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II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 22 July 1974

on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (strength of seats and of their anchorages)

(74/408/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament ⁽¹⁾;

Having regard to the Opinion of the Economic and Social Committee;

Whereas the technical requirements which motor vehicles must satisfy pursuant to national laws relate, *inter alia*, to interior fittings for the strength of seats and their anchorages;

Whereas these requirements differ from one Member State to another; whereas it is therefore necessary that all Member States adopt the same requirements either in addition to or in place of their existing regulations in order, in particular, to allow of the EEC type-approval procedure, which was the subject of Council Directive No 70/156/EEC ⁽²⁾ of 6 February 1970 on the approximation of laws of the Member States relating to the type-approval of motor vehicles and their trailers, to be applied in respect of each type of vehicle;

Whereas common requirements for the interior fittings of the passenger compartment, the layout of the controls, the roof, the backrests and the rear part of the seats have been laid down by Council Directive No 74/60/EEC ⁽³⁾ of 17 December 1973; whereas requirements for the internal fittings for the behaviour of the steering mechanism in the event of an impact have been laid down by Council Directive 74/297/EEC ⁽⁴⁾ of 4 June 1974; whereas other requirements for the internal fittings, and in particular those relating to the head restraint, the seat belt anchorages and the layout of the controls, will be adopted at a later date;

Whereas it is appropriate to utilize basically certain technical requirements adopted by the UN Economic Commission for Europe in its Regulation No 17 ⁽⁵⁾ (Uniform provisions concerning the approval of vehicles with regard to the strength of the seats and of their anchorages) which is annexed to the Agreement of 20 March 1958 concerning the adoption of uniform conditions of approval and reciprocal recognition of approval for motor vehicle equipment and parts;

Whereas the approximation of national laws relating to motor vehicles entails mutual recognition by

⁽¹⁾ OJ No C 108, 10. 12. 1973, p. 75.

⁽²⁾ OJ No L 42, 23. 2. 1970, p. 1.

⁽³⁾ OJ No L 38, 11. 2. 1974, p. 2.

⁽⁴⁾ OJ No L 165, 20. 6. 1974, p. 16.

⁽⁵⁾ EEC document from Geneva.

(E/ECE/324/
(E/ECE/TRANS/505) Rev. 1/Add. 16.

Member States of inspection carried out by each of them on the basis of common provisions; whereas such a system must, if it is to function smoothly, be applied by all Member States with effect from the same date,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. For the purposes of this Directive, 'vehicle' means any motor vehicle designed for use on the road, with or without bodywork, having at least four wheels and a maximum design speed exceeding 25 km/h, with the exception of vehicles which run on rails, agricultural and forestry tractors and machinery and public works vehicles.

2. This Directive does not apply to seats with built-in seat belt anchorages, to folding ('tip-up') seats, or to side-facing or rearward-facing seats.

Article 2

No Member State may refuse to grant EEC type-approval or national type-approval of a vehicle on grounds relating to the strength of the seats or their anchorages if these meet the requirements set out in Annexes I and II when the vehicle belongs to category M₁, and the requirements set out in Annex III when the vehicle belongs to categories M₂, M₃, N₁, N₂ or N₃. The vehicle categories are defined in Annex I to Directive No 70/156/EEC.

Article 3

No Member State may refuse to register or prohibit the sale, entry into service or use of any vehicle on grounds relating to the strength of the seats or their anchorages if these meet the requirements set out in Annex I and II when the vehicle belongs to category M₁, and the requirements of Annex III when the vehicle belongs to categories M₂, M₃, N₁, N₂ or N₃.

Article 4

The Member State which has granted type-approval must take the necessary measures to ensure that it is informed of any modification of any part or characteristic referred to in Annex I, 2.2. The competent authorities of that State shall determine whether fresh tests should be carried out on the modified vehicle and a fresh report drawn up. Where such tests reveal failure to comply with the requirements of this Directive, the modification shall not be approved.

Article 5

Modifications which are necessary to adapt the provisions of Annexes I to IV to take account of technical progress shall be adopted in accordance with the procedure laid down in Article 13 of Directive No 70/156/EEC.

Article 6

1. By 1 March 1975, the Member States shall adopt and publish the provisions necessary to comply with this Directive and shall immediately inform the Commission thereof.

They shall apply these provisions from 1 October 1975.

2. As soon as this Directive has been notified, the Member States shall ensure that any draft laws, regulations or administrative provisions which they intend to adopt in the field covered by this Directive are communicated to the Commission in sufficient time for the latter to submit its comments thereon.

Article 7

This Directive is addressed to the Member States.

Done at Brussels, 22 July 1974.

For the Council

The President

J. SAUVAGNARGUES

ANNEX I ⁽¹⁾

GENERAL, DEFINITIONS, APPLICATION FOR EEC TYPE-APPROVAL, EEC TYPE-APPROVAL, GENERAL SPECIFICATIONS, TESTS, INSPECTION, CONFORMITY OF PRODUCTION

1. GENERAL

- 1.1. The specifications set out in this Annex apply to vehicles in category M₁ only.

2. DEFINITIONS

For the purposes of this Directive:

(2.1.)

- 2.2. 'vehicle type with regard to the strength of the seats and their anchorages': motor vehicles which do not differ in such essential respects as:

- 2.2.1. the structure, shape, dimensions and materials of the seats,
- 2.2.2. the types and dimensions of the seat-back adjustment and locking systems,
- 2.2.3. the types and dimensions of the seat anchorage and of the affected parts of the vehicle body-shell;
- 2.3. 'anchorage' means the system by which the seat assembly is secured to the vehicle body, including the affected parts of the vehicle body-shell;
- 2.4. 'adjustment system' means the device by which the seat or its parts can be adjusted to a position suited to the morphology of the seated occupant; this device may, in particular, permit of:
 - 2.4.1. longitudinal displacement,
 - 2.4.2. vertical displacement,
 - 2.4.3. angular displacement;
- 2.5. 'displacement system' means a device enabling the seat or one of its parts to be displaced angularly or longitudinally, without a fixed intermediate position, to facilitate access by passengers;
- 2.6. 'locking system' means a device ensuring that the seat and its parts are maintained in the position of use;
- 2.7. 'folding (tip-up) seat' means a seat the back of which can be folded forward onto the seat and the seat of which can be pivoted forward in relation to the floor.

3. APPLICATION FOR EEC TYPE-APPROVAL

- 3.1. The application for EEC type-approval of a vehicle type with regard to the strength of the seats and their anchorages shall be submitted by the vehicle manufacturer or by his authorized representative.
- 3.2. It shall be accompanied by the undermentioned documents, in triplicate, and by the following particulars:
 - 3.2.1. a detailed description of the vehicle type with regard to the design of the seats, their anchorages and their adjustment and locking system,
 - 3.2.2. drawings, on an appropriate scale and in sufficient detail, of the seats, their anchorages to the vehicle and their adjustment and locking systems.

⁽¹⁾ The text of this Annex I is basically similar to that of UN Economic Commission for Europe Regulation No 17; in particular, the subdivisions of the sections are the same. Where an item of Regulation No 17 has no corresponding item in this Annex, the number is shown in brackets for the record.

- 3.3. The following must be submitted to the technical service responsible for conducting the type-approval tests:
 - 3.3.1. a vehicle representative of the vehicle type to be approved,
 - 3.3.2. an additional set of the seats with which the vehicle is equipped, with their anchorages.
- 4. EEC TYPE-APPROVAL
 - (4.1.)
 - (4.2.)
 - 4.3. A certificate conforming to the model shown in Annex IV shall be attached to the EEC type-approval certificate.
 - (4.4.)
 - (4.4.1.)
 - (4.4.2.)
 - (4.5.)
 - (4.6.)
- 5. GENERAL SPECIFICATIONS
 - 5.1. Every adjustment and displacement system provided shall incorporate a locking system, which shall operate automatically.
 - 5.2. The unlocking control for a device as referred to in item 2.5 shall be placed on the outside of the seat close to the door. It shall be easily accessible, even to the occupant of the seat immediately behind the seat concerned.
- 6. TESTS
 - 6.1. Test of strength of seat back and of its locking systems
 - 6.1.1. For this test, the seat back, if adjustable, shall be locked in a position corresponding to a rearward inclination as near as possible to 25° from the vertical of the reference line of the torso of the manikin described in item 3 of Annex II, unless otherwise specified by the manufacturer.
 - 6.1.2. A force producing a moment of 53 mdaN in relation to the H point shall be applied longitudinally and rearwards to the upper part of the seat-back by a component simulating the back of the manikin described in item 3 of Annex II.
 - 6.2. Test of strength of seat anchorage and of seat locking systems
 - 6.2.1. The systems shall, in all seated positions, withstand the forces prescribed in item 6.2.2. Nevertheless, this requirement shall be deemed to be met if the test carried out in the positions specified in item 6.2.5 and, where appropriate, in item 6.2.6 is satisfactory.
 - 6.2.2. A horizontal longitudinal force passing through the centre of gravity of the complete seat and equal to 20 times the weight of the complete seat shall be applied to the seat frame. Two tests shall be performed on the same seat, the force being applied once in the forward and once in the rearward direction. If the seat comprises separate parts each of which is secured to the frame, the tests shall be performed on each part in the manner described above. If the seat comprises components secured in part to the vehicle body-shell and supporting one another by some of their parts, the tests shall be performed simultaneously by applying to the centre of gravity of each part the forces corresponding to each component considered separately.
 - 6.2.3. For the test prescribed in item 6.2.1, the link between the seat back and the cushion may be reinforced, on condition that the reinforcing components are secured to the frame of the seat back, level with the point of application of the force and at the most forward point of the frame of the cushion.

- 6.2.4. The conditions laid down in item 6.2.2 may be regarded as met if two forces, each equal to one-half of the prescribed force, are applied level with the centre of gravity to the lateral load-bearing components of the seat frame.
- 6.2.5. The seat shall be tested:
- 6.2.5.1. in the position in which the occupant is seated furthest forward, the cushion being placed in the highest forward position when the force is applied in a forward direction, and
- 6.2.5.2. in the position in which the occupant is seated furthest rearward, the cushion being placed in the lowest rearward position when the force is applied in a rearward direction.
- 6.2.6. In cases where the arrangement of the locking systems is manifestly such that in a seat position other than those defined in items 6.2.5.1 and 6.2.5.2 a distribution of the forces on the locking systems and seat anchorage would be less favourable than with the configurations defined in those items, the tests shall be repeated in that seat position.
- 6.3. **Tests of resistance of locking systems to inertia effects**
- 6.3.1. If a horizontal longitudinal acceleration of 20 g is applied in the forward and in the rearward direction to the seat assembly, no release of the locking systems shall be determinable.
- 6.3.2. A calculation of inertia effects on all components of the locking systems may be accepted in place of the dynamic test prescribed in item 6.3.1. Frictional forces shall be disregarded in such a calculation.
- 6.4. Equivalent methods of testing shall be permitted provided that the results specified in items 6.1, 6.2 and 6.3 can be obtained either entirely by means of the substitute test or by calculation from the results of the substitute test. If any method other than that described in items 6.1, 6.2 and 6.3 is used, proof of its equivalence shall be required.

7. INSPECTION

- 7.1. No failure shall be determinable in the seat frame or in the seat anchorage, adjustment and displacement systems or their locking devices during the tests prescribed in items 6.1 and 6.2. The adjustment and displacement systems and their locking devices shall not, however, be required to be in working order after these tests. The displacement system referred to in item 2.5 must, however, be capable of being unlocked after testing.

(8.)

9. CONFORMITY OF PRODUCTION

(9.1.)

- 9.2. In order to verify conformity with the approved type, a sufficient number of random checks shall be performed on serially-produced vehicles.
- 9.3. As a general rule, the checks shall be confined to measuring dimensions. If necessary, however, the vehicles or the seats shall be subjected to tests conforming to the requirements of item 6.

(10.)

(11.)

ANNEX II

PROCEDURE FOR DETERMINING THE H POINT AND THE ACTUAL SEAT-BACK ANGLE AND FOR VERIFYING THEIR RELATIONSHIP TO THE R POINT AND THE DESIGN SEAT-BACK ANGLE

0. GENERAL

The specifications in this Annex apply to vehicles in category M₁ only.

1. DEFINITIONS

- 1.1. The H point: see item 1.1 of Directive No 74/60/EEC.
- 1.2. The R point: see item 1.2 of Directive No 74/60/EEC.
- 1.3. 'Seat-back angle' means the inclination of the seat back in relation to the vertical.
- 1.4. 'Actual seat-back angle' means the angle formed by the vertical through the H point with the torso reference line of the human body represented by the manikin described in item 3.
- 1.5. 'Design seat-back angle' means the angle indicated by the manufacturer which:
 - 1.5.1. determines the seat-back angle for the lowest and rearmost normal driving or travelling position of each seat provided in the vehicle by the manufacturer,
 - 1.5.2. is formed at the R point by the vertical and the torso reference line,
 - 1.5.3. corresponds theoretically to the actual seat-back angle.

2. DETERMINATION OF H POINTS

See item 2 of Annex IV to Directive No 74/60/EEC.

3. DESCRIPTION OF THE MANIKIN

See item 3 of Annex IV to Directive No 74/60/EEC.

4. SETTING UP THE MANIKIN

See item 4 of Annex IV to Directive No 74/60/EEC.

5. RESULTS

- 5.1. When the manikin has been set up as described in point 4, the H point of the vehicle seat concerned shall be the H point on the manikin.
- 5.2. Each of the coordinates of the H point and the actual seat back angle shall be measured as accurately as possible. The same shall apply to the coordinates representing specific points of the passenger compartment. The projections of these points on a vertical longitudinal plane shall then be plotted on a graph, which would also indicate the actual seat back angle measured.

6. VERIFYING THE RELATIVE POSITIONS OF THE R AND H POINTS AND THE RELATIONSHIP BETWEEN THE DESIGN SEAT-BACK ANGLE AND THE ACTUAL SEAT-BACK ANGLE

- 6.1. The results of the measurements carried out in conformity with item 5.2 for the H point and the actual seat-back angle shall be compared with the coordinates of the R point and the design seat-back angle as supplied by the vehicle manufacturer.

- 6.2. The checking of the relationship between the two points shall be considered satisfactory for the seating position in question, provided that the H point coordinates lie within a longitudinal rectangle whose horizontal and vertical sides are 30 mm and 20 mm respectively, and whose diagonals intersect at the R point. The checking of the seat-back angle shall be considered satisfactory if the actual seat-back angle is within 3° of the design seat-back angle. If these conditions are met, the R point and the design seat-back angle shall be used for the test and, if necessary, the manikin shall be so adjusted that the H point coincides with the R point and the actual seat-back angle coincides with the design seat-back angle.
- 6.3. If the H point or the actual seat-back angle does not satisfy the requirements of item 6.2, two further determinations of the H point shall be carried out (three in all).
In two of the three points so determined lie within the rectangle, the result of the test shall be considered satisfactory.
- 6.4. If at least two of the three points determined lie outside the rectangle, the result of the tests shall be considered unsatisfactory.
- 6.5. In the case referred to in point 6.3 or when verification cannot be carried out because the vehicle manufacturer has failed to provide data on the position of the R point, the average result of the three determinations of the H point may be used and considered applicable in all cases where the R point is mentioned in this Directive.
- 6.6. When checking the relationship of the R and the H points in a vehicle in current production, the rectangle mentioned in point 6.2 above shall be replaced by a square whose side measures 50 mm.

*ANNEX III***GENERAL SPECIFICATIONS**

1. GENERAL
 - 1.1. The requirements set out in this Annex apply to vehicles in categories M₂, M₃, N₁, N₂ or N₃.
 2. GENERAL SPECIFICATIONS
 - 2.1. Seats and bench seats must be firmly attached to the vehicle.
 - 2.2. Sliding seats and bench seats must be automatically lockable in all the positions provided.
 - 2.3. Adjustable seat backs must be lockable in all the positions provided.
 - 2.4. All seats which can be tipped forward or have fold-down backs must lock automatically in the normal position.
-

ANNEX IV

SAMPLE

<p>Name of administration</p>

**ANNEX TO THE EEC VEHICLE TYPE-APPROVAL CERTIFICATE APPROVAL OF
STRENGTH OF SEATS AND SEAT ANCHORAGES**

(Article 4 (2) and Article 10 of the Council Directive of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers)

Type-approval No

1. Trade name or mark of the vehicle
2. Vehicle type
3. Manufacturer's name and address
4. If applicable, name and address of manufacturer's authorized representative
5. Description of seats
6. Description of adjustment, displacement and locking systems of the seat or seat parts
7. Description of seat anchorages
8. Vehicle submitted for type-approval on
9. Technical service conducting type-approval tests
10. Date of report issued by that service
11. Number of report issued by that service
12. Type-approval in respect of the strength of the seats and their anchorages is granted/refused ⁽¹⁾
13. Place
14. Date
15. Signature
16. The following documents, bearing the type-approval number shown above, are annexed to this certificate:

..... drawings, diagrams and plans of the seats and their anchorages to the vehicles and of the adjustment, displacement and locking systems of the seats and seat parts.

..... photographs of the seats and their anchorages and of the adjustment, displacement and locking systems of the seats and seat parts.

⁽¹⁾ Delete as appropriate.

COUNCIL DIRECTIVE

of 22 July 1974

on the harmonization of the laws of the Member States relating to honey

(74/409/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the laws, regulations and administrative provisions of the Member States define the term 'honey', specify the different varieties and lay down the requirements to be met by the product and the information which must appear on the packages or labels;

Whereas the differences existing between these laws hinder the free movement of this product and may create unfair conditions of competition;

Whereas, therefore, it is necessary at Community level to define the term 'honey', to make provision for the different varieties which may be marketed under appropriate names to fix the general specific criteria for its composition, and to lay down the main information which is to appear on labels;

Whereas the choice of the methods of sampling and analysis necessary for checking the composition and characteristics of honey is an implementing measure of a technical nature; whereas their adoption should be entrusted to the Commission in order to simplify and expedite the procedure;

Whereas in all cases in which the Council confers on the Commission authority to implement rules relating to foodstuffs, a procedure should be laid down establishing close cooperation between the Member States and the Commission within the Standing Committee on Foodstuffs set up by Council Decision No 69/414/EEC ⁽¹⁾;

Whereas Article 3 of this Directive prohibits the use of the term 'honey' for products which do not

comply with the definition laid down in Article 1 (1); whereas, however, the immediate implementation of this ban could cause disturbance of the market where the use of the terms 'Kunsthonig' or 'Kunsthonning' is permitted by previous national legislation to describe a product other than honey; whereas provision should consequently be made for an appropriate transitional period to allow the necessary changes to be made;

Whereas pending the adoption of general Community rules regarding the labelling of foodstuffs, a number of national provisions should be maintained on a transitional basis;

Whereas there are at present on the market in certain Member States honeys with various analytical characteristics; whereas it would appear difficult to apply to them all the criteria laid down in the Annex to this Directive; whereas, however, a more detailed study would make it possible to review the situation at a later date,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. For the purposes of this Directive 'honey' shall mean the foodstuff which is produced by the honey-bee from the nectar of blossoms or secretions of or on living parts of plants, and which the bees collect, transform, combine with specific substances of their own and store and leave to mature in honey combs. This foodstuff may be fluid, viscous or crystallized.

2. The main types of honey are as follows:

(a) according to origin

blossom honey:

honey obtained predominantly from the nectar of blossoms;

⁽¹⁾ OJ No L 291, 19. 11. 1969, p. 9.

honeydew honey:

honey obtained predominantly from secretions of or on living parts of plants; its colour varies from light or greenish brown to almost black;

(b) according to mode of presentation*comb honey:*

honey stored by bees in the cells of freshly built broodless combs and sold in sealed whole combs or sections of such combs;

chunk honey:

honey which contains one or more pieces of comb honey;

drained honey:

honey obtained by draining decapped broodless combs;

extracted honey:

honey obtained by centrifuging decapped broodless combs;

pressed honey:

honey obtained by pressing broodless combs with or without the application of moderate heat;

Article 2

Member States shall take all measures necessary to ensure that honey may be offered for sale only if it conforms to the definitions and rules laid down in this Directive and in the Annex thereto.

Article 3

1. The term 'honey' shall be applied only to the product defined in Article 1 (1) and must be used in trade to designate that product, without prejudice to the provisions laid down in Article 7 (1) (a) and (2).

2. The names referred to in Article 1 (2) shall be applied only to the products defined there in.

Article 4

By way of derogation from Article 3 (1) the terms 'Kunsthonning' and 'Kunsthonig' may continue to be

used in Denmark and in Germany respectively for a period of five years starting from the date of notification of this Directive, to describe a product other than honey, in accordance with the national provisions governing this product in force at the time of the notification of this Directive.

Article 5

No product other than honey may be added to honey offered for sale as such.

Article 6

1. When it is marketed the honey shall comply with the compositional criteria listed in the Annex.

However, by way of derogation from the second indent of paragraph 2 of the said Annex, Member States may authorize in their own territory:

- (a) the marketing of heather honey with a maximum moisture content of 25 %, if this is the result of natural conditions of production,
- (b) the marketing of 'baker's honey' in 'industrial honey' with a moisture content of not more than 25 %, if this is the result of natural conditions of production.

2. In addition:

- (a) honey shall, as far as practicable, be free from organic or inorganic matters foreign to its composition, such as mould, insects, insect debris, brood or grains of sand, when the honey is marketed as such or is used in any product for human consumption;

(b) honey shall not:

- (i) have any foreign tastes or odours;
- (ii) have begun to ferment or effervesce;
- (iii) have been heated to such an extent that its natural enzymes are destroyed or made inactive;
- (iv) have an artificially changed acidity;

(c) honey may under no circumstances contain substances in such quantity as to endanger human health.

3. By way of derogation from paragraphs 1 and 2, honey may be marketed as 'baker's honey' or

'industrial honey' if, although suitable for human consumption:

- (a) it does not comply with the requirements referred to in paragraph 2 (b), (i), (ii), (iii), or
- (b) its diastase activity or hydroxymethylfurfural content do not comply with the specifications laid down in the Annex.

However, in the case referred to under (b) a Member State may refrain from making use of this term compulsory and allow the term 'honey' to be used. Within five years from the date of notification of this Directive the Council shall decide, on a proposal from the Commission, on provisions designed to lay down identical technical specifications for the entire Community.

Article 7

1. The only information which is compulsory on the packages, containers or labels of honey, which information must be conspicuous, clearly legible and indelible, shall be the following:

- (a) the term 'honey' or one of the names listed in Article 1 (2); 'comb honey' and 'chunk honey' must, however, be described as such; in the cases referred to in subparagraph (b) of the second paragraph of Article 6 (1) and in the first paragraph of Article 6 (3), the name of the product shall be 'baker's honey' or 'industrial honey';
- (b) the net weight expressed in grammes or kilogrammes;
- (c) the name or trade name and the address or registered office of the producer or packer, or of a seller established within the Community.

2. The Member States may require in their own territory use of the name 'honeydew honey' for honey which is predominantly honeydew honey, which has the organoleptic, physico-chemical and microscopic characteristics of such honey and for which there is given no indication of a specific plant origin, such as 'pine honey'.

3. By way of derogation from paragraph 1, the Member States may retain any national provisions which require indication of the country of origin. This information, however, may no longer be required for honey originating in the Community.

4. The term 'honey' referred to in paragraph 1 (a) or one of the names referred to in Article 1 (2) may be supplemented *inter alia* by:

- (a) a reference to the origin, whether blossom or plant, provided the product comes predominantly from the source indicated and has the appropriate organoleptic, physico-chemical, and microscopic characteristics;
- (b) a regional, territorial or topographical name, provided the product originates entirely in the area indicated.

5. Where honey is put up in packages or containers of a net weight equal to or exceeding 10 kilogrammes and is not retailed, the information referred to in paragraph 1 (b) and (c) may, if desired, appear only on the accompanying documents.

6. Member States shall refrain from stating, apart from what is laid down in paragraph 1, how the information referred to in that paragraph is to be given. However, Member States may forbid trade in honey in their territory if the markings laid down in paragraph 1 (a) are not shown on one side of the package or container in the national language or languages.

7. Until the end of the transitional period during which the imperial units of measurement contained in Annex II to Council Directive No 71/354/EEC ⁽¹⁾ of 18 October 1971 relating to units of measurement which may be used in the Community, Member States may require that the weight should also be expressed in imperial units of measurement.

8. Paragraphs 1 to 7 shall apply without prejudice to subsequent provisions laid down by the Community on labelling.

Article 8

1. Member States shall adopt all the measures necessary to ensure that trade in the products referred to in Article 1, which comply with the definitions and rules laid down in this Directive and in Annex I thereto, shall not be impeded by the application of national non-harmonized provisions governing the composition, manufacturing specifications, packaging or labelling of these products in particular or of foodstuffs in general.

2. Paragraph 1 shall not be applicable to non-harmonized provisions justified on grounds of:

⁽¹⁾ OJ No L 243, 29. 10. 1971, p. 29.

- protection of public health,
- repression of frauds unless such provisions are liable to impede the application of the definitions and rules laid down by this Directive,
- protection of industrial and commercial property, of indications of source, designations of origin and the repression of unfair competition.

Article 9

The methods of sampling and analysis necessary for checking the composition and characteristics of honey shall be determined in accordance with the procedure laid down in Article 10.

Article 10

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred to the Standing Committee on Foodstuffs set up by the Council Decision of 13 November 1969 (hereinafter called the 'Committee') by its Chairman, either on his own initiative or at the request of a representative of a Member State.

2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall give its Opinion on that draft within a time limit set by the Chairman having regard to the urgency of the matter. Opinions shall be delivered by a majority of 41 votes, the votes of the Member States being weighted as provided in Article 148 (2) of the Treaty. The Chairman shall not vote.

3. (a) Where the measures envisaged are in accordance with the Opinion of the Committee, the Commission shall adopt them.

(b) Where the measures envisaged are not in accordance with the Opinion of the Committee or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal on the measures to be taken. The Council shall act by a qualified majority.

(c) If within three months of the proposal being submitted to it, the Council has not acted, the

proposed measures shall be adopted by the Commission.

Article 11

The provisions of Article 10 shall apply for 18 months from the date on which the matter was first referred to the Committee, under Article 10 (1).

Article 12

This Directive shall not affect national provisions relating to the scales of weights according to which honey must be marketed; the Council, on a proposal from the Commission, shall adopt the appropriate Community provisions before 1 January 1979.

Article 13

This Directive shall not apply to products intended for export from the Community.

Article 14

Member States shall, if necessary, within a period of one year following notification of this Directive, amend their laws in accordance with the provisions of this Directive and shall forthwith inform the Commission thereof. The laws thus amended shall apply to the products offered for sale in the Member States two years after the notification of this Directive.

Article 15

This Directive is addressed to the Member States.

Done at Brussels, 22 July 1974

For the Council

The President

J. SAUVAGNARGUES

ANNEX

COMPOSITIONAL CRITERIA FOR HONEY

1. Apparent reducing sugar content, calculated as invert sugar
 - Blossom honey not less than 65 %
 - Honeydew honey and blends of honeydew honey and blossom honey not less than 60 %
2. Moisture content
 - In general not more than 21 %
 - Heather honey (*Calluna*) and clover honey (*Trifolium* sp.) not more than 23 %
3. Apparent sucrose content
 - In general not more than 5 %
 - Honeydew honey, and blends of honeydew honey and blossom honey, acacia, lavender and banksia *menziesii* honeys not more than 10 %
4. Water-insoluble solids content
 - In general not more than 0.1 %
 - Pressed honey not more than 0.5 %
5. Mineral content (ash)
 - In general not more than 0.6 %
 - Honeydew honey, and blends of honeydew honey and blossom honey not more than 1 %
6. Acidity not more than 40 milli-equivalents acid per 1 000 grammes
7. Diastase activity and hydroxymethylfurfural content (HMF) determined after processing and blending
 - (a) *Diastase activity (Schade scale)*
 - In general not less than 8
 - Honeys with low natural enzyme content (e.g. citrus) and a HMF content not more than 15 mg/kg not less than 3
 - (b) *HMF* not more than 40 mg/kg (subject to the provisions of paragraph (a) second indent)

COUNCIL DECISION

of 2 August 1974

amending Decision No 71/236/Euratom adopting a five-year research and training programme of the European Atomic Energy Community in the field of biology and health physics

(74/410/Euratom)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 7 thereof;

Having regard to the proposal from the Commission submitted after consultation with the Scientific and Technical Committee;

Whereas the accession of the new Member States necessitates an adjustment of the programme which is the subject of Council Decision No 71/236/Euratom ⁽¹⁾ of 21 June 1971 adopting a five-year research and training programme of the European Atomic Energy Community in the field of biology and health physics, amended by Decision No 73/128/Euratom ⁽²⁾;

Whereas this adjustment should strengthen the existing Community potential in the field of research on nuclear methods and techniques applicable to medical and agricultural research, given the great interest which exploitation of this potential presents in these areas;

Whereas the continuity which is necessary for biological research should be ensured;

Whereas it is in the common interest to complete Decision No 71/236/Euratom with a view to ensuring the active participation of laboratories of the new Member States in research work,

Article 1

The programme set out in the Annex to Decision No 71/236/Euratom shall be replaced by the programme annexed to this Decision.

Article 2

Article 2 of Decision No 71/236/Euratom shall be replaced by the following:

'The upper limit for expenditure commitments and for staff necessary for the implementation of this programme shall be 18 886 million units of account and 97 Community servants in the case of the common programme and 5 879 million units of account and 10 Community servants in the case of the supplementary programme; the unit of account shall be defined as in Article 10 of the Financial Regulation of 25 April 1973 ⁽³⁾ applicable to the General Budget of the European Communities.'

Done at Brussels, 2 August 1974.

*For the Council**The President*

B. DESTREMAU

⁽¹⁾ OJ No L 143, 29. 6. 1971, p. 31.

⁽²⁾ OJ No L 153, 9. 6. 1973, p. 15.

⁽³⁾ OJ No L 116, 1. 5. 1973, p. 1.

ANNEX

'BIOLOGY AND HEALTH PHYSICS' JOINT PROGRAMME AND COMPLEMENTARY PROGRAMME**1. 'Radiation protection' joint programme**

An amount of 18·886 million units of account shall be allocated to this objective and the upper limit for staff shall be fixed at 97 servants.

The aim of the work is to acquire and promote the scientific and technical knowledge necessary for determining permissible levels of radiation in man and contamination of the environment, for keeping such knowledge up to date and for improving the practical organization of radiation protection by the Member States.

This aim also includes studies on radioactive contaminants, with particular reference to the path which they follow in man and the environment, on the effects of radiation on living matter and on dosimetric methods and instruments.

This research will be carried out mainly under contracts of association or similar contracts and partly by the 'Biology' Group set up at the Ispra Establishment.

2. 'Adaptations' complementary programme*(a) Definition of programme:*

Germany, Italy and the Netherlands shall allocate an amount of 5·610 million units of account for the period 1971 to 1975 to this objective, for which the upper limit for staff shall be 10 Community servants.

Denmark and Ireland shall take part in the same objective for an amount of 0·269 million units of account for the period 1974 to 1975.

The aim of the work, in this area, consists in the development of nuclear techniques and the application of nuclear methods with a view to their use in agricultural and medical research.

The work will be carried out under contracts of association or similar contracts.

(b) Financial contributions from the Member States to this programme:

— for the amount of 5·610 million units of account:

Germany:	41·0 %
Italy:	23·0 %
Netherlands:	36·0 %

— for the amount of 0·269 million units of account:

Denmark:	82·4 %
Ireland:	17·6 %

COUNCIL DIRECTIVE

of 1 August 1974

amending, for the first time, Council Directive No 73/241/EEC on the approximation of the laws of the Member States relating to cocoa and chocolate products intended for human consumption

(74/411/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof;

Having regard to the proposal from the Commission;

Whereas the first sentence of the first paragraph of Article 15 of Council Directive No 73/241/EEC ⁽¹⁾ of 24 July 1973 on the approximation of the laws of the Member States relating to cocoa and chocolate products intended for human consumption, provides that Member States shall, if necessary, within a period of one year following notification amend their laws in accordance with the provision of that Directive;

Whereas it appears that the present wording of certain provisions of the Directive concerned may give rise to conflicting interpretation and that they should therefore be worded more accurately;

Whereas the Commission has stated that it is about to submit a proposal to clarify the Directive but that it will not be possible to take action before the expiry of the abovementioned period;

Whereas Member States should therefore be enabled, by the extension of that period, to take account, when giving effect to the Directive in their national laws, of any changes which may have been made;

Whereas, however, there is no need to alter the period of two years laid down in the second sentence of the first paragraph of Article 15 of the said Directive,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The first paragraph of Article 15 of Directive No 73/241/EEC shall be replaced by the following text with effect from 1 August 1974:

'By 1 January 1975 Member States shall, if necessary, amend their laws in accordance with the provisions of this Directive and shall forthwith inform the Commission thereof. The laws thus amended shall apply to products offered for sale in the Member States two years after the notification of this Directive.'

Article 2

This Directive is addressed to the Member States.

Done at Brussels, 1 August 1974.

*For the Council**The President*

B. DESTREMAU

⁽¹⁾ OJ No L 228, 16. 8. 1973, p. 23.

COUNCIL DIRECTIVE

of 1 August 1974

amending, for the first time, Council Directive No 70/357/EEC on the approximation of the laws of the Member States concerning the antioxidants authorized for use in foodstuffs intended for human consumption

(74/412/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof;

Having regard to the proposal from the Commission;

Whereas Article 2 of Council Directive No 70/357/EEC ⁽¹⁾ of 13 July 1970 on the approximation of the laws of the Member States concerning the antioxidants authorized for use in food intended for human consumption, permits Member States for a period of three years following the notification of the said Directive to maintain the provisions of their national laws authorizing the use in foodstuffs of calcium disodium ethylene diamine tetra-acetate, propyl gallate and L-ascorbic acid esters of the unbranched fatty acids C₁₄ and C₁₈;

Whereas Annex VII, Chapter IX, 3 of the Act of Accession ⁽²⁾ permits the new Member States, up to and including 31 December 1977, to maintain in force the provisions of their national laws existing on the date of accession relating to the use in foodstuffs of propyl gallate;

Whereas the technological usefulness of these substances in food has been demonstrated within the Community;

Whereas the laws of certain Member States still permit the use of these substances;

Whereas the situation must be reviewed in the light of the most recent scientific and toxicological information;

Whereas the Scientific Committee for Food, instituted by Commission Decision of 16 April 1974 ⁽³⁾, has not yet fully considered this information;

Whereas it is therefore not possible to take a final decision as to whether or not the use of these substances should be authorized within the Community,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The first paragraph of Article 2 of Directive No 70/357/EEC shall be replaced by the following text with effect from 13 July 1974:

'By way of derogation from Article 1, Member States may maintain the provisions of their national laws permitting the use in foodstuffs of calcium disodium ethylene diamine tetra-acetate, propyl gallate and L-ascorbic acid esters of the unbranched fatty acids C₁₄ and C₁₈ until 31 December 1977.'

Article 2

This Directive is addressed to the Member States.

Done at Brussels, 1 August 1974.

For the Council

The President

B. DESTREMAU

⁽¹⁾ OJ No L 157, 18. 7. 1970, p. 31.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 136, 20. 5. 1974, p. 1.

COMMISSION

COMMISSION DECISION

of 10 July 1974

issuing a standing invitation to tender for the export of 400 000 metric tons of common wheat held by the German intervention agency

(Only the German text is authentic)

(74/413/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by the Regulation (EEC) No 1346/73⁽²⁾, and in particular Article 7 (5) thereof;

Having regard to Commission Regulation (EEC) No 376/70⁽³⁾ of 27 February 1970 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies, as last amended by Regulation (EEC) No 129/73⁽⁴⁾ and in particular Article 5 (1) and (7) thereof;

Whereas the Federal Republic of Germany, in its communication of 26 June 1974, informed the Commission of the intention of the German intervention agency to issue an invitation to tender for the export of 400 000 metric tons of common wheat;

Whereas the 400 000 metric tons of common wheat to be tendered for, will be exported from the frontier crossing posts for which the tenders are made by the tenderers; whereas the common wheat is stored

elsewhere; whereas the German intervention agency, in order to place all those participating in the tendering procedure in the same competitive position shall sell at the same price; whereas in order to do this it will bear the cost of transport from the place of storage to the frontier crossing point stipulated;

Whereas, under Article 5 (5) of Regulation (EEC) No 376/70, it may be provided that a tender shall only be valid if it is accompanied by an application for an export licence and by an application for advance fixing of the refund for the destination in question; whereas the intention of this provision is to allow for better assessment of the tender lodged by the tenderer;

Whereas Council Regulation (EEC) No 1968/73⁽⁵⁾ of 19 July 1973 laying down general rules to be applied in the event of the cereals market being disturbed, as last amended by Regulation (EEC) No 676/74⁽⁶⁾, provided for the possibility of fixing an export levy, whereas, according to Article 3 (4) of that Regulation, this levy may be subject to advance fixing;

Whereas it is only possible to make a proper assessment of a tender if the tender is linked with the export levy applicable on the day on which it is lodged; whereas, in order to take account of this, it is appropriate to apply to the export levy by analogy the rules of Article 5 (5) of Regulation (EEC) No 376/70 and to extend the application of all the provisions made under this Article to the export levy;

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 47, 28. 2. 1970, p. 49.

⁽⁴⁾ OJ No L 17, 20. 1. 1973, p. 17.

⁽⁵⁾ OJ No L 201, 21. 7. 1973, p. 10.

⁽⁶⁾ OJ No L 83, 28. 3. 1974, p. 3.

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Management Committee for Cereals,

HAS ADOPTED THIS DECISION:

Article 1

The German intervention agency, may under the conditions hereinafter laid down, issue a standing invitation to tender for the export of common wheat held by it.

Article 2

1. The invitation to tender refers to a quantity of 400 000 metric tons of common wheat.
2. The places in which the 400 000 metric tons of common wheat are stored are listed in the Annex.

Article 3

1. The minimum selling price is to be fixed for the following places in accordance with Article 5 (7) of Regulation (EEC) No 376/70: North Sea or Baltic ports of export and/or frontier crossing points in the Federal Republic of Germany, Rotterdam, Amsterdam, Antwerpen and Gent.
2. Tenders must be made for one or more of these ports or exit points. The tenderer shall specify the port or ports or exit points for which the tender is made.

The tenders shall be for common wheat:

- which is in harbour silos from which it can be loaded directly into a seagoing vessel or canal barge, or
- which is supplied undischarged at the place of embarkation at the port or exit point.

3. In cases where an export refund or levy is applicable on the day on which tenders are lodged,

the tenders shall only be valid if they are accompanied by an application for an export licence lodged by the tenderer and a corresponding application:

- for advance fixing of the refund for the destination in question, or
- for advance fixing of the export levy. In this case the provisions made under Article 5 (5) of Regulation (EEC) No 376/70 shall apply.

4. As regards the quantities of common wheat which are not at the places referred to in the first and second indents of paragraph 2, the most advantageous transport costs between the place of storage and the place of embarkation at the port or exit point which may be reached at the most advantageous costs, shall be reimbursed to the exporter-tenderer by the German intervention agency.

Article 4

The German intervention agency shall lay down in the notice of invitation to tender the dates on which tenders may be submitted.

There must be at least 10 days between publication of the notice of invitation to tender and the first date laid down for submission of tenders. The last date on which tenders may be submitted is 25 June 1975.

Article 5

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 10 July 1974.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

Place of storage	Approximate quantities stored (in metric tons)
Niedersachsen/Bremen	80 000
Nordrhein-Westfalen	170 000
Hessen	20 000
Rheinland-Pfalz/Baden-Württemberg/Saarland	75 000
Bayern	55 000

COMMISSION DECISION

of 10 July 1974

issuing a standing invitation to tender for the export of 443 128 metric tons of barley held
by the German intervention agency

(Only the German text is authentic)

(74/414/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community;

Having regard to Council Regulation No
120/67/EEC ⁽¹⁾ of 13 June 1967 on the common
organization of the market in cereals, as last amended
by Regulation (EEC) No 1346/73 ⁽²⁾, and in
particular Article 7 (5) thereof;

Having regard to Commission Regulation (EEC) No
376/70 ⁽³⁾ of 27 February 1970 laying down the
procedure and conditions for the disposal of cereals
held by the intervention agencies, as last amended by
Regulation (EEC) No 129/73 ⁽⁴⁾ and in particular
Article 5 (1) and (7) thereof;

Whereas the Federal Republic of Germany, in its
communication of 26 June 1974, informed the
Commission of the intention of the German
intervention agency to issue an invitation to tender
for the export of barley;

Whereas the 443 128 metric tons of barley to be
tendered for, will be exported from the frontier
crossing posts for which the tenders are made by the
tenderers; whereas the barley is stored elsewhere;
whereas the German intervention agency, in order to
place all those participating in the tendering
procedure in the same competitive position shall sell
at the same price; whereas in order to do this it will
bear the cost of transport from the place of storage
to the frontier crossing point stipulated;

Whereas, under Article 5 (5) of Regulation (EEC) No
376/70, it may be provided that a tender shall only
be valid if it is accompanied by an application for an
export licence and by an application for advance

fixing of the refund for the destination in question;
whereas the intention of this provision is to allow for
better assessment of the tender lodged by the
tenderer;

Whereas Council Regulation (EEC) No 1968/73 ⁽⁵⁾ of
19 July 1973 laying down general rules to be applied
in the event of the cereals market being disturbed, as
last amended by Regulation (EEC) No 676/74 ⁽⁶⁾,
provided for the possibility of fixing an export levy;
whereas, according to Article 3 (4) of that
Regulation, this levy may be subject to advance
fixing;

Whereas it is only possible to make a proper
assessment of a tender if the tender is linked with the
export levy applicable on the day on which it is
lodged; whereas, in order to take account of this, it is
appropriate to apply to the export levy by analogy
the rules of Article 5 (5) of Regulation (EEC) No
376/70 and to extend the application of all the
provisions made under this Article to the export levy;

Whereas the measures provided for in this Decision
are in accordance with the Opinion of the
Management Committee for Cereals,

HAS ADOPTED THIS DECISION:

Article 1

The German intervention agency, may under the
conditions hereinafter laid down, issue a standing
invitation to tender for the export of barley held by
it.

Article 2

1. The invitation to tender refers to a quantity of
443 128 metric tons of barley.

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 47, 28. 2. 1970, p. 49.

⁽⁴⁾ OJ No L 17, 20. 1. 1973, p. 17.

⁽⁵⁾ OJ No L 201, 21. 7. 1973, p. 10.

⁽⁶⁾ OJ No L 83, 28. 3. 1974, p. 3.

2. The places in which the 443 128 metric tons of barley are stored are listed in the Annex.

Article 3

1. The minimum selling price is to be fixed for the following places in accordance with Article 5 (7) of Regulation (EEC) No 376/70: North Sea or Baltic ports of export and/or frontier crossing points in the Federal Republic of Germany, Rotterdam, Amsterdam, Antwerpen and Gent.

2. Tenders must be made for one or more of these ports or exit points. The tenderer shall specify the port or ports or exit points for which the tender is made.

The tenders shall be for barley:

- which is in harbour silos from which it can be loaded directly into a seagoing vessel or canal barge, or
- which is supplied undischarged at the place of embarkation at the port or exit point.

3. In cases where an export refund or levy is applicable on the day on which tenders are lodged, the tenders shall only be valid if they are accompanied by an application for an export licence lodged by the tenderer and a corresponding application:

- for advance fixing of the refund for the destination in question or
- for advance fixing of the export levy. In this case the provisions made under Article 5 (5) of Regulation (EEC) No 376/70 shall apply.

4. As regards the quantities of barley which are not at the places referred to in the first and second indents of paragraph 2, the most advantageous transport costs between the place of storage and the place of embarkation at the port or exit point which may be reached at the most advantageous costs, shall be reimbursed to the exporter-tenderer by the German intervention agency.

Article 4

The German intervention agency shall lay down in the notice of invitation to tender the dates on which tenders may be submitted.

There must be at least 10 days between publication of the notice of invitation to tender and the first date laid down for submission of tenders. The last date on which tenders may be submitted is 25 June 1975.

Article 5

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 10 July 1974.

For the Commission

The President

François-Xavier ORTOLI

Place of storage	Approximate quantities stored (in metric tons)
Schleswig-Holstein/Hamburg	20 242
Niedersachsen/Bremen	120 675
Nordrhein-Westfalen	268 211
Hessen	4 000
Rheinland-Pfalz/Baden-Württemberg	30 000

COMMISSION DECISION

of 11 July 1974

fixing the minimum export levy for the invitation to tender for the export of milled long grained rice issued under Regulation (EEC) No 1638/74

(74/415/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 359/67/EEC ⁽¹⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by the Act of Accession ⁽²⁾;

Having regard to Council Regulation (EEC) No 2737/73 ⁽³⁾ of 8 October 1973 laying down general rules to be applied in the event of the rice market being disturbed, and in particular Article 4 (2) thereof;

Having regard to Commission Regulation (EEC) No 3197/73 ⁽⁴⁾ of 23 November 1973 establishing the conditions for the application of the system of tendering for export levies on rice, and in particular Article 5 (1) thereof;

Whereas an invitation to tender for the export levy on milled long grained rice was issued under Commission Regulation (EEC) No 1638/74 ⁽⁵⁾ of 27 June 1974; whereas the notice of invitation to tender ⁽⁶⁾ associated with this Regulation specified that the total tonnage for which the export levy could be fixed was approximately 20 000 metric tons;

Whereas Article 5 (1) of Regulation (EEC) No 3197/73 allows the Commission, in accordance with the procedure laid down in Article 26 of Regulation No 359/67/EEC, to fix a minimum export levy; whereas, when this minimum levy is being fixed, account must be taken of the criteria set out in Article 3 (1) (b) and (d) of Regulation (EEC) No 2737/73, namely:

- the objectives of the common organization of the market in rice, namely to balance that market both as regards supplies and as regards trade; and

- the economic aspect of the exports;

Whereas Article 5 (2) of Regulation (EEC) No 3197/73 stipulates that the award is made to the tenderer or tenderers whose tenders quote a levy equal to or higher than the minimum;

Whereas it follows from applying these rules to the present situation on the market for the rice in question that the minimum export levy should be fixed as shown in Article 1; whereas the tonnage of milled long grained rice to which this minimum applies is 9 807 metric tons;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Management Committee for Cereals,

HAS ADOPTED THIS DECISION:

Article 1

The minimum export levy for milled long grained rice fixed on the basis of tenders submitted for 11 July 1974 is hereby fixed at 72 units of account per metric ton.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 July 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 179, 31. 7. 1967, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 282, 9. 10. 1973, p. 13.

⁽⁴⁾ OJ No L 326, 27. 11. 1973, p. 10.

⁽⁵⁾ OJ No L 173, 28. 6. 1974, p. 65.

⁽⁶⁾ OJ No C 73, 29. 6. 1974, p. 6.

COMMISSION DECISION

of 15 July 1974

concerning the additional drying of 63 000 metric tons of common wheat taken over by the Dutch intervention agency during the 1973/74 marketing year

(Only the Dutch text is authentic)

(74/416/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 787/69 ⁽¹⁾ of 22 April 1969 on the financing of intervention expenditure in respect of the domestic market in cereals and rice, as last amended by Regulation (EEC) No 330/74 ⁽²⁾, and in particular Article 4 (1) (d);

Having regard to the request from the Kingdom of the Netherlands addressed to the Commission on 7 June 1974;

Whereas the Netherlands intervention agency holds 63 000 metric tons of common wheat which could only have been disposed of in the short term in the form of denatured wheat for animal feed; whereas because the denaturing premium was fixed at zero, it was not possible to consider offering this common wheat for sale on the market in accordance with the provisions of Article 3 (2) of Regulation (EEC) No 376/70 ⁽³⁾;

Whereas in order to allow for storage of cereals from the 1974 harvest, the Netherlands intervention agency must engage in the transfer of the said 63 000 metric tons of common wheat to warehouses which are not equipped with ventilation equipment; whereas the moisture content of this common wheat should then

be reduced from 16 to 13.5 % in order to permit its storage for a relatively long period without risk of impairing its quality;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Management Committee for Cereals,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of Regulation (EEC) No 787/69, it is established that the additional drying to 13.5 % of 63 000 metric tons of common wheat by the Netherlands intervention agency between 1 June 1974 and 31 August 1974 is necessary.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 15 July 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 105, 2. 5. 1969, p. 4.

⁽²⁾ OJ No L 37, 9. 2. 1974, p. 5.

⁽³⁾ OJ No L 47, 28. 2. 1970, p. 49.

COMMISSION DECISION

of 15 July 1974

fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 1572/74, the maximum amounts for the deliveries of butteroil

(Only the French, Dutch, Danish, and German texts are authentic)

(74/417/EEC)

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 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 662/74 ⁽²⁾, and in particular Article 6 (7) thereof;

Whereas, pursuant to Commission Regulation (EEC) No 1572/74 ⁽³⁾ of 21 June 1974 opening an invitation to tender for the supply of butteroil as food aid to Cyprus and Pakistan, the Belgian, Danish, German and French intervention agencies have invited tenders for the manufacture and delivery of seven lots of butteroil totalling 3 250 metric tons of which 250 metric tons are destined for Cyprus and 3 000 metric tons for Pakistan;

Whereas Article 7 of Commission Regulation (EEC) No 1365/74 ⁽⁴⁾ of 31 May 1974 on the supply of butteroil as food aid to certain developing countries, provides that in the light of the tenders received for each lot put up for tender, a maximum amount shall be fixed or alternatively a decision shall be taken to make no award;

Whereas, on the basis of the tenders received, the maximum amounts should be those specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be set for the purposes of awarding a contract pursuant to Regulation (EEC) No 1572/74 are fixed as follows:

Lot A: 575 600 units of account.

Lot B: 1 132 500 units of account.

Lot C: 1 132 500 units of account.

Lot D: 1 134 584 units of account.

Lot E: 1 134 584 units of account.

Lot F: 1 137 790 units of account.

Lot G: 1 156 785 units of account.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany and the French Republic.

Done at Brussels, 15 July 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 85, 29. 3. 1974, p. 51.

⁽³⁾ OJ No L 167, 22. 6. 1974, p. 31.

⁽⁴⁾ OJ No L 147, 1. 6. 1974, p. 46.

COMMISSION DECISION

of 15 July 1974

fixing the minimum selling price for butter for the 48th individual invitation to tender
under the standing invitation to tender provided for by Regulation (EEC) No 1259/72

(74/418/EEC)

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 ⁽¹⁾ of 27 June 1968 on the common
organization of the market in milk and milk
products, as last amended by Regulation (EEC) No
662/74 ⁽²⁾, and in particular Article 6 (7) thereof;

Having regard to Council Regulation (EEC) No
985/68 ⁽³⁾ of 15 July 1968 laying down general rules
for intervention on the market in butter and cream,
as last amended by Regulation (EEC) No 2714/72 ⁽⁴⁾,
and in particular Article 7a thereof;

Whereas, pursuant to Commission Regulation (EEC)
No 1259/72 ⁽⁵⁾ of 16 June 1972 on the disposal of
butter at a reduced price to certain Community
processing undertakings, as last amended by
Regulation (EEC) No 324/74 ⁽⁶⁾, intervention
agencies have put up for sale by standing invitation
to tender certain quantities of butter held by them;

Whereas Article 9 of that Regulation provides that, in
the light of the tenders received, a minimum selling
price must be fixed which may vary with the fat
content of the butter; whereas alternatively a decision
may be taken not to proceed with the invitation to
tender; whereas the amount of the processing
security must be fixed in the light of the difference
between the minimum selling price and the market
price of the butter;

Whereas, in the light of the tenders received in
response to the 48th individual invitation to tender,
the minimum selling price should be fixed at the level

specified below and the processing security
determined accordingly;

Whereas the measures provided for in this Decision
are in accordance with the Opinion of the
Management Committee for Milk and Milk Products

HAS ADOPTED THIS DECISION:

Article 1 •

For the 48th individual invitation to tender under
Regulation (EEC) No 1259/72, in respect of which
the time limit for the submission of tenders expires
on 9 July 1974:

- (a) the minimum selling price to be considered when
awarding contracts shall be 90 units of account
per 100 kg butter with a fat content of 82 % or
more;
- (b) the processing security shall be 99 units of
account per 100 kg butter without prejudice to
the provisions of the second and third subpara-
graphs of Article 12 (1) of Regulation (EEC) No
1259/72.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 July 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 85, 29. 3. 1974, p. 51.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 15.

⁽⁵⁾ OJ No L 139, 17. 6. 1973, p. 18.

⁽⁶⁾ OJ No L 35, 8. 2. 1974, p. 28.

COMMISSION DECISION

of 18 July 1974

fixing the minimum export levy for the invitation to tender for the export of milled long grained rice issued under Regulation (EEC) No 1638/74

(74/419/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 359/67/EEC ⁽¹⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by the Act of Accession ⁽²⁾;

Having regard to Council Regulation (EEC) No 2737/73 ⁽³⁾ of 8 October 1973 laying down general rules to be applied in the event of the rice market being disturbed, and in particular Article 4 (2) thereof;

Having regard to Commission Regulation (EEC) No 3197/73 ⁽⁴⁾ of 23 November 1973 establishing the conditions for the application of the system of tendering for export levies on rice, and in particular Article 5 (1) thereof;

Whereas an invitation to tender for the export levy on milled long grained rice was issued under Commission Regulation (EEC) No 1638/74 ⁽⁵⁾ of 27 June 1974; whereas the notice of invitation to tender ⁽⁶⁾ associated with this Regulation specified that the total tonnage for which the export levy could be fixed was approximately 20 000 metric tons;

Whereas Article 5 (1) of Regulation (EEC) No 3197/73 allows the Commission, in accordance with the procedure laid down in Article 26 of Regulation No 359/67/EEC, to fix a minimum export levy; whereas, when this minimum levy is being fixed, account must be taken of the criteria set out in Article 3 (1) (b) and (d) of Regulation (EEC) No 2737/73, namely:

— the objectives of the common organization of the market in rice, namely to balance that market both as regards supplies and as regards trade; and

— the economic aspect of the exports;

Whereas Article 5 (2) of Regulation (EEC) No 3197/73 stipulates that the award is made to the tenderer or tenderers whose tenders quote a levy equal to or higher than the minimum;

Whereas it follows from applying these rules to the present situation on the market for the rice in question that the minimum export levy should be fixed as shown in Article 1; whereas the tonnage of milled long grained rice to which this minimum applies is 11 135 metric tons;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Management Committee for Cereals,

HAS ADOPTED THIS DECISION:

Article 1

The minimum export levy for milled long grained rice fixed on the basis of tenders submitted for 18 July 1974 is hereby fixed at 75.40 units of account per metric ton.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 July 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 179, 31. 7. 1967, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 282, 9. 10. 1973, p. 13.

⁽⁴⁾ OJ No L 326, 27. 11. 1973, p. 10.

⁽⁵⁾ OJ No L 173, 28. 6. 1974, p. 65.

⁽⁶⁾ OJ No C 73, 29. 6. 1974, p. 6.

COMMISSION DECISION

of 19 July 1974

on the Advisory Committees on Oils and Fats, Sugar, Raw Tobacco and Fresh and Processed Fruit and Vegetables

(74/420/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community;

Whereas Advisory Committees on Oils and Fats,
Sugar, Raw Tobacco and Fresh and Processed Fruit
and Vegetables were set up by the Commission
Decisions of 9 June 1967 ⁽¹⁾, 29 April 1969 ⁽²⁾, 22
December 1970 ⁽³⁾ and 18 July 1962 ⁽⁴⁾ respectively;

Whereas the texts of those Decisions have been
replaced by the Commission Decisions adopted on 31
October 1973 ⁽⁵⁾;

Whereas the memberships of these Committees were
increased by further Commission Decisions, all dated
29 March 1974 ⁽⁶⁾;

Whereas it is considered necessary, in view of certain
exceptional circumstances regarding these Commit-
tees, that the Commission should itself be able, in
derogation from the provisions of Article 4 of the
Decisions setting up the Committees, directly to fill

the additional seats created by the Decisions of 29
March 1974,

HAS DECIDED AS FOLLOWS:

Sole Article

Notwithstanding the provisions of Article 4 of the
Commission Decisions setting up the Advisory
Committees on Oils and Fats, Sugar, Raw Tobacco
and Fresh and Processed Fruit and Vegetables of 9
June 1967, 29 April 1969, 22 December 1970 and 18
July 1962 respectively, the Commission may
nominate directly the members of such Committees
to fill the additional seats created by the Commission
Decisions of 29 March 1974.

This Decision shall enter into force on 19 July 1974.

Done at Brussels, 19 July 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 119, 20. 6. 1967, p. 2343/67.

⁽²⁾ OJ No L 122, 22. 5. 1969, p. 2.

⁽³⁾ OJ No L 14, 18. 1. 1971, p. 8.

⁽⁴⁾ OJ No 72, 8. 8. 1962, p. 2026/62.

⁽⁵⁾ OJ No L 355, 24. 12. 1973, p. 24.

⁽⁶⁾ OJ No L 123, 6. 5. 1974, p. 16.

NINTH COMMISSION DIRECTIVE

of 23 July 1974

amending the Annexes to the Council Directive of 23 November 1970 concerning
additives in feedingstuffs

(74/421/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Council Directive of 23 November 1970 ⁽¹⁾ concerning additives
in feedingstuffs, as last amended by the Eighth Commission Directive of 1 July 1974 ⁽²⁾,
and in particular Article 6 (1) (a) thereof;

Whereas the provisions of the abovementioned Directive provide for the content of the
Annexes to be constantly amended due to the development of scientific and technical
knowledge;

Whereas the current provisions of the abovementioned Directive permit feedingstuffs
to be manufactured from cereals or manioc flour containing colouring agents which
are authorized for colouring foodstuffs by Community rules;

Whereas denaturing of cereals and manioc flour entails the utilisation of colouring
agents which provide all possible guarantees both on the technical level and from a
health point of view;

Whereas it appears justified, taking into account the experience acquired by several
Member States on Patent Blue V and Acid Brilliant Green, to limit the list of colouring
agents authorized up to the present for denaturing cereals and manioc to those two
products;

Whereas the measures provided for in this Directive are in accordance with the Opinion
of the Standing Committee for Feedingstuffs,

HAS ADOPTED THIS DIRECTIVE:

⁽¹⁾ OJ No L 270, 14. 12. 1970, p. 1.

⁽²⁾ OJ No L 199, 22. 7. 1974, p. 13.

Article 1

The text of Annex I (F) (2) to the Council Directive of 23 November 1970 concerning additives in feedingstuffs shall be replaced by the following points:

EEC No	Additives	Chemical formula description	Species of animal	Max. age	Min. content ppm of complete feedingstuffs		Other provisions
					Min. content	Max. content	
E 131	2.1. Patent Blue V	Calcium salt of disulphonic acid of <i>m</i> -hydroxytetraethyl diamino triphenylcarbinol anhydride	(a) All species of animals with the exception of dogs and cats				Permitted in animal feeding-stuff only: (a) in the processed products of: (i) waste products of foodstuffs; (ii) denatured cereals or manioc flour; (iii) other base substances denatured by means of permitted and appropriate agents or coloured during technical preparation to ensure the necessary identification during manufacture; and (b) in compliance with the conditions laid down in respect of these substances by Community rules.
E 142	2.2. Acid Brilliant Green BS (lissamine green)	Sodium salt of 4,4-bis(dimethylamino) diphenylmethylen-2-naphthol-3, 6-disulphonic acid	(b) Dogs and cats				Compliance with the conditions laid down in respect of these substances by Community rules.

EEC No	Additives	Chemical formula description	Species of animal	Max. age	Min. content ppm of complete feedstuffs	Max. content	Other provisions
3.	All other colouring agents authorized for colouring foodstuffs by Community rules		(a) All species of animals with the exception of dogs and cats				<p>Permitted in animal feedstuffs only:</p> <p>(a) in the processed products of:</p> <p>(i) waste products of foodstuffs; or</p> <p>(ii) other base substances with the exception of cereals and manioc flour denatured by means of permitted and appropriate agents or coloured during technical preparation to ensure the necessary identification during manufacture; and</p> <p>(b) in compliance with the conditions laid down in respect of these substances by Community rules.</p> <p>Compliance with the conditions laid down in respect of these substances by Community rules.</p>
			(b) Dogs and cats				

Article 2

Member States shall, not later than 1 August 1974, bring into force the laws, regulations or administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to all Member States.

Done at Brussels, 23 July 1974.

For the Commission

The President

François-Xavier ORTOLI
