E 27.53 — Canada 31.13 — Switzerland 6.41 — Other destinations 40.00 <p>(bb) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :</p> <p>(11) Less than 20 %</p> <p>for exports to :</p> <ul style="list-style-type: none"> — Austria 4.47 — Zone D 6.55 — Zone E 27.53 — Canada 31.13 — Switzerland 6.41 — Other destinations 40.00 <p>(22) Of 20 % or more</p> <p>for exports to :</p> <ul style="list-style-type: none"> — Austria 6.60 — Zone D 9.68 — Zone E 40.63 — Canada 46.06 — Switzerland 9.48 — Other destinations 59.17 <p>(cc) Of 43 % or more and of a fat content, by weight, in the dry matter :</p> <p>(11) Less than 20 %</p> <p>for exports to :</p> <ul style="list-style-type: none"> — Austria 4.47 — Zone D 6.55 — Zone E 27.53 — Canada 31.13 — Switzerland 6.41 — Other destinations 40.00 	4410 10	
		4410 20	
		4410 30	
		4410 40	

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(22) Of 20 % or more but less than 40 %	4410 50	
	for exports to :		
	— Austria		6.60
	— Zone D		9.68
	— Zone E		40.63
	— Canada		46.06
	— Switzerland		9.48
	— Other destinations		59.17
	(33) Of 40 % or more	4410 60	
	for exports to :		
	— Austria		9.67
	— Zone D		14.15
	— Zone E		59.25
	— Canada		67.36
	— Switzerland		13.83
	— Other destinations		86.44
	ex 2. Exceeding 48 % and of a dry matter content, by weight :		
	(aa) Of 33 % or more but less than 38 %	4510 10	
	for exports to :		
	— Austria		4.47
	— Zone D		6.55
	— Zone E		27.53
	— Canada		31.13
	— Switzerland		6.41
	— Other destinations		40.00
	(bb) Of 38 % or more but less than 43 %	4510 20	
	for exports to :		
	— Austria		6.60
	— Zone D		9.68
	— Zone E		40.63
	— Canada		46.06
	— Switzerland		9.48
	— Other destinations		59.17
	(cc) Of 43 % or more but less than 46 %	4510 30	
	for exports to :		
	— Austria		9.67
	— Zone D		14.15
	— Zone E		59.25
	— Canada		67.36
	— Switzerland		13.83
	— Other destinations		86.44

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	<p>(dd) Of 46 % or more and of a fat content, by weight, in the dry matter :</p> <p>(11) Less than 55 % for exports to :</p> <ul style="list-style-type: none"> — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations <p>(22) Of 55 % or more for exports to :</p> <ul style="list-style-type: none"> — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations <p>b) Exceeding 36 % for exports to :</p> <ul style="list-style-type: none"> — Austria — Zone D — Zone E — Canada — Switzerland — Other destinations <p>E. Other :</p> <p>I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :</p> <p>ex a) Not exceeding 47 % :</p> <p>(1) Grana, Parmigiano Reggiano for exports to :</p> <ul style="list-style-type: none"> — Zone D — Zone E — Canada — Switzerland — Other destinations <p>(2) Fiore Sardo, Pecorino for exports to :</p> <ul style="list-style-type: none"> — Zone D — Zone E — Canada — Switzerland — Other destinations <p>(3) Other (excluding cheeses produced from whey), of a fat content, by weight, in the dry matter of 30 % or more for exports to :</p> <ul style="list-style-type: none"> — Zone D — Zone E — Canada — Switzerland — Other destinations 	<p>4510 40</p> <p>4510 50</p> <p>4610 00</p> <p>4710 11</p> <p>4710 16</p> <p>4710 22</p>	<p>9.67</p> <p>14.15</p> <p>59.25</p> <p>67.36</p> <p>13.83</p> <p>86.44</p> <p>11.46</p> <p>16.79</p> <p>70.31</p> <p>79.92</p> <p>16.42</p> <p>102.57</p> <p>11.46</p> <p>16.79</p> <p>70.31</p> <p>79.92</p> <p>16.42</p> <p>102.57</p> <p>146.48</p> <p>120.02</p> <p>145.32</p> <p>110.79</p> <p>146.48</p> <p>156.91</p> <p>133.32</p> <p>147.13</p> <p>121.22</p> <p>156.91</p> <p>146.48</p> <p>120.02</p> <p>145.32</p> <p>110.79</p> <p>146.48</p>

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	b) Exceeding 47 % but not exceeding 72 % :		
	1. Cheddar :		
	ex bb) Other, of a fat content, by weight, in the dry matter of 48 % or more	4850 00	
	for exports to :		
	— Austria		13.49
	— Zone D		19.79
	— Zone E		—
	— Canada		62.14
	— Switzerland		19.34
	— Other destinations		106.70
	ex 5. Other, of a fat content, by weight, in the dry matter :		
	(aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey)	5120 12	
	for exports to :		
	— Austria		7.62
	— Zone D		11.18
	— Zone E		—
	— Canada		39.86
	— Switzerland		4.82
	— Other destinations		41.71
	(bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey)	5120 16	
	for exports to :		
	— Austria		8.84
	— Zone D		12.96
	— Zone E		—
	— Canada		60.91
	— Switzerland		5.32
	— Other destinations		68.86
	(cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % (excluding cheeses produced from whey)	5120 22	
	for exports to :		
	— Austria		10.65
	— Zone D		15.60
	— Zone E		—
	— Canada		73.76
	— Switzerland		5.72
	— Other destinations		83.48
	(dd) Of 39 % or more :		
	(11) Asiago, Caciocavallo, Provolone, Ragusano	5120 31	
	for exports to :		
	— Zone D		141.10
	— Zone E		123.63
	— Canada		134.85
	— Switzerland		42.66
	— Other destinations		145.22

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)	
04.04 (cont'd)	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit	5120 44		
	for exports to :			
	— Austria			25.73
	— Zone D			13.76
	— Zone E			59.34
	— Canada			86.00
	— Switzerland		1.21	
	— Other destinations		97.38	
	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	5120 54		
	for exports to :			
	— Austria			53.46
	— Zone D			13.76
	— Zone E			54.10
	— Canada			76.54
	— Switzerland		1.21	
	— Other destinations		84.28	
	(44) Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester	5120 58		
for exports to :				
— Austria			13.49	
— Zone D			19.89	
— Zone E			56.70	
— Canada			88.08	
— Switzerland		19.34		
— Other destinations		99.91		
(55) Salted ricotta, of a fat content, by weight, of 30 % or more	5120 59			
for exports to :				
— Zone E			32.25	
— Canada			37.09	
— Other destinations		44.38		
(66) Feta	5120 82			
for exports to :				
— Zone D			15.18 (*)	
— Zone E			21.17 (*)	
— Canada			72.34 (*)	
— Switzerland			14.51 (*)	
— Jordan, Iraq, Iran, the Arabian Peninsula and Mediterranean countries except Zone D			100.60 (*)	
— Other destinations		79.01 (*)		
(77) Colby, Monterey	5120 83			
for exports to :				
— Austria			13.49	
— Zone D			19.79	
— Zone E			—	
— Canada			88.08	
— Switzerland		19.34		
— Other destinations		99.91		

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(88) Other (excluding cheeses produced from whey), of a water content, calculated by weight, of the non-fatty matter :		
	(aaa) Exceeding 47 % but not exceeding 52 %	5120 87	
	for exports to :		
	— Zone D		19.79
	— Switzerland		18.13
	— Zone E		80.56
	— Canada		102.05
	— Other destinations		107.00
	(bbb) Exceeding 52 % but not exceeding 62 %	5120 92	
	for exports to :		
	— Austria		25.73
	— Zone D		13.76
	— Zone E		59.34
	— Canada		86.00
	— Switzerland		1.21
	— Other destinations		97.38
	c) Exceeding 72 % :		
	1. In immediate packings of a net capacity not exceeding 500 grams :		
	(a) Cottage cheese	5120 95	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		22.56
	— Other destinations		—
	(b) Cream cheese of a fat content, by weight, in the dry matter, not exceeding 70 %	5120 98	
	for exports to :		
	— Armed forces as specified in Article 3 of Regulation (EEC) No 192/75		63.41
	— Other destinations		—
	ex II. Other (excluding cheeses produced from whey) :		
	ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight :		
	(1) Of 80 % or more but less than 85 %	5310 11	
	for exports to :		
	— Zone E		41.73
	— Canada		56.84
	— Other destinations		73.47
	(2) Of 85 % or more but less than 95 %	5310 22	
	for exports to :		
	— Zone E		50.63
	— Canada		66.95
	— Other destinations		92.45

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(3) Of 95 % or more for exports to : — Zone E — Canada — Other destinations	5310 31	58.76 75.68 107.43
23.07	<p>Sweetened forage ; other preparations of a kind used in animal feeding :</p> <p>ex B. Other, containing starch, glucose or glucose syrup falling within sub-headings 17.02 B and 21.07 F II, or milk products, excluding special compound feedingstuffs ⁽³⁾ :</p> <p>I. Containing starch, or glucose or glucose syrup :</p> <p>a) Containing no starch or containing 10 % or less, by weight, of starch :</p> <p>(3) Containing 50 % or more but less than 75 %, by weight, of milk products of which content of milk in powder or granules (excluding whey), by weight, is :</p> <p>(aa) Less than 30 %</p> <p>(bb) 30 % or more but less than 40 %</p> <p>(cc) 40 % or more but less than 50 %</p> <p>(dd) 50 % or more but less than 60 %</p> <p>(ee) 60 % or more but less than 70 %</p> <p>(ff) 70 % or more</p> <p>(4) Containing 75 % or more, by weight, of milk products, of which content of milk in powder or granules (excluding whey), by weight, is :</p> <p>(aa) Less than 30 %</p> <p>(bb) 30 % or more but less than 40 %</p> <p>(cc) 40 % or more but less than 50 %</p> <p>(dd) 50 % or more but less than 60 %</p> <p>(ee) 60 % or more but less than 70 %</p> <p>(ff) 70 % or more but less than 75 %</p> <p>(gg) 75 % or more but less than 80 %</p> <p>(hh) 80 % or more</p> <p>(II) Containing no starch, glucose or glucose syrup, but containing milk products of which content of milk in powder or granules (excluding whey), by weight, is :</p> <p>(a) 50 % or more but less than 60 %</p> <p>(b) 60 % or more but less than 70 %</p> <p>(c) 70 % or more but less than 80 %</p> <p>(d) 80 % or more</p>	<p>5700 13</p> <p>5700 23</p> <p>5700 33</p> <p>5700 42</p> <p>5700 52</p> <p>5700 62</p> <p>5800 13</p> <p>5800 23</p> <p>5800 32</p> <p>5800 42</p> <p>5800 52</p> <p>5800 62</p> <p>5800 72</p> <p>5800 82</p> <p>5900 12</p> <p>5900 22</p> <p>5900 32</p> <p>5900 42</p>	<p>—</p> <p>24.48</p> <p>32.13</p> <p>39.78</p> <p>47.43</p> <p>55.08</p> <p>—</p> <p>24.48</p> <p>32.13</p> <p>39.78</p> <p>47.43</p> <p>55.08</p> <p>58.91</p> <p>62.73</p> <p>39.78</p> <p>47.43</p> <p>55.08</p> <p>62.73</p>

- (¹) The weight of added non-lactic matter and lactose should be disregarded for the purpose of calculating fat content, by weight.
The refund on 100 kg of product falling within this subheading is equal to the sum of the following components :
(a) the amount per kilogram shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
- (²) The refund on 100 kg of product falling within this subheading is equal to the sum of the following components :
(a) the amount per 100 kg shown ; and
(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
- (³) 'Special compound feedingstuffs' are feedingstuffs containing skimmed-milk powder and either fish meal or fish oil and/or fish liver oil and/or more than 6 g of iron (as ferrous sulphate) and/or more than 1.2 g of copper (as copper sulphate) in 100 kg of product.
- (⁴) This amount applies to the net weight, minus the weight of the brine.
- (⁵) No refund is applicable to cheese rinds and cheese wastes falling within heading No 04.04 of the Common Customs Tariff. Products unfit as such for human consumption shall be regarded as cheese wastes.
- (⁶) For those products to which whey and/or lactose have been added, the weight of whey and/or lactose added shall not be taken into consideration in the calculation of the amount of refund.
- N.B. :** — For the purposes of this Regulation 'countries near the Community means : Zone D, Andorra, Austria, Liechtenstein, Switzerland, Yugoslavia plus the destinations indicated in Article 3 of Regulation (EEC) No 192/75.
— Zones A, B, C, D and E are those defined in Regulation (EEC) No 1098/68, as last amended by Regulation (EEC) No 37/75.
— 'Countries of the Arabian Peninsula' are to be understood in the sense of this Regulation as the following countries situated in the Arabian Peninsula and the territories there connected : Saudi Arabia, Bahrain, Qatar, Kuwait, Sultanate of Oman, Union of Arab Emirates (Abu Dhabi), Dubai, Sharjah, Ajman, Umm al Qawain, Fujairah, Ras al Khaimah, Yemen Arab Republic (Yemen North) and People's Democratic Republic of Yemen (Yemen South).

The weight of non-milk fat should be disregarded for the purposes of calculating fat content, by weight.

COMMISSION REGULATION (EEC) No 1462/79
of 13 July 1979
fixing the export refunds on fishery products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 100/76 of 19 January 1976 on the common organization of the market in fishery products⁽¹⁾, as last amended by Regulation (EEC) No 2903/78⁽²⁾, and in particular the fourth subparagraph of Article 23 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 23 of Regulation (EEC) No 100/76 provides that, to the extent necessary to enable economically important exports of the products listed in Article 1 (2) of that Regulation to be effected on the basis of prices for these products on the world market, the difference between these prices and prices within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 110/76 of 19 January 1976 laying down general rules for granting export refunds on fishery products and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed account must be taken on the one hand of the existing situation and the future trend with regard to prices and availabilities of fishery products on the Community market and prices on the world market on the other; whereas account must also be taken of the costs referred to in (c) of that Article and of the economic significance of the proposed exports and of the aims of the common organization of the market in fishery products;

Whereas Article 3 of Regulation (EEC) No 110/76 provides that, when prices on the Community market are being determined, account must be taken of the ruling prices which are most favourable from the exportation point of view; whereas, when prices on the world market are being determined, account must be taken of the prices indicated in paragraph 2 of that Article;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to the destination of the products in question;

Whereas products of Community origin which are landed, direct from the fishing grounds, in ports situated outside the customs territory of the Community do not qualify for refunds;

Whereas economically important quantities of frozen whole mackerel, frozen fillets of mackerel, dried and salted coalfish and mackerel, dried, salted or in brine can be exported at the present time;

Whereas pursuant to Commission Regulation (EEC) No 686/78 of 6 April 1978 laying down additional provisions as regards the granting of export refunds on fishery products⁽⁴⁾, for the purposes of the export refund system, fishery products of Community origin frozen and/or processed on board a vessel registered or recorded in a third country and flying the flag of a third country shall be considered to be products which are not of Community origin;

Whereas it follows from applying these detailed rules to the present market situation and in particular to prices for fishery products in the Community and on the world market that the refunds should be as set out in the Annex hereto;

Whereas, if the refund system is to operate normally, refunds 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 indent;

Whereas Council Regulation (EEC) No 652/79 of 29 March 1979⁽⁵⁾ laid down the coefficient for expressing amounts, fixed in units of account, in ECU;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds referred to in Article 1 (2) of Regulation (EEC) No 100/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 July 1979.

⁽¹⁾ OJ No L 20, 28. 1. 1976, p. 1.

⁽²⁾ OJ No L 347, 12. 12. 1978, p. 1.

⁽³⁾ OJ No L 20, 28. 1. 1976, p. 48.

⁽⁴⁾ OJ No L 93, 7. 4. 1978, p. 12.

⁽⁵⁾ OJ No L 84, 4. 4. 1979, p. 1.

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

Done at Brussels, 13 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to the Commission Regulation of 13 July 1979 fixing the export refunds on fishery products

(ECU/100 kg net)

CCT heading No	Description	Refund
03.01	<p>Fish, fresh (live or dead), chilled or frozen :</p> <p>B. Saltwater fish :</p> <p>I. Whole, headless or in pieces :</p> <p>m) Mackerel :</p> <p>1. bb) Frozen :</p> <p>For exports to all destinations with the exception of Sweden, Norway, Faroe Islands, Finland, Iceland and the USSR</p> <p>2. bb) Frozen :</p> <p>For exports to all destinations with the exception of Sweden, Norway, Faroe Islands, Finland, Iceland and the USSR</p> <p>II. Fillets :</p> <p>b) Frozen :</p> <p>6. Of mackerel :</p> <p>For exports to all destinations with the exception of Sweden, Norway, Faroe Islands, Finland, Iceland and the USSR</p>	<p>6·04</p> <p>6·04</p> <p>3·63</p>
03.02	<p>Fish, dried, salted or in brine, smoked fish, whether or not cooked before or during the smoking process :</p> <p>ex A. I. f) — Coalfish, dried and salted, whole, headless or in pieces :</p> <p>For exports to Porto Rico, the People's Republic of the Congo, Zaire, Gabon, Cameroon, Angola, Jamaica, Trinidad, Barbados, Windward and Leeward Islands, Panama, Surinam and the Dominican Republic</p> <p>— Mackerel, dried, salted or in brine, whole, headless or in pieces :</p> <p>For exports to Jamaica, Trinidad and Windward and Leeward Islands</p>	<p>18·13</p> <p>4·84</p>

COMMISSION REGULATION (EEC) No 1463/79**of 13 July 1979****amending the Annex to Regulation (EEC) No 532/75 concerning the recovery on exportation of aids granted in respect of skimmed-milk powder for use as feed and in respect of skimmed milk processed into compound feedingstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1761/78⁽²⁾, and in particular Article 10 (3) thereof,

Whereas the second subparagraph of Article 2 (1) of Council Regulation (EEC) No 986/68⁽³⁾, as last amended by Regulation (EEC) No 1273/79⁽⁴⁾, provides that where skimmed milk or skimmed-milk powder is exported in the form of denatured skimmed-milk powder or compound feedingstuffs any aid paid out in respect thereof is to be recovered; whereas to that end an amount equal to the amount of the aid is to be charged at the time of exportation; whereas the amounts to be so charged and the administrative procedure to be followed in such case were fixed by Commission Regulation (EEC) No 532/75⁽⁵⁾, as last amended by Regulation (EEC) No 1050/78⁽⁶⁾;

Whereas the amounts to be recovered should be brought into line with the aid for the skimmed-milk powder payable with effect from 2 July 1979; whereas

it is, however, necessary to ensure that the new amounts chargeable are not levied on products in respect of which no aid or aid at the previous lower rate was paid;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. With effect from 16 July 1979 the Annex to Regulation (EEC) No 532/75 is replaced by the Annex to this Regulation.
2. However in the case of skimmed-milk powder in respect of which proof is furnished that only the aid at the rate operative before 2 July 1979 has been paid, the amounts to be collected shall be the amounts chargeable before that date.

Article 2

This Regulation shall enter into force on 16 July 1979.

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

Done at Brussels, 13 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

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

(2) OJ No L 204, 28. 7. 1978, p. 6.

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

(4) OJ No L 161, 29. 6. 1979, p. 14.

(5) OJ No L 56, 3. 3. 1975, p. 20.

(6) OJ No L 134, 22. 5. 1978, p. 27.

ANNEX

CCT heading No	Description	Amount to be charged (ECU/100 kg)
ex 04.02 A II ex 04.02 B I	Milk in powder or granules (with or without added sugar) of a fat content not exceeding 11 % by weight, denatured in accordance with the provisions of Article 2 of Regulation (EEC) No 990/72	54.21
23.07	<p>Sweetened forage ; other preparations of a kind used in animal feeding :</p> <p>B. Other, containing starch, glucose, or glucose syrup falling within subheadings 17.02 B and 17.05 B and milk products :</p> <p>I. Containing starch or glucose syrup :</p> <p>a) Containing no starch or containing 10 % or less by weight of starch :</p> <p>ex 1. Containing less than 10 % by weight of milk products :</p> <p>aa) Containing no milk powder (*) —</p> <p>bb) Containing less than 10 % by weight of milk powder (*) 5.00</p> <p>2. Containing 10 % or more but less than 50 % by weight of milk products :</p> <p>aa) Containing no milk powder (*) —</p> <p>bb) Containing :</p> <p>(11) less than 30 % 16.12</p> <p>(22) not less than 30 % 27.24</p> <p>by weight of milk powder (*)</p> <p>3. Containing 50 % or more but less than 75 % by weight of milk products :</p> <p>aa) Containing no milk powder (*) —</p> <p>bb) Containing :</p> <p>(11) less than 30 % 16.12</p> <p>(22) not less than 30 % but less than 40 % 19.46</p> <p>(33) not less than 40 % but less than 50 % 25.02</p> <p>(44) not less than 50 % but less than 60 % 30.58</p> <p>(55) not less than 60 % but less than 70 % 36.14</p> <p>(66) not less than 70 % 40.31</p> <p>by weight of milk powder (*)</p> <p>4. Containing 75 % or more by weight of milk products :</p> <p>aa) Containing no milk powder (*) —</p> <p>bb) Containing :</p> <p>(11) less than 30 % 16.12</p> <p>(22) not less than 30 % but less than 40 % 19.46</p> <p>(33) not less than 40 % but less than 50 % 25.02</p> <p>(44) not less than 50 % but less than 60 % 30.58</p> <p>(55) not less than 60 % but less than 70 % 36.14</p> <p>(66) not less than 70 % but less than 75 % 40.31</p> <p>(77) not less than 75 % but less than 80 % 43.09</p> <p>(88) not less than 80 % 47.26</p> <p>by weight of milk powder (*)</p> <p>b) Containing more than 10 % but not more than 30 % by weight of starch :</p>	

CCT heading No	Description	Amount to be charged ECU/100 kg
23.07 B I b) (cont'd)	<p>ex 1. Containing less than 10 % by weight of milk products :</p> <p>aa) Containing no milk powder (*) —</p> <p>bb) Containing less than 10 % by weight of milk powder (*) 5.00</p> <p>2. Containing 10 % or more but less than 50 % by weight of milk products :</p> <p>aa) Containing no milk powder (*) —</p> <p>bb) Containing :</p> <p>(11) less than 30 % 16.12</p> <p>(22) not less than 30 % 27.24</p> <p>by weight of milk powder (*)</p> <p>3. Containing 50 % or more by weight of milk products :</p> <p>aa) Containing no milk powder (*) —</p> <p>bb) Containing :</p> <p>(11) less than 60 % 30.58</p> <p>(22) not less than 60 % 44.48</p> <p>by weight of milk powder (*)</p> <p>c) Containing more than 30 % by weight of starch :</p> <p>ex 1. Containing less than 10 % by weight of milk products :</p> <p>aa) Containing no milk powder (*) —</p> <p>bb) Containing less than 10 % by weight of milk powder (*) 5.00</p> <p>2. Containing 10 % or more but less than 50 % by weight of milk products :</p> <p>aa) Containing no milk powder (*) —</p> <p>bb) Containing :</p> <p>(11) less than 30 % 16.12</p> <p>(22) not less than 30 % 27.24</p> <p>by weight of milk powder (*)</p> <p>3. Containing 50 % or more by weight of milk products :</p> <p>aa) Containing no milk powder (*) —</p> <p>bb) Containing :</p> <p>(11) less than 60 % 30.58</p> <p>(22) not less than 60 % 36.14</p> <p>by weight of milk powder (*)</p> <p>II. Containing no starch or glucose syrup, but containing milk products :</p> <p>a) Containing no milk powder (*) —</p> <p>b) Other 47.26</p>	

(*) For the purposes of this Regulation, 'milk powder' means a product falling within subheading 04.02 A II b) 1 or 04.02 A II b) 2, having a fat content, by weight not exceeding 11 %.

COMMISSION REGULATION (EEC) No 1464/79
of 13 July 1979

on the definition of the concept of originating products for the purposes of the application of the tariff preferences granted by the European Economic Community in respect of certain textile products from developing countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1195/79 of 12 June 1979 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories⁽¹⁾, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 1195/79 established for a period of six months from 1 July 1979 arrangements similar to those set out in Council Regulation (EEC) No 3157/78⁽²⁾;

Whereas, for the products referred to in Regulation (EEC) No 1195/79, rules should be established to define the conditions in which they acquire the character of originating products, the mode of proof and the terms as to verification thereof;

Whereas it is appropriate for this purpose to adopt the provisions laid down for textile products in Commission Regulations (EEC) No 148/79, (EEC) No 149/79, (EEC) No 150/79 and (EEC) No 151/79⁽³⁾, on the

definition of the concept of originating products for the purposes of the application of tariff preferences granted by the European Economic Community in respect of certain products from developing countries, which were applicable for these products in the first half of 1979;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Origin,

HAS ADOPTED THIS REGULATION :

Article 1

The provisions of Regulations (EEC) No 148/79, (EEC) No 149/79, (EEC) No 150/79 and (EEC) No 151/79 shall be applicable for the application of Regulation (EEC) No 1195/79.

Article 2

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

It shall apply with effect from 1 July 1979.

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

Done at Brussels, 13 July 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 154, 21. 6. 1979, p. 1.

⁽²⁾ OJ No L 375, 30. 12. 1978, p. 71.

⁽³⁾ OJ No L 25, 31. 1. 1979, pp. 1, 54, 57 and 60.

COMMISSION REGULATION (EEC) No 1465/79

of 13 July 1979

amending Regulation (EEC) No 890/78 laying down detailed rules for the certification of hops and Regulation (EEC) No 3076/78 on the importation of hops from non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops⁽¹⁾, as last amended by Regulation (EEC) No 235/79⁽²⁾, and in particular Articles 2 (5) and 5 (3) thereof,

Regulation (EEC) No 890/78 is hereby amended as follows:

1. The following Article is hereby inserted after Article 5:

Article 5a

Whereas experience gained during the first year of application of Commission Regulations (EEC) No 890/78⁽³⁾ and (EEC) No 3076/78⁽⁴⁾ shows that those measures should be supplemented or amended to take better account of the requirements for marketing the product;

The certificate referred to in Article 5 of Regulation (EEC) No 1784/77 shall bear at least one of the following texts, applied by the authority empowered to carry out certifications:

- Certified product — Regulation (EEC) No 890/78,
- Certificeret produkt — Forordning (EØF) nr. 890/78,
- Zertifiziertes Erzeugnis — Verordnung (EWG) Nr. 890/78,
- Produit certifié — Règlement (CEE) n° 890/78,
- Prodotto certificato — Regolamento (CEE) n. 890/78,
- Gecertificeerd produkt — Verordening (EEG) nr. 890/78.

Whereas it seems desirable that, in the absence of a uniform model certificate for the Community, the certificates issued in the different Member States should bear an identical text in respect of the product's conformity to Community requirements;

2. The following Article is hereby inserted after Article 9:

Article 9a

Whereas it appears necessary to supplement the rules by adding provisions on proof of certification of products coming from a split consignment; whereas it seems appropriate to adopt a similar system covering the resale of hop products imported from non-member countries, after a consignment is split up;

In the case of resale within the Community's territory, after a certified consignment has been split up, the product must be accompanied by an invoice or a commercial document drawn up by the vendor stating the number of the certificate and the name of the issuing agency. The invoice or commercial document must also bear the following information, taken from the certificate:

- (a) for hops in cones:

- the designation of the product,
- the gross and/or net weight,
- the place of production,
- the year of harvest,
- the variety;

Whereas the weights laid down in the Community rules below which small packages of hops or hop products may circulate without a certificate or without the attestations provided for in Regulation (EEC) No 3076/78 are not entirely in accordance with traditional trade practice; whereas these maximum weights should accordingly be raised;

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

- (b) for hop products, the information given above together with the place and date of processing.

⁽¹⁾ OJ No L 175, 4. 8. 1971, p. 1.

⁽²⁾ OJ No L 34, 9. 2. 1979, p. 4.

⁽³⁾ OJ No L 117, 29. 4. 1978, p. 43.

⁽⁴⁾ OJ No L 367, 21. 12. 1978, p. 17.

Article 2

The first phrase of Article 7 of Regulation (EEC) No 3076/78 is hereby replaced by the following:

'If the consignment is resold or split up after it has been put into free circulation, the product must be accompanied by an invoice or other commercial document drawn up by the vendor, giving the reference number of the attestation of equivalence, the extract or the control attestation, together with the name of the authority which issued them and the following information copied:'

Article 3

The maximum weights given in Article 10 (d) of Regulation (EEC) No 890/78 and in Article 8 of Regulation (EEC) No 3076/78 shall be increased to one kilogram for hop cones and powder and to 300 grams for hop extracts.

Article 4

This Regulation shall enter into force on the third day following that 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, 13 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1466/79
of 13 July 1979

amending for the third time Regulation (EEC) No 3077/78 on the equivalence with Community certificates of attestations accompanying hops imported from non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops ⁽¹⁾, as last amended by Regulation (EEC) No 235/79 ⁽²⁾, and in particular Article 5 ⁽²⁾ thereof,

Whereas Commission Regulation (EEC) No 3077/78 ⁽³⁾, as last amended by Regulation (EEC) No 1105/79 ⁽⁴⁾, recognizes the equivalence with Community certificates of attestations accompanying hops imported from certain non-member countries, and contains a list of the bodies in those countries authorized to issue attestations of equivalence ;

Whereas, since that time, New Zealand has undertaken to comply with the requirements laid down for

the marketing of hops and hop products and has authorized a body to issue attestations of equivalence ; whereas it is appropriate, therefore, to recognize those attestations as being equivalent to Community certificates and to allow into free circulation the products which they cover ; whereas it is necessary to supplement in this respect the Annex to Regulation (EEC) No 3077/78 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The Annex to Regulation (EEC) No 3077/78 is hereby supplemented by the following :

Country of origin	Organizations authorized to issue attestations	Products	CCT heading No
NEW ZEALAND	Cawthron Institute, Nelson, South Island	Hop cones	ex 12.06
		Hop powders	ex 12.06
		Saps and extracts of hops	13.03 A VI'

Article 2

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

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

Done at Brussels, 13 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 175, 4. 8. 1971, p. 1.

⁽²⁾ OJ No L 34, 9. 2. 1979, p. 4.

⁽³⁾ OJ No L 367, 28. 12. 1978, p. 28.

⁽⁴⁾ OJ No L 138, 6. 6. 1979, p. 9.

COMMISSION REGULATION (EEC) No 1467/79

of 13 July 1979

amending for the second time Regulation (EEC) No 1517/77 fixing the list of the various groups of hop varieties cultivated in the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops⁽¹⁾, as last amended by Regulation (EEC) No 235/79⁽²⁾, and in particular Article 12(8) thereof,

Whereas Commission Regulation (EEC) No 1517/77⁽³⁾, as amended by Regulation (EEC) No 891/78⁽⁴⁾, divides these varieties into the groups 'aromatic hops', 'bitter hops' and 'others' according to commercial practice in the Community and world hop markets on the basis of the final uses of the hops in brewing and by reference to common characteristics, with particular emphasis on the content of bitter and aromatic substances;

Whereas examination of certain varieties hitherto classified in the 3rd group 'others' and the use to which they are put in brewing have shown that these varieties have a predominant bitter characteristic; whereas

the said varieties should accordingly be transferred into the 2nd group 'bitter hops';

Whereas two new varieties have appeared on the Community market; whereas the knowledge at present available of their characteristics and of their use in brewing indicates that one should be classified in the 1st group 'aromatic hops' and the second in the 3rd group 'others';

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 1517/77 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall apply as from the 1979 harvest.

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

Done at Brussels, 13 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 175, 4. 8. 1971, p. 1.

⁽²⁾ OJ No L 34, 9. 2. 1979, p. 4.

⁽³⁾ OJ No L 169, 7. 7. 1977, p. 13.

⁽⁴⁾ OJ No L 117, 29. 4. 1978, p. 50.

BILAG — ANHANG — ANNEX — ANNEXE — ALLEGATO — BIJLAGE

A.	B.	C.
Gruppe I: Aromatisk humle Gruppe I: Aromahopfen 1st Group: Aromatic hops Groupe I: Houblon aromatique Gruppo I: Luppolo aromatico Groep I: Aromatische hop	Gruppe II: Bitter humle Gruppe II: Bitterhopfen 2nd Group: Bitter hops Groupe II: Houblon amer Gruppo II: Luppolo amaro Groep II: Bittere hop	Gruppe III: Andre Gruppe III: Andere 3rd Group: Others Groupe III: Autres Gruppo III: Altri Groep III: Andere
Hallertauer Hersbrücker Spät Hüller Spalter Tettnanger Progress Fuggles Goldings W.G.V. Tutsham Saaz Strisselspalt Tardif de Bourgogne Star Bramling cross Challenger Sunshine Saxon	Northern Brewer Brewers Gold Bullion Target Keyworth's Midseason Northdown	Record Perle Kent Triploid Viking

COMMISSION REGULATION (EEC) No 1468/79

of 13 July 1979

on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1761/78⁽²⁾, and in particular Articles 6 (7) and 28 thereof,

Having regard to Council Regulation (EEC) No 878/77 of 26 April 1977 on the exchange rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1266/79⁽⁴⁾, and in particular Article 4 (3) thereof,

Whereas Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁵⁾, as last amended by Regulation (EEC) No 545/79⁽⁶⁾, is one of the special measures taken to encourage the disposal of butter stocks by permitting additional sales;

Whereas it is important to ensure that the restriction of this operation to butter from public stocks does not have a harmful effect on the removal from storage of butter accorded the private storage aid referred to in Article 6 (2) of Regulation (EEC) No 804/68; whereas, pursuant to paragraph 3 of that Article, and in order to maintain outlets for butter from private storage, provision should be made for its use for the purposes laid down in Regulation (EEC) No 262/79;

Whereas such a measure may be introduced by extending the reduction in price laid down in that Regulation for butter from public stocks to butter covered by a storage contract pursuant to Article 8 (2) of Council Regulation (EEC) No 985/68⁽⁷⁾, as last amended by Regulation (EEC) No 1272/79⁽⁸⁾;

whereas the reduction in the price of butter may be obtained by granting aid; whereas for the sake of clarity it should be stipulated that aid shall be granted only in respect of butter removed from storage during the period for removal from storage fixed as running from 16 September each year to 31 March of the following year by Article 28 of Commission Regulation (EEC) No 685/69⁽⁹⁾, as last amended by Regulation (EEC) No 632/79⁽¹⁰⁾;

Whereas, in order to ensure a close correlation between the price of butter from public and from private storage, the period during which applications for aid may be submitted should be limited to the week following the week in which the individual invitation to tender for butter from public storage takes place;

Whereas the aid should be fixed at a level allowing the regular entry of intervention products on to the market, in particular by maintaining the necessary relationship between quantities removed from storage and consumer needs, while respecting the priority given to public storage by Community rules; whereas account should also be taken of the facilities for using butter from private storage and their economic impact; whereas for these various reasons the level of aid should be lower than the minimum price fixed for the sale of butter from public storage during the corresponding period; whereas the difference must be calculated as a function of the abovementioned requirements and their development according to the market situation;

Whereas, to overcome any administrative difficulties which may arise in practice and to ensure uniform application in all the Member States, the rate to be used for converting aid into national currency should be specified;

Whereas Article 4 (1) of Regulation (EEC) No 878/77 provides that, as regards the effect on rights and obligations existing at the moment when a representative rate is altered, the provisions of Council Regulation (EEC) No 1134/68 of 30 July 1968 laying down rules for the implementation of Regulation (EEC) No

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 106, 29. 4. 1977, p. 27.

⁽⁴⁾ OJ No L 161, 29. 6. 1979, p. 4.

⁽⁵⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁶⁾ OJ No L 72, 23. 3. 1979, p. 16.

⁽⁷⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁸⁾ OJ No L 161, 29. 6. 1979, p. 13.

⁽⁹⁾ OJ No L 90, 15. 4. 1969, p. 12.

⁽¹⁰⁾ OJ No L 79, 31. 3. 1979, p. 77.

653/68 on conditions for alterations to the value of the unit of account used for the common agricultural policy ⁽¹⁾ shall apply ;

Whereas, under Article 4 (2) of Regulation (EEC) No 1134/68, the sums referred to in the said Article are to be paid on the basis of the conversion rate applicable at the time when the transaction or part transaction is carried out ; whereas, however, by virtue of Article 4 (3) of Regulation (EEC) No 878/77, derogations may be made from the abovementioned provisions ;

Whereas, as regards the conversion into national currency of the aid provided for in this Regulation, in view of the fact that it is in the operator's interest to know the amount he will receive when he applies for aid, and in view also of the correlation between this Regulation and Regulation (EEC) No 262/79 and of the factors used to calculate the aid, and in order to simplify control, the representative rate adopted should be that in force on the day of expiry of the period for submission of individual tenders, of which the minimum price fixed is used as a basis for calculating the aid ;

Whereas the application of the conditions and rules laid down for butter from private storage in Regulation (EEC) No 262/79 necessitates the adoption of rules allowing the adjustment of those provisions ; whereas these rules apply in particular to the submission of applications for aid, the time limit for their acceptance by the intervention agency, the lodging of the processing security and the rules governing the packaging of butter removed from storage ;

Whereas, in order to simplify complex administrative formalities and in view of the time limits laid down for manufacturing the end products, trade between Member States pursuant to this Regulation should be subject to the same arrangements as are applied under Regulation (EEC) No 262/79 ; whereas, since Article 18 (2) of that Regulation grants a reduction in price to users of butter from public storage at the time the butter is removed from storage, it should be stipulated that the aid is to be paid on the day on which the butter is removed from private storage ;

Whereas, in order to ensure that butter removed from storage is not used for purposes other than those for which it is intended, it should be subject to the control system set up by Regulation (EEC) No 262/79, and in particular to the provisions of Commission Regulation (EEC) No 1687/76 ⁽²⁾, as last amended by Regulation (EEC) No 1042/79 ⁽³⁾ ;

Whereas Member States should provide the Commission with information similar to that provided for in

Regulation (EEC) No 262/79, so that the operation can be kept under review ;

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

HAS ADOPTED THIS REGULATION :

Article 1

Aid shall be granted, for butter under storage contract pursuant to Article 8 (2) of Regulation (EEC) No 985/68 for at least four months and whose release from stock is carried out during the stock release period fixed in Article 28 (1) of Regulation (EEC) No 685/69, when such butter is intended for use in the manufacture of pastry products, ice-cream and other foodstuffs referred to in Article 4 of Regulation (EEC) No 262/79.

Article 2

1. Applications for aid referred to in Article 4 may be submitted to the intervention agency only during the week beginning on the Monday following the expiry of the period for the submission of tenders referred to in Article 12 (2) of Regulation (EEC) No 262/79 (period of granting of aid).

2. Aid may be granted only for quantities of butter of not less than one tonne.

Article 3

1. The amount of aid expressed in ECU shall be calculated on the basis of the difference between the buying in price of the butter paid by the intervention agency granting aid on the date of expiry of the period for the submission of individual tenders referred to in Article 2 (1) and the minimum selling price referred to in Article 16 (1) of Regulation (EEC) No 262/79 for the individual invitation to tender concerned, less 5 ECU per 100 kilograms.

However, the reduction of 16.93 ECU per 100 kilograms in the minimum selling price referred to in the second subparagraph of Article 18 (2) of that Regulation shall apply to the minimum price referred to above with regard to the person signing the contract who has undertaken to comply with the conditions laid down in that subparagraph.

2. The representative rate used to convert the aid into national currency shall be that in force on the date of expiry of the period for the submission of individual tenders referred to in Article 2 (1).

⁽¹⁾ OJ No L 188, 1. 8. 1968, p. 1.

⁽²⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽³⁾ OJ No L 132, 30. 5. 1979, p. 11.

3. Payment of the aid shall not take place until :

- (a) the butter has been removed from storage within the meaning of Article 5 (3) and provided that the time limit fixed therein has been complied with ;
- (b) the processing security referred to in Article 5 (4) has been lodged.

Article 4

1. Aid shall be granted at the request of the person signing the storage contract with the intervention agency with which the contract was concluded.

2. An application for aid shall not be valid unless :

- (a) it is accompanied by the written undertaking referred to in Article 3 of Regulation (EEC) No 262/79 ;
- (b) proof is furnished that a security of 2.42 ECU per 100 kilograms of butter has been lodged.

3. Applications for aid shall state :

- the quantity of butter which the signatory to the contract proposes to remove from storage,
- the coldstore where the butter is stored,
- the lot numbers,
- the proposed dates for removal from storage,
- the Member State on whose territory the products will be either processed into concentrated butter as referred to in Article 5 of Regulation (EEC) No 262/79 or, where Article 10 (2) of that Regulation applies, processed into products referred to in Article 4 of that Regulation,
- the use to which butter is to be put (formula A and/or formula C or formula B) as referred to in Article 4 (1) and (2) of Regulation (EEC) No 262/79, specifying the kind of processing planned as referred to in the preceding indent,
- the name and address of the establishment or undertaking where the processing referred to above will take place.

4. An application for aid may not be withdrawn.

5. The intervention agency shall acknowledge receipt of the application as soon as possible and not later than the last day of the week following the period during which aid may be granted pursuant to Article 2 (1).

6. The security referred to in paragraph 2 (b) shall :

- (a) be lodged with the intervention agency to which the application is made, and shall consist, at the option of the person signing the contract, of either a cash deposit or a guarantee issued by an institution satisfying the requirements laid down by the Member State on whose territory the security is lodged ;

(b) except in cases of *force majeure*, be forfeit for any quantity for which :

- the person signing the contract has withdrawn the application for aid,
- the payment of the aid has not been possible pursuant to Article 3 (3).

Article 5

1. The acknowledgement of receipt referred to in Article 4 (5) shall, from the day of issue, have the same force as the award of a tender pursuant to Article 16 of Regulation (EEC) No 262/79, and the holder of an aid contract shall be subject *mutatis mutandis* to the same obligations as a successful tenderer.

2. Rights and obligations arising from an aid contract shall not be transferable.

3. Removal from storage within the meaning of the penultimate subparagraph of Article 24 (1) of Regulation (EEC) No 685/69 shall take place within 45 days of the expiry of the period for submission of tenders referred to in Article 2 (1).

4. Before the butter is removed from storage, a processing security shall be lodged which shall be equal to the amount of the processing security referred to in Article 16 (2) of Regulation (EEC) No 262/79 minus the amount of the aid reduction referred to in the second indent of Article 3 (1).

5. The periods for processing operations referred to in Article 8 of Regulation (EEC) No 262/79 shall be calculated from the expiry of the period for submission of individual tenders referred to in Article 2 (1).

Article 6

1. As soon as it is removed from stock, and until it is processed into products referred to in Article 4 of Regulation (EEC) No 262/79, the butter referred to in Article 1 shall be subject to customs control or to an administrative control offering equivalent guarantees.

2. The provisions of Articles 2 (2) and (3), 6, 7, 8, 10 and 14 of Regulation (EEC) No 1687/76 and of Article 21 of Regulation (EEC) No 262/79 shall apply to the control referred to in paragraph 1.

The special endorsements to be entered in Sections 104 and 106 of the control copy shall be those given in the Annex.

3. The following provisions of Regulation (EEC) No 1687/76 shall also apply to the butter referred to in Article 1 :

- (a) Article 11 concerning cases of *force majeure* ;

- (b) Article 12 concerning proof that the control requirements have been complied with together with the provisions of Article 22 (3) of Regulation (EEC) No 262/79; and
- (c) Article 13 concerning the lodging and release of the processing security referred to in Article 5 (4) of this Regulation and the furnishing of proof that this security has been lodged.

4. The following provisions of Regulation (EEC) No 262/79 shall also apply to the butter referred to in Article 1:

- (a) Article 22 (4) concerning the time limit after which the processing security is forfeit,
- (b) Articles 22 (5), and 23 (2) and (3) concerning the partial forfeiture of the security.

Article 7

Butter removed from storage shall be delivered in packages bearing one or more of the following endorsements in letters at least one centimetre high:

'Butter from private storage for processing (Regulation (EEC) No 1468/79)';

'Smør fra privat oplagring bestemt til forarbejdning (forordning (EØF) nr. 1468/79)';

'Zur Verarbeitung bestimmte Butter aus privater Lagerhaltung (Verordnung (EWG) Nr. 1468/79)';

'Beurre de stock privé destiné à la transformation (règlement (CEE) n° 1468/79)';

'Burro di ammasso privato destinato alla trasformazione (regolamento (CEE) n. 1468/79)';

'Boter uit particuliere opslag bestemd voor verwerking (Verordening (EEG) nr. 1468/79)';

and indicating the use to which the butter is to be put ('formula A and/or formula C' or 'formula B').

Article 8

1. The Member States shall inform the Commission not later than the 15th day of each month of the quantities of butter:

— covered by an application for aid and for which the Member State has issued the acknowledgement of receipt referred to in Article 4 (5),

— in respect of which the processing security referred to in Article 5 (3) has been released.

2. The Member States shall also inform the Commission each quarter of the cases in which they have applied Article 23 (1) or (2) of Regulation (EEC) No 262/79, specifying the circumstances invoked, the quantities of butter involved and the measures taken.

Article 9

This Regulation shall enter into force on 16 July 1979.

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

Done at Brussels, 13 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Special endorsements to be entered in Sections 104 and 106 of the control copy

A. Butter intended for concentration and incorporation into pastry products, ice-cream or other food-stuffs :

(a) On the dispatch of butter :

- Section 104 : 'For concentration and subsequent processing (Regulation (EEC) No 1468/79)';
'Til smørfedt og efterfølgende forarbejdning (forordning (EØF) nr. 1468/79)';
'Zur Verarbeitung in Butterfett und Weiterverarbeitung (Verordnung (EWG) Nr. 1468/79)';
'Destiné à la concentration et à la transformation ultérieure (règlement (CEE) n° 1468/79)';
'Destinato alla trasformazione in burro concentrato e successivamente alla trasformazione (regolamento (CEE) n. 1468/79)';
'Bestemd voor boterconcentraat en verdere verwerking (Verordening (EEG) nr. 1468/79)'.
 - Section 106 : 1. The date of expiry of the period for submission of individual tenders referred to in Article 2 (1) of Regulation (EEC) No 1468/79.
 - 2. For butter intended for processing into products falling within subheading 19.02 B II b) and/or heading No 19.08 of the Common Customs Tariff, 'Formula A' and/or 'Formula C'.
For butter intended for processing into products falling within subheadings 18.06 B and 18.06 D or heading No 21.07 of the Common Customs Tariff, 'Formula B'.

(b) On the dispatch of concentrated butter :

- Section 104 : 'Concentrated butter for processing (Regulation (EEC) No 1468/79)';
'Smørfedt til forarbejdning (forordning (EØF) nr. 1468/79)';
'Butterfett zur Verarbeitung (Verordnung (EWG) Nr. 1468/79)';
'Beurre concentré destiné à la transformation (règlement (CEE) n° 1468/79)';
'Burro concentrato destinato alla trasformazione (regolamento (CEE) n. 1468/79)';
'Boterconcentraat bestemd voor verwerking (Verordening (EEG) nr. 1468/79)'.
 - Section 106 : 1. The date of expiry of the period for submission of individual tenders referred to in Article 2 (1) of Regulation (EEC) No 1468/79.
 - 2. The weight of butter used to produce the quantity of concentrated butter indicated in Section 103.
 - 3. The type of incorporation carried out, using one of the following expressions, as appropriate :
 - (a) For butter concentrated in accordance with Annex I (V) to Regulation (EEC) No 262/79 and intended for processing into products falling within subheading 19.02 B II b) or heading No 19.08 of the Common Customs Tariff ;
 - 'product 19.02 — 19.08 (monoglycerides, tocopherds/enanthic acid)' or 'product 19.02 (monoglycerides, tocopherds/stigmasterol)'.
 - (b) For concentrated butter intended for processing into raw dough falling within subheading 19.02 B II b) or into products falling within heading No 19.08 of the Common Customs Tariff ;
 - 'product 19.02 — 19.08 (vanilla/enanthic acid)' or 'product 19.02 — 19.08 (vanilla/stigmasterol)' in the case of products resulting from incorporation as specified in Annex I (I) to Regulation (EEC) No 262/79,

- 'product 19.02 — 19.08 (carotene/enanthic acid)' or 'product 19.02 — 19.08 (carotene/stigmasterol)' in the case of products resulting from incorporation as specified in Annex I (II) to Regulation (EEC) No 262/79,
 - 'product 19.02 — 19.08 (sugar/enanthic acid)' or 'product 19.02 — 19.08 (sugar/stigmasterol)' in the case of products resulting from incorporation as specified in Annex I (III) to Regulation (EEC) No 262/79,
 - 'product 19.02 — 19.08 (skimmed-milk powder, sugar/enanthic acid)' or 'product 19.02 — 19.08 (skimmed-milk powder, sugar/stigmasterol)' in the case of products resulting from incorporation as specified in Annex I (IV) to Regulation (EEC) No 262/79.
- (c) For concentrated butter intended for processing into products falling within heading No 18.06 or 21.07 :
- 'product 18.06 — 21.07 (vanilla/sitosterol)' in the case of products resulting from incorporation as specified in Annex II (I) to Regulation (EEC) No 262/79,
 - 'product 18.06 — 21.07 (carotene/sitosterol)' in the case of products resulting from incorporation as specified in Annex II (II) to Regulation (EEC) No 262/79,
 - 'product 18.06 — 21.07 (sugar/sitosterol)' in the case of products resulting from incorporation as specified in Annex II (III) to Regulation (EEC) No 262/79.
- B. Butter for processing direct into pastry products or ice-cream :
- Section 104 : 'For direct processing (Regulation (EEC) No 1468/79)';
'Til umiddelbar forarbejdning (forordning (EØF) nr. 1468/79)';
'Zur direkten Verarbeitung (Verordnung (EWG) Nr. 1468/79)';
'Destiné à la transformation directe (règlement (CEE) n° 1468/79)';
'Destinato alla trasformazione diretta (regolamento (CEE) n. 1468/79)';
'Bestemd voor directe verwerking (Verordening (EEG) nr. 1468/79)'.
— Section 106 : 1. The date of expiry of the period for submission of individual tenders referred to in Article 2 (1) of Regulation (EEC) No 1468/79.
2. For butter intended for processing into products falling within heading No 19.08 of the Common Customs Tariff, 'formula A'.
For butter intended for processing into products falling within subheadings 18.06 B and 18.06 D or heading No 21.07 of the Common Customs Tariff, 'formula B'.
-

COMMISSION REGULATION (EEC) No 1469/79

of 13 July 1979

opening an invitation to tender for the mobilization of common wheat flour as food aid for the Arab Republic of Egypt

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 Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 8 May 1979 the Council of the European Communities declared that by way of Community action it proposed to grant the Arab Republic of Egypt the equivalent of 90 000 tonnes of common wheat, in the form of flour, i.e. 64 800 tonnes of common wheat flour, under its 1978/79 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 obligations arising by virtue of participation in the invitation to tender for the supply of goods to the Arab Republic of Egypt ;

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

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. An invitation to tender shall be issued in respect of the supply of 64 800 tonnes of common wheat flour to the Arab Republic of Egypt by way of Community food-aid action.
2. The tendering procedure shall take place in France and shall be in respect of six lots of 10 000 tonnes (Lots 1 to 6) and one lot of 4 800 tonnes (Lot 7).
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 sacks of a net capacity of 68 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.

⁽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.

⁽⁴⁾ OJ No L 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

One of the three sorts of sack nominated hereinafter may be used :

- jute sacks of a minimum weight of 515 g,
- cotton sacks,
- composite sacks jute/polypropylene of a minimum weight of 271 g.

The following shall be printed on the sacks :

'Wheat flour / Gift of the European Economic Community to Egypt.'

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 27 July 1979.
2. The closing date for submission of tenders shall be 27 July 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 seven 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

1. The tenderer shall give security in an amount of 12 ECU 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 6

1. The goods referred to in Article 1 which are to be supplied to the Arab Republic of Egypt must meet the following requirements :

common wheat flour :

- moisture content : 15 % maximum,
- acidity : 4 ml NaOH/n maximum per 100 g (calculated on the dry matter),
- ash content : 0.62 % 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 to the Arab Republic of Egypt of the goods referred to in Article 1 must relate to products with the following characteristics :

common wheat flour :

- moisture content : 15 % maximum,
- acidity : 4 ml NaOH/n maximum per 100 g (calculated on the dry matter),
- ash content : 0.62 % maximum on the dry matter.

Article 7

1. The French 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 8

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 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, 13 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1470/79

of 13 July 1979

opening an invitation to tender for the mobilization of common wheat flour as food aid for the Hashemite Kingdom of Jordan

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 Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 8 May 1979 the Council of the European Communities declared that by way of Community action it proposed to grant to the Hashemite Kingdom of Jordan the equivalent of 10 000 tonnes of common wheat, in the form of flour, i.e. 6 622 tonnes of common wheat flour, under its 1978/79 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 obligations arising by virtue of participation in the invitation to tender for the supply of goods to the Hashemite Kingdom of Jordan;

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

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. An invitation to tender shall be issued in respect of the supply of 6 622 tonnes of common wheat flour to the Hashemite Kingdom of Jordan by way of Community food-aid action.
2. The tendering procedure shall take place in the Kingdom of the Netherlands and shall be in respect of a single lot.
3. The goods shall be mobilized on the Community market.
4. Shipment shall be from a Community port.

⁽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.

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

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

5. The product referred to in paragraph 1 is to be delivered in new cotton 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.

6. The following shall be printed on the sacks :

'Wheat flour / Gift of the European Economic Community to Jordan / For free distribution.'

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 27 July 1979.

2. The closing date for submission of tenders shall be 27 July 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, where appropriate, be corrected by the monetary compensatory amount and the accession compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2.

Such correction shall be made by :

- increasing prices which mention a Member State whose currency has depreciated,
- 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

1. The tenderer shall give security in an amount of 12 ECU 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 6

1. The goods referred to in Article 1 which are to be supplied to the Hashemite Kingdom of Jordan must meet the following requirements :

common wheat flour :

- moisture content : 15 % 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 to the Hashemite Kingdom of Jordan of the goods referred to in Article 1 must relate to products with the following characteristics:

common wheat flour:

- moisture content: 15 % 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 7

1. The Dutch 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 8

On delivery of the goods at the port of shipment, a handing-over certificate shall be supplied to the successful tender, 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 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, 13 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1471/79

of 13 July 1979

opening an invitation to tender for the mobilization of durum wheat as food aid
for the Republic of Malta

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⁾,

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 Council Regulation No 129 on the
value of the unit of account and the exchange rates to
be applied for the purposes of the common agricul-
tural policy⁽⁴⁾, as last amended by Regulation (EEC)
No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas on 8 May 1979 the Council of the European
Communities declared that it proposed, by way of
Community action, to grant 500 tonnes of durum
wheat to the Republic of Malta under its 1978/79
food-aid programme ;

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 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 nomi-
nated by the recipient or its agent ;

Whereas tenders may be submitted by tenderers esta-
blished 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 offering the best terms ;

Whereas in case it should be impossible for reasons of
force majeure to complete the operation in question
within the set time limits, it must be made clear who
is to bear any costs resulting therefrom ;

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 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, by
way of Community food-aid action to the Republic of
Malta, of 500 tonnes of durum wheat.

2. The tendering procedure shall take place in Italy
in one lot. The product shall be mobilized on the
Community market. The product shall be loaded for
departure from any Community port.

3. The product referred to in paragraph 1 is to be
delivered in bulk 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.

⁽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.

⁽⁴⁾ OJ No 106, 39 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 27 July 1979.
2. The closing date for submission of tenders shall be 27 July 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, the resulting costs shall be borne by the intervention agency.

Article 6

1. The tenderer shall give security of a value of 6 ECU 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

The product referred to in Article 1 must be of fair and sound merchantable quality, be free from odour, and correspond at least to the standard quality for which the intervention price is fixed.

Article 8

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 this 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 intervention agency responsible for the operations 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 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, 13 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 1472/79**of 13 July 1979****abolishing the countervailing charge on tomatoes originating in Israel**

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 1301/79⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Commission Regulation (EEC) No 1403/79
of 5 July 1979⁽³⁾ introduced a countervailing charge
on tomatoes originating in Israel;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 1403/79 is hereby repealed.

Article 2

This Regulation shall enter into force on 14 July
1979.

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

Done at Brussels, 13 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.
⁽²⁾ OJ No L 162, 30. 6. 1979, p. 26.
⁽³⁾ OJ No L 168, 6. 7. 1979, p. 17.

COMMISSION REGULATION (EEC) No 1473/79
of 13 July 1979
correcting Regulation (EEC) No 1367/79 fixing the monetary compensatory
amounts

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
974/71 of 12 May 1971 on certain measures of
conjunctural policy to be taken in agriculture
following the temporary widening of the margins of
fluctuation for the currencies of certain Member
States⁽¹⁾, as last amended by Regulation (EEC) No
987/79⁽²⁾, and in particular Article 6 thereof,

Whereas the monetary compensatory amounts
provided for in Regulation (EEC) No 974/71 were
fixed by Commission Regulation (EEC) No 1367/79
of 29 June 1979⁽³⁾;

Whereas a check has revealed errors in the Annex to
that Regulation; whereas the necessary corrections

comply with the principles laid down in the text
submitted for opinion to the management committee
concerned at the time when the Commission adopted
Regulation (EEC) No 1367/79,

HAS ADOPTED THIS REGULATION:

Article 1

In Part 7 of Annex I to Regulation (EEC) No 1367/79
the amount '5,20' under subheading 17.01 A is
replaced by '6,20'.

Article 2

This Regulation shall enter into force on 14 July
1979.

Where any party concerned so requests, it shall apply
with effect from 1 July 1979.

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

Done at Brussels, 13 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 123, 19. 5. 1979, p. 9.

⁽³⁾ OJ No L 164, 2. 7. 1979, p. 1.