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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 337/75 OF THE COUNCIL
of 10 February 1975
establishing a European Centre for the Development of Vocational Training

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof;

Having regard to the proposal from the Commission;

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

Having regard to the Opinion of the Economic and Social Committee⁽²⁾;

Whereas on the basis of Article 128 of the Treaty, the Council, in its Decision of 2 April 1963⁽³⁾, laid down general principles for implementing a common vocational training policy;

Whereas under Article 118 of the Treaty the Commission has the task of promoting close cooperation between Member States in the social field, particularly in matters relating to basic and advanced vocational training;

Whereas the Council, in its resolution of 21 January 1974⁽⁴⁾ concerning a social action programme, made one of the objectives of that programme the implementation of a common vocational training policy with a view to attaining progressively the principal objectives thereof, especially approximation of training standards, in particular by setting up a European Vocational Training Centre; whereas, furthermore, the Council decided that this objective should be given priority;

Whereas the implementation of a common vocational training policy gives rise to ever more complex problems, and whereas the solution of those problems requires a large degree of involvement on the part of those concerned, and more especially on the part of both sides of industry;

Whereas the setting up of a European Centre for the Development of Vocational Training — a body independent of the departments of the Commission, but which must cooperate with them to the full — is necessary for the effective implementation of that common policy, and whereas the Treaty has not provided the specific powers necessary for setting up such a centre;

Whereas the centre will be set up within the framework of the European Communities and will function in accordance with Community law; whereas the conditions under which certain general provisions will apply should be defined,

HAS ADOPTED THIS REGULATION:

Article 1

A European Centre for the Development of Vocational Training, hereinafter called 'the centre', is hereby set up.

In each of the Member States, the centre shall enjoy the most extensive legal capacity accorded to legal persons.

The centre shall be non-profit making. It shall have its seat in Berlin (West).

Article 2

1. The aim of the centre shall be to assist the Commission in encouraging, at Community level, the promotion and development of vocational training and of in-service training.

To that end, within the framework of the guidelines laid down by the Community, it shall contribute, through its scientific and technical activities, to the implementation of a common vocational training policy.

It shall, in particular, encourage the exchange of information and the comparison of experience.

⁽¹⁾ OJ No C 127, 18. 10. 1974, p. 20.

⁽²⁾ OJ No C 125, 16. 10. 1974, p. 41.

⁽³⁾ OJ No 63, 20. 4. 1963, p. 1338/63.

⁽⁴⁾ OJ No C 13, 12. 2. 1974, p. 1.

2. The main tasks of the centre shall be :

- to compile selected documentation relating in particular to the present situation, the latest developments and research in the relevant fields, and to matters of vocational training structure ;
- to contribute to the development and coordination of research in the above fields ;
- to disseminate all useful documentation and information ;
- to encourage and support any initiative likely to facilitate a concerted approach to vocational training problems. The centre's activity in this respect shall deal in particular with the problem of the approximation of standards of vocational training with a view to the mutual recognition of certificates and other documents attesting completion of vocational training ;
- to provide a forum for all those concerned.

3. In its activities the centre shall take into account the links which exist between vocational training and the other branches of education.

Article 3

1. The centre shall take the measures necessary for the attainment of its objectives. It may in particular :

- organize courses and seminars ;
- conclude study contracts and commission or, where necessary, carry out pilot projects or individual projects to assist the implementation of the centre's work programme ;
- publish and distribute useful documentation, including a Community vocational training bulletin.

2. In carrying out its tasks, the centre shall establish appropriate contacts, particularly with specialized bodies, whether public or private, national or international, with public authorities and educational institutions and with workers' and employers' organizations.

Article 4

1. The centre shall be administered by a Management Board comprising 30 members of whom :

- (a) nine members shall represent the Governments of the Member States ;
- (b) nine members shall represent the employers' professional organizations ;
- (c) nine members shall represent the employees' trade union organizations ;
- (d) three members shall represent the Commission.

The members referred to in (a), (b) and (c) shall be appointed by the Council on the basis of one member per Member State for each of those groups.

The Commission shall appoint the members who are to represent it.

2. The term of office of members shall be three years. It shall be renewable. Upon the expiry of their term of office or in the event of their resignation, members shall remain in office until their appointments are renewed or until they are replaced.

3. The Management Board shall elect its Chairman and three Vice-Chairmen from among its members, to serve for a period of one year.

4. The Chairman shall convene the Management Board at least twice a year or at the request of at least one-third of its members.

5. Decisions by the Management Board shall be taken by an absolute majority of its members.

Article 5

The Management Board shall adopt its rules of procedure, which shall enter into force when approved by the Council, acting on the Opinion of the Commission.

It shall decide whether to set up *ad hoc* working parties on the basis of the requirements of the annual work programme. It shall regularly inform the Commission of the activities of the centre.

Article 6

1. The director of the centre shall be appointed by the Commission from a list of candidates submitted by the Management Board.

2. The term of office of the director shall be renewable every five years.

Article 7

1. The director shall carry out the decisions of the Management Board and shall be responsible for the day-to-day administration of the centre. He shall be the legal representative of the centre.

2. He shall prepare and organize the work of the Management Board and provide the Secretariat for their meetings.

3. He shall coordinate the activities of the working parties.

4. He shall be responsible for all staff matters and for engaging and dismissing staff.

5. He shall be accountable to the Management Board for his activities.

Article 8

1. On the basis of a draft submitted by the director, the Management Board shall adopt the annual work programme in agreement with the Commission. The programme shall take into account the priority needs indicated by the Community institutions.

2. The centre shall take into account the activities of other bodies working in the field of vocational training when planning its own work.

Article 9

The Management Board shall, by 31 March at the latest, adopt an annual general report on the activities and financial situation of the centre and shall submit it to the Commission.

Article 10

The Management Board shall draw up a statement of all revenue and expenditure, which shall be in balance, for each financial year, which shall be the same as the calendar year.

Article 11

1. The Management Board shall, by 31 March each year at the latest, send the Commission an estimate of revenue and expenditure. This estimate, which shall include an establishment plan, shall be forwarded by the Commission to the Council with the preliminary draft budget of the European Communities.

2. The budget of the European Communities shall each year, under a specific heading, include a subsidy for the centre.

The procedure in force for the transfer of appropriations from one chapter to another shall apply to the appropriation for this subsidy.

The budget authority shall draw up the establishment plan of the centre.

3. The Management Board shall adopt the estimate of revenue and expenditure before the beginning of the financial year, adjusting it to the subsidy granted by the budget authority. The estimate thus adopted shall be forwarded by the Commission to the budget authority.

Article 12

1. The financial provisions applying to the centre shall be adopted under Article 209 of the Treaty.

2. The Management Board shall, by 31 March at the latest, send the accounts of all the revenue and

expenditure of the centre for the preceding financial year to the Commission and to the Audit Board. The latter shall examine them in accordance with the second paragraph of Article 206 of the Treaty.

3. The Commission shall submit the accounts and the report of the Audit Board, together with its own comments, to the Council and to the European Parliament by 31 October at the latest. The Council and the European Parliament shall give a discharge to the Management Board of the centre under the procedure laid down in the fourth paragraph of Article 206 of the Treaty.

4. The financial controller of the Commission shall be responsible for checking the commitment and payment of all expenditure and the recording and recovery of all revenue of the centre.

Article 13

The provisions governing the staff of the centre shall be adopted by the Council, acting on a proposal from the Commission.

Article 14

Members of the Management Board, the Director, the staff and all other persons participating in the activities of the centre shall be required, even after their duties have ceased, not to disclose information of the kind covered by the obligation of professional secrecy.

Article 15

The rules governing the languages of the European Communities shall apply to the centre.

Article 16

The Protocol on the privileges and immunities of the European Communities shall apply to the centre.

Article 17

1. The contractual liability of the centre shall be governed by the law applicable to the contract in question.

The Court of Justice of the European Communities shall have jurisdiction to give judgment pursuant to any arbitration clause contained in a contract concluded by the centre.

2. In the case of non-contractual liability, the centre shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by the centre or its servants in the performance of their duties.

The Court of Justice shall have jurisdiction in disputes relating to compensation for any such damage.

3. The personal liability of servants towards the centre shall be governed by the relevant provisions applying to the staff of the centre.

Article 18

Member States, members of the Management Board and third parties directly and personally involved may refer to the Commission any act of the centre, whether express or implied, for the Commission to examine the legality of that act.

Referral shall be made to the Commission within 15 days of the day on which the party concerned first became aware of the act in question.

The Commission shall take a Decision within one month. If no Decision has been taken within this period, the case shall be deemed to have been dismissed.

Article 19

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, 10 February 1975.

For the Council

The President

G. FITZGERALD

REGULATION (EEC) No 338/75 OF THE COUNCIL**of 10 February 1975****amending Regulation (EEC) No 803/68 on the valuation of goods for customs purposes**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof;

Having regard to the proposal from the Commission;

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

Having regard to the Opinion of the Economic and Social Committee⁽²⁾;

Whereas Council Regulation (EEC) No 803/68⁽³⁾ of 27 June 1968 on the valuation of goods for customs purposes, set itself the essential aims of avoiding inequality in treatment of importers and preventing any deflection of trade and activities and any distortion of competition; whereas certain changes should be made to this Regulation to achieve these aims;

Whereas it may prove necessary to make some simplifications in the use of factors serving as a basis for the determination of value for customs purposes, particularly as regards the use of computers when determining the costs, charges and expenses to be incorporated in this value; whereas it should be possible to lay down methods for the application of these simplifications in accordance with the procedure set out in Article 17 of Regulation (EEC) No 803/68;

Whereas, despite the adoption of Community provisions specifying the application of the concept of value for customs purposes, the aims of Regulation (EEC) No 803/68 have not been fully achieved in certain cases, particularly as regards goods put into free circulation in one Member State to be forwarded to other Member States; whereas, in such cases, the Member State in which customs clearance takes place is, as a general rule, in a position to base its valuation only on factors applicable to this same Member State;

Whereas this situation can be remedied by provisions adopted in accordance with the procedure laid down in Article 17 of Regulation (EEC) No 803/68 determining at Community level the elements to be taken into consideration in calculating value for customs purposes;

Whereas, in view of the characteristics of the foreign exchange market, reference should generally be made, for the purpose of currency conversion when determining value for customs purposes, to the latest

selling rate recorded on the most representative exchange market or markets of the Member State in which valuation takes place; whereas, however, it should be possible to have recourse, in exceptional circumstances, to the procedure laid down in Article 17 of Regulation (EEC) No 803/68;

Whereas, any person or undertaking directly or indirectly concerned should provide customs authorities in the Member States with all the information and documents required to determine value for customs purposes;

Whereas, in order to be able to determine at Community level the elements to be taken into consideration in calculating value for customs purposes, the Commission must be in possession of the necessary information and documents;

Whereas, the application of Article 12 of Regulation (EEC) No 803/68 also requires implementing provisions to be adopted in accordance with the procedure laid down in Article 17 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The current provisions of Article 7 of Regulation (EEC) No 803/68 shall constitute paragraph 1 of this Article.

The following shall be inserted in Article 7 as paragraph 2:

'2. The methods for including these costs, charges and expenses in the value for customs purposes may be fixed by the procedure laid down in Article 17, taking into account the practical requirements of determining this value.'

Article 2

The following Article shall be inserted in Regulation (EEC) No 803/68:

Article 9a

Where the determination at national level of value for customs purposes gives or may give rise to deflection of trade and activities or to distortion of competition, the elements to be taken into consideration in calculating value for customs purposes may be determined at Community level, in accordance with the procedure laid down in Article 17.'

⁽¹⁾ OJ No C 129, 11. 12. 1972, p. 73.

⁽²⁾ OJ No C 60, 27. 7. 1973, p. 5.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 6.

Article 3

The text of Article 12 of Regulation (EEC) No 803/68 shall be replaced by the following :

'1. Where factors used to determine the value for customs purposes of goods are expressed in a currency other than that of the Member State where the valuation is made, the rate of exchange to be used shall be the latest selling rate recorded on the most representative exchange market or markets of that Member State.

2. Where such a rate does not exist or where the application of paragraph 1 would lead to results inconsistent with Article 1, the rate of exchange to be used shall be determined by the procedure laid down in Article 17.'

Article 4

The following Article shall be inserted in Title I of Regulation (EEC) No 803/68 :

'Article 14a

1. With a view to determining value for customs purposes and without prejudice to national provisions which confer wider powers on the customs authorities of Member States, any person or undertaking directly or indirectly concerned with the import transactions in question shall supply all necessary information and

documents to those authorities within the time limits prescribed by the latter.

2. The Member States shall provide the Commission with all the information and documents necessary for applying Article 9a.

3. Information and documents supplied to the Commission by a Member State pursuant to paragraph 2 may be used by the Commission or other Member States only for the purpose for which they were requested. They shall be subject to professional secrecy and in particular may not be communicated to persons other than those who, within the institutions of the Communities or the Member States, are required to have access to them by virtue of the functions they exercise.'

Article 5

Article 17 (1) of Regulation (EEC) No 803/68 shall be amended as follows :

'1. Provisions necessary for the implementation of Articles 1 to 3 and 6 to 12 shall be adopted in accordance with the procedure laid down in paragraphs 2 and 3 of this Article.'

Article 6

This Regulation shall enter into force six months 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, 10 February 1975.

For the Council

The President

G. FITZGERALD

REGULATION (EEC) No 339/75 OF THE COMMISSION**of 12 February 1975****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 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 85/75 ⁽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 2524/74 ⁽³⁾ and subsequent amending Regulations ;

Whereas it follows from applying the provisions contained in Regulation (EEC) No 2524/74 to the

offer prices and today's quotations known to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in Article 1 (a), (b) and (c) of Regulation No 120/67/EEC are hereby fixed as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 13 February 1975.

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

Done at Brussels, 12 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 11, 16. 1. 1975, p. 1.

⁽³⁾ OJ No L 271, 5. 10. 1974, p. 9.

ANNEX

to the Commission Regulation of 12 February 1975 fixing the import levies on cereals and on wheat or rye flour groats and meal

(u.a./metric ton)

CCT heading No	Description of goods	Levies
10.01 A	Common wheat and meslin	16.80
10.01 B	Durum wheat	8.69 ⁽¹⁾ ⁽⁴⁾
10.02	Rye	16.57 ⁽⁵⁾
10.03	Barley	0
10.04	Oats	8.22
10.05 B	Maize other than hybrid maize for sowing	13.54 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0
10.07 C	Grain sorghum	20.08
10.07 D	Canary seed ; other cereals	0 ⁽⁴⁾
11.01 A	Wheat or meslin flour	42.62
11.01 B	Rye flour	42.32
11.02 A I a	Durum wheat groats and meal	32.35
11.02 A I b	Common wheat groats and meal	45.25

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

⁽²⁾ Where maize originating in the AASM and OCT is imported into the French Overseas Departments, the levy is reduced by 6 u.a./metric ton.

⁽³⁾ Where maize originating in Tanzania, Uganda and Kenya is imported into the Community, the levy is reduced by 1 u.a./metric ton.

⁽⁴⁾ Where wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.50 u.a./metric ton.

⁽⁵⁾ 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 1234/71 and Commission Regulation (EEC) No 2622/71.

REGULATION (EEC) No 340/75 OF THE COMMISSION
of 12 February 1975

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 No 120/
67/EEC ⁽¹⁾ of 13 June 1967 on the common organiza-
tion of the market in cereals, as last amended by Regu-
lation (EEC) No 85/75 ⁽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
2017/74 ⁽³⁾ and subsequent amending Regulations ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The scale of the premiums to be added, pursuant to
Article 15 of Regulation No 120/67/EEC, to the
import levies fixed in advance in respect of cereals
and malt is hereby fixed as shown in the tables
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 13 February
1975.

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

Done at Brussels, 12 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 11, 16. 1. 1975, p. 1.

⁽³⁾ OJ No L 210, 1. 8. 1974, p. 4.

ANNEX

to the Commission Regulation of 12 February 1975 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour ⁽¹⁾

(u.a./metric ton)

CCT heading No	Description of goods	Current 2	1st period 3	2nd period 4	3rd period 5
10.01 A	Common wheat and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	1.44	1.44	3.67
10.05 B	Maize other than hybrid maize for sowing	0	0.73	0.73	0.50
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0.73	0.73	1.47
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

(¹) The period of validity of the licence is limited in accordance with Regulation (EEC) No 2196/71 (OJ No L 231, 14. 10. 1971, p. 28), as last amended by Regulation (EEC) No 3148/73 (OJ No L 321, 22. 11. 1973, p. 13).

B. Malt

(u.a./100 kg)

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

REGULATION (EEC) No 341/75 OF THE COMMISSION

of 12 February 1975

on an invitation to tender for the levy and/or the refund for the export of common wheat to the countries of Zone V (a)

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 85/75⁽²⁾;

Having regard to Council Regulation (EEC) No 1968/73⁽³⁾ 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 86/75⁽⁴⁾, and in particular Article 4 (2) thereof;

Having regard to Council Regulation No 139/67/EEC⁽⁵⁾ of 21 June 1967 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds, as last amended by Regulation (EEC) No 87/75⁽⁶⁾, and in particular Article 4a thereof;

Whereas, having regard to the current situation on the cereals market, there should be opened in respect of common wheat an invitation to tender for the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 1968/73 and for the export refund provided for in Article 4a of Regulation No 139/67/EEC; whereas there is a requirement for wheat in certain markets and in order to ensure their supply the invitation to tender for export should be limited to the markets concerned, which are situated in Zone V (a) as defined in the Annex to Commission Regulation (EEC) No 941/72⁽⁷⁾ of 5 May 1972 redefining the destination zones for export refunds on cereals and rice;

Whereas the detailed rules governing invitations to tender are as regards the export levy contained in Commission Regulation (EEC) No 3130/73⁽⁸⁾ of 16 November 1973 establishing the conditions for the application of the system of tendering for export levies on cereals and as regards the export refund in

Commission Regulation (EEC) No 279/75⁽⁹⁾ of 4 February 1975 laying down detailed rules for the application of the system of tendering for export refunds on cereals;

Whereas the objective of the tendering procedure can be attained only if every successful tenderer fulfils all the commitments entered into by him when submitting his tender; whereas these commitments include an obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring the tenderer to give security when submitting his tender;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to make provision such that the effective period of validity of licences issued to successful tenderers in connection with the invitation to tender is identical;

Whereas provision must be made to ensure the smooth operation of the procedure for tendering for export levies and refunds; whereas to this end it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders shall be invited for the export levy provided for in the first indent of Article 2 (1) of Council Regulation (EEC) No 1968/73 and/or the export refund provided for in Article 4a of Regulation No 139/67/EEC.

2. The invitation to tender shall relate to common wheat for export to countries of Zone V (a) as defined in the Annex to Regulation (EEC) No 941/72.

3. The invitation shall remain open until 24 April 1975. During this period weekly awards shall be made, the time limits for the submission of tenders to be as prescribed in the notice of invitation to tender.

⁽⁹⁾ OJ No L 31, 5. 2. 1975, p. 8.

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

⁽²⁾ OJ No L 11, 16. 1. 1975, p. 1.

⁽³⁾ OJ No L 201, 21. 7. 1973, p. 10.

⁽⁴⁾ OJ No L 11, 16. 1. 1975, p. 2.

⁽⁵⁾ OJ No 125, 26. 6. 1967, p. 2453/67.

⁽⁶⁾ OJ No L 11, 16. 1. 1975, p. 3.

⁽⁷⁾ OJ No L 107, 6. 5. 1972, p. 10.

⁽⁸⁾ OJ No L 319, 20. 11. 1973, p. 10.

Article 2

A tender shall be valid only if it relates to an amount of not less than 5 000 metric tons.

Article 3

1. The security referred to in Article 3 of Regulation (EEC) No 3130/73 and of Regulation (EEC) No 279/75 shall be 15 units of account per metric ton.

2. By way of derogation from Article 7 (1) of Regulations (EEC) No 3130/73 and (EEC) No 279/75, the security provided for in paragraph 1 shall subject to *force majeure* be released only in respect of any quantity for which the tender was not accepted or for which the tenderer furnishes proof of arrival at its destination, such proof to be furnished as provided in the second, third and fourth subparagraphs of Article 8 (1) of Regulation No 1041/67/EEC⁽¹⁾.

Article 4

The zone of destination as specified in Article 1 (2) shall be indicated in section 13 of the licence application and of the licence itself. The issue of a licence shall carry with it the obligation to export to that destination.

Article 5

If a tenderer fails to comply with the undertaking given by him pursuant to Article 2 (3) (b) of Regulations (EEC) No 3130/73 and (EEC) No 279/75, no export licence shall be issued and the security lodged pursuant to Article 3 of those Regulations shall accordingly be forfeit.

Article 6

1. By way of derogation from the provisions of Article 8 (1) of Regulation (EEC) No 1373/70⁽²⁾, export licences issued under Article 8 (1) of Regulation (EEC) No 3130/73 or under the like provision of Regulation (EEC) No 279/75 shall for the purpose of determining their period of validity be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue as defined in the previous paragraph until the end of the fourth month following that of issue.

Article 7

1. If the obligation to export is not fulfilled, the security mentioned in Article 3 of Regulations (EEC)

No 3130/73 and (EEC) No 279/75 shall be forfeit in respect of a quantity equal to the difference between 93 % of the net quantity indicated on the export licence and the net quantity actually exported.

2. However, if the quantity exported is less than 7 % of the net quantity indicated on the licence, the security shall be forfeit in its entirety.

3. On request by the titular holder of the licence, Member States may release the security by instalments in proportion to the quantities of product for which proof of exportation as referred to in Article 7 (1) of Regulations (EEC) No 3130/73 and (EEC) No 279/75 has been furnished, provided that such proof establishes that a quantity equal to at least 7 % of the net quantity indicated on the licence has been exported.

Article 8

The tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 9

During the period in which Summer Time applies in Italy, the times fixed for the submission of tenders shall be regarded in that Member State as extended by one hour. During the period during which Summer Time does not apply in the United Kingdom and in Ireland, the times fixed for the submission of tenders shall be regarded in those Member States as brought forward by one hour.

Article 10

1. By way of derogation from Article 5 of Regulations (EEC) No 3130/73 and (EEC) No 279/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation No 120/67/EEC:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation No 139/67/EEC, or
- to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 1968/73, or
- to make no award.

⁽¹⁾ OJ No 314, 23. 12. 1967, p. 9.

⁽²⁾ OJ No L 158, 20. 7. 1970, p. 1.

2. Where a maximum export refund is fixed a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed a contract shall be awarded to any tenderer whose tender indi-

cated a rate of levy equal to or greater than such minimum export levy.

Article 11

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

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

Done at Brussels, 12 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

Weekly tender for the levy/refund for the export of common wheat to the countries of
Zone V (a)

Expiry of the period for lodging tenders (date/time)

I

1	2	3
Numbering of tenders	Quantity in metric tons	Amount of export levy in national currency per metric ton
1		
2		
3		
4		
5		
etc.		

II

1	2	3
Numbering of tenders	Quantity in metric tons	Amount of export refund in national currency per metric ton
1		
2		
3		
4		
5		
etc.		

REGULATION (EEC) No 342/75 OF THE COMMISSION

of 12 February 1975

on an invitation to tender for the levy and/or the refund for the export of common wheat to the countries of Zone VII (a)

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 85/75⁽²⁾;

Having regard to Council Regulation (EEC) No 1968/73⁽³⁾ of 19 July 1973 laying down general rules to be applied in the event cereals market being disturbed, as last amended by Regulation (EEC) No 86/75⁽⁴⁾, and in particular Article 4 (2) thereof;

Having regard to Council Regulation No 139/67/EEC⁽⁵⁾ of 21 June 1967 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds, as last amended by Regulation (EEC) No 87/75⁽⁶⁾, and in particular Article 4a thereof;

Whereas, having regard to the current situation on the cereals market, there should be opened in respect of common wheat an invitation to tender for the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 1968/73 and for the export refund provided for in Article 4a of Regulation No 139/67/EEC; whereas there is a requirement for wheat in certain markets and in order to ensure their supply the invitation to tender for export should be limited to the markets concerned, which are situated in Zone VII (a) as defined in the Annex to Commission Regulation (EEC) No 941/72⁽⁷⁾ of 5 May 1972 redefining the destination zones for export refunds on cereals and rice;

Whereas the detailed rules governing invitations to tender are as regards the export levy contained in Commission Regulation (EEC) No 3130/73⁽⁸⁾ of 16 November 1973 establishing the conditions for the application of the system of tendering for export levies on cereals and as regards the export refund in

Commission Regulation (EEC) No 279/75⁽⁹⁾ of 4 February 1975 laying down detailed rules for the application of the system of tendering for export refunds on cereals;

Whereas the objective of the tendering procedure can be attained only if every successful tenderer fulfils all the commitments entered into by him when submitting his tender; whereas these commitments include an obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring the tenderer to give security when submitting his tender;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to make provision such that the effective period of validity of licences issued to successful tenderers in connection with the invitation to tender is identical;

Whereas provision must be made to ensure the smooth operation of the procedure for tendering for export levies and refunds; whereas to this end it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Tenders shall be invited for the export levy provided for in the first indent of Article 2 (1) of Council Regulation (EEC) No 1968/73 and/or the export refund provided for in Article 4a of Regulation No 139/67/EEC.

2. The invitation to tender shall relate to common wheat for export to countries of Zone VII (a) as defined in the Annex to Regulation (EEC) No 941/72.

3. The invitation shall remain open until 24 April 1975. During this period weekly awards shall be made, the time limits for the submission of tenders to be as prescribed in the notice of invitation to tender.

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

⁽²⁾ OJ No L 11, 16. 1. 1975, p. 1.

⁽³⁾ OJ No L 201, 21. 7. 1973, p. 10.

⁽⁴⁾ OJ No L 11, 16. 1. 1975, p. 2.

⁽⁵⁾ OJ No 125, 26. 6. 1967, p. 2453/67.

⁽⁶⁾ OJ No L 11, 16. 1. 1975, p. 3.

⁽⁷⁾ OJ No L 107, 6. 5. 1972, p. 10.

⁽⁸⁾ OJ No L 319, 20. 11. 1973, p. 10.

⁽⁹⁾ OJ No L 31, 5. 2. 1975, p. 8.

Article 2

A tender shall be valid only if it relates to an amount of not less than 5 000 metric tons.

Article 3

1. The security referred to in Article 3 of Regulations (EEC) No 3130/73 and of Regulation (EEC) No 279/75 shall be 15 units of account per metric ton.

2. By way of derogation from Article 7 (1) of Regulations (EEC) No 3130/73 and (EEC) No 279/75, the security provided for in paragraph 1 shall subject to *force majeure* be released only in respect of any quantity for which the tender was not accepted or for which the tenderer furnishes proof of arrival at its destination, such proof to be furnished as provided in the second, third and fourth subparagraphs of Article 8 (1) of Regulation No 1041/67/EEC⁽¹⁾.

Article 4

The zone of destination as specified in Article 1 (2) shall be indicated in section 13 of the licence application and of the licence itself. The issue of a licence shall carry with it the obligation to export to that destination.

Article 5

If tenderer fails to comply with the undertaking given by him pursuant to Article 2 (3) (b) of Regulations (EEC) No 3130/73 and (EEC) No 279/75, no export licence shall be issued and the security lodged pursuant to Article 3 of those Regulations shall accordingly be forfeit.

Article 6

1. By way of derogation from the provisions of Article 8 (1) of Regulation (EEC) No 1373/70⁽²⁾, export licences issued under Article 8 (1) of Regulation (EEC) No 3130/73 or under the like provision of Regulation (EEC) No 279/75 shall for the purpose of determining their period of validity be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in the previous paragraph until the end of the fourth month following that of issue.

Article 7

1. If the obligation to export is not fulfilled, the security mentioned in Article 3 of Regulations (EEC)

No 3130/73 and (EEC) No 279/75 shall be forfeit in respect of a quantity equal to the difference between 93 % of the net quantity indicated on the export licence and the net quantity actually exported.

2. However, if the quantity exported is less than 7% of the net quantity indicated on the licence, the security shall be forfeit in its entirety.

3. On request by the titular holder of the licence, Member States may release the security by instalments in proportion to the quantities of product for which proof of exportation as referred to in Article 7 (1) of Regulations (EEC) No 3130/73 and (EEC) No 279/75 has been furnished, provided that such proof establishes that a quantity equal to at least 7% of the net quantity indicated on the licence has been exported.

Article 8

The tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 9

During the period in which Summer Time applies Italy, the times fixed for the submission of tenders shall be regarded in that Member State as extended by one hour. During the period during which Summer Time does not apply in the United Kingdom and in Ireland, the times fixed for the submission of tenders shall be regarded in those Member States as brought forward by one hour.

Article 10

1. By way of derogation from Article 5 of Regulations (EEC) No 3130/73 and (EEC) No 279/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation No 120/67/EEC:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation No 139/67/EEC, or
- to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 1968/73, or
- to make no award.

⁽¹⁾ OJ No 314, 23. 12. 1967, p. 9.

⁽²⁾ OJ No L 158, 20. 7. 1970, p. 1.

2. Where a maximum export refund is fixed a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed a contract shall be awarded to any tenderer whose tender indi-

cates a rate of levy equal to or greater than such minimum export levy.

Article 11

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

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

Done at Brussels, 12 February 1975

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

Weekly tender for the levy/refund for the export of common wheat to the countries of
Zone VII (a)

Expiry of the period for lodging tenders (date/time)

I

1	2	3
Numbering of tenders	Quantity in metric tons	Amount of export levy in national currency per metric ton
1		
2		
3		
4		
5		
etc.		

II

1	2	3
Numbering of tenders	Quantity in metric tons	Amount of export refund in national currency per metric ton
1		
2		
3		
4		
5		
etc.		

REGULATION (EEC) No 343/75 OF THE COMMISSION**of 12 February 1975****fixing the basic amount of the special export levy on syrups and other sugars**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 1009/67/EEC⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 2476/74⁽²⁾, and in particular Article 16 (5), second indent ;

Whereas the special export levy on syrups and other sugars were introduced by Regulation (EEC) No 403/74⁽³⁾, as last amended by Regulation (EEC) No 325/75⁽⁴⁾ ;

Whereas Commission Regulation (EEC) No 389/74⁽⁵⁾ of 14 February 1974, as last amended by Regulation (EEC) No 3164/74⁽⁶⁾, has laid down detailed rules for applying the special export levy on syrups and other sugars ;

Whereas it follows from applying the rules and other provisions contained in the amended Regulation (EEC) No 403/74 to the information at present available to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The basic amount of the special export levy on the products specified in Article 1 (1) (d), of Regulation No 1009/67/EEC shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 13 February 1975.

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

Done at Brussels, 12 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 264, 1. 10. 1974, p. 70.

⁽³⁾ OJ No L 44, 16. 2. 1974, p. 12.

⁽⁴⁾ OJ No L 36, 11. 2. 1975, p. 13.

⁽⁵⁾ OJ No L 43, 15. 2. 1974, p. 35.

⁽⁶⁾ OJ No L 334, 14. 12. 1974, p. 49.

ANNEX

to the Commission Regulation of 12 February 1975 fixing the basic amount of the special export levy on syrups and other sugars

(n.a./100 kg)		
CCT heading No	Description of goods	Basic amount of the special export levy per percentage point of sucrose content ⁽¹⁾
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel:	
	ex D. Invert sugar and other syrups, but not including sucrose syrups which are 97 % or less pure ⁽²⁾ and are in packings the contents of which is not more than 25 kg	0.4650
	ex F. Caramel made from beet sugar and cane sugar	0.4650
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion: ex C. Other, excluding syrups and vanilla sugar in immediate packings the net contents of which do not exceed 2.5 kg, and molasses	0.4650

⁽¹⁾ Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ The purity of the syrups is determined in accordance with Article 13 (2) of Regulation (EEC) No 394/70.

REGULATION (EEC) No 344/75 OF THE COMMISSION**of 12 February 1975****amending the amounts applicable as compensatory amounts for cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty ⁽¹⁾ concerning the accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels 22 January 1972;

Having regard to Council Regulation (EEC) No 229/73 ⁽²⁾ of 31 January 1973 laying down general rules for a system of compensatory amounts for cereals and fixing these amounts for certain products, as last amended by Regulation (EEC) No 1860/74 ⁽³⁾, and in particular Article 7 thereof;

Having regard to Council Regulation (EEC) No 243/73 ⁽⁴⁾ of 31 January 1973 laying down general rules for a system of compensatory amounts for rice and fixing these amounts for certain products, as amended by Regulation (EEC) No 1999/74 ⁽⁵⁾, and in particular Article 5 thereof;

Whereas compensatory amounts for cereals and rice have been fixed pursuant to Regulation (EEC) No 246/75 ⁽⁶⁾, as last amended by Regulation (EEC) No 326/75 ⁽⁷⁾;

Whereas the application of the rules referred to in Regulation (EEC) No 246/75 requires that the amounts at present in force should be amended as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts applicable as compensatory amounts shown in the Annexes to amended Regulation (EEC) No 246/75 are amended as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 13 February 1975.

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

Done at Brussels, 12 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No L 27, 1. 2. 1973, p. 25.

⁽³⁾ OJ No L 197, 19. 7. 1974, p. 1.

⁽⁴⁾ OJ No L 29, 1. 2. 1973, p. 26.

⁽⁵⁾ OJ No L 209, 31. 7. 1974, p. 5.

⁽⁶⁾ OJ No L 27, 1. 2. 1975, p. 7.

⁽⁷⁾ OJ No L 36, 11. 2. 1975, p. 15.

ANNEXE A — BILAG A — ANHANG A — ALLEGATO A — BIJLAGE A — ANNEX A

Montants applicables au titre des montants compensatoires pour les céréales

Beløb, der skal anvendes som udligningsbeløb for korn

Für Getreide als Ausgleichsbeträge anzuwendende Beträge

Importi applicabili a titolo di importi di compensazione per i cereali

Als compenserende bedragen toe te passen bedragen voor granen

Amounts applicable as compensatory amounts for cereals

(RE/UC/u.a./1 000 kg)

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolltarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief CCT heading No	DK	IRL	UK
10.01 A ⁽¹⁾	7,33	5.51	18.00
10.05 B	—	14.61	14.00

⁽¹⁾ Le montant applicable pour le froment tendre ayant été rendu impropre à la consommation humaine par la dénaturation visée à l'article 7 du règlement n° 120/67/CEE est celui applicable pour l'orge.

⁽¹⁾ Beløbet for blød hvede, der efter bestemmelserne i artikel 7 i forordning nr. 120/67/EØF ved denaturering er blevet gjort uegnet til menneskeføde, er det, der anvendes for byg.

⁽¹⁾ Der Betrag für Weichweizen, der durch Denaturierung im Sinne des Artikels 7 der Verordnung Nr. 120/67/EWG für die menschliche Ernährung ungeeignet gemacht wurde, ist der für Gerste anwendbare Ausgleichsbetrag.

⁽¹⁾ L'importo applicabile al frumento tenero reso inadatto al consumo umano in seguito alla denaturazione di cui all'articolo 7 del regolamento n. 120/67/CEE è quello applicabile all'orzo.

⁽¹⁾ Voor zachte tarwe die voor menselijke consumptie ongeschikt is gemaakt door de denaturering als bedoeld in artikel 7 van Verordening nr. 120/67/EEG is het bedrag voor gerst van toepassing.

⁽¹⁾ The amount for common wheat rendered unfit for human consumption by denaturing as specified in Article 7 of Regulation No 120/67/EEC shall be that applicable to barley.

ANNEXE C — BILAG C — ANHANG C — ALLEGATO C — BIJLAGE C — ANNEX C

Montants applicables au titre des montants compensatoires pour les produits transformés à base de céréales et de riz

Beløb, der skal anvendes som udligningsbeløb for produkter, der er forarbejdet på basis af korn og ris

Für Getreide- und Reisverarbeitungserzeugnisse als Ausgleichsbeträge anzuwendende Beträge

Importi applicabili a titolo di importi di compensazione per i prodotti trasformati dei cereali e del riso

Als compenserende bedragen toe te passen bedragen voor op basis van granen en rijst verwerkte producten

Amounts applicable as compensatory amounts for products processed from cereals or rice

(RE/UC/11.1/100 kg)

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolltarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief CCT heading No	DK	IRL	UK
11.01 A ⁽¹⁾	0,985	0.679	2.200
11.01 B ⁽¹⁾	—	1.559	2.200
11.01 E I ⁽¹⁾	—	2.045	1.960
11.01 E II ⁽¹⁾	—	1.490	1.428
11.02 A I a) ⁽¹⁾	1,213	1.400	1.400
11.02 A I b) ⁽¹⁾	1,064	0.733	2.600
11.02 A V a) 1 ⁽¹⁾	—	2.045	1.960
11.02 A V a) 2 ⁽¹⁾	—	2.045	1.960
11.02 A V b) ⁽¹⁾	—	1.490	1.428
11.02 B II a) ⁽¹⁾	0,975	0.733	2.394
11.02 B II c) ⁽¹⁾	—	2.045	1.960
11.02 C I ⁽¹⁾	1,026	0.771	2.520
11.02 C V ⁽¹⁾	—	2.045	1.960
11.02 D I ⁽¹⁾	0,748	0.562	1.836
11.02 D V ⁽¹⁾	—	1.490	1.428
11.02 E II a) ⁽¹⁾	1,026	0.771	2.520
11.02 E II c) ⁽¹⁾	—	2.045	1.960
11.02 F I ⁽¹⁾	0,748	0.562	1.836
11.02 F V ⁽¹⁾	—	1.490	1.428
11.02 G I	0,183	0.138	0.450
11.02 G II	—	0.365	0.350
11.06 B II	—	2.352	2.254
11.07 A I a)	1,305	0.981	3.204
11.07 A I b)	0,975	0.733	2.394
23.02 A I a)	0,059	0.161	0.256
23.02 A I b) 1	0,059	0.161	0.256
23.02 A I b) 2	0,059	0.161	0.256
23.02 A II a)	0,059	0.161	0.256
23.02 A II b)	0,059	0.161	0.256
23.07 B I a) 1	—	0.234	0.224
23.07 B I a) 2	—	0.234	0.224
23.07 B I b) 1	—	0.731	0.700
23.07 B I b) 2	—	0.731	0.700
23.07 B I c) 1	—	1.096	1.050
23.07 B I c) 2	—	1.096	1.050

- (¹) Pour la distinction entre les produits des n^{os} 11.01 et 11.02, d'une part, et ceux de la sous-position 23.02 A, d'autre part, sont considérés comme relevant des n^{os} 11.01 et 11.02 les produits ayant simultanément :
- une teneur en amidon (déterminée d'après la méthode polarimétrique Ewers modifiée) supérieure à 45 % (en poids) sur matière sèche,
 - une teneur en cendres (en poids) sur matière sèche (déduction faite des matières minérales ayant pu être ajoutées) inférieure ou égale à 1,6 % pour le riz, 2,5 % pour le froment et le seigle, 3 % pour l'orge, 4 % pour le sarrasin, 5 % pour l'avoine et 2 % pour les autres céréales.

Les germes de céréales, même en farines, relèvent en tout cas du n^o 11.02.

- (¹) Med henblik på sondringen mellem varer tariferet under pos. 11.01 og 11.02 på den ene side og under pos. 23.02 A på den anden side anses som tariferet under pos. 11.01 og 11.02 varer, der samtidig har
- et indhold af stivelse (bestemt ved Ewers modificerede polarimetriske metode) på over 45 vægtprocent, beregnet på grundlag af tørsubstansen,
 - et askeindhold (efter fradrag af eventuelle tilsatte mineralske stoffer) på 1,6 vægtprocent eller derunder for ris, 2,5 vægtprocent eller derunder for hvede og rug, 3 vægtprocent eller derunder for byg, 4 vægtprocent eller derunder for boghvede, 5 vægtprocent eller derunder for havre og 2 vægtprocent eller derunder for de øvrige kornsorter, beregnet på grundlag af tørsubstansen.

Kim af korn samt mel deraf tariferes under alle omstændigheder under pos. 11.02.

- (¹) Für die Abgrenzung der Erzeugnisse der Tarifnummern 11.01 und 11.02 von denen der Tarifstelle 23.02 A gelten als Erzeugnisse der Tarifnummern 11.01 und 11.02 Erzeugnisse, die gleichzeitig folgendes aufweisen :
- einen auf den Trockenstoff bezogenen Stärkegehalt (bestimmt nach dem abgeänderten polarimetrischen Ewers-Verfahren) von mehr als 45 Gewichtshundertteilen,
 - einen auf den Trockenstoff bezogenen Aschegehalt (abzüglich etwa zugesetzter Mineralstoffe), der bei Reis 1,6 Gewichtshundertteile oder weniger, bei Weizen und Roggen 2,5 Gewichtshundertteile oder weniger, bei Gerste 3 Gewichtshundertteile oder weniger, bei Buchweizen 4 Gewichtshundertteile oder weniger, bei Hafer 5 Gewichtshundertteile oder weniger und bei anderen Getreidearten 2 Gewichtshundertteile oder weniger beträgt.

Getreidekeime, auch gemahlen, gehören auf jeden Fall zur Tarifnummer 11.02.

- (¹) Per la distinzione tra i prodotti delle voci nn. 11.01 e 11.02 da un lato, e quelli della sottovoce 23.02 A dall'altro, si considerano come appartenenti alle voci nn. 11.01 e 11.02 i prodotti che abbiano simultaneamente :
- un tenore in amido (determinato in base al metodo polarimetrico Ewers modificato), calcolato sulla materia secca, superiore al 45 % (in peso),
 - un tenore in ceneri (in peso), calcolato sulla materia secca (dedotte le sostanze minerali che possono essere state aggiunte), inferiore o pari a 1,6 % per il riso, a 2,5 % per il frumento e la segala, a 3 % per l'orzo, a 4 % per il grano saraceno, a 5 % per l'avena ed a 2 % per gli altri cereali.

I germi di cereali, anche sfarinati, rientrano comunque nella voce n. 11.02.

- (¹) Voor het onderscheid tussen de produkten van de nummers 11.01 en 11.02 enerzijds en die van de onderverdeling 23.02 A anderzijds, worden geacht onder de nummers 11.01 en 11.02 te vallen de produkten die tegelijkertijd :
- een zetmeelgehalte hebben (bepaald volgens de gewijzigde polarimetrische methode van Ewers) van meer dan 45 gewichtspersenten, berekend op de droge stof, en
 - een asgehalte hebben (onder aftrek van eventueel toegevoegde minerale stoffen), berekend op de droge stof, van ten hoogste : 1,6 gewichtspersent voor rijst, 2,5 gewichtspersenten voor tarwe en rogge, 3 gewichtspersenten voor gerst, 4 gewichtspersenten voor boekweit, 5 gewichtspersenten voor haver en 2 gewichtspersenten voor andere granen.

Graankiemen ook indien gemalen, vallen in elk geval onder nummer 11.02.

- (¹) For the purpose of distinguishing between products falling within headings Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within headings Nos 11.01 and 11.02 shall be those meeting the following specifications :
- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
 - an ash content, by weight, referred to dry matter (after deduction of any added minerals) not exceeding 1.6 % for rice, 2.5 % for wheat and rye, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

REGULATION (EEC) No 345/75 OF THE COMMISSION**of 12 February 1975****altering the import levies on products processed from cereals and rice**

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 85/75⁽²⁾, and in particular Article 14 (4) thereof ;

Having regard to Council Regulation No 359/67/EEC⁽³⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 1129/74⁽⁴⁾, and in particular Article 12 (4) thereof ;

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 229/75⁽⁵⁾, as last amended by Regulation (EEC) No 327/75⁽⁶⁾ ;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 0.25 unit

of account per 100 kilogrammes of basic product ; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽⁷⁾, the levies at present in force must therefore be altered as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 1052/68⁽⁸⁾, as last amended by Regulation (EEC) No 881/73⁽⁹⁾, as fixed in the Annex to amended Regulation (EEC) No 229/75 are hereby altered as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 13 February 1975.

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

Done at Brussels, 12 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 11, 16. 1. 1975, p. 1.

⁽³⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽⁴⁾ OJ No L 128, 10. 5. 1974, p. 20.

⁽⁵⁾ OJ No L 24, 31. 1. 1975, p. 33.

⁽⁶⁾ OJ No L 36, 11. 2. 1975, p. 19.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 179, 25. 7. 1968, p. 8.

⁽⁹⁾ OJ No L 86, 31. 3. 1973, p. 30.

ANNEX

to the Commission Regulation of 12 February 1975 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./100 kg	
	Third countries (other than AASM and OCT, Tanzania, Uganda and Kenya)	AASM, OCT, Tanzania, Uganda and Kenya
11.01 E I ⁽²⁾	3.054	2.554
11.01 E II ⁽²⁾	1.697	1.447
11.01 K ⁽²⁾	2.328	2.078
11.02 A II ⁽²⁾	3.601	3.101
11.02 A V a) 1 ⁽²⁾	0.500	0
11.02 A V a) 2 ⁽²⁾	3.054	2.554
11.02 A V b) ⁽²⁾	1.697	1.447
11.02 A IX ⁽²⁾	2.328	2.078
11.02 B II a) ⁽²⁾	2.532	2.282
11.02 B II b) ⁽²⁾	2.542	2.292
11.02 B II c) ⁽²⁾	2.520	2.270
11.02 B II d) ⁽²⁾	3.509	3.259
11.02 C I ⁽²⁾	2.996	2.746
11.02 C II ⁽²⁾	3.007	2.757
11.02 C V ⁽²⁾	2.520	2.270
11.02 C VIII ⁽²⁾	3.509	3.259
11.02 D I ⁽²⁾	2.000	1.750
11.02 D II ⁽²⁾	2.007	1.757
11.02 D V ⁽²⁾	1.697	1.447
11.02 D VIII ⁽²⁾	2.328	2.078
11.02 E II a) ⁽²⁾	3.589	3.089
11.02 E II b) ⁽²⁾	3.601	3.101
11.02 E II c) ⁽²⁾	3.054	2.554
11.02 E II d) ⁽²⁾	4.167	3.667
11.02 F I ⁽²⁾	3.589	3.089
11.02 F II ⁽²⁾	3.601	3.101
11.02 F V ⁽²⁾	3.054	2.554
11.02 F IX ⁽²⁾	2.328	2.078
11.02 G I	1.787	1.287
11.02 G II	1.564	1.064
11.06 B I	1.700	0
11.06 B II	3.985	2.105
11.07 A I a)	3.954	3.054
11.07 A I b)	3.182	2.282
11.08 A I	1.700	0
11.08 A III	1.700	0
11.08 A IV	1.700	0
11.08 A V	1.700	0
11.09 A	15.000	0
11.09 B	15.000	0
17.02 B II a) ⁽³⁾	8.000	0
17.02 B II b) ⁽³⁾	5.500	0
17.05 B I	8.000	0
17.05 B II	5.500	0
23.02 A I a)	0.314	0.314
23.02 A I b) 1	0.502	0.502
23.02 A I b) 2	1.003	1.003
23.02 A II a)	0.251	0.251
23.02 A II b)	1.003	1.003
23.03 A I	15.000	0

⁽²⁾ For the purpose of distinguishing between products falling within headings Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

⁽³⁾ Pursuant to Regulation No 189/66/EEC the product falling within subheading No 17.02 B I is subject to the same levy as products falling within subheading No 17.02 B II.