

Official Journal

of the European Communities

ISSN 0378-6978

L 119

Volume 21

3 May 1978

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- ★ Council Regulation (Euratom, ECSC, EEC) No 912/78 of 2 May 1978 amending the Staff Regulations of officials of the European Communities and the conditions of employment of other servants of the European Communities 1
- ★ Council Regulation (Euratom, ECSC, EEC) No 913/78 of 2 May 1978 amending Regulation (EEC, Euratom, ECSC) No 260/68 laying down the conditions and procedure for applying the tax for the benefit of the European Communities . . . 7
- ★ Council Regulation (Euratom, ECSC, EEC) No 914/78 of 2 May 1978 amending the Staff Regulations of officials of the European Communities as regards the allowance referred to in Article 4a of Annex VII to the Staff Regulations 8
- ★ Council Regulation (EEC) No 915/78 of 2 May 1978 fixing for 1978 Community quantitative export quotas for certain types of copper ash and residues and for certain types of copper, aluminium and lead waste and scrap 9
- Commission Regulation (EEC) No 916/78 of 2 May 1978 fixing the import levies on cereals and on wheat or rye flour groats and meal 11
- Commission Regulation (EEC) No 917/78 of 2 May 1978 fixing the premiums to be added to the import levies on cereals, flour and malt 13
- ★ Commission Regulation (EEC) No 918/78 of 2 May 1978 amending Regulation No 10/65/EEC laying down quality standards for garlic 15
- ★ Commission Regulation (EEC) No 919/78 of 2 May 1978 applying Quality Class III to certain fruit for the 1978/79 marketing year 16
- Commission Regulation (EEC) No 920/78 of 2 May 1978 on the obligatory adjustment of monetary compensatory amounts for pigmeat fixed in advance . . . 18

Contents (continued)

★ Commission Regulation (EEC) No 921/78 of 28 April 1978 re-establishing the levying of customs duties on fibre building board of wood or other vegetable material, falling within heading No 44.11 and originating in Brazil, to which the preferential tariff arrangements set out in Regulation (EEC) No 2705/77 apply 20

★ Commission Regulation (EEC) No 922/78 of 28 April 1978 re-establishing the levying of customs duties on knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, falling within heading No ex 82.09 and originating in Hong Kong, to which the preferential tariff arrangements set out in Regulation (EEC) No 2705/77 apply 22

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EURATOM, ECSC, EEC) No 912/78**of 2 May 1978****amending the Staff Regulations of officials of the European Communities and the conditions of employment of other servants of the European Communities**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing a single Council and a single Commission of the European Communities, and in particular Article 24 thereof,

Having regard to the proposal from the Commission, submitted after consulting the Staff Regulations Committee,

Having regard to the opinion of the European Parliament⁽¹⁾,

Having regard to the opinion of the Court of Justice,

Whereas Regulation (EEC, Euratom, ECSC) No 259/68⁽²⁾, as last amended by Regulation (EEC, Euratom, ECSC) No 2859/77⁽³⁾, lays down in Article 2 the Staff Regulations of officials of the European Communities and in Article 3 the conditions of employment of other servants of the European Communities; whereas it is for the Council, acting by a qualified majority on a proposal from the Commission and after consulting the other institutions concerned, to amend the Staff Regulations and the conditions of employment;

Whereas, in the light of experience gained in applying the said Staff Regulations and the said conditions of employment and of developments in these matters within the Member States, it is appropriate to amend certain provisions thereof;

Whereas a decision on the Commission proposal on the widower's pension will be taken only in the light of a study which the Commission has been instructed to make taking into account recent developments on the matter in the Member States;

Whereas the Commission proposal concerning the temporary fixed allowance referred to in Article 4a of Annex VII to the Staff Regulations will be dealt with separately,

HAS ADOPTED THIS REGULATION:

CHAPTER I**AMENDMENTS TO THE STAFF REGULATIONS OF OFFICIALS OF THE EUROPEAN COMMUNITIES***Article 1*

The following words shall be added to the last paragraph of Article 21:

'or of the relevant safety standards.'

Article 2

The following sentence shall be added to the third paragraph of Article 23:

'Where the interests of the service so require, this *laissez-passer* may be issued, by special decision of the appointing authority, to officials in other grades whose place of employment lies outside the territory of the Member States.'

Article 3

The following second paragraph shall be added to Article 33:

'Where a negative medical opinion is given as a result of the medical examination provided for in the first paragraph, the candidate may, within 20 days of being notified of this opinion by the institution, request that his case be submitted for the opinion of a medical committee composed of three doctors chosen by the appointing authority from among the institutions' medical officers. The medical officer responsible for the initial negative opinion shall be heard by the medical committee. The candidate may refer the opinion of a doctor of

⁽¹⁾ OJ No C 140, 13. 11. 1974, p. 20.

⁽²⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽³⁾ OJ No L 330, 23. 12. 1977, p. 1.

his choice to the medical committee. Where the opinion of the medical committee confirms the conclusions of the medical examination provided for in the first paragraph, the candidate shall pay 50 % of the fees and of the incidental costs.'

Article 4

The following second subparagraph shall be added to Article 34 (1):

'Where during his probationary period an official is prevented, by sickness or accident, from performing his duties for one month or more, the appointing authority may extend his probationary period by the corresponding length of time.'

Article 5

The following second subparagraph shall be added to Article 40 (3):

'However, an official who provides evidence that he cannot be covered by any other public scheme of insurance against the risks referred to in Articles 72 and 73 may, not later than one month following that in which his leave on personal grounds begins, apply to continue to be covered in accordance with those Articles, provided that he bears half the cost of the contributions referred to in Articles 72 (1) and 73 (1) for the first year of the leave on personal grounds and the full cost during the remainder of such leave; the contributions shall be calculated by reference to the official's last basic salary. Moreover, the official who proves that he cannot acquire pension rights for another pension scheme may apply to continue to acquire further pension rights for a maximum of one year, provided that he bears the cost of the contribution equal to three times the rate laid down in Article 83 (2) and calculated by reference to his last basic salary.'

Article 6

In Article 58, 'eight weeks' and '14 weeks' shall be replaced by '10 weeks' and '16 weeks' respectively.

Article 7

In Article 67 (1) (a) 'Bfrs 2 228' shall be replaced by 'Bfrs 2 688'.

Article 8

The following Article shall be inserted in Title V:

Article 70a

Officials assigned by the appointing authority to teaching duties under the further training and

instruction scheme provided for in the third paragraph of Article 24 may be granted an allowance on the conditions laid down in Article 4b of Annex VII.'

Article 9

The following paragraph shall be added to Article 73:

'4. Within the limits of the obligations devolving upon them under Articles 72, 73 and 75, the Communities shall automatically assume the rights of redress of the official or of those entitled under him against the third party responsible for an accident involving the death or injury of an official or a person covered by his insurance.'

Article 10

1. Article 74 (1) shall be replaced by the following:

'1. On the birth of a child to an official, the person who has actual care of the child shall receive a grant of Bfrs 8 000.'

The same grant shall be paid to an official who adopts a child who is less than five years of age and is a dependant within the meaning of Article 2 (2) of Annex VII.'

2. Article 74 (3) shall be replaced by the following:

'3. The recipient of a grant on the birth of a child shall declare any grants of the same nature received from other sources for the same child; such grants shall be deducted from the grant provided for above. Where both parents are officials of the Communities, the grant shall be paid once only.'

Article 11

In the second paragraph of Article 79, the words 'with the exception of leave on personal grounds' shall be replaced by 'with the exception of leave on personal grounds for the period during which, pursuant to Article 40 (3), no pension rights have been acquired'.

Article 12

The following shall be added to Article 86 (2) (f):

'but the consequences of this measure shall not affect dependants of the official;

Article 13

In Annex I (A), the heading 'Language service' shall be replaced by the following:

'Language Service

- | | |
|-------|--|
| L/A 3 | Head of a Translation or Interpretation Division |
| L/A 4 | { Head of Translation or Interpretation Group |
| L/A 5 | |
| L/A 6 | { translator |
| L/A 7 | |
| L/A 8 | { assistant translator |
| | { assistant interpreter' |

Article 14

The following third paragraph shall be added to Article 7 of Annex II:

'In the event of failure to agree on the appointment of a third doctor within two months of the appointment of the second doctor, the third shall be appointed by the President of the Court of Justice of the European Communities at the request of one of the parties concerned.'

Article 15

The following paragraph shall be added to the Sole Article of Annex IV:

'1a. During the period of entitlement to the allowance, and for the first six months thereafter, the official shall be entitled, in respect of himself and persons covered by his insurance, to benefits under the sickness insurance scheme provided for in Article 72 of the Staff Regulations, on condition that the official pays the appropriate contribution calculated by reference, as the case may be, either to his basic salary or to the percentage thereof specified in paragraph 1 of this Article and that he cannot be covered by any other public scheme against the same risks.'

At the end of the period referred to in the first subparagraph and on the conditions laid down therein, the official concerned may, at his request, continue to receive the benefits under the said sickness insurance scheme on condition that he bears the whole of the contribution referred to in Article 72 (1) of the Staff Regulations.

When the official's entitlement to the allowance ceases, his contribution shall be calculated by reference to the monthly allowance last received.

Where the official has started to draw a pension under the pension scheme provided for in the Staff Regulations, he shall, for the purposes of

Article 72 of the Staff Regulations, be treated in the same way as an official who has remained in the service until the age of 60 years.'

Article 16

The following second paragraph shall be added to Article 6 of Annex V:

'The institution may also grant special leave in the case of further training and instruction, within the limits laid down in the further training and instruction programme drawn up by the institution pursuant to the third paragraph of Article 24 of the Staff Regulations.'

Article 17

The following second paragraph shall be added to Article 7 of Annex V:

'Where an official benefits from the second subparagraph of Article 8 (2) of Annex VII, the travelling time based on the distance by rail between the place of leave and the place of employment shall be as follows:

- up to 900 km: one day for the outward and return journey,
- more than 900 km: two days for the outward and return journey.'

Article 18

1. In Article 1 (a) of Annex VI, 'one hour off' shall be replaced by 'one hour and a half off' and 'one hour and a half off' by 'two hours off'.
2. In Article 1 (b) of Annex VI, '0.72 %' shall be replaced by '0.56 %'.

Article 19

1. In Article 1 (1) of Annex VII, 'Bfrs 2 228' shall be replaced by 'Bfrs 2 688'.
2. In Article 1 (3) of Annex VII, 'Bfrs 250 000' shall be replaced by 'the basic annual salary of an official in the third step of grade C 3, weighted at the rate for the country where the spouse carries out his or her occupation'.

Article 20

The first indent of the third paragraph of Article 3 of Annex VII shall be replaced by the following:

- an official whose place of employment is at least 50 km from, either:
 - a European school, or
 - an educational establishment working in his language which the child attends for imperative educational reasons duly supported by evidence;

Article 21

1. The word 'European' shall be deleted from the first indent of Article 4 (a) of Annex VII.

2. The following paragraphs shall be added to Article 4 of Annex VII :

'2. An official who is not and has never been a national of the State in whose territory he is employed and who does not fulfil the conditions laid down in paragraph 1 shall be entitled to a foreign residence allowance equal to one quarter of the expatriation allowance.

3. For the purposes of paragraphs 1 and 2, an official who has by marriage automatically acquired and cannot renounce the nationality of the State in whose territory he or she is employed shall be treated in the same way as an official covered by the first indent of paragraph 1 (a).'

The existing text of Article 4 shall become paragraph 1 thereof.

Article 22

The following Section shall be added to Annex VII :

*'Section 2b**TEACHING ALLOWANCE**Article 4b*

The appointing authority may grant to an official referred to in Article 70a of the Staff Regulations an allowance equal to 0.45 % of his basic monthly salary in respect of each hour of instruction given outside normal working hours.

The allowance shall be paid together with the remuneration for one of the months following that during which the instruction was given.'

Article 23

1. The following sentence shall be added to the second indent of the first subparagraph of Article 7 (2) of Annex VII :

'However, if the outward and return journey covers a distance of 800 km or more, officials in categories C and D shall be reimbursed the first-class fare ;'

2. The following subparagraph shall be inserted after the first subparagraph of Article 7 (2) of Annex VII :

'Where the route referred to in the first indent of the first subparagraph exceeds 500 km and in cases where the usual route includes a sea-crossing, the official concerned shall be entitled, on production of the tickets, to reimbursement of the cost of

travel by air in the class immediately below luxury class, or first class.'

3. In the last subparagraph of Article 7 (2) of Annex VII, 'that mentioned above' shall be replaced by 'those mentioned above'.

Article 24

1. The second sentence of Article 8 (2) of Annex VII shall be replaced by the following :

'However, if the distance of the outward and return journey is 800 km or more, payment for officials in categories C and D shall be based on the cost of a first-class ticket. Where calculation on these bases is not possible, the terms of payment shall be fixed by special decision of the appointing authority.'

2. The following second subparagraph shall be added to Article 8 (2) of Annex VII :

'Where the distance by rail between the official's place of employment and his place of origin exceeds 500 km and in cases where the usual route includes a sea-crossing, he shall be entitled, on production of the tickets, to reimbursement of the cost of travel by air in the class immediately below luxury class or first class.'

Article 25

1. The second sentence of the first subparagraph of Article 12 (2) of Annex VII shall be replaced by the following :

'In that case reimbursement shall be made against production of tickets for the class immediately below luxury class or first class.'

2. The second subparagraph of Article 12 (2) of Annex VII shall be replaced by the following :

'By decision of the appointing authority, officials accompanying a member of the institution on a given mission may, on production of tickets, be reimbursed the cost of the journey in the same class as that used by the member for that journey.'

3. In the third subparagraph of Article 12 (2) of Annex VII, the words 'in category A of grades below A 3 and in the Language Service of grades below L/A 3' shall be deleted.

Article 26

The following shall be added to Article 3 (a) of Annex VIII :

'and, on the conditions laid down in the last sentence of the second subparagraph of Article 40 (3) of the Staff Regulations, the administrative status referred to in Article 35 (c) of the Staff Regulations ;'

Article 27

The first sentence of Article 27 of Annex VIII shall be replaced by the following :

'The divorced wife of an official shall be entitled on his death to a survivor's pension, as defined in this chapter, provided that the court which pronounced the decree of divorce did not find that the divorced wife in question was solely to blame.'

Article 28

In the first sentence of Article 28 of Annex VIII, the words 'if the court which pronounced the decree of divorce found that the official was solely to blame' shall be replaced by 'if the court which pronounced the decree of divorce did not find that the divorced wife was solely to blame'.

Article 29

The following shall be added to the second sentence of the first paragraph of Article 37 of Annex VIII :

'and to officials on leave on personal grounds who are continuing to acquire further pension rights on the conditions laid down in Article 40 (3) of the Staff Regulations.'

CHAPTER II

AMENDMENTS TO THE CONDITIONS OF
EMPLOYMENT OF OTHER SERVANTS OF THE
EUROPEAN COMMUNITIES*Article 30*

The following sentence shall be added to the first paragraph of Article 4 :

'By way of exception, staff engaged to perform executive duties at the Press and Information Offices of the Commission of the European Communities may also be regarded as local staff.'

The second paragraph of Article 4 shall be replaced by the following :

'In places of employment outside the Community countries, staff engaged for duties other than those mentioned in the first paragraph which, in the interests of the service, could not be assigned to an official or servant having another capacity within the meaning of Article 1, may be regarded as local staff.'

Article 31

The following paragraph shall be added to Article 14 after the first paragraph :

'Where during his probationary period a member of the temporary staff is prevented, by sickness or

accident, from performing his duties for one month or more, the authority authorized to conclude the contract of engagement may extend his probationary period by the corresponding length of time.'

Article 32

The second paragraph of Article 20 shall be replaced by the following :

'Articles 66, 67, 69, 70 and 70a of the Staff Regulations concerning basic salaries, family allowances, expatriation allowance, payment in the event of death and the teaching allowance shall apply by analogy.'

Article 33

The following paragraph shall be inserted after the third paragraph of Article 37.

'Where the spouse, not being an official or member of the temporary staff, of a member of the temporary staff dies, children dependent on the latter within the meaning of Article 2 of Annex VII to the Staff Regulations shall be entitled to an orphan's pension fixed in accordance with the last paragraph of Article 80 of the Staff Regulations.'

Article 34

Article 65 shall be replaced by the following :

Article 65

Article 67, with the exception of paragraph 1 (c), and Article 69 of the Staff Regulations and Articles 1, 2, 4 and 4a of Annex VII to the Staff Regulations concerning the payment of family, expatriation and fixed allowances shall apply by analogy.'

CHAPTER III

FINAL PROVISIONS

Article 35

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

However, Article 4 (3) of Annex VII to the Staff Regulations, referred to in Article 21 (2) of this Regulation shall be applicable with effect from 1 July 1972.

Article 5 shall apply, for the period of leave remaining, to any official who, when this Regulation enters into force, is on leave on personal grounds.

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

Done at Brussels, 2 May 1978.

For the Council

The President

K. B. ANDERSEN

COUNCIL REGULATION (EURATOM, ECSC, EEC) No 913/78

of 2 May 1978

amending Regulation (EEC, Euratom, ECSC) No 260/68 laying down the conditions and procedure for applying the tax for the benefit of the European Communities

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing a single Council and a single Commission of the European Communities,

Having regard to the Protocol on the privileges and immunities of the European Communities, and in particular Article 13 thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC, Euratom, ECSC) No 260/68 of 29 February 1968 laying down the conditions and procedure for applying the tax for the benefit of the European Communities⁽¹⁾, as last amended by Regulation (ECSC, EEC, Euratom) No 1544/73⁽²⁾, should be amended to take account of Council Regulation (Euratom, ECSC, EEC) No 912/78

of 2 May 1978 amending the Staff Regulations of officials of the European Communities and the conditions of employment of other servants of the European Communities⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The following indent shall be added to Article 6 (1) (a) of Regulation (EEC, Euratom, ECSC) No 260/68:

‘— under Article 70a of the Staff Regulations.’

Article 2

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, 2 May 1978.

For the Council

The President

K. B. ANDERSEN

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 8.

⁽²⁾ OJ No L 155, 11. 6. 1973, p. 6.

⁽³⁾ See page 1 of this Official Journal.

COUNCIL REGULATION (EURATOM, ECSC, EEC) No 914/78

of 2 May 1978

amending the Staff Regulations of officials of the European Communities as regards the allowance referred to in Article 4a of Annex VII to the Staff Regulations

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing a single Council and a single Commission of the European Communities, and in particular Article 24 thereof,

Having regard to the proposal from the Commission submitted after consulting the Staff Regulations Committee,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Court of Justice,

Whereas Regulation (EEC, Euratom, ECSC) No 259/68 ⁽²⁾ as last amended by Regulation (Euratom, ECSC, EEC) No 912/78 ⁽³⁾, lays down in Article 2 the Staff Regulations of officials of the European Communities and in Article 3 the conditions of employment of other servants of the European Communities; whereas it is for the Council, acting by a qualified majority on a proposal from the Commission and after consulting the other institutions concerned, to amend the Staff Regulations and the conditions of employment;

Whereas it seems desirable to make the allowance referred to in Article 4a of Annex VII to the Staff Regulations permanent,

HAS ADOPTED THIS REGULATION:

Article 1

1. In Annex VII the word 'temporary' shall be deleted from the title of Section 2a and from the first sentence of Article 4a.

2. The second sentence of Article 4a of Annex VII shall be replaced by the following:

'The amount of this allowance shall be determined by the Council in accordance with the procedure laid down in Article 65 (3) of the Staff Regulations.'

Article 2

The amount of this allowance as it is shown in Article 3 of Regulation (EEC, Euratom, ECSC) No 2859/77 ⁽⁴⁾ shall remain applicable until it is amended by the Council, acting in accordance with the procedure laid down in Article 65 (3) of the Staff Regulations.

Article 3

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, 2 May 1978.

For the Council

The President

K. B. ANDERSEN

⁽¹⁾ OJ No C 140, 13. 11. 1974, p. 20.

⁽²⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽³⁾ See page 1 of this Official Journal.

⁽⁴⁾ OJ No L 330, 23. 12. 1977, p. 1.

COUNCIL REGULATION (EEC) No 915/78

of 2 May 1978

fixing for 1978 Community quantitative export quotas for certain types of copper ash and residues and for certain types of copper, aluminium and lead waste and scrap

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2603/69 of 20 December 1969 establishing common rules for exports ⁽¹⁾, and in particular Article 7 thereof,

Having regard to Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas ⁽²⁾, and in particular Article 2 thereof,

Having regard to Council Regulation (EEC) No 1078/71 of 25 May 1971 establishing common rules for exports and opening a Community quantitative export quota for certain types of ash and waste of non-ferrous metals (copper, lead and aluminium) ⁽³⁾, and in particular Article 4 thereof,

Having regard to the proposal from the Commission,

Whereas, in order to avoid supply difficulties for certain types of copper ash and residues and for certain types of copper, aluminium and lead waste and scrap, Community quantitative export quotas were fixed by Regulation (EEC) No 2878/77 ⁽⁴⁾;

Whereas these quotas were fixed by way of a transitional measure, on the basis of the 1977 arrangements, for the period 1 January to 30 April 1978 pending the results of the examination being held to determine the arrangements for the whole of 1978;

Whereas, in the light of the outcome of this examination, the quantitative export quotas should be maintained in force for 1978 for the products in question, the amount of the quotas should be increased and certain of them should be redistributed as against the 1977 arrangements;

Whereas the criterion for their allocation should be determined;

Whereas the provisions relating to the control of trade within the Community laid down in Commission

Regulation (EEC) No 223/77 of 22 December 1976 on the use of Community transit documents for the purpose of applying certain measures on the exportation of certain goods ⁽⁵⁾ apply only if the measure introducing export restrictions provide for their application,

HAS ADOPTED THIS REGULATION:

Article 1

1. Community quantitative export quotas shall be established as follows for 1978:

CCT heading No	Description	Quantity (tonnes)
ex 26.03	Ash and residues of copper and copper alloys	21 000
ex 74.01	Waste and scrap of copper and copper alloys	27 000
76.01 B	Aluminium waste and scrap	5 600
78.01 B	Lead waste and scrap	2 250

2. The quantities exported on the basis of the quotas fixed for the first four months of 1978 by Regulation (EEC) No 2878/77 shall be deducted from the amounts referred to in paragraph 1.

Article 2

The quotas fixed in Article 1 shall be allocated according to the estimate of requirements.

Article 3

Exports outside the Community of products listed in Article 1 obtained under inward processing arrangements within the meaning of Council Directive 69/73/EEC of 4 March 1969 on the harmonization of

⁽¹⁾ OJ No L 324, 27. 12. 1969, p. 25.

⁽²⁾ OJ No L 124, 8. 6. 1970, p. 1.

⁽³⁾ OJ No L 116, 28. 5. 1971, p. 5.

⁽⁴⁾ OJ No L 332, 24. 12. 1977, p. 10.

⁽⁵⁾ OJ No L 38, 9. 2. 1977, p. 20.

provisions laid down by law, regulation or administrative action in respect of inward processing⁽¹⁾ and temporary exports for processing, working or repair in a third country of products which are to be re-imported for home use within the customs territory of the Community (outward processing), shall be counted against the quota share of the exporting Member State.

Article 4

Regulation (EEC) No 223/77 shall apply to movement within the Community of the products listed in Article 1.

Article 5

The Council shall decide in good time and in any case by 31 December 1978 on the measures to be taken after expiry of the validity of this Regulation as regards the export of the products listed in Article 1.

Article 6

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

It shall apply until 31 December 1978.

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

Done at Brussels, 2 May 1978.

For the Council

The President

K. B. ANDERSEN

⁽¹⁾ OJ No L 58, 8. 3. 1969, p. 1.

COMMISSION REGULATION (EEC) No 916/78

of 2 May 1978

fixing the import levies on cereals and on wheat or rye flour groats and meal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 709/78⁽²⁾, and in particular
Article 13 (5) thereof,

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

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 1729/77 to the

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

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products listed in
Article 1 (a), (b) and (c) of Regulation (EEC) No
2727/75 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 3 May 1978.

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

Done at Brussels, 2 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 9.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 5.

ANNEX

to the Commission Regulation of 2 May 1978 fixing the import levies on cereals and on wheat or rye flour groats and meal

CCT heading No	Description	Levies (u.a./tonne)
10.01 A	Common wheat, and meslin	88.47
10.01 B	Durum wheat	129.15 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	82.86 ⁽⁶⁾
10.03	Barley	76.73
10.04	Oats	77.86
10.05 B	Maize, other than hybrid maize for sowing	72.70 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	79.41 ⁽⁴⁾
10.07 C	Grain sorghum	80.73 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	135.93
11.01 B	Rye flour	128.07
11.02 A I a)	Durum wheat groats and meal	211.32
11.02 A I b)	Common wheat groats and meal	145.23

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

⁽²⁾ Where maize originating in the ACP or OCT is imported into the French overseas departments, the levy is reduced by 6 u.a./tonne as provided for in Regulation (EEC) No 706/76.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.50 u.a./tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.50 u.a./tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 917/78**of 2 May 1978****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 709/78 ⁽²⁾, and in particular
Article 15 (6) thereof,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
1730/77 ⁽³⁾ and subsequent amending Regulations ;

Whereas, on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in

force, which are to be added to the levies, should be
altered as shown in the tables annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION :

Article 1

The scale of the premiums to be added, pursuant to
Article 15 of Regulation (EEC) No 2727/75, to the
import levies fixed in advance in respect of cereals
and malt is hereby fixed as shown in the tables
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 3 May 1978.

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

Done at Brussels, 2 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 9.

⁽³⁾ OJ No L 191, 30. 7. 1977, p. 7.

ANNEX

to the Commission Regulation of 2 May 1978 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.a./tonne)

CCT heading No	Description	Current 5	1st period 6	2nd period 7	3rd period 8
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	1.32
10.02	Rye	0	1.15	1.15	2.14
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0.66	0.66	1.98
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 918/78

of 2 May 1978

amending Regulation No 10/65/EEC laying down common quality standards for
garlicTHE COMMISSION OF THE EUROPEAN
COMMUNITIES,Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1034/77⁽²⁾, and in
particular the second subparagraph of Article 2 (3)
thereof,Whereas changes have taken place in the garlic trade,
in particular with regard to presentation of the
product; whereas the common quality standards
which were laid down in respect of this product by
Council Regulation No 10/65/EEC of 26 January
1965⁽³⁾ should therefore be amended;Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Manage-
ment Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

*Article 1*Paragraph B (iii) of Title V in the Annex to Regula-
tion No 10/65/EEC is hereby amended to read as
follows:

'(iii) in strings, for dry or semi-dry garlic only.

Strings must include:

- 12 bulbs, or
- at least 24 bulbs

Garlic in strings must be made up with the
plants' actual stems and tied with string, raffia
or any other suitable material.'*Article 2*This Regulation shall enter into force on the third day
following its publication in the *Official Journal of
the European Communities*.This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 2 May 1978.

For the Commission

Finn GUNDELACH

Vice-President⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 2.⁽²⁾ OJ No L 125, 19. 5. 1977, p. 1.⁽³⁾ OJ No 19, 5. 2. 1965, p. 246/65.

COMMISSION REGULATION (EEC) No 919/78

of 2 May 1978

applying Quality Class III to certain fruit for the 1978/79 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1034/77⁽²⁾, and in particular Article 4 (1) thereof,

Whereas Council Regulation No 211/66/EEC of 14 December 1966⁽³⁾ added a Class III to the common quality standards for peaches and table grapes, while the same class was added to the common quality standards for cherries and strawberries by Council Regulation (EEC) No 1194/69 of 26 June 1969⁽⁴⁾; whereas Commission Regulation (EEC) No 379/71 of 19 February 1971 laying down common quality standards for citrus fruit⁽⁵⁾, and Commission Regulation (EEC) No 1641/71 of 27 July 1971 laying down quality standards for dessert apples and pears⁽⁶⁾, as amended by Regulation (EEC) No 1833/73⁽⁷⁾, laid down a Class III for the products concerned;

Whereas Council Regulation (EEC) No 2764/77 of 5 December 1977⁽⁸⁾ extended until 31 December 1982 the period during which Quality Class III may be applied in respect of certain fruit and vegetables;

Whereas, pursuant to Article 4 (1) of Regulation (EEC) No 1035/72, the Quality Class III may be applied only if the products concerned are needed to meet consumer demand; whereas this appears to be the case at present for lemons, table grapes, cherries and strawberries; whereas, in view of the considerable fluctuations in production from one marketing year to another, the period of application of Quality Class III should be limited;

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

HAS ADOPTED THIS REGULATION:

Article 1

A Quality Class III as defined in the common quality standards shall apply, for the period specified in each case, in respect of the products listed in the Annex hereto.

Article 2

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, 2 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 125, 19. 5. 1977, p. 1.

⁽³⁾ OJ No 233, 20. 12. 1966, p. 3939/66.

⁽⁴⁾ OJ No L 157, 28. 6. 1969, p. 1.

⁽⁵⁾ OJ No L 45, 24. 2. 1971, p. 1.

⁽⁶⁾ OJ No L 172, 31. 7. 1971, p. 1.

⁽⁷⁾ OJ No L 185, 7. 7. 1973, p. 17.

⁽⁸⁾ OJ No L 320, 15. 12. 1977, p. 5.

ANNEX

Lemons :	from 1 June to 30 September 1978.
Table grapes :	from 1 May 1978 to 30 April 1979.
Cherries :	from 1 April to 30 September 1978.
Strawberries :	from 1 April to 31 December 1978.

COMMISSION REGULATION (EEC) No 920/78

of 2 May 1978

on the obligatory adjustment of monetary compensatory amounts for pigmeat
fixed in advance

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
974/71 of 12 May 1971 on certain measures of
conjunctural policy to be taken in agriculture
following the temporary widening of the margins of
fluctuation for the currencies of certain Member
States⁽¹⁾, as last amended by Regulation (EEC) No
557/76⁽²⁾, and in particular Article 3 thereof,

Having regard to Commission Regulation (EEC) No
651/78 of 31 March 1978 on the obligatory alterations
to be made to monetary compensatory amounts fixed
in advance⁽³⁾, and in particular Article 1 (2) thereof,

Whereas it has, by Commission Regulation (EEC) No
858/78 of 27 April 1978 on special detailed rules
applying to certificates fixing the refund and
amending Regulation (EEC) No 193/75⁽⁴⁾, been made
possible with effect from 1 May 1978 to fix the refund
in advance for certain pigmeat products; whereas
consequently, by virtue of Article 2 (1) of Commission
Regulation (EEC) No 243/78 of 1 February 1978
providing for the advance fixing of monetary compen-
satory amounts⁽⁵⁾, advance fixing of the monetary
compensatory amounts for these products becomes
possible from the same date in cases where advance
fixing of the refund is requested;

Whereas Article 7 (1) of Regulation (EEC) No 243/78
provides that the monetary compensatory amounts
fixed in advance must be adjusted if a new representa-
tive rate comes into effect during the period of

validity of the certificate; whereas this new rate must
have been decided before the application for a certifi-
cate was lodged; whereas this situation has now also
arisen for the United Kingdom in the pigmeat sector;

Whereas the monetary compensatory amounts
provided for in Regulation (EEC) No 974/71 were
fixed by Commission Regulation (EEC) No 938/77 of
29 April 1977⁽⁶⁾, as last amended by Regulation
(EEC) No 800/78⁽⁷⁾; whereas Annex IV to Regulation
(EEC) No 938/77 indicates the coefficients to be
applied to the monetary compensatory amounts to
make the obligatory adjustments thereto; whereas for
the reasons stated above an addition must be made to
this Annex; whereas it is appropriate to republish the
complete Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex IV to Regulation (EEC) No 938/77 is hereby
replaced by the Annex to this Regulation.

Article 2

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

It shall apply with effect from 1 May 1978.

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

Done at Brussels, 2 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 1.

⁽³⁾ OJ No L 86, 1. 4. 1978, p. 41.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, p. 18.

⁽⁵⁾ OJ No L 37, 7. 2. 1978, p. 5.

⁽⁶⁾ OJ No L 110, 30. 4. 1977, p. 6.

⁽⁷⁾ OJ No L 111, 24. 4. 1978, p. 1.

ANNEX

The adjustments to be made to the monetary compensatory amounts fixed in advance pursuant to Article 7 (1) of Regulation (EEC) No 243/78

The monetary compensatory amounts in Annex I to Regulation (EEC) No 938/77 and fixed in advance from 1 May 1978 shall be multiplied by the following coefficients :

Member States	Sectors concerned	Coefficient	Applicable to imports and exports carried out from
Italy	Cereals, eggs and poultrymeat	0.750156	1 August 1978
United Kingdom	Beef and veal	0.914650	The day on which the prices for the 1978/79 marketing year apply
	Pigmeat	0.914650	The day on which the prices for milk and milk products for the 1978/79 marketing year apply
	Sugar and isoglucose	0.793876	1 July 1978
	Cereals, eggs and poultrymeat	0.793876	1 August 1978
	Milk and milk products	0.793876	The day on which the prices for the 1978/79 marketing year apply

NB: This Annex only applies to the certificates issued during its period of application.

COMMISSION REGULATION (EEC) No 921/78

of 28 April 1978

re-establishing the levying of customs duties on fibre building board of wood or other vegetable material, falling within heading No 44.11 and originating in Brazil, to which the preferential tariff arrangements set out in Regulation (EEC) No 2705/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2705/77 of 28 November 1977 establishing preferential tariffs in respect of certain products originating in developing countries ⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) and (4) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A thereto — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1975 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 225 % of the preferential ceiling open for 1976;

Whereas, having regard to that ceiling, the amounts for products originating in any one of the countries or territories listed in Annex B to the afore-said Regulation should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex A thereto; whereas, for these products, this reduced percentage will be 30 %;

Whereas Article 2 (2) and (3) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries or territories — with the exception of those

listed in Annex C thereto — once the relevant Community amount has been reached;

Whereas, in respect of fibre building board of wood or other vegetable material, falling within heading No 44.11, the ceiling, calculated as indicated above, should be 10 363 500 units of account, and therefore the maximum amount is 3 109 050 units of account; whereas, on 25 April 1978, the amounts of imports into the Community of fibre building board of wood or other vegetable material, falling within heading No 44.11 and originating in Brazil, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 2705/77 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Brazil,

HAS ADOPTED THIS REGULATION:

Article 1

As from 6 May 1978, the levying of customs duties, suspended in pursuance of Regulation (EEC) No 2705/77, shall be re-established in respect of the following products, imported into the Community and originating in Brazil:

CCT heading No	Description
44.11	Fibre building board of wood or other vegetable material, whether or not bonded with natural or artificial resins or with other organic binders

Article 2

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

⁽¹⁾ OJ No L 324, 19. 12. 1977, p. 23.

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

Done at Brussels, 28 April 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 922/78

of 28 April 1978

re-establishing the levying of customs duties on knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, falling within heading No ex 82.09 and originating in Hong Kong, to which the preferential tariff arrangements set out in Regulation (EEC) No 2705/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2705/77 of 28 November 1977 establishing preferential tariffs in respect of certain products originating in developing countries⁽¹⁾, and in particular Article 4 (2) thereof;

Whereas Article 1 (3) and (4) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A thereto — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1975 cif imports coming from other countries and from countries and territories already covered by such arrangements: whereas however, the ceiling resulting from the sum of this addition may in no case exceed 225 % of the preferential ceiling open for 1976;

Whereas, having regard to that ceiling, the amounts for products originating in any one of the countries or territories listed in Annex B to the afore-said Regulation should be within a maximum Community amount representing 50 % of that ceiling, with the exception of certain products for which the maximum amount is to be reduced to the percentage indicated in Annex A thereto; whereas, for these products, this reduced percentage will be 15 %;

Whereas Article 2 (2) and (3) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries or territories with the exception of those listed in Annex C thereto — once the relevant Community amount has been reached;

⁽¹⁾ OJ No L 324, 19. 12. 1977, p. 23.

Whereas, in respect of knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, falling within heading No ex 82.09 the ceiling, calculated as indicated above, should be 3 473 000 units of account, and therefore the maximum amount is 520 950 units of account; whereas, on 24 April 1978, the amounts of imports into the Community of knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, falling within heading No ex 82.09 and originating in Hong Kong, a country covered by preferential tariff arrangements, reached that maximum amount; whereas, bearing in mind the objectives of Regulation (EEC) No 2705/77 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question in relation to Hong Kong,

HAS ADOPTED THIS REGULATION:

Article 1

As from 6 May 1978, the levying of customs duties, suspended in pursuance of Regulation (EEC) No 2705/77, shall be re-established in respect of the following products, imported into the Community and originating in Hong Kong:

CCT heading No	Description
ex 82.09	Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06

Article 2

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

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

Done at Brussels, 28 April 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission
